

<b>Committee Date</b>	18.04.2024	
<b>Address</b>	South Hill Wood Recreation Ground Tootswood Road Shortlands Bromley	
<b>Application Number</b>	24/00142/FULL1	<b>Officer</b> - Lawrence Stannard
<b>Ward</b>	Shortlands and Park Langley	
<b>Proposal</b>	Installation of a Sail covering half of an existing tennis court.	
<b>Applicant</b>	<b>Agent</b>	
Mr Jason Goatley		
South Hill Wood Recreation Ground Tootswood Road Shortlands Bromley		
<b>Reason for referral to committee</b>	Outside Delegated Powers	<b>Councillor call in</b>  Yes - Cllr Bainbridge. The proposal is not in keeping with the area and not linked to tennis.

<b>RECOMMENDATION</b>	Permission
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<p><b>KEY DESIGNATIONS</b></p> <p>Biggin Hill Safeguarding Area London City Airport Safeguarding Local Green Space Sites of Interest for Nature Conservation Urban Open Space Smoke Control SCA 9</p>
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<b>Representation summary</b>	<ul style="list-style-type: none"> <li>• Neighbour notification letters were sent on the 8<sup>th</sup> February 2024.</li> <li>• The site notice was displayed on the 9<sup>th</sup> February 2024.</li> </ul>
Total number of responses	51
Number in support	50
Number of objections	1

## 1 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The development would not result in a harmful impact on the character of the area or visual amenities of the streetscene appearance of the host dwelling.
- The development would not result in an unacceptable impact upon the amenities of neighbouring residential properties.
- The development would not result in an unacceptable impact upon the adjacent site of importance for nature conservation.

## 2 LOCATION

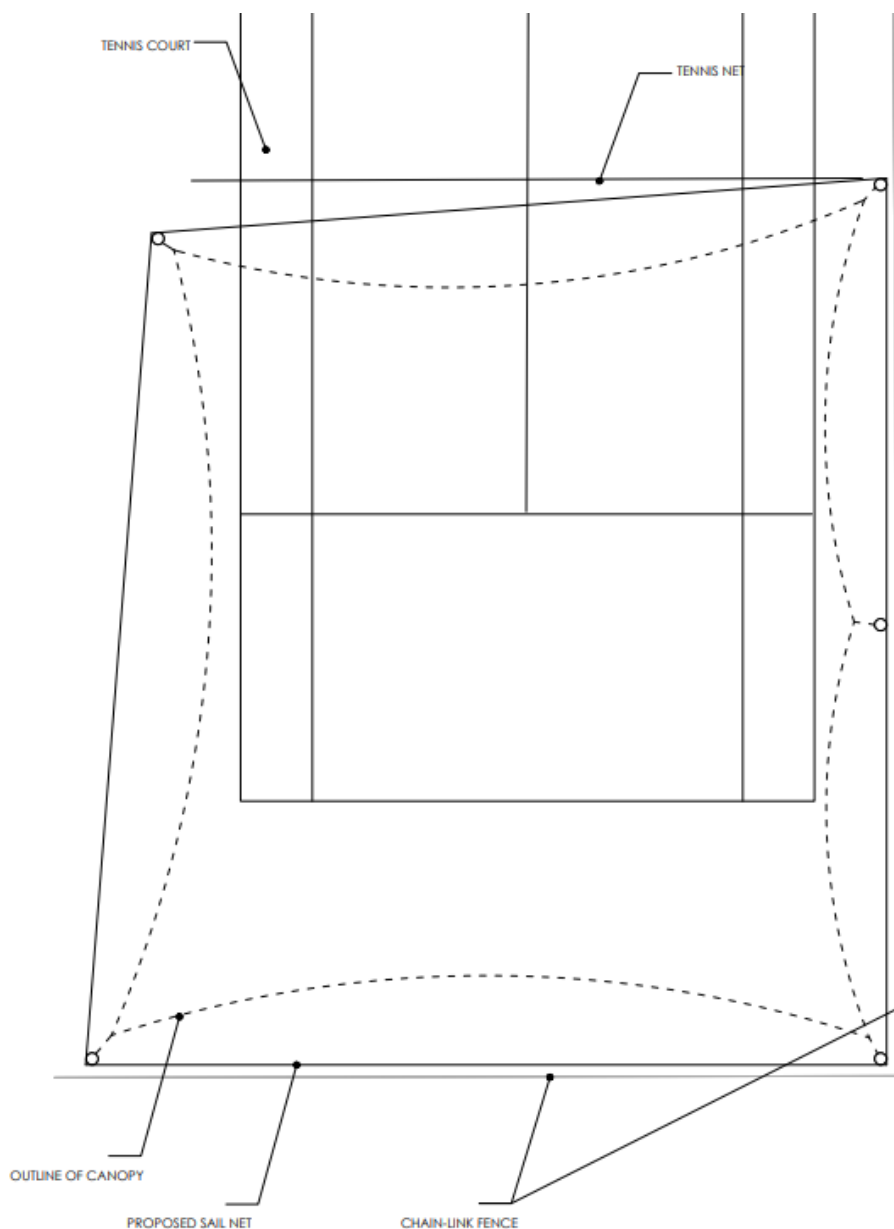
- 2.1 The application site forms the South Hill Wood Recreation Ground located on the southern side of Tootswood Road.
- 2.2 The application relates to the existing tennis courts.
- 2.3 The site lies within an area designated as Urban Open Space, and is enveloped by the South Hill Wood Site of Importance for Nature Conservation (though the tennis courts are not located within the SINC).



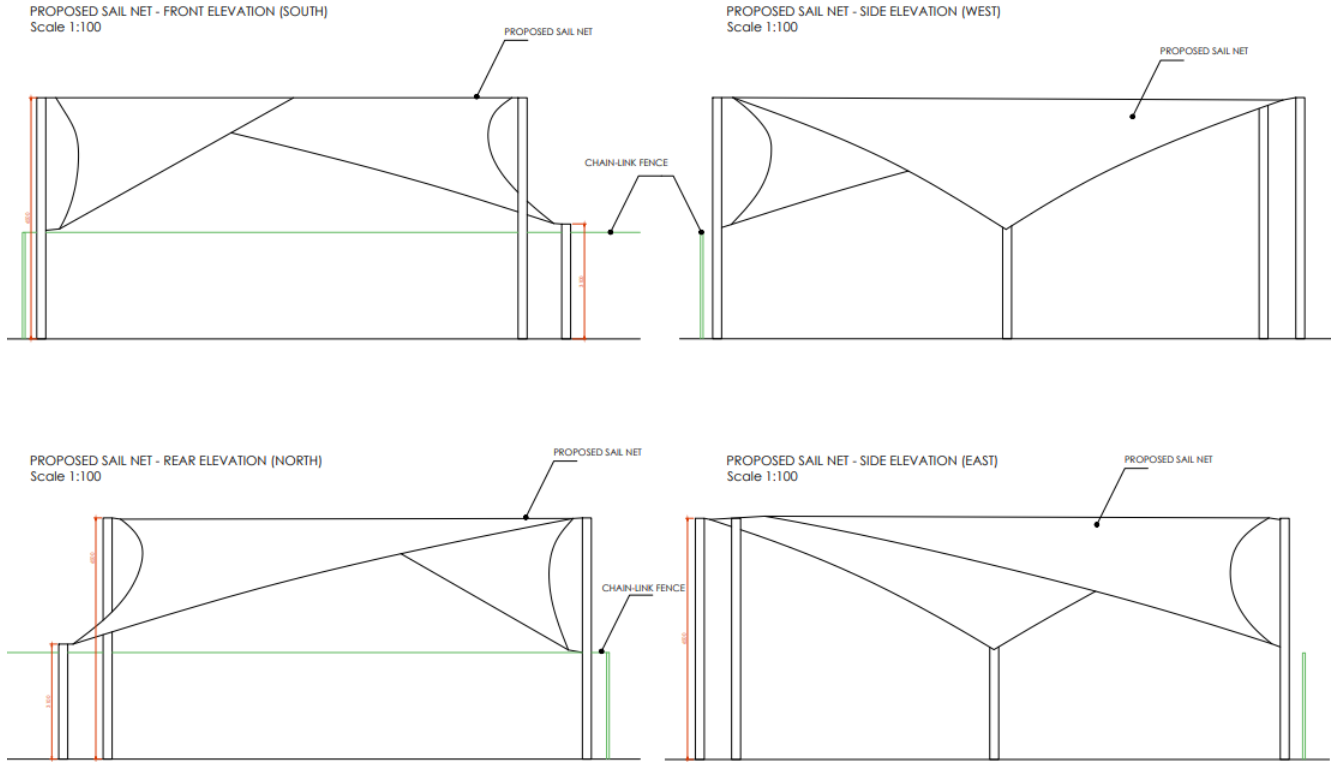
Figure 1: Site Location Plan

### 3 PROPOSAL

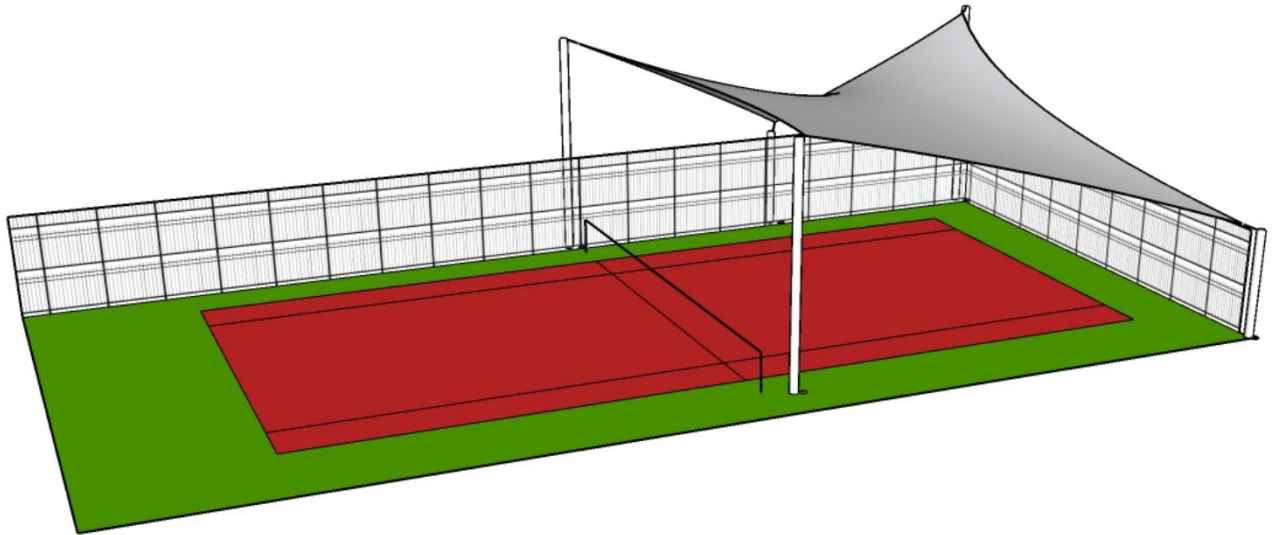
- 3.1 The application seeks permission for the installation of a sail canopy covering half of an existing tennis court.
- 3.2 The sail canopy would have a maximum height of 6.5m, reducing to 3m to its rear. It would be constructed with 5 galvanised steel posts, with the sail a white waterproof pvc material.
- 3.3 The development would cover 50% of one court and is intended to provide cover from adverse weather conditions, which would enable coaching to still go ahead.



**Figure 2: Proposed Layout Plan**



**Figure 3: Proposed Elevations**



**Figure 4: Proposed 3D Visual**



**Figure 5: Photo of existing site**



**Figure 6: Photo of Front Elevation**

## 4 RELEVANT PLANNING HISTORY

4.1 The application site has the following relevant / recent planning history.

- 02/03014/FULL1 – 12 floodlighting columns to 3 existing tennis courts - Permitted
- 05/00824/FULL1 – Demolition of existing pavilion and other temporary
- 07/03982/FULL1 – Detached single storey building for bowls and tennis clubs - Permitted
- 10/01445/FULL1 – Single storey building for replacement storage facility - Permitted
- 17/05240/FULL1 – Demolition of existing shed and construction of replacement timber shed - Permitted

## 5 CONSULTATION SUMMARY

### A) Statutory

Bromley Biodiversity Partnership:

- The Bromley Biodiversity Partnership Species & Habitats Sub-group /Orpington Field Club have no objections to the above proposal.

### B) Local Groups

No Comments were received from local groups.

### C) Adjoining Occupiers

The following comments were received from adjoining occupiers (summarised);

#### Objections

##### Design and Use (Addressed in Para 7.1)

- It would not be part of any type of normal tennis which is the sole stated purpose that planning exists for.
- Even if connected to tennis it would be strange.
- Concerns over real reasons for it (parties, discos or other social events).
- Would be very unsightly with the park background and South Hill Woods.

#### Support

- Fully support the application as a further attempt to enhance and improve community facilities.
- Bad weather disenfranchises so many youngsters for playing, so a simple sail would appear a significant improvement.
- Would also protect against direct sun rays and dangers to those with skin allergies.
- Would have minimal visual and environmental impact.
- Have been members for the tennis club for many years and it is frustrating when lessons are cancelled because of bad weather.
- Would benefit all players.
- Having people on tennis courts add extra layer of safety when walking in the woods / reduces anti-social behaviour

- Should support ideas which provide extra facilities for young people.
- Good for a small business and the community.
- Would encourage more people to engage with tennis.
- Proposal is quite modest.
- There is no intention of using it for any other purpose than playing tennis.
- Can see the court in winter from South Hill Road but have no objection to this.
- First introduced when our children attended after schools activities to Highfield Junior School, and these after school activities continue today.

## **6 POLICIES AND GUIDANCE**

6.1 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.

6.2 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.

6.3 The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (2019). The NPPF does not change the legal status of the development plan.

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

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

#### **6.6 The London Plan (2021)**

D1 London's Form and Characteristics  
 D3 Optimising Site Potential Through the Design Led Approach  
 D4 Delivering Good Design  
 D5 Inclusive Design

#### **6.7 Bromley Local Plan 2019**

30 Parking  
 37 General Design of Development  
 55 Urban Open Space  
 69 Development and Nature Conservation Sites  
 123 Sustainable Design and Construction

#### **6.8 Bromley Supplementary Guidance**

Urban Design Supplementary Planning Document (July 2023)

## 7 ASSESSMENT

### 7.1 Design, Layout, Scale and Use – Acceptable

- 7.1.1 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. London Plan and Bromley Local Plan (BLP) policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.
- 7.1.2 Policy 37 of the Bromley Local Plan (BLP) and the Council's Supplementary design guidance seek to ensure that new development are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.
- 7.1.3 Policy 55 outlines that proposals for built development in Urban Open Space will be permitted only if the development is related to the existing or allocated use, or the development is small scale and supports the outdoor recreational uses.
- 7.1.4 The proposed development would consist of the introduction of a sail canopy over half on an existing tennis court. It is considered that this would be related to the existing use as it would allow for tennis coaching to be undertaken during adverse weather. It is also understood that the court would remain playable for general tennis, with the only limitation being balls lobbed higher than the sails maximum height. It is therefore considered the development would be related to the existing use and would support the outdoor recreational use of the tennis club.
- 7.1.5 In terms of the scale and design of the canopy, its maximum height of approx. 6.5m would introduce a relatively large structure. However, it would reduce in height to 3m (approx. the same as the existing fence) and its sail design would ensure that there would be views through the canopy from certain angles which would limit its visual impact, and the sides would remain open except for the supporting posts.
- 7.1.6 The siting of the sail canopy would also reduce its overall visual impact, with the siting to the south-eastern corner reducing its prominence when viewed from the street scene given its separation of approx. 17.5m to the closest footpath on Tootswood Road. This separation distance and the existing boundary treatments and surrounding vegetation would further reduce its overall visual impact.
- 7.1.7 The sail would appear visible from parts of the surrounding South Hill Wood and SINC, though it is not considered that it would appear as an overly prominent feature given the design and siting.
- 7.1.8 Having regard to the above, it is considered that the development would be acceptable in that the resulting scale would not appear overly excessive and the design of the development would not appear unduly harmful to the general character of the area and visual amenities of the street scene.



## 7.2 Residential Amenity – Acceptable

- 7.2.1 The proposed development would be sited in the south-eastern corner of the existing tennis courts, covering the half of the court further away from the residential properties on Tootswood Road.
- 7.2.2 In terms of visual impact on the neighbours directly facing the application site, the sail canopy would have a maximum height of 6.5m (just lower than the existing floodlights), with a minimum height of 3m. The sail canopy would therefore appear somewhat visually prominent given its maximum height, though its design would allow for some views through which would reduce its visual impact. Furthermore, the sail would be sited approx. 41m from the front elevation of the residential properties on the northern side of Tootswood Road and its impact would be further mitigated by the existing boundary fence and vegetation to the application site. It is therefore considered that the development would not result in any unacceptable level of loss of light, outlook or visual amenity to these neighbours.
- 7.2.3 There are other nearby neighbours located on South Hill Road to the south-east of the site, however the impact of the proposed sail canopy would be significantly mitigated by the dense and mature vegetation which lies within the SINC and between the tennis courts and these residential properties. It is therefore considered the development would not detrimentally impact upon the amenities of these neighbours.
- 7.2.4 Having regard to the scale and design of the development and the separation distance to nearby residential properties it is considered that the development would not result in any unacceptable impact upon residential amenity.

## 7.3 Nature Conservation - Acceptable

- 7.3.1 Policy 69 outlines that a development proposal that may significantly affect the nature conservation interest or value of a SINC will be permitted only if it can be shown the benefits for the local community would outweigh the interest or value of the site, or any harm can be overcome by mitigating measures.
- 7.3.2 The proposed development would provide additional community benefits by enabling the tennis coaching to be undertaken in wet weather.
- 7.3.3 Furthermore, it is noted that the proposed sail canopy would be located within the confines of the existing tennis court and fence and would only be situated adjacent to the area designated as a SINC.
- 7.3.4 The Bromley Biodiversity Partnership have confirmed that they would not raise any concerns or objections regarding the proposed impact on the nature conservation of the surrounding area.
- 7.3.5 Having regard to the above, it is considered that the development would not result in any unacceptable impact upon nature conservation sites within the area.

## **8 CONCLUSION**

- 8.1 Having had regard to the above it is considered that the development in the manner proposed is acceptable as it would not harm the amenities of neighbouring properties or the character of the area in general.
- 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: Application Permitted**

#### **Conditions**

- 1. Standard time limit of 3 years**
- 2. Standard compliance with approved plans**
- 3. Materials in accordance with plans**

**And delegated authority be given to the Assistant Director: Planning & Building Control to make variations to the conditions and to add any other planning condition(s) as considered necessary.**