Report To South Area Planning Sub-Committee – List A – Applications For Decision

<table>
<thead>
<tr>
<th>Application No:</th>
<th>2015/0059</th>
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<tbody>
<tr>
<td>Case Officer:</td>
<td>Steve Elliott</td>
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<tr>
<td>Expiry Date:</td>
<td>06/01/2016</td>
</tr>
<tr>
<td>Location:</td>
<td>Oxshott Village Sports Club Steels Lane Oxshott Leatherhead KT22 0RF</td>
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<tr>
<td>Proposal:</td>
<td>Provision of a new tennis court and use of an inflatable dome</td>
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<tr>
<td>Applicant:</td>
<td>Oxshott Village Sports Club Ltd Mr Chris Fairchild Vail Williams Carriage House</td>
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<tr>
<td>Agent:</td>
<td>Walnut Tree Close Guildford Surrey GU1 4TX</td>
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<tr>
<td>Decision Level:</td>
<td>If permit – Sub Committee If refuse – Sub Committee</td>
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<td>Recommendation:</td>
<td>Permit</td>
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Representations: 57 letters of representation have been received from 25 separate households including 1 from outside of the borough. The following key concerns were raised:

- Overall size, height and scale unacceptable/unsightly
- Fails to respect the landscape character
- Loss of parking spaces
- Light pollution
- Noise pollution
- Flooding
- Drainage issues
- Wooded area could fall on or close to the proposal

***This application qualifies for Public Speaking***

Report

Description

1. The application site is located to the rear of the dwellings to Steels Lane, Oakshade Road, Ridgeway Close, Lyfield and Webster Close, located in the settlement of Oxshott. The site falls within sub area COS9 as identified in the Council’s Design and Character SPD.

2. The site contains the Village Sports Club with a bowls club, cricket pitches, petanque terrain and a number of tennis courts.

Constraints

3. The relevant planning constraint is:

- Flood Zone 2
Policy

4. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:

   Core Strategy 2011
   CS10 – Cobham, Oxshott and Stoke D’Abernon
   CS17 – Local Character, Density and Design
   CS26 – Flooding

   Development Management Plan 2015
   DM1 – Presumption in favour of sustainable development
   DM2 – Design and amenity
   DM5 – Pollution
   DM6 – Landscape and trees
   DM20 – Open space and views

   Design & Character SPD 2012

Relevant Planning History

5. The site has an extensive planning history however none of the previous schemes have any relevance to this proposal.

Proposal

6. Planning permission is being sought for a new tennis court and use of an inflatable dome.

7. The proposed dome when inflated would have a maximum height of 7.2m be 16.5m wide and be 34.8m in length. The proposal would be sited on an existing overflow parking area.

8. During the determination process additional information has been provided to address concerns relating to surface water drainage. The applicants have provided additional information to address this issue. Thames Water and the neighbouring properties were advised of the amended plans.

9. The latest surface water discharge has been controlled and attenuation has been provided within the granular infiltration trench around the tennis court with additional attenuation within an infiltration trench located along the western site boundary in order to mimic, as practicably as possible, the existing run-off regime to the watercourse adjacent to the site boundary.

Consultations

10. Tree Officer – Raised no objection subject to suitably worded tree protection conditions being imposed.

11. Head of Environmental Services – Raised no objection subject to suitably worded conditions being imposed.

12. Thames Water – As part of on-going discussions with the applicant no objection has been raised to the latest proposal in which there is no connection into the surface water or foul water sewers.

Positive and Proactive Engagement

13. In assessing this application, officers have worked with the applicant in a positive and proactive manner consistent with the requirements of 186-187 of the NPPF by making available pre-application advice to seek to resolve problems before the application was submitted and to foster the delivery of sustainable development.
14. No pre-application advice was sought.

**Planning Considerations**

15. The main planning considerations in the determination of this application are:

- Principle of the development
- The impact on the character of the area
- Impact on neighbouring amenity
- Trees
- Flood risk

**Principle of the development**

16. Both paragraph 75 of the NPPF and policy DM20 of the Elmbridge Development Management Plan identify that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless (*inter alia*), “the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss”. In this instance it is considered that the application site relates to a very small area of the open space and would provide additional recreation facilities so the proposal would not be contrary to either National or Local policy.

**The impact on the character of the area**

17. Due to the proposed structure being partially screened by a wooded area along the western boundary in conjunction with the fact that the views of the dome will largely be from within the sports ground itself, it is not considered that the proposal would detract from the wider character of the area.

**Impact on neighbouring amenity**

18. In terms of assessing the impact upon neighbouring amenity the Head of Environmental Services has assessed the amount of noise that would be generated from within the proposed dome, as well as other sources of pollution such as light.

19. The applicants have submitted a detailed noise assessment (Acoustic Air, October 2015) which has been considered to have been carried out thoroughly and fairly. The report concludes that the rating level of the fan noise would be below the background levels and that there would be no negative noise impact upon residential amenity. As part of the detailed response a number of conditions have been suggested, these include: hours of use, lighting and noise. These conditions will ensure that the nearest neighbouring properties which are located on the other side of the wooded area will not be adversely impacted upon.

**Trees**

20. The Tree Officer has confirmed that this proposal subject to suitably worded tree protection conditions being imposed the proposed development will not result in any significant impact upon the nearby trees.

**Flood risk**

21. It is noted that the application site is located within Flood Zone 2 and no formal Flood Risk Assessment has been provided, however this is for a less vulnerable development and the Council has no records of any surface water flooding within this area of the site. Concerns have been raised in this regard given the additional area of hardstanding in conjunction with the dome that would be created in terms of the displacement of water. In addition residents have identified that the existing drainage system overflows into the rear gardens of the neighbouring properties. As a result the surface water drainage plans have been amended.
22. The latest surface water discharge details identify that it would be controlled and attenuation has been provided within a granular infiltration trench around the tennis court with additional attenuation within an infiltration trench located along the western site boundary in order to mimic, as practicably as possible, the existing run-off regime to the watercourse adjacent to the site boundary. Thames Water has assessed this proposal and raised no objection.

**Matters Raised in Representations**

23. It should be noted that the generator has been omitted and the fans will be mains powered.

24. The site already has onsite parking provision which would not be increased by this development. It is noted that the grass area has been used as an overflow area, despite this it is not considered that this additional facility will materially increase the number of users and therefore not create significant changes to number of vehicles accessing the site in relation to current existing uses.

**Conclusion**

25. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.

**Recommendation: Grant Permission**

**Conditions/Reasons**

1. **TIME LIMIT (FULL APPLICATION)**
   The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.

2. **LIST OF APPROVED PLANS**
   The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: Proposed site plan and Proposed Dome Elevations received on 10 March 2015 and Tree, AIA & Protection Plan (drawing no. LSDP 11250.01) dated July 2015 from Land & Sculpture design Partnership.

   Reason: To ensure that the development is carried out in a satisfactory manner.

3. **MATERIALS - APPROVED**
   The development hereby permitted shall not be erected other than in the materials detailed with Section 3 of the Planning Statement dated January 2015 or such other materials as have been approved in writing by the Borough Council.

   Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with Policy DM2 of the Elmbridge Development Management Plan 2015.

4. **HOURS OF USE**
   The development hereby permitted shall not be used outside the hours of 21:00 and 07:00.

5 LIGHTING
The lighting provided in association with this development shall not be operated between the hours of 21:00 and 07:00 hours.


6 NOISE
The development hereby permitted shall be operated in accordance with the specification set out within the Noise Assessment report by Acoustic Air dated October 2015.


7 FANS
The fans associated with the development hereby permitted shall only be powered by mains electricity and not at any time by the use of a portable generator.


8 TREE PROTECTION AND PRE-COMMENCEMENT INSPECTION
BEFORE DEVELOPMENT TAKES PLACE TREE PROTECTION MEASURES SHALL BE INSTALLED AND ANY FURTHER INFORMATION PROVIDED IN ACCORDANCE WITH THE SUBMITTED ARBORICULTURAL INFORMATION. THE APPLICANT SHALL ARRANGE A PRE-COMMENCEMENT MEETING AFTER THE INSTALLATION OF THE TREE PROTECTION BETWEEN THE BOROUGH COUNCIL AND THE APPLICANT’S PROJECT ARBORICULTURIST TO ALLOW INSPECTION AND VERIFICATION OF THE PROTECTION MEASURES.

Reason: This permission is granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015. It is considered necessary for this to be a pre-commencement condition because the demolition and construction works could have implications for the future health and amenity of retained trees within the site.

9 TREE PROTECTION
In this condition ‘retained tree’ means an existing tree, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the first occupation of the development.

a) no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Borough Council. Any pruning shall be carried out in accordance with British Standard 3998 (tree work) and in accordance with any supplied arboricultural method statement.

b) if any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Borough Council.

c) tree protection shall be maintained in-situ and not moved or removed until all construction has finished and equipment, materials, or machinery are removed from site.

d) any arboricultural protection information and plans submitted as part of the application, and listed in the approved plans condition, or submitted to meet a condition of consent shall be
implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Borough Council. This shall include any requirement for arboricultural supervision and site monitoring. This condition may only fully be discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason: This permission is only granted on the basis that the trees would remain on site to mitigate the impact of the development and to preserve and enhance the visual amenities of the locality in accordance with Policy DM6 of the Elmbridge Development Management Plan 2015.

10 SURFACE WATER MITIGATION
All surface water mitigation measures shall be carried out in accordance with the approved details set out in drawing G21644/100 Rev C prepared by Thomasons received on 7 July 2016.

Reason: To reduce the overall and local risk of flooding and to comply with policy CS26 of the Elmbridge Core Strategy (adopted 2011) and the Flood Risk SPD (adopted 2016).
Oxshot Tennis Club
New Tennis Dome

Proposed Elevations

Front Elevation / Entrance

Rear Elevation

Side Elevation

5000 to boundary

7200

2 no. fans

700 x 1500 mm

40000 to boundary

110000 to boundary

2 no. fans

700 x 1500 mm

2 no. fans

700 x 1500 mm
PROPOSED TENNIS DOME

600 WIDE x 600 DEEP GRANULAR INFILTRATION TRENCH SURROUNDED IN GEOTEXTILE WITH 100mm DIA. PERFORATED PIPE. GRANULAR MATERIAL TO BE FREE OF FINES.

600mmX600mm RECTANGULAR MANHOLE WITH 270mm SUMP TO ACCOMMODATE CROWN VORTEX FLOW CONTROL VORTEX VALVE TYPE R1 SW 81mm DIA TO 3L/S. UNIT SIZE 370Dx340Wx90L

EXISTING DITCH 1.5m x 55m x 0.6m FILTER TRENCH TO ATTENUATE AND DISPERSE FLOW TO MIMIC EXISTING RURAL RUN OFF.

APPROXIMATE LOCATION OF HEAD OF CHANNEL

LEGEND:
- FOUL SEWER MANHOLE
- S.W. MANHOLE
- FOUL SEWER PRIVATE
- PERIMETER DRAIN

PVC-U/POLYPROPYLENE INSPECTION CHAMBER DETAIL - TYPE 2.

WHERE A METHOD OF CONSTRUCTION OR SEQUENCE IS NOTED ON A DRAWING, IT SHOULD BE ADHERED TO AND ANY VARIATION TO THIS MUST BE AGREED IN ADVANCE WITH THE ENGINEER.

THE CONTRACTORS IS TO DETERMINE THE REQUIREMENT FOR, AND, WHERE REQUIRED, TO DESIGN, INSTALL, MAINTAIN AND REMOVE ALL TEMPORARY WORKS.

FURTHER NOTES APPEAR ON CERTAIN DRAWINGS WHICH ARE IN ADDITION TO THOSE APPEARING ON THIS DRAWING.

LEVELS RELATE TO ASSUMED FINISHED LEVELS AS MARKED.

DETAILS OF EXISTING SEWERS SHALL BE CONFIRMED BY THE CONTRACTOR ON SITE PRIOR TO THE COMMENCEMENT OF WORKS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER IMMEDIATELY. THE CONTRACTOR SHOULD CHECK THE LEVELS OF ALL NEW OUTFALLS IN RELATION TO EXISTING SEWERS PRIOR TO ANY CONSTRUCTION TO ENSURE THE PROPOSED DESIGN CAN BE ACHIEVED.

THE CONTRACTOR SHALL ASCERTAIN THE DEPTHS, SIZES AND LOCATIONS OF ALL SERVICES TO BE CROSSED BEFORE EXCAVATION COMMENCES. ANY CONFLICT IN LEVELS BETWEEN NEW AND EXISTING SEWERS TO BE NOTIFIED TO THE ENGINEER.

ALL PIPES, CONNECTIONS, ACCESS FITTINGS, INSPECTION CHAMBERS AND MANHOLES ARE TO COMPLY WITH THE BUILDING REGULATIONS.

PIPE BEDDINGS ARE TO BE IN ACCORDANCE WITH THE MANUFACTURERS RECOMMENDATIONS, TAKING ACCOUNT OF THE DEPTH & LOADING IN RELATION TO THE PIPE STRENGTH, AND MODIFIED IF NECESSARY WHERE BELOW WATER LEVEL. BEDDING PROPOSALS ARE TO BE ISSUED TO 'THOMASONS' FOR CONSIDERATION.

ALL BURIED CONCRETE IS TO HAVE SULPHATE RESISTANCE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE SITE INVESTIGATION.

PIPES CONNECTED TO CHAMBERS ARE TO HAVE SOFFITS LEVEL U.N.O. PIPES 150mm IN DIAMETER OR SMALLER MAY BE LOWERED TO CENTRE LINES LEVEL.

REFER TO ARCHITECTS DRAWINGS FOR POSITIONS OF SOIL VENT PIPES, STUB STACKS AND RAINWATER PIPES.

ALL DRAINAGE ROUTES TO BE CONFIRMED

Surface water drainage to tennis court revised to T.W.

PVC-U/POLYPROPYLENE INSPECTION CHAMBER DETAIL - TYPE 2.

SITED IN SOFT LANDSCAPED AREAS.

SECTION THROUGH INFILTRATION TRENCH

COVER MATERIAL: UNMIXED MORTAR

SECTION THROUGH INFILTRATION TRENCH

CONCRETE BASE FOR DOME FIXINGS WITH FALL TO DRAINAGE TRENCH

TENNIS COURT

100 Ø PERFORATED PIPE

GEOTEXTILE MEMBRANE TO PREVENT MIGRATION OF FINES FROM SOIL TO GRANULAR TRENCH MATERIAL. TERRAM 1000 OR SIMILAR APPROVED.

ALL DRAINAGE ROUTES TO BE CONFIRMED

Surface water drainage to tennis court revised to T.W.

PVC-U/POLYPROPYLENE INSPECTION CHAMBER DETAIL - TYPE 2.

SITED IN SOFT LANDSCAPED AREAS.