

SECTION '2' – Applications meriting special consideration

**Application No :** 11/01643/FULL1

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

**Address :** Langley Park Sports And Social Club  
Hawksbrook Lane Beckenham BR3 3SR

**OS Grid Ref:** E: 537874 N: 167135

**Applicant :** Langley Park Sports And Social Club      **Objections :** YES

**Description of Development:**

Single storey detached building to provide changing rooms, 2 all weather 5 a side football pitches with floodlights (8.3m high) and 3.1m high timber/ mesh fencing around perimeter

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Metropolitan Open Land

**Proposal**

Langley Park Sports and Social Club lies within an area of designated Metropolitan Open Land (MOL) and the site includes 6 full size grass football pitches and floodlit concrete tennis courts / five-a-side football pitches which have historically been used for overspill car parking. It is proposed to install 2 astroturf five-a-side football pitches with 6 8.3m high floodlights and a 3.1m high timber/mesh perimeter fence on the site of the concrete courts/car park. It is also proposed to erect a single storey building to provide changing rooms and showers to the rear of the existing clubhouse and changing room facility.

Planning permission was refused in May 2010 for a similar proposal and was subsequently dismissed at appeal. The Inspector was concerned that the siting of the changing room block would result in undue harm to the openness of MOL. The applicant has sought to address these concerns through resiting the proposed building behind the existing clubhouse, thereby reducing the impact on the openness of MOL.

Planning permission was granted under application ref. 08/03343 for 90 permanent and 27 temporary car parking spaces to replace the overspill car parking that will be lost as a result of the current proposal.

The application is accompanied by floodlighting details and light spillage charts. The previous application (ref. 09/02970) was accompanied by a Transport Assessment.

## **Location**

The site accommodates sports club facilities including a bowling green, race track and football pitches and a pavilion providing changing rooms, a bar and a function room. Langley Park School for Boys and Langley Park School for Girls lie to the north and there is predominantly 1930s detached and semi-detached housing fronting South Eden Park Road to the south and west of the site, whilst much of the area to the east of the site is characterised by open land. The south-west boundary of the site is with the Eden Park–West Wickham railway line.

## **Comments from Local Residents**

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

- harm to openness and visual amenity of MOL
- precedent for further development on MOL
- light pollution
- inadequate screening in winter
- loss of privacy
- increased noise and disturbance, particularly from cars, five-a-side pitches and changing rooms
- increased anti-social behaviour
- increased litter
- increased traffic
- detrimental impact on highway and pedestrian safety
- congestion during events at neighbouring schools
- proposed hours of use are excessive
- club and users may ignore planning restrictions
- proposal has changed little from previous application
- already adequate five-a-side facilities in surrounding area
- detrimental impact on wildlife.

## **Comments from Consultees**

The Metropolitan Police Crime Prevention Design Advisor has no objections to the proposal.

There are no technical highways objections.

There are no objections from the Council's in-house drainage consultant.

There are no objections in terms of Environmental Health issues.

Any further responses to consultations will be reported verbally at the meeting.

## Planning History

Planning permission was granted under application ref. 08/03343 for 90 permanent and 27 temporary car parking spaces. Condition 3 of the permission required that the use of the tennis courts/five-a-side pitches for overspill car parking must cease upon completion of the new car parking.

Planning permission was refused in May 2010 for a single storey detached building to provide changing rooms 2 all weather 5 a side football pitches with 6 floodlights (8.3m high) and 3.1m high timber/ mesh fencing around perimeter (application ref. 09/02760). The grounds of refusal were as follows:

The proposal is inappropriate development detrimental to the openness and visual amenities of Metropolitan Open Land and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G2 of the Unitary Development Plan.

The proposal will result in harm to the amenities of occupants of nearby residential dwellings by reason of light pollution and increased noise and disturbance contrary to Policies BE1 and ER10 of the Unitary Development Plan.

A subsequent appeal was dismissed in January 2011 and the following are excerpts from the Inspector's report:

'The proposal would entail new all-weather surfacing by way of astroturf but this would not materially affect the openness of the site. As regards the associated facilities for the pitches, floodlighting is already in place. The proposal would result in a reduction in the number of lights from eight to six and the columns would be lower. In this respect, therefore, openness would be slightly improved. The existing court area is also enclosed by a high wire mesh fence. This would be removed and a smaller area (about two-thirds the size) enclosed with a lower perimeter fence. Unlike the current fence, the new one would comprise timber kickboards for the first 1.3m with mesh above. Solid timber in place of mesh would have some impact on openness but the overall effect would be minimal, bearing in mind that a smaller area would be enclosed with a lower fence. At the Hearing, it was said that it was also intended to have netting about 3m high between the two pitches but this would be within the area enclosed by fencing and moveable in any case when not required. The courts are also partly enclosed by high boundary vegetation now, to an extent greater than shown on the submitted plans.

Overall, therefore, I consider that the pitches, lighting and fencing proposed would maintain the openness of the MOL and would thus not be inappropriate development.

The proposed changing room building would supplement existing facilities on the site. I accept that these facilities are of insufficient size and quality to provide adequate support for the scale of outdoor sport and recreation use of the site, albeit compounded by Kent County League requirements for

games to kick off at the same time. The additional facilities that the building would provide may therefore reasonably be considered essential facilities within the terms of UDP Policy G2. On this basis, the building would not be inappropriate development in the MOL.

I conclude that the proposal would not constitute inappropriate development within Metropolitan Open Land. As such, I find no conflict in this respect with the objectives of UDP Policy G2.

For the reasons given above, I do not consider that the pitches, lighting or fencing would be materially harmful to the openness or visual amenity of the MOL...

...The building would be sited on land that is currently largely open, encroaching on the grassed area to the south of the existing courts. At the Hearing, it was explained that this was to retain an area of sufficient size to the north for potential future outdoor sporting or recreational use, such as netball. Although single-storey, and relatively modest in height to the eaves, it would be some 5.5m to the roof ridge and some 20m wide. I consider that the addition of this quantum of built form in an area free of it would be significantly damaging to the openness of this part of the site. I appreciate that the area is partly enclosed by the high mesh fence mentioned above but I do not consider the impact comparable. While there is also a storage container in place, this appears to have no planning history and is in any event much smaller in scale than the proposed building. I am aware that the building has been positioned to meet League requirements for distances of facilities from pitches. I consider this further below.

Although I have found that the building would not be inappropriate development this does not obviate the UDP requirement that development should not damage the openness and visual amenity of the MOL. This is underlined by Policy 3D.10 of the London Plan (LP), which says that essential facilities for "appropriate uses" will only be acceptable where they do not have an adverse effect on the openness of MOL. The site offers some scope for further landscaping to reduce certain views of the building (eg from within the site and Hawksbrook Lane) but this would not overcome the damage to openness and the harm that this would do to visual amenity too.

Overall, therefore, I conclude that the proposal would have a materially harmful effect on the openness and visual amenity of Metropolitan Open Land. As such, it would conflict in this respect with the objectives of UDP Policy G2.

The six floodlights proposed appear to be the minimum required for the purpose of lighting the pitches and the floodlighting report submitted with the application suggests that light spillage would taper off well away from the nearest residential properties. Moreover, conditions could require prior approval of details such as the power, intensity, orientation and screening of the lamps and also control the hours during which the floodlighting was in

use. At the Hearing, it was agreed that use could cease at 10pm during the week and 9pm at weekends. This compares with the proposed end-time of 11pm every day (and no control at present). On the above basis, and having regard to the distance to neighbouring properties and the intervening vegetation, I consider that there would be no material harm to residential amenity from light pollution. I note that the Council's environmental health officer (EHO) raised no objection on light grounds.

Use of the five-a-side pitches would inevitably give rise to some noise, though the EHO did not object on noise grounds either. The distance to the nearest residential properties and intervening vegetation would limit the effects and additional landscaping could be provided to give further mitigation. Controls on finishing times on the lines of those mentioned above would also limit disturbance later in the evening and, at the Hearing, a weekend start of 9am was agreed (rather than the 8.30am proposed). Overall, therefore, I consider that the proposal would not give rise to excessive noise and disturbance.'

### **Planning Considerations**

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- NE3 Development and Nature Conservation Sites
- NE7 Development and Trees
- L1 Outdoor Recreation and Leisure
- G2 Metropolitan Open Land.

In strategic terms the most relevant London Plan policies are:

- 3.16 Protection and enhancement of social infrastructure
- 3.19 Sports facilities
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.17 Metropolitan Open Land.

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant

effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

## **Conclusions**

The appeal Inspector considered that no harm would result in MOL terms from the five-a-side pitches and floodlights. He also accepted that the changing room facilities proposed under application ref. 09/02760 were essential facilities to support the sporting use of the site and were therefore appropriate development in MOL. The currently proposed changing room block will be smaller than that considered at appeal and can therefore also be considered appropriate development in MOL. The five-a-side facilities were not considered to result in unacceptable harm to the amenities of the occupants of nearby residential dwellings by reason of noise or light pollution. The main issue to be considered is therefore the acceptability of the revised siting of the changing room block on the openness and visual amenities of MOL and on the residential amenities of the occupants of nearby dwellings.

The proposed changing room block will be located behind the clubhouse building and will not be particularly visible from within this area of MOL and will have little impact on its openness. It is considered that the revised siting of the block overcomes the appeal Inspector's concerns regarding the impact on openness and visual amenity and can be considered acceptable. The location of the block is such that there will be no undue harm resulting from its visual impact when viewed from nearby houses and the existing landscaping on the western boundary of the site will provide some screening. There will not undue harm from noise associated with changing activity as this will be predominantly contained within the building.

Background papers referred to during the production of this report comprise all correspondence on files refs. 08/03343, 09/02760 and 11/01343, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACA04  | Landscaping Scheme - full app no details |
|   | ACA04R | Reason A04                               |
| 3 | ACA08  | Boundary enclosures - implementation     |
|   | ACA08R | Reason A08                               |
| 4 | ACH22  | Bicycle Parking                          |
|   | ACH22R | Reason H22                               |
| 5 | ACH27  | Arrangements for construction period     |
|   | ACH27R | Reason H27                               |
| 6 | ACH30  | Travel Plan                              |

- ACH30R Reason H30
- 7 ACI21 Secured By Design  
ACI21R I21 reason
- 8 ACJ23 Details of floodlights  
ACJ23R J23 Reason
- 9 The development hereby permitted shall not be used until the permanent car parking spaces permitted under planning application reference 08/03343 are available for use.

**Reason:** In order to ensure adequate car parking provision and to comply with Policy T3 of the Unitary Development Plan.

- 10 The five-a-side football pitches and floodlights shall only be used between 0830 hours and 2200 hours on Mondays to Fridays and between 0900 hours and 2100 hours on Saturdays and Sundays.

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

### **Reasons for permission:**

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan and the London Plan:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- NE3 Development and Nature Conservation Sites
- NE7 Development and Trees
- L1 Outdoor Recreation and Leisure
- G2 Metropolitan Open Land.

### London Plan

- 3.16 Protection and enhancement of social infrastructure
- 3.19 Sports facilities
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.17 Metropolitan Open Land.

The development is considered to be satisfactory in relation to the following:

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the impact of the proposal on the openness and visual amenities of the Metropolitan Open Land
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the design policies of the development plan
- (f) the transport policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site .If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.



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