

REPORT SUMMARY

REFERENCE NO - 20/502043/FULL			
APPLICATION PROPOSAL Demolition of a club house and erection of a new club house with a patio area alongside.			
ADDRESS Maidstone Lawn Tennis Club Poplar Grove Maidstone Kent ME16 0DE			
RECOMMENDATION : GRANT subject to the planning conditions set out in Section 8.0 of the report			
SUMMARY OF REASONS FOR RECOMMENDATION The application would support a community use and facilitate improved facilities. The proposal would be acceptable visually and would not result in undue additional harm to neighbouring residential occupiers such that the proposed development would be in accordance with current policy and guidance and all other material planning considerations are considered acceptable.			
REASON FOR REFERRAL TO COMMITTEE The site is situated on land owned by Maidstone Borough Council.			
WARD Allington	PARISH/TOWN COUNCIL	APPLICANT Maidstone Lawn Tennis Club AGENT	
DECISION DUE DATE 14/07/20	PUBLICITY EXPIRY DATE 22/06/20	OFFICER SITE VISIT DATE 01/06/20	
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
82/1190	Erection of timber hut and 3 hard paved floodlit tennis courts as amended by the agents letter dated 8/11/82 and accompanying plans and specification received on 9/11/82 and as further amended by agents letter dated 15/12/82	Permitted	17/12/82
87/0911	Construction of single tennis court and practice wall as validated by letter received on 26 May 1987.	Permitted	8/9/87
01/1287	Provision of tennis court floodlighting, as shown on LTL report received on 07.08.01 and as amended by additional documents being further drawings and information received on 23.08.01 and 04.09.01.	Permitted	26/9/01
14/0315	Introduction of floodlighting to fourth court (2No. additional 10m lighting columns) as shown on block plan, column and floodlight elevations Philips OptiVision specification and LTL floodlighting luminance plot report reference CalcuLux Area 7.7.0.1 rece	Permitted	21/7/14

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The proposal site relates to the Maidstone Lawn Tennis club which is situated within the recreation ground sited off Poplar Grove, Giddyhorn Lane and neighbouring cul-de-sacs. The site area includes the parking area to the north-east of the site which is shared by users of the recreation ground, the pre-school and the Tennis Club.
- 1.02 The site is on elevated land above the parking area, accessed by a pedestrian footpath. There are four existing floodlit tennis courts to the south-east of the site which are enclosed by fencing. There is an existing timber club house building to the north-east of the site approximately 15m from the boundary with 15 Birchwood Road. This is single storey with a corrugated roof and directly adjoins the grassed recreation ground.
- 1.03 The site is within the Maidstone Urban Settlement boundary as defined in the Local Plan, with a public right of way (PROW) sited along the south-eastern boundary of the recreation ground and an area of woodland (protected by a woodland Tree Preservation Order), situated to the south-east of the PROW.

2.0 PROPOSAL

- 2.01 The proposal is to demolish the existing clubhouse and replace it with a larger building which would contain a kitchen, toilet facilities and store. An enclosed area of hardstanding would be provided to the south-west of the new building, extending an existing patio.
- 2.02 The new building would be approximately 11m in width, 4.3m in depth and would be single storey with a pitched roof with an approximate height of 3.9m. This would be compared to the existing building which measures approximately 7.6m in width, 4.2m in depth with a ridge height of approximately 3.5m
- 2.03 The patio area would measure approximately 10m in width and in depth and would be enclosed by fencing and hedging to a height of 2.4m. This would contain a mobility gate to provide access from the north-east.

3.0 POLICY AND OTHER CONSIDERATIONS

The National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
Maidstone Borough Local Plan 2017 : Policies SS1, SP1, DM1, DM3, DM19 and DM20.

4.0 LOCAL REPRESENTATIONS

Local Residents:

- 4.01 At the time of writing 15 letters of support have been received, these set out the following comments :
- Good for local community
 - Need for a new clubhouse

- Improved disabled access
- Upgrading for the next generation of players
- Significant financial input

5.0 CONSULTATIONS

5.01 None

6.0 APPRAISAL

Main Issues

6.01 The key issues for consideration relate to:

- Principle of development
- Visual amenity (including landscaping)
- Residential amenity
- Highways matters
- Other matters

Principle of Development

6.02 The proposal is to replace an existing clubhouse for an existing tennis club. The tennis club has use of 4 existing tennis courts granted planning permission in the 1980s. The planning statement describes the existing building as being over 30 years old, very small and cramped, containing rotting timber, minimal insulation and no disabled facilities.

6.03 The planning statement continues by setting out that the club has 200 members and is open 365 days a year from 8am to 10pm. The tennis courts are also available to book by the public in order to fulfil the terms of the tennis clubs lease with Maidstone Borough Council (who own the land).

6.04 Paragraph 92 of the NPPF sets out that decisions should plan positively for the provision and use of.....community facilities (such as.....sports venues, open space). Paragraph 96 continues :

'Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.'

6.05 Policy SS1 of the Local Plan seeks to promote the multi-functional nature of the borough's open space. Policy DM20 supports the adequate provision of community facilities, which include recreational facilities and sports venues.

6.06 Policy DM19 relates to Publicly accessible open space and recreation and seeks that proposals should not result in a net loss of existing open space or sport and

recreation facilities. This is in accordance with Paragraph 97 of the NPPF which sets out that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless :

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 6.07 Policy DM19 also sets out that proposals for new publicly assessable open space and recreation provision should reinforce existing landscape character and respect the amenities of neighbouring occupiers. Policies DM1 and DM3 re-enforce these considerations.
- 6.08 The proposal would replace an existing building, albeit a slightly larger footprint would result. The proposal would also result in the enclosure on a small area of currently open space adjacent to the building.
- 6.09 The principle of a replacement building which would improve the existing facilities of the tennis club is considered acceptable. It will enable the building to provide facilities which would better serve all the users of the tennis club. It is noted that a small area of open space would be lost, however this area is immediately adjacent to the existing building and would be replaced with an enclosed patio to serve the recreational use of the tennis club. As such an alternative recreational use would be provided and the extent and location of the space lost is not considered unacceptable.
- 6.10 It is considered that the principle of the proposed replacement building should be supported subject to the discussion of the material considerations below, namely the impact on visual and residential amenities, together with highways implications.

Visual Impact (including landscaping)

- 6.11 The wider recreational ground is formed of two distinct areas, separated by a change in topography. The lower part to the north-east contains a large area of grassed open space, play area, car parking area and single storey pre-school buildings and associated play area. The south-western part of the site is at a slightly higher level and again contains a large grassed area of open space, with the tennis courts and existing club house situated in the north-eastern corner. The existing buildings and hardsurfacing is contained within the central part of the recreation ground.
- 6.12 The fundamental position of the clubhouse would remain unchanged, the new building would be marginally larger in every proportion, however the appearance with a green colour weatherboarding and black felt tiles would be in keeping with the surrounding recreational ground and the new building would not appear as unduly prominent within the area of open space.
- 6.13 The new extended patio itself would be principally screened from public views, however the proposed fencing and hedging would be visible. There is an existing smaller patio which is screened by a similar fencing/hedging arrangement. The fencing if visible would be seen in the context of the existing fencing around the perimeter of the tennis courts. The area although 10m in length, relates to a small area of land in terms of the wider recreation ground and the provision of a small

section of additional fencing, which could be substantially screened by a planted hedge (the details of which could be conditioned) is considered acceptable.

- 6.14 The new clubhouse and extended patio would be a suitable replacement to the existing building and would be well related to the existing tennis courts and would not cause significant harm to the visual character and appearance of the area of open space nor the wider street scene from Birchwood Road whereby glimpse views maybe possible.

Residential Amenity

- 6.15 The nearest residential properties are to the north-west of the application site, situated on Birchwood Road. These are predominantly 2-storey detached dwellings, with the road being a cul-de-sac and a pedestrian access into the recreation ground. The boundary of number 15 runs along the boundary with the recreation ground and is sited approximately 15m from the proposed replacement building and patio.

- 6.16 Policy DM1 sets out at (iv) that proposals shall :

'Respect the amenities of occupiers of neighbouring properties and uses and provide adequate residential amenities for future occupiers of the development by ensuring that the development does not result in, or is exposed to, excessive noise, vibration, odour, air pollution, activity or vehicular movements, overlooking or visual intrusion, and that the built form would not result in an unacceptable loss of privacy or light enjoyed by the occupants of nearby properties.'

- 6.17 The building is sited a significant distance from the boundary such that it would not be overbearing, cause loss of light or outlook to the neighbouring occupiers, nor would it be overshadowing. The building has been designed so that it would be 'inward' looking towards the tennis courts with an absence of windows in the north-west facing elevation. As such the new building would not cause harm by loss of privacy or overlooking.
- 6.18 The building with its improved facilities may give rise to greater use, with a larger patio area providing again improved external space for use by the users of the clubhouse. This said the recreation ground itself and the use of the tennis courts already provides a certain level of noise and activity and it is not considered that the improved facilities would increase any associated noise and disturbance to a level which would be unneighbourly. The tennis courts are conditioned to not be used beyond 22.00 and it is considered that subject to the same hours of use by the clubhouse and patio the building would not be significantly more harmful than the use of the building it would replace nor the use of the tennis courts or recreation ground in which the club house is located.
- 6.19 Overall it is considered that the proposed development would not have a harmful impact on neighbouring amenity and any potential harm could be mitigated by conditions.

Highways

- 6.20 The proposed replacement clubhouse would improve the facilities of the existing club but it is not considered that it would attract significant additional users that would result in any significant impact on highways or parking matters. The recreational ground benefits from the use of a large car park area and this would be unchanged as a result of the proposed development.

Other matters

- 6.21 The proposal is not considered to have a harmful impact on ecological matters such that the footprint of the existing and replacement buildings would be similar, the area proposed for the patio area is well trodden grass and the existing building is considered to have limited potential in terms of ecological value and therefore its demolition is considered acceptable.
- 6.22 The consultation period expires on 22nd June 2020, any further representation received after the publication of this report will be verbally updated upon at the Committee meeting.

7.0 CONCLUSION

- 7.01 The proposed replacement clubhouse and extended patio area would provide improved facilities for a community sports use and the proposal is not considered to be significantly more harmful than that which would be replaced in terms of the impact on visual and residential amenity, such that these and all other material planning consideration are considered to be in accordance with current policy and guidance.

8.0 RECOMMENDATION – GRANT Subject to the following conditions

CONDITIONS to include

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number 131-A101 Rev I (Proposed plans and elevations)
Drawing Number 131-A200 A (Block Plan)

Reason: To clarify which plans have been approved.

3. The materials to be used in the development hereby approved shall be as indicated on the approved plans.

Reason: To ensure a satisfactory appearance to the development

4. The development hereby approved shall not commence above slab level until a hard and soft landscape scheme designed in accordance with the principles of the Council's landscape character guidance has been submitted to and approved in writing by the local planning authority. The scheme shall provide details of the proposed hedging around the perimeter of the patio, details of the surfacing of the patio area and details of any proposed fencing and include a planting specification, a programme of implementation and a 5 year management plan. The proposed fencing and surfacing shall be carried out in accordance with the approved details prior to first use of the replacement clubhouse and shall be retained as such.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

5. All landscaping approved under Condition 4 shall be carried out during the planting season (October to February) following first use of the replacement clubhouse hereby approved. Any seeding or turfing which fails to establish or any trees or plants which, within five years from the first occupation of a property, commencement of use or adoption of land, die or become so seriously damaged or diseased that their long term amenity value has been adversely affected shall be replaced in the next planting season with plants of the same species and size as detailed in the approved landscape scheme unless the local planning authority gives written consent to any variation.

Reason: In the interests of landscape, visual impact and amenity of the area and to ensure a satisfactory appearance to the development

6. The use of the clubhouse and external patio area hereby permitted shall be restricted to the hours of 8 am to 10 pm.

Reason: In the interests of the amenities of the area.

7. Any musical equipment and/or electrically amplified sound use within the clubhouse shall be so installed, maintained and operated so as to prevent the transmission of noise and/or vibration to any adjacent premises and No musical equipment and/or electrically amplified sound shall be used within the external patio area.

Reason: To safeguard the enjoyment of their properties by adjoining residential occupiers.

8. No external lighting shall be installed on the new clubhouse or within the external patio area.

Reason: In the interests of visual amenity

9. No additional windows, doors, voids or other openings shall be inserted, placed or formed at any time in the north-west facing wall of the building hereby permitted;

Reason: To prevent overlooking of adjoining properties and to safeguard the privacy of their occupiers and to protect the visual amenity of the recreation area and light spillage.

Case Officer: Rachael Elliott

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.