

PLANNING APPLICATIONS COMMITTEE

30 April 2014

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P0348	30/01/2014
Address:	Raynes Park Planning Fields, Grand Drive, SW20 9NB.	
Ward:	West Barnes	
Proposal:	The provision of additional tennis facilities, with these facilities including a total of six permanent synthetic surface tennis courts, with three of these tennis courts covered by an air dome (temporary for 10 years); the erection of eight, 10 metre high columns providing twelve floodlights to the three uncovered courts, the erection of single storey buildings to provide temporary changing facilities, storage and WC facilities, a new electrical substation, switch room and inflation unit, the resurfacing and formalising of the area currently used for car parking and the widening of existing vehicular access from Grand Drive plus associated landscaping, drainage and fencing.	
Drawing No's:	Design & Access Statement; Statement of Community Involvement; Transport Assessment; Flood Risk Assessment; Noise Impact Assessment; Floodlight Report; Survey & Arboricultural Report SK_SP08H; SP09G; SP10; SP11; SP12; SK_P10; P11A; P12; P13G; P18C; SK_S04B; S05B; S06B (section BB); S06B (section CC); S10A (trees & the dome); S10A (trees & the boundary); SK_E01B; E02B; E03B; E04B.	
Contact Officer:	Tony Ryan (020 8545 3114)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions.

CHECKLIST INFORMATION.

- S106: N/A
 - Is an Environmental Statement required: No;
 - Has an Environmental Impact Assessment been submitted: No;
 - Press notice: Yes;
 - Site notice: Yes;
 - Design Review Panel: No;
 - Archaeological Priority Zone: No;
 - Area at risk of flooding: Yes, part of the application site is in flood Zone 2 and this overlaps a small area at the eastern end of the application site;
 - Controlled Parking Zone: No;
 - Conservation Area: No;
 - Trees: No Tree Preservation Orders (TPO's are present on adjacent trees);
 - Number of neighbours consulted: 256;
 - External consultations –Secured by Design Officer and Environment Agency;
 - PTAL: 2 (TFL Planning Information Database);
 - Density N/A
 - Number of jobs created: N/A
-

1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration due to the level of interest shown in the planning application.

2. SITE AND SURROUNDINGS

- 2.1 Raynes Park Playing Fields are privately owned by the All England Lawn and Tennis Club (AELTC) with the land managed for use by Kings College School. The whole Raynes Park Playing Fields site covers an area of 7.9 hectares, which currently includes two areas of hardstanding at the western end of the site covering an area of 0.41 hectares and a natural turf area of 7.49 hectares.
- 2.2 These areas of hard standing provide access and car parking areas and the location for a single storey pavilion building. The pavilion building that has a roof ridge height of 6.2 metres provides changing rooms and toilets and staff office space with an additional separate building providing additional toilet facilities. The remainder of the site provides grassed areas that include 6 grass tennis courts, 4 senior and 4 junior football pitches, a cricket square, 3 cricket nets, a running track and long jump facility and a shot put and discus area. An area in the south west corner of the playing fields adjacent to the car park is currently used for the storage of general building materials.
- 2.3 Raynes Park Playing Fields are surrounded by residential properties in Southway (to the north west); Elm Walk (to the north east); Cannon Hill Lane (to the south east) and Grand Drive (to the south west). The general character of the surrounding area is made up of two storey residential dwellings in small terraces along Elm Walk; semi-detached two storey properties in Grand Drive and semi-detached two storey buildings in Cannon Hill Lane with the majority of these buildings providing maisonettes. A prominent four storey building at the junction of Cannon Hill Lane and Grand Drive called Thornton Court provides 16 flats with a car parking area provided at the rear of this site.
- 2.4 The current application site covering an area of 1.1 hectares is located to the south west corner of the Raynes Park Playing Fields and to the rear of existing residential properties in Grand Drive and Cannon Hill Lane. The application site includes the existing hardstanding area used for car parking, the site access from Grand Drive and an existing natural turf area covering 0.73 hectares.
- 2.5 There are two existing vehicular entrances from Grand Drive to Raynes Park Playing Fields, the main entrance is between the properties at 214 to 218 Grand Drive with a secondary vehicular access provided adjacent to 174 Grand Drive. The application site has a PTAL rating of 2 (where 1a represents the least accessible areas and 6b the most accessible). The site is not within a Controlled Parking Zone.

- 2.6 The site is not situated within a conservation area or an archaeological priority zone and there are no listed buildings in the locality. A section of the playing fields are determined by the Environment Agency to be at in flood risk zone two and this includes part of the current application site. Raynes Park Playing Fields are designated as Urban Green Space within the adopted Unitary Development Plan and Open Space within the emerging Sites and Policies DPD. Although outside the application site boundary Tree Preservation Orders exist on five trees located on Raynes Park Playing Fields that are to the rear of residential properties in Cannon Hill Lane.
- 2.7 Raynes Park Playing Fields are owned and maintained by the All England Lawn Tennis Club. Kings College School who use the facilities on weekdays have a lease running until August 2014, the site is used by the Sunday League Sports Club at weekends. After August 2014 the day to day management of the site will revert to the All England Lawn Tennis Club however the current booking system for other local sports groups to use the existing facilities is expected to continue.
- 2.8 Raynes Park Playing Fields are located within the West Barnes ward. The southern boundary of the playing fields forms the boundary with the Lower Morden ward and the north east boundary of the playing fields forms the boundary with the Cannon Hill ward.

3. CURRENT PROPOSAL

- 3.1 The current application has been submitted by All England Lawn and Tennis Club and the Wimbledon Foundation. The applicant's have stated that "the Wimbledon Foundation was established in July 2013, as the community, development and charitable arm of the All England Lawn Tennis Club and The Championships". One of the main activities of the Wimbledon Foundation is the Wimbledon Junior Tennis Initiative that currently operates from the main Wimbledon site.
- 3.2 After a review of current facilities, and the proposed works to construct a roof to number one court, the current application involves the provision of new facilities for the Wimbledon Junior Tennis Initiative on the application site. The applicant has stated that the current proposal will "...guarantee continued sports usage of the site and allow for improved usage by local junior tennis players through the Wimbledon Junior Tennis Initiative".
- 3.3 The Wimbledon Junior Tennis Initiative aims to promote tennis, a 'fitness lifestyle' and sport education. The applicant has stated that since it was set up in 2001 Wimbledon Junior Tennis Initiative coaches have conducted over 670 school visits, with 60 free school visits undertaken annually to schools in Merton and Wandsworth. In addition to school visits Wimbledon Junior Tennis Initiative also provides weekend coaching for children of all abilities, with 2,500 children receiving scholarships for free tennis sessions at The All England

Club. The Wimbledon Junior Tennis Initiative also provides training to help achieve Lawn Tennis Association coaching qualifications.

- 3.4 The current application involves the provision of additional tennis facilities, with these facilities including a total of six permanent synthetic surface tennis courts. Three of the proposed six new tennis courts are covered by an air dome measuring 55 metres by 42 metres that will be a maximum height of 12 metres. The air dome is not proposed as a permanent structure on the site, with the intention to retain it on the site for a period of ten years.
- 3.5 The applicant has stated that the air dome will be made of a 'high quality' opaque PVC coated fabric that will limit light spillage from the interior during the hours of darkness. The structural integrity of the air dome is maintained by the air pressure within the structure with access to the dome possible through air locks. A 1.2 metre high protective fence will be provided around the air dome.
- 3.6 The proposal includes the erection of on 8, ten metre high columns providing 12 floodlights to the three uncovered courts that are located adjacent to the proposed air dome. The proposed drawings also show spectator seating both adjacent to the outdoor courts and within the air dome with the applicant stating that this seating can accommodate up to 132 people.
- 3.7 The current proposal includes two single storey buildings [made up of 5 cabins] to provide a store room, toilets, a canteen, an office and male and female changing rooms. These two buildings each measure 17.3 metres long by 3.7 metres wide and 3.2 metres high and will be finished in a painted timber cladding. The two buildings are covered by a steel canopy measuring 5.5 metres wide by 42 metres long that is at a height of 3.7 metres.
- 3.8 Other proposed structures include a new electrical substation, a switch room and inflation unit. The electrical sub-station will be located adjacent to the rear garden boundary of the maisonettes at 358 and 360 Cannon Hill Lane. The building will be 4.8 metres wide by 5 metres long and at a height of 2.7 metres and constructed of brick with a steel louvered access doors and a concrete and felt membrane roof. The switch room associated with the sub-station will be located adjacent to the rear boundary of Thornton Court. This building measures 3 metres wide by 4 metres long and is at a height of 2.7 metres. The building will be constructed of brick with a steel louvered access doors and a concrete and felt membrane roof.
- 3.9 The inflation unit is located to the northern side of the air dome and measures 4.5 metres wide by 8.2 metres long and is at a height of 2.7 metres. This structure will have a painted timber external appearance with air intake, extract and ventilation openings.

- 3.10 The proposal includes a 100 metre long running track alongside the tennis courts. The outdoor tennis courts will be enclosed by a 2.75 metre high fence, with a second 1.5 metre high chain link fence enclosing the running track, changing room buildings and indoor and outdoor tennis courts. A 1.5 metre high Yew hedge is proposed to the north, east and south boundaries of the tennis court area with further hedging within the car park and along the boundaries of the car park and vehicle access
- 3.11 An existing area in the corner of the playing fields previously used as tennis courts has been used for some time as informal car parking. The current application involves the resurfacing and formalising of this area to provide 91 car parking spaces including 5 spaces for those with disabilities and 15 cycle parking spaces. The existing vehicle access from Grand Drive will also be widened from 3.4 metres wide to 4.1 metres wide to allow two way vehicle movements and a new pedestrian footpath. The general building materials that are stored in the south west corner of the playing fields adjacent to the car park will be removed as part of the proposal.
- 3.12 New tree planting is proposed between the boundary of the application site and the southern boundary of Raynes Park Playing Fields. New drainage works include drainage channels and an underground irrigation tank have been designed with sufficient capacity to ensure that in the event of severe flash food or the worst predicted potential rainfall there is no surface water storm runoff on to adjacent land.

4. PLANNING HISTORY.

- 4.1 In addition to the planning history for the application site, relevant entries from the planning history for the David Lloyd Tennis Club and for plots of land adjacent to the application site are provided below.

Planning history for the application site

- 4.2 In terms of Raynes Park Playing Fields there is one relevant entry of the planning register. On the 17 May 2012 outline planning permission was refused (reference 10/P3119) following an overturned officer recommendation for the residential development of part of the existing playing fields, with the erection of 53 new dwellings (comprising 12 two bedroom flats, 22 three bedroom and 19 four bedroom houses in two and three storey buildings) and the creation of new all-weather floodlit playing pitch. The reason for the refusal of outline planning permission was as follows:

“The proposed development: (a) would result in the loss of part of an urban green space which has recreational and amenity value; (b) fails to protect and enhance the Borough’s public and private open space network; and (c) fails to give adequate weight to the protection of open space. The proposals would therefore be contrary to policy CS.13, paragraph (a), of the Merton Local Development Framework Core Planning Strategy (2011) and

policy L.5, paragraph (i), of the Adopted Merton Unitary Development Plan (October 2003), and gives undue weight to the application of policy L.7 of the Adopted Merton Unitary Development Plan (October 2003)”.

David Lloyd Leisure Tennis and Fitness Club, Bushey Road.

- 4.3 The planning history for this separate site in Raynes Park is considered relevant as planning permission was initially refused for air dome similar to the one currently proposed. The decision to refuse permission was subsequently overturned and planning permission granted after an appeal to the Secretary of State was allowed.

- 4.4 In July 2007 the planning permission was refused (reference 07/P1633) under delegated authority for the erection of a winter covering structure (September to May) for two tennis courts located to the west of the sports centre buildings including the installation of four flood lighting columns. The reason for the refusal of permission was as follows:

“The proposal would by reason of size, siting and design, represent an inappropriate form of development, harmful to the open character of the Metropolitan Open Land, for which it is considered that there are not very special circumstances that outweigh the harm that would arise by permitting the structure, contrary to policy NE.1 of the Adopted Unitary Development Plan 2003”.

- 4.5 A subsequent appeal to the Secretary of State against the Council’s refusal of planning permission overturned the refusal of planning permission allowing the appeal and granting planning permission. In February 2011 planning permission was approved (reference 10/P2826) under delegated authority for a repeat application for the installation of a seasonal tennis court covering comprising a temporary dome (9 metres high at apex) over two outdoor tennis courts made of clear polythene fabric.

Land at the rear of 274 to 318 Cannon Hill Lane.

- 4.6 The rear gardens of the residential properties at 274 to 318 Cannon Hill Lane are separated from Raynes Park Playing Fields and the current application site by a plot of land in separate ownership. This plot of land that has vehicle access provided between the properties at 318/320 and 322/324 Cannon Hill Lane is 165 metres long and at the narrowest point 28 metres wide.
- 4.7 In December 2000 [LB Merton reference 00/p1846] an application for outline planning permission was refused for this site. The application was for the erection of 3, two bedroom bungalows on this land and alterations to the existing access. The two reasons for the refusal of planning permission were as follows:

“1.The proposed development would be harmful to an important ecological/natural habitat resulting in the loss of protected trees and likely harm to the protected Oak tree to the detriment of the open character of the locality, contrary to Policies EN.2, EN.10, EN.11, EB.20 of the Adopted Unitary Development Plan (April 1996) and Policies ST.21, NE.8, NE.9, NE.13 of the Second Deposit Draft Unitary Development Plan (October 2000)”.

“2.The proposed development would provide inadequate servicing arrangements for the management of development and an inadequate means of access for emergency vehicles, likely to prejudice highway safety, contrary to Policy M11 of the Adopted Unitary Development Plan (April 1996) and Policy RN4 of the Second Deposit Draft Unitary Development Plan (October 2000)”.

- 4.8 A subsequent appeal to the Secretary of State against the Council's refusal of planning permission was dismissed in August 2001.

Land to the rear of 318 - 344 Cannon Hill Lane

- 4.9 An area of land to the rear of the residential properties at 318 - 344 Cannon Hill Lane is owned by the Scouts and is currently occupied by a number of single storey timber buildings that are used as a Scout hut. This plot of land has vehicle access provided between the properties at 318/320 and 322/324 Cannon Hill Lane
- 4.10 The Council are currently considering a planning application [LB Merton reference 12/P3206] for the demolition of the existing scout hut and erection of new scout county headquarters with associated car parking. The open space designation of this land is removed within the Council's emerging sites and policies DPD.

5. CONSULTATION

- 5.1 Prior to the submission of the current planning application the applicant carried out a pre-application public consultation event. This event took place between 4.00 pm and 8 pm on Monday 9 December 2013 in the pavilion of the existing sports ground. Invitations were sent to adjacent ward councillors, residents groups and 344 nearby properties.
- 5.2 A summary provided by the applicant of the points made as a result of the pre-application consultation with residents is as follows:
- Feedback was predominately positive;
 - Welcomed commitment to continuing and enhancing sport on the site;
 - Concerns about the development worsening flooding issues;
 - Concerns about security;
 - Concerns about the use of the existing car parking area;
 - Concerns about noise from the air handling equipment;
- 5.3 The submitted planning application was publicised by means of a site notice, and individual consultation letters sent to 256 neighbouring

properties. As a result of this consultation, eleven responses have been received objecting to the proposal on the following grounds:

Neighbour amenity

- The development will obstruct the view from neighbouring properties;
- The air dome and the artificial surface will be ugly and unsightly;
- The development will cause shadowing to adjacent properties;
- Contrary to the applicant's claims the adjacent trees will not screen the proposed dome;
- There is an existing issue with security and access to the site should be controlled and higher fencing installed behind properties in Southway.
- There is a concern that the 'public thoroughway' will harm the security of adjacent residents;

Floodlighting

- The floodlights will cause light pollution to adjacent residents;
- The floodlights are visually ugly;
- Further details are required in relation to the position, direction, timing and use of cowlings for the floodlighting;

Noise and disturbance

- The proposed noise compressor would result in noise nuisance;
- The specification of the noise attenuation should be submitted and considered as part of the planning application;
- The proposed canteen may lead to a vermin problem;
- There is an objection to ten years being described as 'temporary' in terms of the proposed dome.
- The existing parking area used to be tennis courts and was used for car parking without planning permission;
- The use of this area for car parking causes disturbance to adjacent residential occupiers;
- The development should be located in the centre of the playing fields;

Trees

- The existing trees will not screen the development as the applicant has suggested;
- It will not be possible to plant trees to screen the dome due to its size;

Flooding and drainage

- There is a concern about drainage as a neighbouring garden is lower than the application site;
- The artificial surface will increase flooding in surrounding gardens;
- The development will harm wildlife;

Traffic and transport

- The development will put a strain on the already congested Grand Drive;
- There is a concern about the safety of traffic using the entrance in Grand Drive

Other matters

- A more thorough public consultation is required;
- Couldn't the existing facilities be modernised as this would be a cheaper option for AELTC;
- The grassed site could easily be made suitable for outdoor tennis on natural lawn;
- Natural grass is better than an artificial service as it biodegrades, it 'can clean the saliva/spit expelled by sports players' it absorbs rainwater and can convert carbon dioxide into oxygen;
- There is no requirement for local junior tennis coaching as this is already provided locally;
- The application site is used for football and cricket;

- 5.4 Raynes Park and West Barnes Residents Association There is no objection to the proposal in principle however concerns from adjacent neighbours are highlighted about the potential for visual intrusion from the air-dome and the floodlighting and from possible nuisance from the fans used to operate the domes. In order to safeguard the existing amenity for residents a planning condition is requested that will ensure that both the air dome and floodlighting will not be in operational use beyond 9.30 PM on any evening.
- 5.5 Designing out Crime Officer Metropolitan Police There is no objection to the development subject to the incorporation of Secured By Design Principles as a minimum security standard and that full SBD accreditation is sought.
- 5.6 LB Merton Transport Planning There is no objection to the development subject to planning conditions relating to further information on Cycle Parking; a Travel Plan; Parking Management Strategy; details of the vehicle access on to Grand Drive and an informative relating to the need for separate consent for any works to the highway outside the application site.
- 5.7 LB Merton Environmental Health There is no objection to the development subject to planning conditions relating to light spillage from the proposed floodlighting and the soundproofing of plant and machinery.
- 5.8 Environment Agency There is no objection to the proposal subject to implementation of the measures detailed in the revised Flood Risk Assessment prepared by Laurence Rae Associates (Document Ref. 14013/ FRA/1A, dated January 2014) submitted with this application

are implemented and with these measure secured by way of a planning condition.

- 5.9 LB Merton Lead Local Flood Authority The lead local flood authority (LLFA), has responsibility for leading the coordination of local flood risk management in the London Borough of Merton. Discussions have taken place with the applicant regarding potential measures to reduce flooding in the vicinity of Raynes Park Playing Fields; this has included measures directly related to the current planning application site as well as wider unrelated measures relating to the larger playing fields site. It is requested that these improvements be highlighted as part of any approval of planning permission.
- 5.10 Tree Warden Group Merton There is an objection to the application on the basis that no evidence has been submitted to demonstrate that the development will not impact upon trees. It is considered that the development could have been located next to the Grand Drive boundary that would be further away from properties and reduce visual impact.
- 5.11 LB Merton Tree Officer There is no objection to the development subject to planning conditions relating to tree protection and site supervision and on the basis of information submitted by the applicant regarding to the relationship of the development to the nearby trees including those protected by Tree Preservation Orders.
- 5.12 Sport England There is no objection and support for the proposal as the proposed development will enhance and increase the range of sports facilities within the site and allow for improved usage by local junior tennis players through the Wimbledon Junior Tennis Initiative. The provision of the above facilities therefore represents the provision of a significant new facility. This support is subject to the inclusion of a planning condition relating to the standard of the retained natural turf sports pitches on the site.
- 5.13 LB Merton Leisure Development There is no objection and support for the proposal on the basis that it will enhance the range and intensity of sports provision on this site and bring added sporting value to the area. This development is linked to the Wimbledon Junior Tennis Initiative, which the AELTC fund and deliver across Merton & Wandsworth Schools with tennis development initiatives leading to our stars in the game of tennis for the future. This development will increase their capacity and capabilities giving them a dedicated site to operate from.

6 POLICY CONTEXT

The London Plan (July 2011).

- 6.1 The relevant policies in the London Plan (July 2011) are 3.19 (Sports Facilities); 5.1 (Climate change mitigation); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7

(Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 6.3 (Assessing effects of development on transport capacity); 6.9 (Cycling); 6.10 (Walking); 6.11 (Smoothing traffic flow and tackling congestion); 6.12 (Road network capacity); 6.13 (Parking); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local character); 7.5 (Public realm); 7.6 (Architecture); 7.18 (Protecting local open space and addressing local deficiency); 7.14 (Improving air quality); 7.15 (Reducing noise and enhancing soundscapes); 7.21 (Trees and woodlands) and 8.2 (Planning obligations).

Policies retained in Adopted Unitary Development Plan (October 2003)

- 6.2 The relevant planning policies retained in the Adopted Unitary Development Plan (October 2003) are BE: 15 (New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise); BE16 (Urban design); BE22 (Design of new development); BE25 (Sustainable development); E2 (Access for disabled people); F2 (Planning obligations); NE11 (Trees protection); PE5 (Risk from flooding); PE7 (Capacity of water systems); PE.9 (Waste minimisation and waste disposal); PE.11 (Recycling points); PE.12 (Energy generation and energy saving) and RN3 (Vehicular access).

Policies within Merton LDF Core Planning Strategy (adopted July 2011)

- 6.3 The relevant policies within the Council's Adopted Core Strategy (July 2011) are CS.13 (Open space; nature conservation; leisure and culture); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

Merton LDF Core Planning Strategy (July 2011).

- 6.2 The relevant policies within the Adopted Core Strategy (July 2011) are CS:8 (Housing choice); CS:13 (Open space, nature conservation, leisure and culture); CS:14 (Design); CS:15 (Climate change); CS:18 (Active transport); CS:19 (Public transport); and CS:20 (Parking, servicing and delivery).

Merton Supplementary Planning Guidance

- Planning Obligations (2006)
- 6.3 The Council's Supplementary advice on planning obligations provides advice on the use of S106 legal agreements to mitigate the impact of development.
- Merton Sports Pitch Strategy 2011 (draft)
- 6.4 As part of the Local Development Framework and update to the 2004 Merton Open Spaces Study, Neil Allen Associates prepared the Merton Sports Pitch Strategy. The preparation of the strategy included providing up to date information on supply and demand for playing pitches across the borough. The Merton Sports Pitch Strategy was published in June 2011.

National Planning Policy Framework (March 2012)

- 6.4 The National Planning Policy Framework (NPPF) was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms ‘...to make the planning system less complex and more accessible, and to promote sustainable growth’.
- 6.5 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development. The NPPF states that existing open space should not be built on unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quality and quantity in a suitable location.
- 6.6 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities should look for solutions rather than problems so that applications can be approved wherever it is practical to do so.

Emerging policies within the Draft Sites and Policies Plan.

- 6.7 Paragraph 216 of the National Planning Policy Framework advises that a decision maker may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan and the extent to which there are unresolved objections to relevant policies.
- 6.8 The London Borough of Merton draft ‘Sites and Policies Plan’ was submitted to the Secretary of State in September 2013. The independent Planning Inspector appointed by the Secretary of State considered the Sites and Policies Plan at a public hearing held between 21 and 29 January 2014.
- 6.9 The other relevant policies within the Draft Sites and Policies Plan are as follows: DM O1 (Open space); DMD1 (Urban design and the public realm); DMD2 (Design considerations and the public realm); DMEP2 (Reducing and mitigating against noise); DM T1 (Support for sustainable travel and active travel); DM T2 (Transport impacts from development); DM T3 (Car parking and servicing standards).
- 6.10 The Inspector did not raise any concerns in relation to these policies, or make any indication that the submitted Plan was not sound. On this basis it is considered that these policies should be given significant weight in determining the current planning application.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of the development, the design and appearance of the proposal, the impact on residential amenity including visual impact and noise and the impact on car parking, traffic generation and highway safety.

Principle of Development

- 7.2 Policy 3.19 of the London Plan states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. Where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on protecting open space as well as the borough's own assessment of needs and opportunities for both sports facilities and for green multifunctional open space.
- 7.3 Policy CS13 of the Core Strategy states that the Council will protect and enhance the borough's public and private open space network. Based on an assessment of need and capacity, opportunities in sport and recreation will be promoted by safeguarding existing sporting facilities and supporting proposals for new and improved facilities.
- 7.4 Emerging policy DM O1 states that existing designated open space should not be built on unless the loss would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development is for alternative sports and recreational provision, the needs for this outweigh the loss of the open space.
- 7.5 The Council's Merton Open Spaces Study (MOSS) was carried out in 2005 and included a survey of Merton's publicly accessible open space. As part of the Local Development Framework, and as an update to the earlier assessment, Neil Allen Associates prepared the Merton Sports Pitch Study. The preparation of the study included providing up to date information on supply and demand for playing pitches across the borough. The Merton Sports Pitch Study was published in June 2011. One of the recommendations of the Merton Sports Pitch Study was that improvements should be made to ancillary tennis facilities such as club houses and car parking and that "A particular priority in Merton is considered to be a 2 or 3 court indoor (temporary bubble) facility with lighting".
- 7.6 Raynes Park Playing Fields currently provides 3 cricket nets, a running track, long jump facility and a shot put and discus area. Although it is highlighted that the layout of the main part of the playing fields is subject to seasonal changes, the plan submitted by the applicant shows that the natural turf grassed area currently provides 3 junior football pitches, 5 senior football pitches, a cricket square and 6 grass tennis courts.
- 7.7 In terms of the current layout of the site the submitted proposal will involve the loss of one senior football pitch and the relocation of the

existing cricket square. Raynes Park Playing Fields covers a total area of 7.9 hectares and within this area there is an area of grassed natural turf covering 7.49 hectares. The current application will result in the loss of an area of 0.73 hectares of this natural turf area, with this amounting to less than 10% of the total existing total natural turf area that is currently available within Raynes Park Playing Fields.

- 7.8 The current application includes the provision of additional tennis facilities, including six permanent synthetic surface tennis courts. The Merton Sports Pitch Study recommended that a particular priority in Merton is to provide a 2 or 3 court indoor (temporary bubble) facility within a temporary bubble. In meeting this need three of the tennis courts forming part of the current application are covered by an air dome for a temporary of 10 years. The proposal also includes improved facilities with new temporary buildings providing changing rooms and toilets and improvements to the area used for car parking on the application site and access arrangements.
- 7.9 After assessing the proposed development Sport England have said that “The proposed development will enhance and increase the range of sports facilities within the site and allow for improved usage by local junior tennis players through the Wimbledon Junior Tennis Initiative”. As the development would be of sufficient benefit to the development of sport, Sport England supports the current application on the condition that the retained playing fields are maintained to an appropriate standard.
- 7.10 In conclusion it is considered that whilst a small part of the playing fields will be lost the benefits of the proposed development that will enhance the provision of sports facilities within the borough will outweigh this loss. In addition to the new tennis facilities the proposed works will improve the general function of this site with improvements providing safer access for vehicles and pedestrians and new landscaping and drainage on the site. It is considered that the proposal is in line with policy 3.19 of the London Plan, policy CS13 of the Core Strategy and emerging policy DM O1. The development is in line with the recommendations of the Merton Sports Pitch Study that stated that there was a need for 2 or 3 court indoor tennis facility with lighting.
- **Impact on Residential Amenity**
- 7.11 The land forming the current application site is located in the south west corner of Raynes Park Playing Fields. The application site is located to the rear of the residential properties at 294 to 360 Cannon Hill Lane, 212 to 230 Grand Drive and 1-16 Thornton Court. The applicant has stated that this location for the tennis courts was chosen because unlike other locations in the playing fields in this location the playing fields do not directly adjoin neighbouring residential gardens

Floodlighting

- 7.12 Policy 3.19 of the London Plan states that the provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to the local community. Retained Unitary Development Plan policy PE.3 states that developments that would have a significantly adverse effect on the amenities of nearby occupiers by reason of light emissions will not be permitted unless the effect can be overcome by mitigating measures. Such measures will be sought by the use of conditions or planning obligation.
- 7.13 Emerging policy DM D2 states that proposals for all development will be expected to ensure provision of appropriate energy efficient external lighting that provides safe and secure environments while not causing light pollution that adversely affects neighbouring occupiers. When considering light proposals the council will seek to ensure that unacceptable levels of illumination are controlled by conditions or that unacceptable proposals are refused planning permission.
- 7.14 The current application involves the installation of floodlighting in the form of 8, ten metre poles providing 12 lamp fittings on around the perimeter of the three proposed uncovered tennis courts. The floodlights are located 22 metres from the boundary of the playing fields. The 16 metre wide adjacent plot of land is currently occupied by buildings used by the Scouts, with this land separating the playing fields from the 17 metre long rear gardens of residential properties in Canon Hill Lane. A total distance of 55 metres separates the floodlights from the rear elevation of properties in Canon Hill Lane.
- 7.15 In support of the planning application, the applicant has submitted a floodlighting report by Phillips Lighting. This report includes details of the proposed floodlighting lamps that have been designed to direct light to where it is required and to minimise any light spillage. The report also includes details of the surface coverage of the light emitted from the floodlights.
- 7.16 Whilst it is accepted that the proposed floodlights are likely to be visible from nearby residential properties, it has been demonstrated that the light from the floodlights will be directed to the proposed playing areas. With the design of the floodlighting and the separation distance of 55 metres from the closest residential property it is considered that the floodlighting will not result in a loss of amenity to nearby residential occupiers.
- 7.17 After assessment of the design and location of the proposed floodlights the Council's Environmental Health Team have confirmed that the floodlighting is acceptable if constructed in accordance with the submitted details and with a restriction on the hours of use. Planning conditions are recommended to ensure that the proposed floodlights

are not operational between 2200hrs and 0700hrs and that the floodlights are installed in accordance with the submitted lighting report produced by Phillips.

Noise and Nuisance

- 7.18 Policy PE.2 of the of the Unitary Development Plan states that developments that would have a adverse effect on nearby occupiers or on the amenity of the locality by reason of noise generation and disturbance will not be permitted unless any potential pollution or noise problems can be overcome by mitigating measures. Emerging policy Retained UDP policy BE.15 states that the orientation and design of new buildings will be expected to ensure that living conditions are not diminished by increased noise or disturbance. DM D2 states that proposals will be expected to protect new and existing development noise so that the living conditions of existing and future occupiers are not unduly diminished.

-Use of the tennis courts

- 7.19 The current proposal does not involve a change of use, but seeks to facilitate a more intensive use of the playing fields through the introduction of new and improved facilities. These facilities include provision of synthetic surface tennis courts and improved access arrangements. The proposed facility includes seating around both indoor and outdoor courts for up to 132 spectators.

- 7.20 Whilst the current proposal may lead to increased activity on the application site, the proposal involves an additional sporting facility on a site that is currently in use as a sports facility. The nature of the proposed use including training, playing and watching sport is the same as the current use. As a result any impact will be similar to that which would normally be associated with playing fields.

- 7.21 With no restriction on the current sports ground it is considered that the potential impact of the proposal on amenity is considered acceptable subject to restrictions on the hours of use. A planning condition is recommended to restrict the use of the three tennis courts within the air dome and the three outdoor courts to between the hours of 0700hrs and 2130hrs. As stated earlier in this report the restriction on the use of the floodlights is to 2200hrs and this is to ensure the safety of users leaving the facility.

-Car parking area

- 7.22 An area in the south west corner of Raynes Park Playing Fields is currently used as informal car parking and a public consultation response has stated that the land has been used for car parking for 15 years. A public consultation response has stated that the use of this area for car parking currently causes noise nuisance to adjoining residents including in the form of coach engines running, loud voices, and car doors slamming.

- 7.23 Whilst the area available for car parking will not increase as part of the current proposal, the car parking area will be formalised with a new surface and marked bays providing 91 car parking spaces. It is considered that planning conditions can be used to ensure that any additional activity in the car parking area that arises from the proposed intensification of the sports use can be managed. Planning conditions are recommended that seek details of boundary treatments and a management plan to include the monitoring of the car parking area to reduce the potential for nuisance to adjoining occupiers.

-The inflation unit, sub station and switch room

- 7.24 With the nature of the air dome a blower and associated heater are required with the blower in operation over a 24 hour period. The blower and heater are located within the inflation unit that is on the northern side of the air dome, with the closest residential properties located to the south of the dome. A brick substation building is proposed in the south west corner of the site that will work in association with the inflation unit.

- 7.25 In support of the planning application a noise impact assessment has been submitted by the applicant in respect of the inflation unit and the substation. The noise impact assessment included a background noise survey over a 24 hour period, 7 day period with measuring equipment to the rear of properties in Canon Hill Lane. The noise impact assessment concludes that with appropriate noise insulation the inflation unit and the substation are unlikely to impact upon residential amenity. The noise assessment has been considered by the Council's Environmental Health officer who has concluded that the development is acceptable subject to planning conditions. A planning condition is recommended to ensure that the noise from the inflation unit and the substation does not significantly exceed background noise levels.

-The proposed canteen

- 7.26 The current proposal includes provision of a relatively small canteen area that covers 14 square metres. Planning conditions are recommended to ensure that this canteen operates as ancillary to the proposed sporting facility and to control operation times and the prevention of nuisance from any potential fumes or smells. With these safeguards in place it is considered that the canteen will not harm residential amenity.

Loss of sunlight and daylight, privacy and visual intrusion

- 7.27 Policy BE15 of the Unitary Development Plan states that new buildings will be expected to maintain sunlight and daylight levels to adjoining buildings and gardens; ensure the privacy of neighbours; protect from visual intrusion and not result in harm to living conditions through noise or disturbance. Emerging policy DM D2 states that Proposals for all development will be expected to ensure provision of appropriate levels of sunlight and daylight to adjoining buildings and gardens. Proposals will be expected to protect new and existing development from visual

intrusion so that the living conditions of existing and future occupiers are not unduly diminished.

- 7.28 The base of the air dome will be located 18 metres from the playing fields boundary with adjacent land that is occupied by buildings used by the Scouts. This 16 metre wide plot of land separates the playing fields from the rear gardens of the closest residential properties in Canon Hill Lane that are 17 metres long. A total distance of 55 metres separates the floodlights from the rear elevation of properties in Canon Hill Lane.
- 7.29 The air dome will be constructed in a non-translucent material (i.e. an opaque dome) that will prevent any 'glow' and therefore, will not emit light. As an appendix to the Design and Access Statement the applicant has submitted computer generated images to show the likely visual appearance of the dome from various viewpoints.
- 7.30 The base of the air dome will be located 18 metres from the boundary of the playing fields. The adjacent vacant plot of land varies in width between 12 and 16 metres and was the subject of a refused planning application for new housing [see planning history]. This vacant plot of land separates the playing fields from the 17 metre long rear gardens of residential properties in Canon Hill Lane. A total distance of 54 metres separates the base of the air dome from the rear elevation of properties in Canon Hill Lane.
- 7.31 There are various existing trees located on the land that separates the air dome from the rear elevation of nearby properties in Canon Hill Lane. Whilst it is considered that these trees will provide some screening of the air dome, a planning is recommended seeking additional tree planting in this location to provide screening. It is also accepted that the air dome will be visible from properties on other boundaries of the playing fields however with the separation distances [100 metres at the closest point] from these properties it is not considered that the development will result in visual intrusion.
- 7.32 The proposal includes 8, ten metre high poles for the proposed floodlights. Although the floodlighting poles will be visible locally they will be seen in the context of nearby buildings and trees that are of a similar height and therefore it is considered that the poles will not appear out of place or result in visual intrusion.
- 7.33 In conclusion with the height of the proposed dome and the separation distance from the closest residential properties, it is considered that the development will not result in any loss of daylight or sunlight to adjacent residential occupiers. In consultation responses it has been stated that the development would result in the 'loss of a view'. Whilst the loss of a view is not a material planning consideration, the proposed development has been assessed in terms of whether it would

result in visual intrusion including the proposed height and separation distances and has been found to be acceptable.

- **Traffic generation, car parking, access, cycling and walking**

7.34 Grand Drive is a classified road (B279) that runs between the Bushey Road (A298) and Tudor Drive and carries quite heavy level of traffic. The traffic light controlled road junction with Cannon Hill Lane is a short distance (80 metres) to the south east of the main Grand Drive entrance to Raynes Park Playing Fields.

7.35 The site is not in a controlled parking zone and the Grand Drive section of the application site has a PTAL rating of 2 (where 1a represents the least accessible areas and 6b the most accessible). The area benefits from the number 163 and 413 bus routes that provide access to Morden and Wimbledon; there are facilities and services available in the local area including shops along Grand Drive. The site is not within a Controlled Parking Zone.

Traffic generation

7.36 In accordance with Department for Transport and Transport for London guidance, the applicant has produced a Transport Statement in order to quantify the potential impact of the development proposals.

7.37 In assessing potential traffic generation the statement reports that most potential traffic would be generated when all of the six tennis courts are in use and four football matches take place at the same time. The Transport Statement advises that it is only 40% of the year where it is likely that four football matches would take place at the same time and the use of the outdoor tennis courts would also be restricted by weather conditions. The Transport Statement concludes that the impact of the proposed development on local traffic generation is acceptable.

7.38 After an assessment of the proposed development by officers it is considered that traffic generation associated with the proposed development is acceptable and with appropriate planning conditions any traffic generated by the development can be safely accommodated. A planning condition is recommended to ensure that an acceptable travel plan is prepared to encourage sustainable travel choices.

Car parking

7.39 Planning policies in the London Plan encourage boroughs to support patterns and forms of development that reduce the need to travel; especially by car. The London Plan also states that on-site car parking should be the minimum necessary to promote the use of more sustainable non-car modes of travel.

7.40 The current site provides an informal hardstanding car parking area that has the current capacity to accommodate 91 cars. The current

application seeks to formalise this car parking area with marked bays providing 91 car parking spaces including 5 disabled parking spaces. A planning condition is recommended seeking the submission of a Parking Management Strategy to ensure efficient use of the space on the application site. The number of car parking spaces provided is considered sufficient for users and visitors to the application site and the level of car parking proposed will reduce the probability of any overspill parking on neighbouring streets.

Site Access

- 7.41 A distance of 9 metres currently separates the side garden boundaries of the semi detached properties at 214 to 218 Grand Drive and the main existing vehicular entrance from Grand Drive to Raynes Park Playing Fields is currently provided in this location. The existing vehicle access is narrow with a single track carriageway width of 3.2 metres, and grass verges separating the carriageway from these adjacent residential gardens.
- 7.42 The current application includes an improvement to the existing access road to increase the carriageway width to a minimum of 4.1 metres. This change will allow two way traffic, a dedicated pedestrian 1.5 metre wide footway along the access route and a yew hedge adjacent to the garden boundaries.
- 7.43 The widened vehicle access will allow more efficient use of the site and will reduce the likelihood of vehicles waiting to enter the site causing an obstruction to traffic in Grand Drive. These improvements to the site access are welcomed and a planning condition is recommended to seek further detail of this access and to ensure that these improvements are made before first use of the new facilities.

Cycling and walking

- 7.44 Policy CS.18 of the adopted Core Strategy (2011) states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities.
- 7.45 The current application site does not provide any formal cycle parking facilities and the current proposal includes provision of 15 cycle parking spaces. This provision is considered in line with minimum standards and a planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained for users and visitors to this site.
- 7.46 In conclusion and after consideration of issues relating to traffic, access, servicing, parking, cycling and walking the submitted proposal

is considered acceptable with no objections to the development raised by the Council's Transport Planning team.

- **Trees, landscaping, and biodiversity**

- Trees**

- 7.47 Retained Unitary Development Plan policy NE.11 states that development will not be permitted if it would damage or destroy trees, which have significant amenity value as perceived from the public realm area. Policy DM O2 in the emerging Sites and Policies DPD states that development will only be permitted if it will not damage or destroy any tree that has significant amenity value. Policy CS.13 within the Adopted Core Strategy (2011) states that the Council will protect and enhance the borough's open space network; expect development to incorporate and maintain appropriate trees which makes a positive contribution.
- 7.48 The application site forms part of Raynes Park Playing Fields that is designated as Urban Green Space within the adopted Unitary Development Plan. The site is also designated as open space within the emerging Sites and Policies DPD.
- 7.49 The current proposal includes improvements to the access to Raynes Park Playing Fields for vehicles and pedestrians. These proposed improvements will require the removal of two Conifer trees adjacent to the access. In the context of the playing fields it is not considered that these trees have significant amenity value. Whilst the loss of these trees is still considered regrettable, on balance it is considered that the benefits of the improved access and new tree planting elsewhere on the site outweigh the loss of these trees.
- 7.50 A strip of land within the playing fields varying between 18 and 22 metres in width separates the current application site from the playing fields boundary. A tree survey found 12 existing trees located on this land and adjacent to the eastern end of the application site.
- 7.51 There are Tree Preservation Orders on three of these trees which are an Ash tree TPO T3 [tree survey T11] a Field Maple TPO T4 [tree survey T6] and a second Field Maple TPO T5 [tree survey T2]. The applicant has stated that the location and position of the proposed facilities was carefully chosen to avoid any harm to the existing trees on the adjacent playing fields.
- 7.52 The root protection area of the Ash tree TPO T3 [T11 in the tree survey] is located a distance of 11.2 metres from the foundation of the new tennis courts. The root protection area of a Field Maple TPO T5 [T2 in the survey] is located a distance of 10.1 metres from the outdoor tennis court fence. The root protection area of a Field Maple TPO T4 [T6 survey] is located a distance of 7.8 metres from the foundation of the new tennis courts.

- 7.53 Of the remaining 9 trees not covered by a Tree Preservation Order the following trees are located closest to the boundary of the application site. The root protection area of a Common Ash tree [T1 in the tree survey] is located a distance of 9.2 metres from the new tennis courts fence. The root protection area of a Common Ash tree [T4 in the tree survey] is located a distance of 10.7 metres from the foundation of the new tennis courts. The root protection area of a Common Ash tree [T5 in the tree survey] is located a distance of 11.3 metres from the foundation of the new tennis courts. The root protection area of a Maple tree [T7 in the tree survey] is located a distance of 2 metres from the foundation of the new tennis courts; whilst the potential impact on this tree is low it is highlighted that the tree survey indicated that this tree was of low quality and value and that it had a limited lifespan.
- 7.54 After assessing the separation distances between nearby trees the proposed tennis facility it is considered that the proposed development is unlikely to have any impact on these adjacent trees. The Council's Trees officer has considered that proposals and subject to planning conditions has no objection to the development. Planning conditions are recommended in relation to protecting the root protection areas of these adjacent trees and to ensure that there is arboricultural supervision of the proposed works.

Landscaping and biodiversity

- 7.55 Policy CS.13 of the Adopted Core Strategy (July 2011) requires that the Council will take into account any implications for biodiversity and wildlife habitat. Emerging policy DM D2 states that proposals for all development will be expected to ensure provision of appropriate energy efficient external lighting that provides safe and secure environments while not causing light pollution that adversely affects biodiversity. When considering light proposals the council will seek to ensure that unacceptable levels of illumination are controlled by conditions.
- 7.56 Policy 3.19 of the London Plan states that the provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to biodiversity. Policy 7.19 of the London Plan states that development proposals should wherever possible make a positive contribution to the protection, enhancement, creation and management of biodiversity. The indirect impacts of development on nature conservation such as new lighting need to be considered alongside direct impacts such as habitat loss.
- 7.57 Raynes Park Playing Fields and the application site has no specific wildlife designation. A Habitat Survey and Biodiversity Report was produced in December 2008, with an update to this report produced in March 2012. These studies found that as the playing fields are maintained and managed to a high level by grounds staff, including for instance grass cutting, the site has limited biodiversity value. The only

significant items of biodiversity value were considered to be two mature Oaks located close to the existing tennis courts, and these trees are not affected by the current development

- 7.58 The applicant has carried out a bat survey of the playing fields and as part of this survey the existing pavilion roof space was found to be in good condition with no entry points for bats. The subsequent report confirmed that whilst there was evidence of potential bat foraging there was no evidence of any bat roost within Raynes Park Playing Fields.
- 7.59 In order to ensure that the proposed floodlights does no impact upon foraging bats a planning condition is recommended to ensure that the proposed floodlighting complies with the advice note "Bats and Lighting in the UK" that is produced by the Bat Conservation Trust, and the Institution of Lighting Engineers.
- 7.60 It is considered that there is potential for future habitat creation that would increase the biodiversity value of the site. The submitted plans show new tree planting located between the new tennis facility and the boundary of the playing fields. A planning condition is recommended to seek further details of this tree planting and measure to increase biodiversity and to ensure that this landscaping is in place prior to the first use of the proposed facility.

- **Flood risk and surface water drainage**

- 7.61 Policy CS.16 within the Adopted Core Strategy (2011) states that the Council will implement sustainable drainage systems (SUDs) across the borough. The policy states that the Council will work towards effective management of surface water flooding and will ensure the implementation of measures to mitigate flood risk across the borough that are effective, viable, attractive and enhance the public realm and ensure that any residual risk can be safely managed.
- 7.62 Retained policy PE5 of the Unitary Development Plan (2003) states that development in flood zones 1,2 and 3A would not be permitted where it would i) Increase the risk of flooding within this area or downstream; ii) Materially impede the flow of flood water; iii) Reduce the capacity of the floodplain to store water; iv) Adversely affect flood defence structures.
- 7.63 Raynes Park Playing Fields currently suffers from drainage problems that prevent the use of the playing fields for significant parts of the year. The current planning application covers a small part of the playing fields and a small part of the application site is located in an area at risk from flooding.
- 7.64 The current application includes a flood risk assessment that also sets out a proposed drainage system on the site. This drainage system includes drainage channels across the site to collect surface water runoff and an underground attenuation tank. In accordance with UDP

policy PE5 the flood risk assessment concludes that the drainage system would minimise the risk of flooding in terms of predicted future rainwater levels when compared to natural turf; it would not materially impede the flow of rainwater; it would reduce the capacity of the floodplain to store water and would not adversely affect flood defence structures.

- 7.65 It is considered that with the implementation of the specified works the development will not increase potential flooding locally. In accordance with the advice from the Environment Agency a planning is recommended to ensure that these drainage works are implemented. A planning informative is also recommended highlighting the separate discussions that have taken place with the LB Merton Lead Local Flood Authority in relation reducing local flooding issues generally.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT

• Sustainability

- 8.1 Policy CS.15 Climate Change within the Adopted Core Strategy (2011) states that major development will be required to demonstrate the how it makes effective use of resources and materials, how it minimises water use and CO2 how it makes the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy. With the nature of the proposed development with temporary structures that are associated with this sporting facility it is not considered reasonable to apply normal sustainability standards.

• Environmental impact assessment

- 8.2 The application site covering 1.1 hectares is more than 0.5 hectares in area and therefore falls within the scope of Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.
- 8.3 The proposed development has been assessed in the context of the legislation and a screening opinion issued conforming that there is no requirement for an Environmental Impact Assessment in this instance.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Lev

- 9.1 On the basis that the proposed buildings and air dome will be present on the site for a temporary limited period [10 years] the proposed development will not be liable to pay the Mayoral Community Infrastructure Levy.

London Borough of Merton Community Infrastructure Lev

- 9.2 The London Borough of Merton Community Infrastructure Levy only applies to buildings that provide residential use or retail warehouses/superstores and would not be applicable for the current development of buildings used for leisure.

Planning Obligations

- 9.3 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 9.4 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.
- 9.5 Raynes Park Playing Fields is currently used by local organisations and teams including use of the cricket and football pitches by a local school during term weekdays and by local football and tennis clubs at the weekends. The applicant has stated that the current application will not result in any change to these arrangements.
- 9.6 The Wimbledon Junior Tennis Initiative who will occupy the new facility operates as a community use and this will increase the overall community use of the site. In this respect it is not considered that a planning obligation or planning condition is necessary in terms of securing community use of this facility and no other planning obligations are considered necessary.

10. CONCLUSION

- 10.1 The proposed development will provide a new and improved sporting facility that seeks to encourage schoolchildren to become involved in sport. The proposal also includes improvements to the access and parking arrangements on this site that will benefit other existing users of the site. The development has been designed to avoid any harm to nearby trees and to minimise any potential additional impact on the amenities of nearby residential occupiers.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following planning conditions:

And the following conditions:

1. Standard condition (Time period) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition (Approved plans) The development hereby permitted shall be carried out in accordance with the following approved plans: Design & Access Statement; Statement of Community Involvement; Transport Assessment; Flood Risk Assessment; Noise Impact Assessment; Floodlight Report; Survey & Arboricultural Report SK_SP08H; SP09G; SP10; SP11; SP12; SK_P10; P11A; P12; P13G;

P18C; SK_S04B; S05B; S06B (section BB); S06B (section CC); S10A (trees & the dome); S10A (trees & the boundary); SK_E01B; E02B; E03B; E04B. Reason for condition: For the avoidance of doubt and in the interests of proper planning.

3. Amended standard condition (Construction phase impacts) Prior to the commencement of any development a working method statement shall be submitted to and approved in writing by the Local Planning Authority to accommodate: parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be carried out except in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.
4. Standard condition (Timing of construction work) No construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays - Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
5. Non standard condition (Tree protection measures) Prior to the commencement of any development an Arboricultural Method Statement and Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority with drafting in accordance with the recommendations and guidance set out in BS 5837:2012 with the approved measures in place prior to the commencement of development and retained and maintained, until the completion of all site operations. Reason for condition: To protect and safeguard the existing retained trees in accordance with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
6. Amended standard condition (Site supervision -Trees) The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than fortnightly the status of all tree works and tree protection measures throughout the course of site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
7. Non Standard Condition (Temporary period) The air dome, supporting infrastructure and buildings other than the tennis courts, fencing, the

running track, external floodlights and the sub-station shall be removed from the site with the land restored to its original condition by the 30 April 2024. Reason for condition: The building is of a temporary nature and its permanent retention would not comply with policy CS.14 of the LDF Core Planning Strategy 2011 and policies BE.16 & BE.22 of the Adopted Merton Unitary Development Plan 2003.

8. Amended standard condition (Canteen ventilation equipment) Prior to the commencement of the use of the canteen hereby permitted detailed plans and specifications of a kitchen ventilation system, shall be submitted to and approved in writing by the Local Planning Authority including details of sound attenuation for a kitchen ventilation extract system and odour control measures. The kitchen ventilation extract system shall be installed in accordance with the approved plans and specifications before the use commences and shall be permanently retained as such thereafter. Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
9. Amended standard condition (Canteen operation) The canteen shall only operate in association with the tennis facility and between the hours of 0800hrs and 2130hrs on any day. Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
10. Non standard condition (Surface water drainage) Prior to the commencement of development a surface water drainage scheme shall be submitted to and approved by, the Local Planning Authority, the scheme shall be based on sustainable drainage principles, and where possible include an assessment of the hydrological and hydro geological context of the development. The surface water drainage strategy should achieve reductions in surface water run-off to Greenfield rates in accordance with the approved FRA and the drainage principles set out in the approved FRA. The surface water drainage scheme shall be carried out in accordance with the details approved and shall be maintained for the lifetime of the development. Reason for condition: To reduce the impact of flooding on the proposed development and future occupants and to improve drainage in accordance with Sites and Policies Development Plan Document policy DM D2.
11. Non Standard Condition (Public address system) Details of any proposed public address system, shall be submitted to and approved by the local planning authority before this system is first used with these details including noise emission levels, measures to prevent nuisance to adjoining occupiers and times of operation and any approved details shall be in place prior to the first use of the system and permanently maintained thereafter. Reason for condition: To

safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

12. Non standard condition (Playing pitch reinstatement) In the first planting season following commencement of the development hereby permitted, the cricket wicket and outfield and relocated football pitch shall be laid out in accordance with the Raynes Park Pitch Layout AFTER WJTI plan (Drawing: SK_SP12) and be reinstated to a quality at least equivalent to the quality of the cricket pitch and football pitch immediately before the commencement of development or a condition fit for use as a playing field or in accordance with 'Natural Turf for Sport', (Sport England, 2011) or the appropriate National Governing Body Performance Quality Standard]. Reason for condition: To ensure the site is restored to a condition fit for purpose.
13. Non standard condition (Landscaping) Prior to the first use of the facility hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, with the scheme to include details of trees and landscaping; measures to increase biodiversity on the site and a row of Leyland Cypress trees metres to screen the air dome with details of the size, species, spacing, quantities and location of trees and landscaping and indications of all existing trees, hedges and any other features to be retained, with the approved landscaping in place either prior to the first use of the facility or the first planting season following the completion of the development whichever is the sooner Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
14. Amended Standard Condition (Landscape Management Plan) Prior to the first use of the facility hereby approved a landscape management plan shall be submitted to and approved in writing by the Local Planning Authority and shall include long term design objectives, management responsibilities and maintenance schedules for existing and proposed trees and landscaping with the approved landscape maintained for the lifetime of the development. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
15. Non Standard Condition (Floodlighting specification) The floodlighting system as detailed in the Technical Lighting Submission document 244050414 and submitted with the planning application shall be installed and maintained throughout the duration of the development in accordance with the Institute of Lighting Engineers publication "Guidance Note for the Reduction of Obtrusive Light GN01: 2011" and no alterations are permitted without planning permission first being obtained via the submission of a planning application to the Local

Planning Authority. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.

16. Non Standard Condition (Floodlighting operation) The floodlighting shall not be illuminated between the hours of 2200hrs and 0700hrs. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
17. Non Standard Condition (Floodlighting and bats) The floodlighting shall be installed in accordance with the advice note "Bats and Lighting in the UK" produced by the Bat Conservation Trust and the Institution of Lighting Engineers. Reason for condition: To ensure that the floodlights do not impact upon foraging bats in accordance with Policy CS.13 of the Adopted Core Strategy (July 2011), emerging policy DM D2 of the Sites and Policies DPD and policies 3.19 and 7.19 of the London Plan.
18. Non Standard Condition (Soundproofing of Plant and Machinery) Prior to the commencement of development details of sound insulation/attenuation measures as recommended in the Noise Assessment document VC-10509-EN-RP-0002 REV 00 January 2014 are to be submitted to and approved in writing by the Local Planning Authority to ensure that noise from new plant/machinery does not increase the background noise level by more than 2dBa L90 (5 min) with no increase in any one-third octave band between 50Hertz and 160Hertz; the approved measures shall be installed before the plant and machinery is first used and shall be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority. Reason for condition: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003
19. Amended Standard Condition [Travel Plan] Prior to the first use of the facility hereby approved a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by Transport for London and shall include: Targets for sustainable travel arrangements; Effective measures for the ongoing monitoring of the Plan; A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development; Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development. The development shall be implemented only on accordance with the approved Travel Plan. Reason for condition: To promote sustainable travel measures and comply with policies CS18 and CS19 of the Adopted Merton Core Planning Strategy 2011.

20. Amended standard condition (Parking Management Strategy) Prior to the commencement of development a Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority to include regular monitoring of potential causes of nuisance to adjoining residential occupiers and the use shall not commence until this strategy has been approved and the approved measures implemented. Those approved measures shall be maintained for the lifetime of the development. Reason for condition: To ensure the provision of an appropriate level of car parking and effective management of the car parking area in accordance with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy PE.2 of the Unitary Development Plan.
21. Amended standard condition (Car parking spaces) Prior to the first use of the facility hereby approved the car parking spaces shown on the approved drawing to serve the development shall be provided and shall include two spaces that include a facility to charge an electric vehicle and thereafter the spaces shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
22. Amended standard condition (site access) Prior to first use of the facility hereby approved details of the proposed amended vehicular access to serve Raynes Park Playing Fields shall be submitted to and approved in writing by the Local Planning Authority, and the works as approved shall be completed prior to first use of the facility hereby approved. Reason for condition: To ensure the safety of vehicles and pedestrians and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003 and policy CS20 of the Adopted Core Strategy (July 2011).
23. Amended standard condition (Cycle storage) Prior to first use of the facility hereby approved cycle storage facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy (July 2011).
24. Non standard condition (Refuse and recycling facilities) Prior to the first use of the facility hereby approved refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the approved refuse and recycling facilities retained for the lifetime of the development. Reason for condition: To ensure the

provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.

INFORMATIVES:

- a) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application.
- b) The applicant is advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences.
- c) The applicant is advised that the kitchen ventilation extract system must meet the following standards: -Noise from the fan motor and air noise from the ductwork and exhaust flue shall not increase the background noise level by more than 2 dB(A)L90 (dB(A)L90 (dB(A)) (5 minute measurement period) and there shall be no increase in any one-third octave band between 50Hertz and 160Hertz when measured at the boundary of the nearest noise-sensitive property; -The extract terminal discharge of the ductwork shall terminate at least a metre above eaves level and shall terminate vertically, with no obstruction or cowl fitted above the extract opening; -Odour control measures shall be fitted to the kitchen ventilation system with carbon filters as a minimum; -Flexible couplings and anti-vibration mountings shall be used between the ductwork and walls
- d) The applicant is advised that a restoration scheme for playing field land is undertaken by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled "Natural Turf for Sport" (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards.
- e) The applicant is advised that any works that will improve drainage and reduce the risk of flooding on Raynes Park Playing Fields and in the surrounding area would be welcomed including the works that were recently discussed with the Council acting as the Lead Local Flood Authority.

This page is intentionally left blank