

<b>Committee Date</b>	09.11.2023	
<b>Address</b>	Pavilion And Public Conveniences Goddington Park Goddington Lane Orpington BR6 9DH	
<b>Application Number</b>	23/02527/FULL1	<b>Officer</b> - Robin Evans
<b>Ward</b>	Orpington	
<b>Proposal</b>	Demolition of the existing sports clubhouse. Erection of repositioned sports pavilion, external equipment store, cycle and bin store, perimeter fencing and associated works, including new access from car park and landscaping.	
<b>Applicant</b> Mr L Covil	<b>Agent</b> Mr Colin Smith	
C/o Agent	146 Brambletye Park Road Redhill RH1 6ED	
<b>Reason for referral to committee</b>	Call-In	<b>Councillor call in</b> Yes – Cllr Tunnicliffe

<b>RECOMMENDATION</b>	Application Refused
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<p>KEY DESIGNATIONS</p> <p>Article 4 Direction</p> <p>Biggin Hill Safeguarding Area</p> <p>Local Cycle Network</p> <p>Public Rights of Way</p> <p>Green Belt</p> <p>London City Airport Safeguarding</p> <p>Renewal Area</p> <p>Sites of Interest for Nat. Conservation</p> <p>Sites of Interest for Nat. Conservation</p> <p>Smoke Control SCA 31</p> <p>Views of Local Importance</p>
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<b>Land use Details</b>		
	Use Class or Use description	Floor space (GIA SQM)

Existing	F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms)	491
Proposed	F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms).	448

Vehicle parking	Existing number of spaces	Total proposed including spaces retained	Difference in spaces (+ or -)
Standard car spaces	n/a	n/a	n/a
Disabled car spaces	n/a	2	+2
Cycle	n/a	Cycle store provided	increase

<b>Representation summary</b>	Neighbour letters sent 27.07.2023 Site notice displayed 28.07.2023 Press advertisement published 02.08.2023
Total number of responses	378
Number in support	336
Number of objections	42

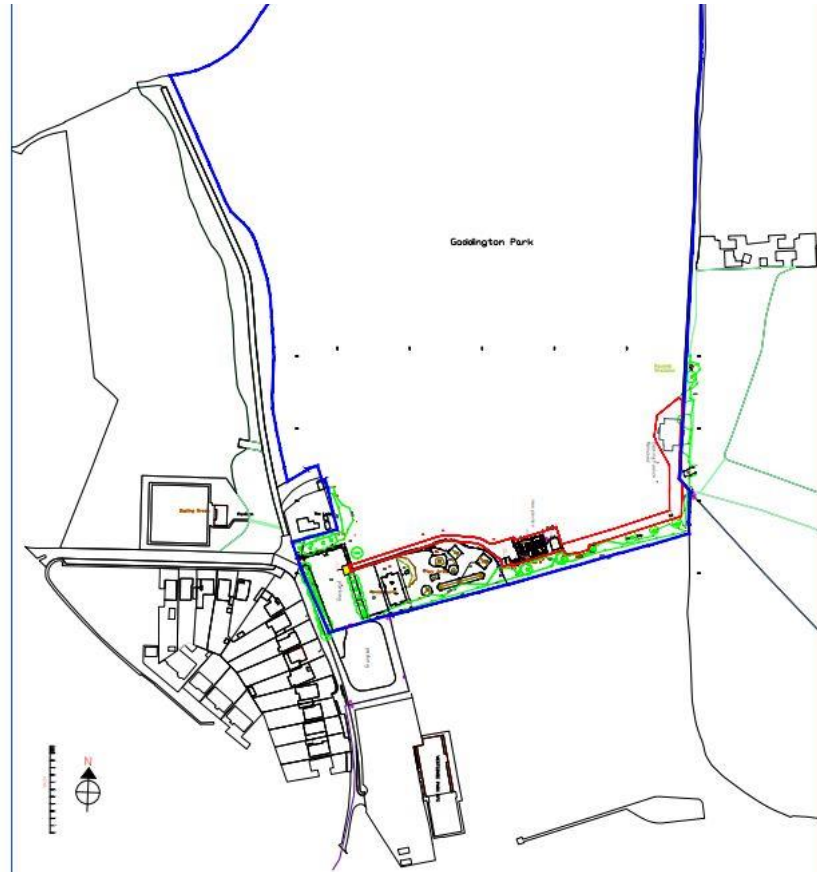
## 1. SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal would comprise inappropriate development within the Green Belt by definition, it would be harmful to its openness and would conflict with the purposes of including land within it,
- There are no other considerations of sufficient weight and uniqueness to clearly outweigh the harm identified.

## 2. LOCATION

- 2.1 The application site is the sports pavilion/equipment store at Goddington Park, located on the eastern side of Goddington Lane, Orpington, close to the junction with A224 Court Road. The existing pavilion is stated to provide 4 changing rooms, 2 bathrooms, 2 storage rooms, male and female showers and a kitchenette, and a detached storage container to address a shortfall of internal storage space. The land is predominantly level with boundaries marked by trees and vegetation. The Park comprises a large main open public space providing numerous football pitches and two further fields to the east providing rugby pitches. There is a public car park and children's playground at its southwestern

corner and a sports pavilion at its south-eastern corner. To the south of the park is Orpington Sports Club which appears to be a separate and private sports club with its own car park. The application site lies within the Green Belt and Site of Importance for Nature Conservation. The site is not listed, although it does abut the Grade II listed Goddington Manor, and it does not lie within a Conservation Area or an Area of Special Residential Character.



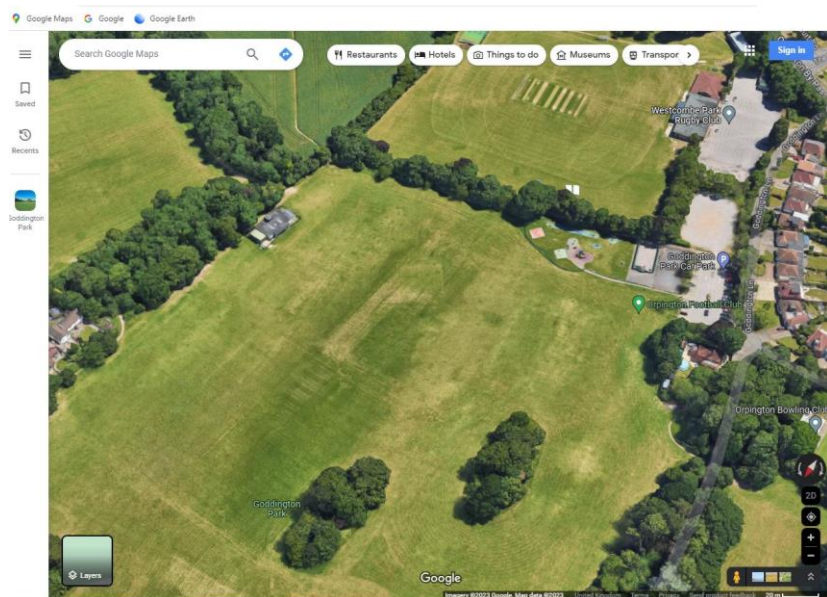
**Figure 1. Site Location Plan.**



**Photograph 1. Proposed site location from alongside children's playground.**



**Photograph 2. Proposed site location from Goddington Park car park.**

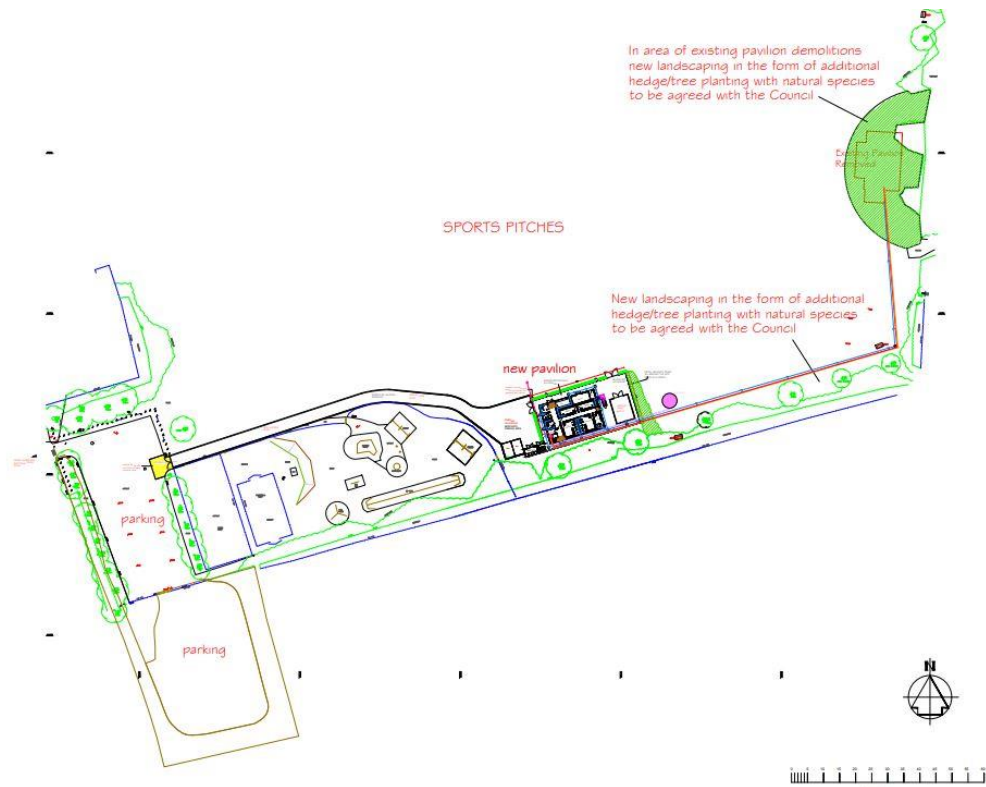


**Aerial photograph 1.**

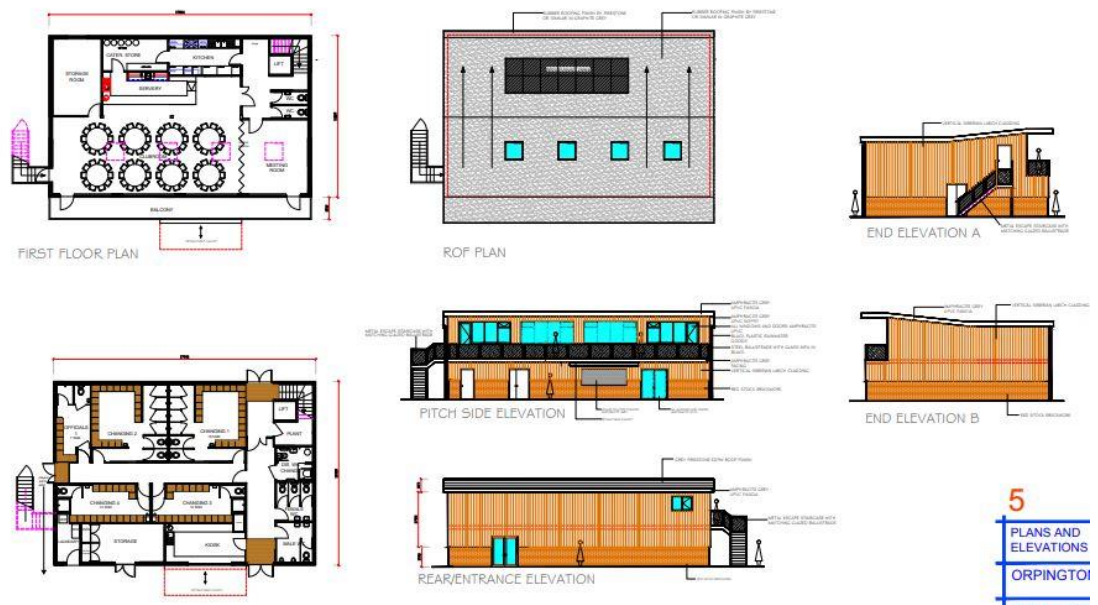
### **3. PROPOSAL**

- 3.1 Planning permission is sought for demolition of the existing sports clubhouse and erection of repositioned sports pavilion, external equipment store, cycle and bin store, perimeter fencing and associated works, including new access from car park and landscaping.
- 3.2 In support of and during the course of the application the Applicant provides the following further supporting details:
- Intensification of Use
    - There would be no intensification of use by the Football Club or an intention to become a semi-professional football club,
    - Additional use would be provided to the community for community benefit,
  - Highways and Car parking
    - the proposal would improve the existing facilities, additional groups using the building where it is currently under-utilised, would take place outside the normal club sessions and overall, this would not intensify the existing activities or increase transport or parking impacts,

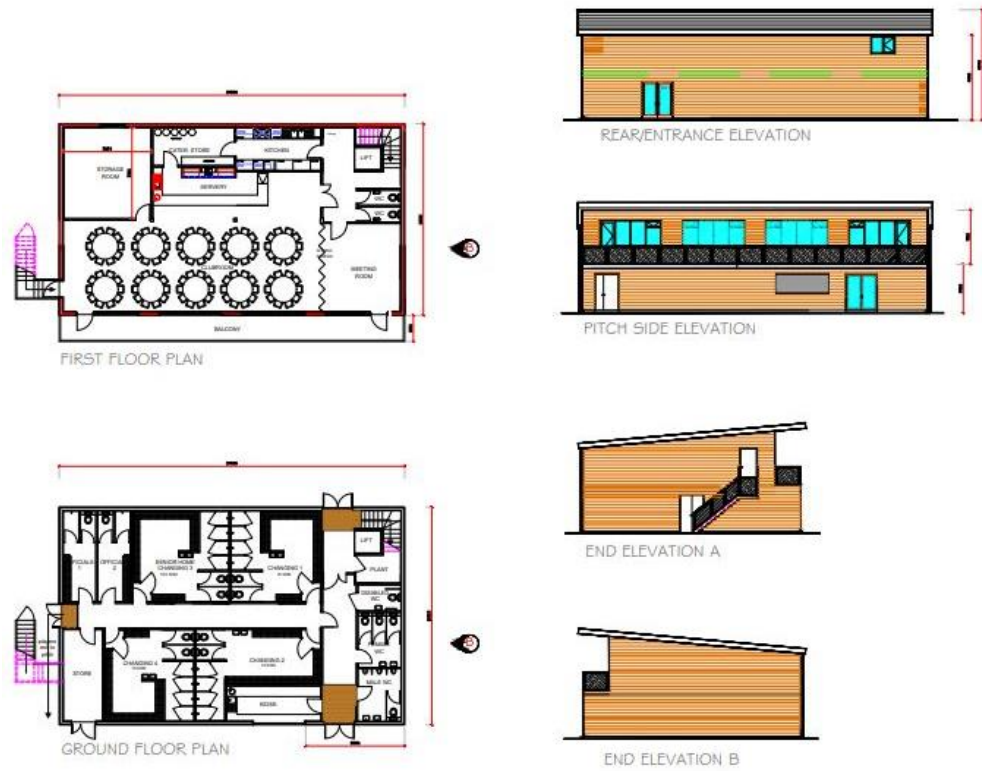
- car parking issues raised are pre-existing issues e.g. simultaneous football and rugby fixtures and is not for this proposal to resolve,
- the access route from the car park to the pavilion is for disabled access and routine deliveries and not for general access,
- the transport issues would not be severe according to the NPPF as concluded in the previous scheme,
- Visual Impact
  - Existing pavilion is not fit for purpose, it is a poor condition, it is not large enough and it is in a poor location and would not be suitable to replace it in its current size or location and no objection to the proposed re-siting in the previous scheme,
  - Proposed pavilion whilst taller along with the landscaping to screen the security fencing would be a visual improvement,
  - Proposed pavilion siting would be more integrated with the tennis courts and playground,
  - No objection to the design rationale as concluded in the previous scheme,
- Waste collection
  - The Football Club manages any litter on the field and arranges a regular refuse collection from the existing pavilion area,
- Security
  - The building is designed to deter and resist vandalism and intrusion,
- Uses
  - Proposed hours of building use:
    - Football season (September-April) 8am to 9pm,
    - Outside football season (May-August) 8am to 1 hour after dusk,
  - Primary use is at weekends for the Football Club and its own social functions,
  - Secondary use would be for the Football Club's administrative functions e.g. meetings, presentations/prizes, social events hours to be agreed with the Council; and intended to include a maximum of 6x events per year including Christmas Social, prize giving ceremony, presentations, fund raising events, and would be similar to other neighbouring sports clubs hours of operation,
  - Other uses could include other sport and recreational activities,
  - Other users would make efficient use of the building and provide additional activity and natural surveillance,
  - The Football Club does not intend to hire the venue out for weddings and parties,
  - Noise issues raised are pre-existing such as arising from other sites e.g. the rugby club, this proposal would not intensify the use of increase noise,
- Other matters
  - The identity of commenters and their location are redacted and cannot be verified,
  - The proposal would not harm the existing park, landscaping or biodiversity,
  - The construction period can be managed by a Construction Management Plan.



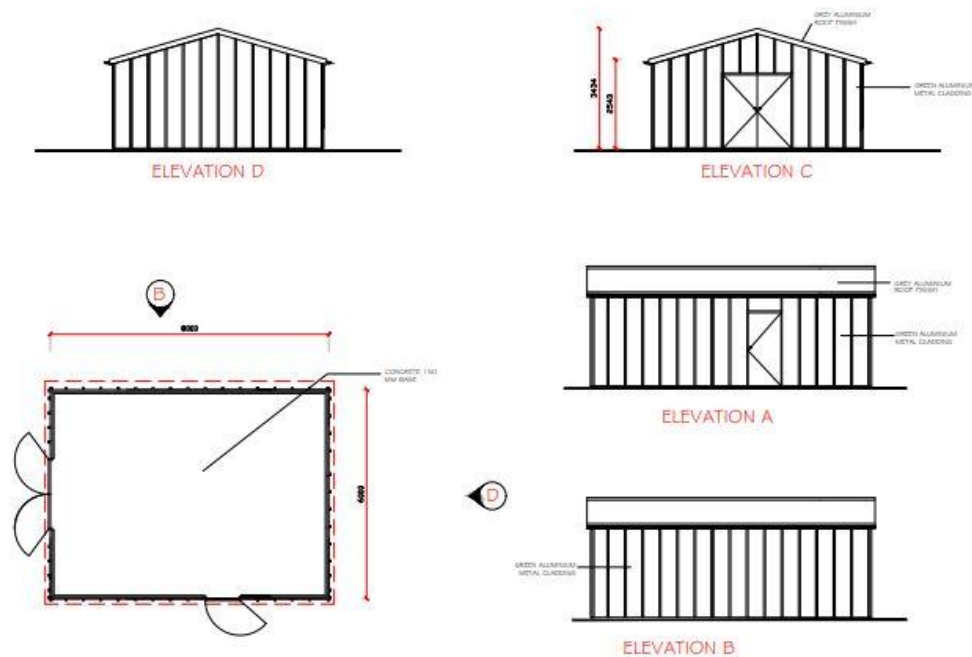
**Figure 2. Proposed site layout plan (23/02527/FULL1).**



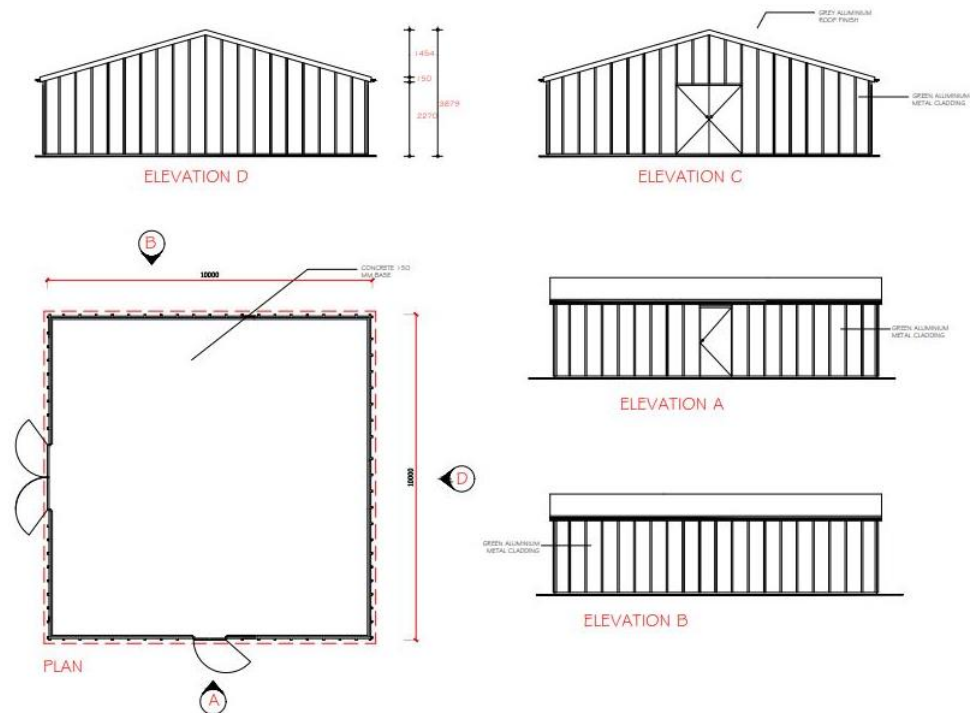
**Figure 3. Proposed pavilion floor plan and elevations – current application (23/02527/FULL1).**



**Figure 4. Proposed pavilion floor plan and elevations – previously refused application (21/05790/FULL1).**



**Figure 5. Proposed storeroom floor plan and elevations – current application (23/02527/FULL1).**



**Figure 6. Proposed storeroom floor plan and elevations – previously refused application (21/05790/FULL1).**

#### 4. RELEVANT PLANNING HISTORY

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

13/03422/FULL1 – Erection of secure metal storage building beside existing pavilion and steel fencing to surround storage building and pavilion was approved on 3 December 2013 and this appears to have been implemented.

21/05790/FULL1 – Demolition of the existing sports clubhouse. Erection of repositioned sports pavilion, external equipment store, cycle and bin store, perimeter fencing, and associated works was refused on 12.09.2022 for the following reason:

1. The proposal would comprise inappropriate development within the Metropolitan Green Belt by definition, it would fail to preserve its openness, it would conflict with the purposes of including land within the Green Belt. There are no very special circumstances existing in this instance to clearly outweigh the identified harm. The proposal would conflict with Policy 49 of the Bromley Local Plan 2019 and paragraphs 149 and 150 of the NPPF 2021.

The Applicant did not appeal against the Council's decision.



## 5. CONSULTATION SUMMARY

### A) Statutory

#### Highway Department: **No Objection**

The application site lies in an area with a PTAL 1a-1b rating (on a scale where 0 has the poorest access and 6b has the best access to public transport services) indicating that the application site and the proposed development would be more dependent upon private transport such as the car or bicycle than on public transport and therefore trips to the site would be predominantly by car. The existing pavilion building is small with limited capacity, and it is not clear whether the community uses and social events already take place although it is unlikely given the size, scale and condition of the existing building.

The submitted Transport Statement reference 200.0004/TN/4 dated October 2021 is unchanged from the previous application 21/05790/FULL1. It concludes that, although the floorspace of the pavilion will increase, the frequency of the football matches and events will stay the same and so the existing level of trips generated by the current site will remain as existing with no predicted increase in trips. A Parking Stress Survey was also included in the TS, carried out on a Saturday and Sunday in May 2021 between 08.00- 16.00. This indicates there are parking pressures in vicinity of the site particularly on a Sunday morning. The surveys were carried out in May 2021 and objections to this application state that there was not the full level of fixtures taking places at the time due to Covid-19 lockdown and being outside of the main football season and that the surveys were also undertaken before OFC had formally brought into use additional football pitches in Goddington Park. The parking surveys therefore seriously underestimate the overall impact of the proposed new facilities. The parking surveys also include some areas that unlikely to be used by people going to the park, such as the Closes off Berrylands and some other private parking areas such as the Rugby Club car park, which would not be available to members of the general public visiting the park. The Transport Statement also incorrectly labels some public car parks are labelled as the Orpington Football Club car park and overflow car park. It would appear that the parking surveys were not carried out at a time of maximum usage of the site by sports clubs on a weekend. However, if as stated in the application there would be no increase in the OFC fixtures, with or without the proposed Clubhouse, then there would in effect be no significant increase in vehicle trips as a direct result of the proposed development, whether or not the surveys were carried out at this time or if they were to be carried out again. The proposal intends to use the Clubhouse for OFC events after matches and potentially other events, possibly in the evening. This may increase in trips associated with those uses and increase in the length of time people spend in the park before and after matches.

#### Summary

The application site lies in a low PTAL rated area indicting a higher reliance upon private car usage by club members, players and spectators. The parking stress surveys, notwithstanding any issue in the methodology, indicate that there are parking pressures in vicinity of the site particularly on a Sunday morning. The impact of these new facilities remains a concern however there is no formal objection raised.

## Sport England: **No objection**

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in light of the National Planning Policy Framework (in particular Para. 99), and against its own playing fields policy, which states: 'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- all or any part of a playing field, or
- land which has been used as a playing field and remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'

Sport England's Playing Fields Policy and Guidance document can be viewed via the below link:[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy)

The proposal is for the demolition of the existing pavilion building located on the east side of the playing field towards its southeast corner, and its replacement with a larger two storey pavilion building on the southern boundary of the field to the east of the existing playground. The pavilion would be reached via an access road from the existing car park into a smaller parking and loading area. An equipment store is proposed to the east of the pavilion. A 2.4m metal security fence would surround the pavilion and equipment store. The part of the playing field affected by the proposal has in the past been marked out for pitches, most notably as part of the outfield to a senior cricket pitch, that it is understood was last used in the 2018 season.

The application is broadly a resubmission of a previous proposal considered by the Council under reference 21/05790/ FULL1 to which Sport England raised no objection but that was refused by the LPA on the grounds of its impact on the openness of the Metropolitan Open Land. Subsequent to that, it is understood that the proposed building has been modified to reduce its overall footprint and massing to address those concerns.

Sport England has consulted the relevant NGBs:

The Football Foundation: The existing pavilion is known to be in poor condition, with a requirement to improve/replace to meet modern standards and requirements for ancillary facilities – in terms of safeguarding, meeting minimum standards, and providing positive experiences for local participants. The site is of strategic importance for football to support participation in this area – providing an 11-pitch site catering for 17 teams ranging from under 6s through to adults, including both male and female players. Notably, the project is included within the Local Football Facility Plan for Bromley.

The pavilion would provide two changing rooms which meet Sport England design guidance of 16 sqm open changing area (whilst the FA and Football Foundation typically recommend

18 sqm, the Football Foundation recognised the applicants desire to minimise impact on green belt by meeting Sport England's minimum requirement), whilst providing the recommended four cubicle showers and two WCs in the changing areas. Furthermore, the officials changing room meets the recommended dimensions. Where possible, the Football Foundation recommends an additional officials' changing room, however, recognises the requirement to minimise floorspace for this proposal specifically. The Football Foundation recommends that the Applicant includes access to lockers, and ensures the planned officials' changing room includes a thumb turn lock, which will allow for staggered use of changing where required (i.e. to accommodate male and female officials).

The third and fourth changing rooms are below the recommended dimensions, however, Football Foundation published guidance states as follows:

Smaller changing rooms without showers can be considered for suitable sites that need multiple changing rooms and can be included alongside a set of larger open age changing rooms. 12m<sup>2</sup> with a self-contained WC may be acceptable following user consultation.

Whilst the Football Foundation would always advocate the larger sized changing rooms to be provided where possible, from our consultation with the Applicant and given the challenges of providing suitable ancillary provision to support participation, whilst minimising the impact on open space, the Football Foundation is satisfied that this is sufficient and appropriate under these circumstances (notably, the first floor of the facility could not be utilised to provide larger facilities, as the Football Foundation would not recommend changing provision on the first floor). Inclusion of the kiosk, with an external serving hatch, is welcome – as such facilities provide a crucial opportunity for the club to generate income for more sustainable operation, whilst providing an improved offer for local residents (players, spectators etc.).

The clubroom provides sufficient space to provide for the club's needs and is appropriate level of provision – being flexible in its design and providing catering opportunity, with adequate space for refreshments, coaching and community activities – therefore also meeting current design recommendations/considerations for pavilions.

The Football Foundation and Kent FA are therefore fully supportive of the proposal – which seek to provide much-needed improvements at this location for football and have been produced to meet the recommended criteria. Whilst the Football Foundation would typically recommend larger dimensions and additional facilities in some instances, given the constraints of the site and consideration given to impact on Green Belt the Football Foundation is satisfied that the reduced provision is appropriate on this occasion.

The English Cricket Board (ECB): The site was previously used by Orpington Cricket Club and the club would have continued to play there if the quality and price of the facilities been acceptable. The proposed pavilion would adversely impact on the outfield of the former pitch however it could be relocated further to the northeast: the cricket square would require a full reconstruction. The ECB notes that the Council's Playing Pitch Supply and Demand Assessment Report identifies a substantial senior cricket pitch shortfall in the Borough amounting to 98 match equivalent sessions currently and 194 match equivalent sessions in the future. Reinstatement of the cricket square in this location, would address approximately 40% of the Saturday MES shortfall. Regarding the proposed pavilion the ECB identifies that the building would not be compliant with ECB technical specifications requiring two team changing rooms of at least 20sqm and incorporating a direct view out onto the pitch.

Having assessed the application and having taken into account both NGB's comments, Sport England is satisfied that the proposed development meets exception 2 of its playing fields policy, in that:

'The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.'

Specifically, the cricket pitch has not been used for a least five seasons and has not been maintained. Sufficient space would remain available on the playing field to enable a full-sized cricket pitch to be re-established if that is identified as part of the Council's strategy, to overcome identified pitch shortfalls across the Borough or in this sub area. In terms of the building size and design, it is recognised that the design is primarily driven by the Football Club's operational space requirements in consultation with the Football Foundation, and having regard to the need to reduce and minimise the impact of the proposal on the Metropolitan Open Land in which the site sits. While it is recognised that the building does not meet the technical requirements of the ECB, the proposal does represent an overall improvement in both the quality and quantity of supporting, ancillary facilities and would not adversely impact on the capacity of the site to accommodate the same number of pitches as existing or previously available. This being the case, Sport England does not wish to raise an objection to this application.

In its response to the previous planning application Sport England noted that the Council might wish to attach a planning condition requiring the reinstatement of the existing pavilion site area to playing field land. It is recognised that in this application, it is proposed that the site is alternatively, landscaped in the form of additional hedge/tree planting with natural species to be agreed with the Council. While Sport England has no in principle objection to that, any scheme must ensure that it does not adversely impact on any existing or relocated football pitch including its 3m clear safety run off areas by way of tree roots or canopy overhang and also, that this area does not adversely impact on the potential to reinstate a full-size cricket pitch with clear safety run off area beyond in the future. Sport England would welcome consultation on the details of the planting scheme before it is approved by the LPA.

Transport for London: **No objection**

A224 Court Road is part of the part of the Strategic Road Network (SRN) for which TfL is the local highway authority administering the Transport for London Road Network (TLRN). The application site is set approximately 150m away from the TLRN and TfL has no objections in terms of impacts on the TLRN or other TfL assets or services, but offers the following comments:

- TfL has a duty, shared with the Council, under the Traffic Management Act 2004 to ensure that any development does not have an adverse impact on the SRN.
- The site has a Public Transport Access Level (PTAL) of 1b, where 0 represents least and 6b represents greatest level of access to public transport services, including one fairly infrequent bus service indicating a likely higher demand for and usage of private vehicles.
- TfL understands that the proposal entails the construction of a sports pavilion and storage building (467.8sqm GIA).

- The peak demand for the development is on a Sunday morning and therefore does not coincide with the network peak hours.
- It is understood that the frequency of football matches and events will remain the same and that the development will not generate an increase of vehicle trips and therefore TfL is satisfied that there will be no increased risk of unauthorised/overspill parking on the A224 Court Road. However, this should still be managed effectively to prevent any overspill onto the A224. Should any overspill occur on to the A224 it is a wide road with a central hatched reservation where overtaking is possible,
- As demonstrated in the Parking Survey, demand for parking currently outweighs the parking provision when the site is at its busiest. It is understood that no additional parking spaces are proposed, excluding 2 new bays for delivery and servicing vehicles, which is supported. These should be effectively managed to prevent unauthorised parking. TfL also encourage the provision of Electric Vehicle Charging facilities in line with Policy T6 of the London Plan.
- Whilst acknowledged that the proposed 6 cycle parking spaces accords with the minimum standards set out in Policy T5 of the London Plan, TfL believes that this provision should be increased given the land use and to support healthy and active travel in line with the Mayor's Transport Strategy. This would also help to reduce demand for parking and therefore reduce parking stress on neighbouring roads. All cycle parking should be located in a secure, sheltered and accessible location, and should meet design standards set out in Chapter 8 of the London Cycle Design Standards (LCDS).
- All vehicles should only park/stop at permitted locations and within the time periods permitted by existing on-street restrictions.

## **B) Local Groups**

Kent County Football League – Regional Feeder League (RFL)

- the existing poor changing and facilities hinder the progress of OFC into the senior football pathways and participation in higher level sport,
- there are few RFL level sports grounds in the Borough,
- the proposal would improve the facilities for safeguarding, health and safety and disabled access,
- the proposal would encourage increased participation in a safe environment,

Westcombe Park Rugby Football Club

- no objection in principle,
- Westcombe Park RFC marshals its car park to avoid traffic and parking congestion,
- Orpington FC must commit to marshal the car park to avoid traffic and parking congestion

Please note the above is a summary of objections received and full text is available on the Council's website.

## **C) Adjoining Occupiers**

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

## Objections

### Procedural matters – covered in paragraph 7.1

- The site notice states that the development is a departure from the Development Plan, and it is therefore unacceptable,
- OFC stated community engagement has not been carried out,
- Support provided by OFC members is disproportionate,
- Orpington Football Club has poor engagement with its neighbours e.g. holding events and managing its parking, unlike the rugby club,

### Principle, use and design – covered in paragraphs 7.3 and 7.5

- Orpington Football Club's use of the park is disproportionate and excessive and other sports Clubs/organisations are discouraged from attending e.g. OFC taking over the other sports pitches and other organisations such as Parkrun required to divert their routes to avoid the football pitches, other Clubs avoiding the park due to the traffic/parking issues,
- Orpington Football Club is too large for the park and should find other premises for a football complex not in a public park intended for the wider community,
- The park is a public park intended for the wider community and protected by "Fields in Trust" and managed by London Borough of Bromley,
- The cricket square has now eroded due to poor maintenance and lack of use,
- Orpington Football Club is associated with Millwall Football Club, with a poor reputation, and the OFC membership would continue to grow,
- Orpington Football Club would control the use of the pavilion and could decide to restrict access for other park users,
- A pavilion should be for all park users,
- Toilets inside the fence would not be accessible 24/7,
- Toilets outside the fence, accessible 24/7, would attract crime and antisocial behaviour,
- The café would not be viable due to low footfall,
- Without the café the toilets would be unstaffed/unsupervised and therefore would not be provided to the community,
- Café and toilets for community use will not form part of the development,
- Existing pavilion provides for meetings and award ceremonies for the football club, a new pavilion is unnecessary,
- There are already function rooms/party rooms e.g. neighbouring rugby club,
- Support comments are mostly from the Football Club as encouraged by its website/social media, in support of the proposal, and not from local people,
- Other sports and facilities should be encouraged not only football,
- The proposal has not overcome the reasons for refusal of the previous scheme,

### Highways and parking – covered in paragraph 7.8

- Unsustainable Green Belt location encouraging and increasing vehicle trips,
- The close proximity to the existing car park should render the access road unnecessary,
- The stated parking provision is inaccurate/incorrect; including spaces belonging to the neighbouring private Rugby Club which manages/marshals its parking to ensure sufficiency,

- The parking surveys are out of date, May 2021 during the COVID-19 lockdown when public football was not permitted and there was less traffic, and in any event outside the football season when there would be less training and matches taking place, and therefore inaccurate and should be disregarded,
- Narrow/poor access along Goddington Lane cannot accommodate existing/proposed traffic levels,
- Proposed access road to the pavilion is unnecessary, would harm pedestrian safety and children using the playground, and would further reduce parking bays in the car park,
- Increased traffic and parking close to vulnerable children's playground,
- Delivery vehicles would need to open the height restriction barrier thereby leaving the car park vulnerable to large vehicles,
- The car park should be extended rather than a new access road,
- Parking in residential roads opposite Court Road is unfeasible/unrealistic and park users will choose to park nearer and cause traffic/parking congestion, and risks pedestrian safety,
- Additional usage e.g. functions, would exacerbate traffic and parking issues,

#### Green Belt – covered in paragraph 7.4

- Inappropriate development in the Green Belt with no Very Special Circumstances to outweigh the harm and contrary to the Council's previous advice,
- Siting and scale would detract from the green open site and appearance of the Green Belt,
- Building is unnecessarily large e.g. excessive/duplicated facilities such as toilets on all floors, meeting room and a function room could be combined, kitchen and a canteen, laundry room is now shown,
- Access road and hard surfacing would harm the Green Belt,

#### Residential Amenity – covered in paragraph 7.7

- Additional functions/parties would cause noise, disturbance and antisocial behaviour, litter,
- Proposed planting/landscaping would not sufficiently screen noise,

#### Ecology and biodiversity – covered in paragraph 7.11

- Building would occupy potential wildlife habitat and its use, including additional lighting/noise after dark, would harm wildlife,
- Disruption during construction,

#### Sustainable design – covered in paragraph 7.9

- Additional traffic and trip generation would exacerbate climate change,

#### Support

#### Green Belt – covered in paragraph 7.7

- proposal comprises appropriate facilities in the Green Belt,
- proposal also has Very Special Circumstances required to outweigh any harm identified,
- located at the edge/boundary of the site would not encroach on playing fields or the Green Belt

Principle, use and design – covered in paragraphs 7.3 and 7.5

- No objection in principle to a replacement single storey pavilion only for changing rooms and equipment storage without the additional features and facilities,
- the existing pavilion facilities are not fit for purpose, poor quality construction and materials, inaccessible, and do not comply with safeguarding for all genders and SEN requirements,
- the development site is poor quality; shaded, muddy and underused, and would be better served by the proposed building,
- the proposal designed in accordance with The Football Foundation and support of local MP is the minimum necessary size to operate effectively whilst minimising impact on the environment,
- would remove the existing redundant pavilion and provide landscaping,
- the proposal would provide modern/up-to-date and fit for purpose and accessible facilities,
- would support Orpington Football Club which is cherished organisation formed of mostly local people, promoting good value sport and wellbeing, and are a valued organisation operating within the park,
- would support a healthy lifestyle, reduce obesity, loneliness and improve mental health,
- would provide activities/hobbies/youth groups; reducing antisocial behaviour and crime,
- the proposal would provide toilet facilities, refreshments; supporting park users including football club and visitors, Parkrun, dog walkers and general park users,
- would offer new opportunities community, meeting place, and sports groups, which have been lacking in the area,
- would support long-term investment in the park and encourage future upgrades e.g. children's playground,
- sustainable design/construction and ecological enhancements,
- new landscaping would improve the appearance of the park,
- traffic/construction issues would not be severe and would not significantly inconvenience residents,
- could incorporate expanded car park e.g. with the rugby club,
- could incorporate highway improvements e.g. pedestrian crossings on Court Road,

Please note the above is a summary of objections received and full text is available on the Council's website.

## **6. POLICIES AND GUIDANCE**

### **National Planning Policy Framework 2023**

#### **NPPG**

#### **The London Plan**

GG2 Making the best use of land

D4 Delivering good design

D5 Inclusive design

D8 Public realm



S5 Sports and recreation facilities  
G2 London's Green Belt  
G6 Biodiversity and access to nature  
G7 Trees and woodlands  
HC1 Heritage conservation and growth  
T5 Cycling  
T6 Car parking  
T6.4 Hotel and leisure uses parking

## **Mayor Supplementary Guidance**

### **Bromley Local Plan 2019**

20 Community Facilities  
21 Opportunities for Community Facilities  
26 Health and Wellbeing  
30 Parking  
32 Road Safety  
37 General Design of Development  
49 The Green Belt  
57 Outdoor Recreation and Leisure  
58 Outdoor Recreation and Leisure  
59 Outdoor Sport, Recreation and Play  
60 Public Rights of Way and Other Recreational Routes  
69 Development and Nature Conservation Sites  
72 Protected Species  
73 Development and Trees  
74 Conservation and Management of Trees and Woodlands  
79 Biodiversity and Access to Nature  
113 Waste Management in New Development  
115 Reducing Flood risk  
116 Sustainable Urban Drainage Systems  
119 Noise Pollution  
121 Ventilation and Odour Control  
122 Light Pollution  
123 Sustainable Design and Construction  
124 Carbon Dioxide Reduction, Decentralised Energy Networks

## **Bromley Supplementary Guidance**

Urban Design Supplementary Planning Document (Bromley, 2023)  
Orpington Town Centre Supplementary Planning Document (Bromley, 2023)

## **7. ASSESSMENT**

### **7.1 Procedural matters – n/a**

7.1.1 Notwithstanding third party comments an Applicant is entitled to submit a planning application. Indeed, an Applicant may submit a planning application seeking to overcome objection to a previous planning application or planning

appeal. A new planning application would be objectively assessed on its own merits, in light of the site circumstances and relevant planning policies and material considerations, which may include previously refused planning applications and/or appeal decisions, and the submission of a new planning application does not necessarily convey that planning permission will be granted.

7.1.2 Comments received on planning applications are carefully considered as planning applications are assessed and relevant weight is attributed to comments depending on their content and how relevant they may be to the application site and the proposed development. Furthermore, when assessing a planning application, the Council will consider all relevant/material planning considerations depending on the site circumstances and constraints issues involved relating to the merits of the application whether or not any comments are received on the application.

## **7.2 Resubmission – n/a**

7.2.1 As mentioned above the current application follows the previous application 21/05790/FULL1 and compares/differs in ways including the following:

- siting and overall design unchanged,
- compound reduced in size from 630sqm to 497sqm,
- pavilion building reduced in size from 249sqm footprint or 498sqm floor area or 1431cubm, to 224sqm footprint or 448sqm floor area or 1241cubm,
- external garage/store reduced from 240sqm or 315cubm to 120sqm or 142cubm,

The current proposal is therefore materially different from the previously proposed scheme, and it will be assessed on its own merits.

## **7.3 Principle and location of development – unacceptable**

7.3.1 Sport England advises that new development should not encroach upon or compromise the use of any of the sports pitches and in this particular case observes that the proposed building would not occupy the space of an existing sports pitch, or one that could not be laid out in a different way, and notes that the proposed development seeks to support the principal use of the site as a recreational ground and is laid out as a sports playing field. Sport England notes that in the current revised scheme the building has been reduced in size (to address Green Belt issues) however it would nonetheless continue to provide the necessary/relevant facilities to meet Sport England and the Football Foundation's minimum standards in terms of changing rooms/WCs etc. The Football Foundation welcomes, although does not require, features such as the ground floor serving hatch and the meeting room and refreshment facilities, and considers the proposal to be suitable given the constraints of the site; including Green Belt restrictions. The England Cricket Board notes that cricket used to take place at the site, used by Orpington Cricket Club, although ceased latterly and would require some improvement in the grounds maintenance and facilities to enable the return of formal cricket activity. The ECB identifies a substantial senior cricket pitch shortfall in the Borough and calculates that reinstating the cricket square would address approximately 40% of the shortfall. The ECB however advises that the proposed pavilion would not comply with minimum standards for cricket changing rooms etc, and it is noted that the proposal has been designed

primarily with football in mind; notwithstanding the Applicants claimed intention for its use by the wider community. Notwithstanding the absence of cricket for some years, Sport England advises that sufficient space would remain for setting out a cricket pitch if required, and notwithstanding a technical shortfall in ECB standards the proposed pavilion would nonetheless represent an improvement over the existing pavilion. Overall, Sport England concludes that the proposal would not affect the quantity or quality of playing pitches or otherwise adversely affect their use and does not raise an objection, subject to appropriate landscaping which also should not encroach upon any of the playing pitches.

- 7.3.2 It is understood that the Applicant has a lease/tenancy agreement with the Council to use parts of the park and the pavilion for football. This planning application is primarily concerned with the erection of the new building and associated facilities. The use of the parts of the park (and the existing pavilion) by the Orpington Football Club is subject to a separate arrangement/agreement with the Council as the owner/freeholder of the land and as confirmed by the Council's Parks and Estates Department the use of the new pavilion and the continued use parts of the park would be subject to a new lease arrangement/agreement, although this is yet to be drafted and agreed, and as such it is envisaged that the use of the proposed facility by the Football Club would be bound by the terms/conditions of the lease and therefore any other external use or sub-letting of the proposed facility may or may not comply with those terms and conditions. Furthermore, the activities to be carried out in the building and the hours of use, as well as the equipment/apparatus (e.g. amplified music), could also be managed by planning condition as necessary to further manage the functions and potential effects, and a Community Use/Lettings programme could also be provided to further describe and manage those functions.
- 7.3.3 Notwithstanding this, however, this application has raised some concern from local residents and park users, and reflected by the Council's Parks and Estates and Parks Maintenance Departments, over the amount and the nature of the park by the Orpington Football Club, inferring some degree of dominance by the Football Club and conflict with other park users and residents. Whilst this may have previously appeared to be a separate matter of landowner/leaseholder tenancy arrangement, the latest application brings into question the nature of the use and function of the sports club on the Council's land and this is discussed further in this assessment.
- 7.3.4 Furthermore, the Council's Policy 57 Outdoor Recreation and Leisure requires proposals for development related to outdoor recreational uses on land designated as Green Belt to be, firstly; ancillary to the sport or recreational activity, and secondly; small scale and not to adversely affect either the character or the function of the designated Green Belt areas. As such, and given this issue which has been raised by a number of key stakeholders including local park users and the Council's Parks Department(s), over the high use of the land by the Football Club, it is likely that this proposal could not be regarded as small scale and it is unlikely to be regarded as ancillary to the reasonable use of a public park and this would conflict with Local Plan Policy 57.

7.3.5 There is also some concern over how the facilities such as the toilets and café hatch would operate independently of the pavilion, thereby serving the wider community, when the Football Club is not present at the site, e.g. through the Community toilet scheme, although this could be managed through condition and/or Community Use Agreement.

#### **7.4 Green Belt – unacceptable**

7.4.1 Paragraphs 137–151 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.

7.4.2 The Green Belt is intended to serve five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

7.4.3 Paragraphs 147–151 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 (VSCs). When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. “Very Special Circumstances” will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly and demonstrably outweighed by other considerations.

7.4.4 Therefore, the main issue in relation to the Green Belt is whether the proposal would represent inappropriate development and if the proposed development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly and demonstrably outweighed by other considerations so as to amount to the very special circumstances necessary to justify the proposal.

7.4.5 Inappropriate development in the Green Belt is harmful by definition (in principle) and should not be approved except in Very Special Circumstances (VSCs). Therefore, the harm to the Green Belt in principle remains even if there is no further harm to openness arising from the development. VSCs by their nature will also often be unique to the application site and will not be capable of being easily repeated as the effect of such inappropriate development would be cumulatively harmful throughout the Green Belt area.

7.4.6 Openness is an essential characteristic of the Green Belt and is different from visual impact. Openness is about freedom from built form, it has been described by Appeal Inspectors as an “absence of development”, and therefore any new development, built form or a more intensive use of land in the Green Belt is likely to have a greater effect on openness than the current situation. Openness takes into account the effect of built form on the otherwise open landscape and

therefore the three dimensional mass of a building, as compared with a two dimensional form of a flat surface, is a critical element of this part of the assessment. This may be concluded to compromise openness and conflict with the purpose(s) of including land within Green Belts; in this case assisting in safeguarding the countryside from encroachment. However as mentioned above, even if there is absence of harm to openness, there may still be harm in principle to the Green Belt by reason of inappropriate development. Furthermore, it is established in the assessment of the impact of new development on the openness of the Green Belt that the land in question does not need to be prominent or visible from the public realm; as the mere fact that the development exists in the Green Belt at all is inherently harmful to openness as compared with the same land that is absent of the proposed development in question. Notwithstanding this, however, with regard to 'openness', the Supreme Court has ruled that '*matters relevant to openness in any particular case are a matter of planning judgement, not law and that "visual effects" are a relevant "material consideration"*'.

- 7.4.7 The Bromley Local Plan Policy 49 provides the same level of protection to Green Belt as the NPPF.
- 7.4.8 Whether the proposal would represent inappropriate development in the Green Belt
- 7.4.9 Paragraph 149 states A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, the most relevant exceptions in this case are:
- 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;
  - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- 7.4.10 Paragraph 150 provides for certain other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it although these are not relevant in this case.
- 7.4.11 The existing pavilion comprises a single storey building and a detached storage container together measuring approximately 320sqm (an estimated 960cubm) within a fenced enclosure/compound measuring approximately 508sqm in total. It provides 4 changing rooms, 2 bathrooms, 2 storage rooms, male and female showers and a kitchenette and storage within the detached container.
- 7.4.12 The proposed pavilion would comprise a 2 storey building measuring approximately 224sqm in building footprint, approximately 448sqm in overall floor space, with a partially flat roof/partially arced roof, measuring approximately 5.4m high to the eaves and 5.9m in maximum height, and an estimated 1241cubm in volume. It would have a first floor external balcony measuring approximately 30sqm included in these floor space figures, and would provide:

- Ground floor: 4x changing rooms with integral WC and shower facilities, 2 officials changing rooms with integral WC and shower, separate internally accessed WCs including disabled WC, internally/externally accessed storeroom, refreshment bar with external hatch, plant room, staircase and lift,
- First floor: large club/function room, smaller meeting room, kitchen and servery, storeroom, separate WCs.

It would lie within a hard surfaced enclosure measuring approximately 497sqm, also containing a detached equipment store/garage measuring approximately 48sqm in area and an estimated 142cubm in volume, bin store measuring approximately 10sqm and cycle store measuring approximately 6sqm, and 2x disabled parking spaces. The development would be accessed via a new access track measuring approximately 660sqm.

- 7.4.13 The proposed replacement building would provide some of the features and facilities currently offered in the existing pavilion; mainly the changing and WC facilities and small kitchen area, along with a detached equipment store which directly relate to the function of the site as a sports field, and in terms of these features could be regarded as being in the same general use as the existing building and its equipment storage container. However, it would also provide a range of other features and facilities not currently found in the existing building such as club/function room, meeting room, internal storage, a larger kitchen and other separate/dedicated WCs, which do not directly relate to the function of the site as a sports field, and in respect of these features it could be regarded as not being in the same use as the existing building.
- 7.4.14 The proposed building and equipment store together would measure approximately 48sqm or an estimated 15% smaller in building footprint, approximately 176sqm or an estimated 55% larger in overall floor space and approximately 423cubm or an estimated 44% larger in volume/building mass than the existing building and existing storage container together. As such in either respect, and regardless of whether they would be regarded as being in the same use as the existing building(s), the new building(s) would be “materially larger than the one it would replace” and it would conflict with criterion NPPF paragraph 145 d).
- 7.4.15 Whereas the proposed changing and WC facilities directly related to the use of the sports field could be regarded as being appropriate facilities for outdoor sport and recreation, the other proposed items such as the club/function room, meeting room, and large kitchen element may not be directly related to outdoor sport and recreation and could be regarded as not being appropriate for outdoor sport and recreation contrary to NPPF paragraph 145 b). Furthermore, as mentioned above, the proposed facilities would not be ancillary to the reasonable use of a public park for sports and recreation, and it would not be small scale. In any event the proposed larger replacement building(s) would have a greater building footprint, floor area, two storey height, and volume than the existing building(s) and therefore regardless of whether they would provide appropriate facilities, they would not preserve the openness of the Green Belt, they would encroach

on the countryside and would conflict with the purposes of including land within the Green Belt.

- 7.4.16 Bromley Local Plan Policies 57 Outdoor Recreation and Leisure and 58 Outdoor Sport, Recreation and Play Supports the enhancement of outdoor sport and recreation facilities provided that: proposals address nature conservation, Green Belt and Open Space Policies, and activities ancillary to the use or development proposed are small scale and do not adversely affect either the character or function of the designated areas.
- 7.4.17 The existing pavilion provides facilities supporting the football and running use of the park (Parkrun on Saturdays) and the application details state that this arrangement will continue with the proposed pavilion. Furthermore, it advises that the changing rooms will be free to use for all other organisations including Parkrun, schools, other charities and sports organisations.
- 7.4.18 The Planning Statement (Appendix 1) includes email correspondence with the Football Foundation who, at the prompting of the Applicant advise that the proposal, which includes meeting room and social space, '*is the minimum the Club requires to deliver their football development and support the teams and players that the Club currently has*'.
- 7.4.19 Appendix 1 also includes Sport England Clubhouse Design Guidance which acknowledges in its Foreword that '*clubhouse buildings are often small in scale and shared on a multi-sports community basis*'. The guidance suggests a '*recommended minimum*' social space to accommodate two teams plus officials and spectators and a view of the pitch (and scoreboard if provided).
- 7.4.20 The application includes letters of support from a range of organisations indicating interest in the facilities, both the ground floor facilities (indicated as being offered for free) and the first floor as a separately accessed social space (which would provide an income to the club).
- 7.4.21 The application advises that the management of the facility is intended to be strictly controlled, however there is currently no building management model in place for the current pavilion as the only users of the existing building are the Football Club and the Parkrun.
- 7.4.22 The application advises that a formal facilities management system including a community use/letting programme will be operated '*to ensure that the types of activities, conditions of booking and groups are appropriate to operating in a building in a green space*'. However, this could facilitate a wider range of uses than the small scale ancillary uses which should not adversely affect the character or function of the designated areas, envisaged and permitted by Local Plan Policy 57.
- 7.4.23 Some of the support for the application supplied by the Applicant includes a range of potential future uses and users (e.g. company staff training client entertainment events) and the Applicant indicates hosting formal dinner type events for up to 80 people and the possible fitting out of the kitchens to be to a

commercial catering standard with appropriate ventilation. Such activities would appear to fall outside the ancillary and small scale requirements of Policy 57 and would conflict with the Applicants subsequent stated intention not to open or hire the facilities to outside events or functions but for it to be used only for the Football Clubs own social events and official functions.

#### 7.4.24 Other harm arising from the development

7.4.24.1 In addition to harm by reason of inappropriateness it may be considered that there are a range of *other harms*, including:

- to openness & visual amenity (including but not only due to the two storey nature of the development),
- to the character and function of the park in the Green Belt resulting from the degree of activity likely to be generated (linked both to openness and Local Plan Policy 57)
- The impact of increased car journeys / parking – increased attraction for both existing and additional usage of the facility in this low PTAL area (1b)
- the impact of parking and access road - intruding into open park / Green Belt and running alongside the children's play area
- impact on cricket pitch – although note no objection raised by Sport England

#### 7.4.25 Summary

7.4.25.1 In summary, as the built form of the proposed would be materially larger than the existing building to be replaced and as the proposal may or may not provide appropriate facilities for outdoor sport and recreation and would nonetheless not preserve the openness of the Green Belt it would comprise inappropriate development in the Green Belt by definition, it would have actual harm to the openness of the Green Belt, and would conflict with the purposes of the Green Belt contrary to Local Plan Policy 51, NPPF paragraph 149 b) and d).

7.4.25.2 It is now necessary to determine whether there is any other harm arising from the development and whether there are any Very Special Circumstances existing to clearly outweigh the harm to the Green Belt the other harm identified.

#### 7.4.26 Very Special Circumstances

7.4.26.1 The Applicant does not consider the proposed development would be inappropriate development in the Green Belt, and therefore does not consider that Very Special Circumstances (VSCs) are required. Furthermore, the Applicant advises that even if the development were considered to be inappropriate development there would be no *other harm* resulting from the development.

7.4.26.2 Although the Applicant does not consider the proposed development would be inappropriate development in the Green Belt and does not consider that Very Special Circumstances (VSCs) are required the Applicant has nonetheless



provided some Very Special Circumstances in the event that the Council considers the development would be inappropriate development including:

- the existing building:
  - detracts from the character and appearance of the site,
  - is no longer viable to maintain,
  - does not meet the necessary health and safety and safeguarding/welfare standards for running a football club e.g. number and design of changing rooms for the relevant genders and ages,
  - lacks the social facilities required to support the needs of a sports club.
- the proposed replacement pavilion:
  - is well designed, attractive, and would improve the visual appearance of the park,
  - would provide a physical focal point and a functional hub for the park,
  - would improve accessibility to the pavilion,
  - would help the Football Club to continue serving the community including some of the neediest children and families and underrepresented groups,
  - would encourage potential partnership with Millwall Community Trust for programmes including:
    - Free HAF school Holiday Camps providing sporting activities and hot food for schoolchildren on free school meals,
    - Walking Football sessions for 45+ age group promoting physical activity in older people,
    - Downs Syndrome and other physical disabilities,
    - after school Sports Clubs.

7.4.26.3 The Applicant provides the reasons that the Football Club requires the proposed pavilion essentially relating to the poor condition of the existing pavilion, that the proposed pavilion would provide a better quality of facilities, in keeping with modern standards of health and safety and welfare/safeguarding as well as other additional features including a function room and a meeting room together with a well equipped kitchen and servery to meet the Football Club's operational and social needs. While this is noted and it is appreciated that this is likely to be of great personal importance to the Football Club it is unlikely to be unique to Orpington Football Club as numerous other sports clubs using sports and recreation grounds located in the Green Belt are also likely to desire improved facilities, and in that event this would lead to significant inappropriate development and harm to openness throughout the wider Green Belt. As such this proposal is not unique to this site or this set of circumstances and this weighs against the stated need as a Very Special Circumstance.

7.4.26.4 Notwithstanding comments received regarding the potential letting of the facilities to external events e.g. weddings and parties, the Club advises that it does not intend to hire out the building for such events as this. Instead, the Club advises that it intends to hold up to 6 events of its own per year; such as AGM, prize giving and other social/fundraising events, and suggests that this could be managed by planning condition. The stated intended use of the facilities by the Football Club appears to be quite limited in nature and amount and it is unclear

whether this level of intended activity justifies the need for a building of this size and with features including a well equipped kitchen, servery and function room, which do not directly relate to the provision of outdoor sport and recreation. Those items and features are therefore desirable features and they are not necessary or essential facilities for outdoor sport to take place. It is envisaged that many other sports clubs and organisations would have similar operational functions such as AGMs and that they would hire those facilities at that time. The application Planning Statement (paragraph 4.11) confirms that the Football Club intends to offer the facilities such as the function room for other activities such as community groups and sports/hobby classes with the funds raised reinvested in the grounds and building maintenance. Whilst this may be desirable to the wider community and may present an additional income source for the Football Club, regardless of this aspect, those indoor activities and functions would not support the outdoor sport and recreation use of Goddington Park. The Applicant's intention to hire those facilities out, during the substantial amount of time that they would not be in use by the Football Club, adds further support to the unacceptable justification put forward by the Applicant for providing a new building in the Green Belt. Those activities by those organisations could and should therefore instead take place at some location not sited within the Green Belt. As such the Applicant's offer to provide the building to those organisations and for those other purposes comprises a substantial reason for the need to construct the building, comprising inappropriate development in the Green Belt, which the Football Club itself appears to require for only a limited amount of time. The need for funding to support the ground maintenance is noted, however this should be funded from general membership income or other appropriate sources of fundraising and should not rely upon the provision of inappropriate development in the Green Belt and income raised from that inappropriate development. It is not known whether the Council, as the landowner and Licensor, itself intends to offer the building for other activities by other organisations however again this would have a similar adverse effect for justifying the need for an inappropriate development in the Green Belt.

- 7.4.26.5 Furthermore, given the standard of the building and the likely costs involved, which have not been detailed in the application, and although there is understood to be some financial contribution from the Football Foundation, it is possible that the Club may require some further financial support in the construction and maintenance of the building, and that this may involve some need to offer the building for hire. In that event having received planning permission and notwithstanding any planning condition(s) it may be difficult for the local planning authority to resist an amendment to those restrictive conditions thereby leading to and resulting in the harm envisaged.
- 7.4.26.6 The proposal may have some improvement in design and landscaping however again this is not sufficient in itself or particularly unique, as aesthetic improvements could be easily repeated elsewhere, and this does not comprise a Very Special Circumstance weighing in favour of the development.
- 7.4.26.7 It is noted that the current proposal is amended and reduced in size and scale from the previously refused scheme 21/05790/FULL1 and this is welcomed. However, the overall format and the general scale of the development would

remain the same, i.e. a compound providing a two storey pavilion with storage outbuilding served by a hard surfaced access route, which would have considerable additional built form and mass to the existing low scale arrangement, and the reduction in the footprint and floor area would have a marginal reduction to the impact on openness compared with the refused scheme

#### 7.4.27 Green Belt – Conclusion

7.4.27.1 The improvement of sport and recreational facilities in principle is supported by the Development Plan Policies, however, this particular proposal would comprise inappropriate development in the Green Belt by definition and it would cause actual harm to its openness. Substantial weight is attributed to any harm to the Green Belt. In addition to the harm by reason of inappropriateness, the proposal would cause other harm. Inappropriate development should not be approved except in very special circumstances which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

7.4.27.2 The Football Club appears to be operating successfully with the existing sports ground and pavilion facilities. However, it is noted that the existing pavilion is in a poor condition and that it does not comply with the Football Foundation and Sport England standards, especially in relation to safeguarding and welfare. This proposal would offer the opportunity to maintain and enhance the outdoor and recreational use of the park and significant weight is attributed to these matters. However, the current proposal would not only provide improved, modern and up to standard changing and toilet facilities, it would provide a range of other additional and non-essential features, which all together are superfluous to the provision of outdoor sport and recreation, and in the context of this site and proposal are not concluded comprise appropriate facilities for outdoor sport and recreation. Given the significant harm to the Green Belt arising from this proposal the matter put forward as Very Special Circumstances do not clearly outweigh the harm to the Green Belt. Furthermore, Very Special Circumstances should be specific or unique to an application and an application site and there are many sports clubs which may require improved sports facilities across the Green Belt, the approval of which would have significant cumulative harm throughout the wider Green Belt

### 7.5 Design and landscaping – acceptable

7.5.1 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.

7.5.2 NPPF paragraph 126 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.

- 7.5.3 NPPF paragraph 130 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). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.5.4 Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.
- 7.5.5 Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.
- 7.5.6 London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.5.7 Policy D3 of the London Plan relates to ‘Optimising site capacity through the design-led approach’ and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 7.5.8 Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.
- 7.5.9 Design is considered separately from the Green Belt although it can have inherent similarities. Development plan policies related to density and development capacity are intended to “optimise” development on a site and not necessarily to “maximise” development on a site.

#### 7.5.10 Layout, scale height and massing

7.5.10.1 The proposed building/complex would be positioned close to the existing car park, tennis court and playground, and in this respect, it would positively relate to these existing features of the park and would provide a more coherent main complex within the park compared with the existing fragmented arrangement. The location and the provision of the pathway would also improve disabled access to the pavilion. The proposed building would be larger than the existing building, and marginally smaller than the previously refused scheme (21/05790/FULL1), however notwithstanding the Green Belt perspective it would not lead to the overdevelopment of the site and would retain sufficient space around the building/complex that it would not have a cramped appearance. According to the submitted statement the design rationale is mainly informed by the necessary space standards, and it would have a modern/contemporary design, to which there would be no objection in principle.

#### 7.5.11 Landscaping and planting

7.5.11.1 The proposed building/complex would appear to be relatively well separated from the nearest trees however the proposal should nonetheless demonstrate that it would not have an adverse impact on the trees either during demolition, construction and once completed through a tree survey and arboricultural implications assessment; with any necessary tree protection measures and this could be managed by pre-commencement condition before any demolition/construction takes place in the event that planning permission is granted. The proposal would offer opportunities for additional planting/landscaping to soften and enhance the building in a landscaping plan which could also be managed by planning condition.

#### 7.5.12 Secure by Design

7.5.12.1 The application details refer to previous vandalism of the existing pavilion. A new pavilion constructed to current building standards and positioned closer to the site entrance, car park and neighbouring properties would be less isolated and would improve the natural surveillance. However, it would be advisable for the new pavilion to strongly consider incorporating Secure by Design standards and to seek Secure by Design.

7.5.12.2 Although the proposal is not for Major Development and is not obliged to meet Secure by Design standards given the nature of the site and the development it would nonetheless be in the Applicant/Developer's interest to ensure that the proposal would be resistant to crime and vandalism and therefore incorporate Secure by Design features and ideally seek Secure by Design accreditation and the Metropolitan Police Crime Prevention Design Advisor recommends that that by incorporating features such as the following the proposal could potentially achieve Secured by Design Accreditation and this could be managed by planning condition in the event that planning permission is granted:

- Use of third party tested and accredited doors, windows on all openings and roller shutters, and security fence, to a recognised Secured by Design standard,

- Relevant windows positioned at high level to impede unauthorised access,
- Restrict/avoid unauthorised access to upper floor balcony terrace and any flat roofs,
- Internal access control/partitioning to restrict unauthorised access through/within the building (avoiding mechanical digi-locks where codes can be guessed or shared),
- Robust and secure equipment storage

## **7.6 Heritage Assets – acceptable**

- 7.6.1 The NPPF Section 16 sets out the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.
- 7.6.2 NPPF paragraphs 202-203 state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 7.6.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a requirement on a local planning authority in relation to development in a Conservation Area, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.6.4 Interpretation of the 1990 Act in law has concluded that preserving the character of the Conservation Area can not only be accomplished through positive contribution but also through development that leaves the character or appearance of the area unharmed.
- 7.6.5 Goddington Park abuts the curtilage of Goddington Manor to the north and may have once formed part of its grounds. The historical connection is now likely to be somewhat diminished and the proposed sports pavilion would essentially replace an existing sports pavilion and notwithstanding the amended siting, size and scale it would predominantly relate to the sports and recreation function of the park and would not detract from any historical heritage connection in this respect.

## **7.7 Neighbouring amenity – acceptable**

- 7.7.1 Policy 37 of the Bromley Local Plan seek 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.

7.7.2 As mentioned, the proposed building would be larger and bulkier than the existing pavilion and although it would be positioned closer to and would be more visible from residential properties than the existing building it would nonetheless be sufficiently well separated combined with its size and scale that it would be unlikely to detract significantly from their outlook and daylight/sunlight amenities. The main outlook would be to the front and side (balcony) towards the pitches and together with the degree of separation this would be unlikely to have significantly harmful overlooking to neighbouring properties, although some perceived overlooking may be experienced due to the relocation and generally increased activity and intensity in this part of the site as compared with the existing location on the opposite side of the park.

7.7.3 As indicated in the submitted statement the proposal would provide more suitable facilities for the club; it would be more inviting for the Club members and other users of the park and intends to encourage a more intensive use of the building than the existing pavilion. However, although the proposed building and its location is likely to be more active than the existing building the Council's Environmental Health Department advises that its location and design would not lead to unacceptable effects on the amenities of neighbouring properties by reason of noise disturbance or light spill. Furthermore, the hours of use of the building and any necessary kitchen ventilation/extraction details could be managed by planning condition as necessary if planning permission is granted. The application site is unlikely to contain contaminants potentially harmful to the occupants of the development, as set out in the submitted Preliminary Investigation Report and along with appropriate demolition/construction methods/procedures the Applicant can be reminded of these matters by planning.

## **7.8 Highways – acceptable**

7.8.1 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.

7.8.2 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.

7.8.3 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.

7.8.4 The application site lies within a low PTAL rated 1b area indicating that the application site and the proposed development would be more dependent upon private transport such as the car or bicycle than on public transport and therefore trips to the site would be predominantly by car. The submitted Transport Statement reference 200.0004/TN/4 dated October 2021 is unchanged from the previously refused application 21/05790/FULL1, concluding that, although the floorspace of the pavilion will increase, the frequency of the football matches and events will stay the same and so the existing level of trips generated by the current site will remain as existing with no predicted increase in trips. The Council's Highway Department notes the submitted details, including some of the limitations of the transport and parking surveys, however notes that the proposal does not intend to increase the existing football club fixtures and it would consequently not directly increase vehicle trips over and above the existing arrangement. The proposal and the improved facilities could potentially improve the attractiveness for spectators although this would not necessarily increase trips significantly in itself. The proposal may also encourage activities after matches and/or in the evenings either related to the Football Club and/or for other external activities and any such events/activities could be managed by controlling the hours of use, the activities to be carried out in the building/facilities by planning condition and/or Community Use Agreement from a planning perspective in addition to any restrictions or requirements by the lease/tenancy agreement. As such there is no objection from the Council's Highway Department subject to suitable controls. There is no objection from Transport for London.

## **7.9 Climate change, sustainable construction and energy saving - acceptable**

7.9.1 The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and the Bromley Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

7.9.2 The London Plan encourages the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy S12 Minimising greenhouse gas emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be Clean: supply energy efficiently, Be Green: use renewable energy and Be Seen: monitor those renewable energy measures.

7.9.3 Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

7.9.4 The proposal is not for major development, where carbon dioxide saving mechanisms are required, however the comprehensive redevelopment would nonetheless offer the opportunity to incorporate energy efficient construction measures such as glazing, insulation, water supply features and renewable energy generating technology such as ground source heat pumps and solar PV panels for electricity generation and thermal panels for hot water production



which would both be beneficial to the development (given the likely electricity and hot water demand), and would reduce carbon dioxide emissions; providing cost savings to the occupants and improvements to the environment. This is most effective and best designed when integrated into the fabric of the building from the outset as compared with a scheme included at a later date or retro-fitted. These features/measures would be encouraged and whilst not necessarily obliged to, the Applicant could be advised of this by planning informative.

## **7.10 Drainage and Flooding – acceptable**

- 7.10.1 The National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but where development is necessary, making it safe without increasing flood risk elsewhere. The Technical Guidance published alongside the Framework details that for these purposes, areas at risk of flooding constitutes land within Flood Zones 2 and 3.
- 7.10.2 Policy S1 12 of the London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 7.10.3 Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.
- 7.10.4 Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.
- 7.10.5 There is no objection from the Council's Drainage Engineer subject to appropriate drainage provisions which can be managed by condition.

## **7.11 Ecology – acceptable**

- 7.11.1 Government guidance encourages Local Planning Authorities to consider the full impact of a proposal on protected species before taking a decision on a planning application. The case of *Bagshaw v Wyre Borough Council* [2014] EWHC 508) also highlights the importance of ecological assessment surveys to establish the extent of threat to protected species before taking a planning application decision. Garden land is often important for biodiversity and there is potential for the site to accommodate habitat for protected species, including commuting and foraging bats, including the dwellinghouse.
- 7.11.2 Goddington Park is a Site of Importance for Nature Conservation, and although the sports pitches are well manicured, the other parts of the park and its general proximity to trees, woodland, water bodies and the wider countryside beyond could offer suitable wildlife habitat, commuting and foraging environments. The Council's ecological advisors notes the proposal and its features including additional hard surfacing and potential lighting and advises that in the event

planning permission is granted details including hard and soft landscaping, planting, lighting, the method of demolition and construction and biodiversity enhancements in the new development could be secured by condition in the event that the application were considered acceptable overall.

## **8. CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is unacceptable as it would comprise inappropriate development in the Green Belt by definition, it would harm its openness, and there are insufficient very special circumstances to clearly outweigh the harm identified. The current proposal has not overcome the reasons for the refusal of the previous scheme and for all of these reasons it is concluded that the application should be refused.
- 8.2 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 BE REFUSED**

The reason for refusal is:

- 1. The proposal would comprise inappropriate development within the Metropolitan Green Belt by definition, it would fail to preserve its openness, it would conflict with the purposes of including land within the Green Belt. It has not been demonstrated that the proposed activities would be ancillary to the use or development proposed are small scale and do not adversely affect either the character or function of the designated areas and given the nature of the development and its location in a low PTAL 1a/1b area it is likely that most participants would travel by car and therefore that the proposal would not be effectively accessible by a choice of means of transport. There are no very special circumstances existing in this instance to clearly outweigh the identified harm. The proposal would conflict with Policies 49 and 57 of the Bromley Local Plan 2019, Policy G2 of the London Plan 2021 and paragraphs 138 and 149 of the NPPF 2023.**