

Agenda Item: 6.1

05/03006/P

19/07/2005

Heathfield

Application for full planning permission

Applicant:

Mr S Murphy

Shirley Park Golf Club

194 Addiscombe Road

Croydon

Surrey

CRO 7LB

Location: Shirley Park Golf Course, Addiscombe Road, Croydon, CR0

Description: Erection of single storey building for use as storage by green keeping staff

Drawing No(s): 30190; revised block plan received 06/12/05 showing new tree/hedgerow planting

Recommendation: **Grant Permission**

Subject to the following condition(s) and reason(s):-

1. No works on site shall commence until details of the external facing materials of the storage building and the materials to be used for the hardstanding and washdown area have been submitted to and approved by the Local Planning Authority in writing. The development shall only be implemented in accordance with such approved details.
Reason: To ensure that the appearance of the development is satisfactory in accordance with Policies BE1 and BE13 of the Unitary Development Plan and Policy UD2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
2. The new planting and/or other landscaping treatment specified in the application shall be provided before any part of the development is occupied or within such longer period or periods as the Local Planning Authority may previously agree in writing and shall be maintained for a period of five years from the date of planting; once planted the trees shall not be lopped, topped or otherwise removed, unless with prior written authority from the Council; any planting which dies or is severely damaged or becomes seriously diseased or is removed within that period shall be replaced by planting of similar size and species to that originally provided
Reason: To ensure that the new planting becomes established and thereby enhances the appearance of the development and contributes to the visual amenity of the locality in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
3. The existing planting specified in the application as being retained shall not be felled, lopped, topped or otherwise removed during the course of development

DCC250506

or within five years after completion, without the prior written consent of the Local Planning Authority; any planting which is removed without consent, or dies or is severely damaged or becomes seriously diseased before the end of that period shall be replaced with planting of such size and species as may be agreed with the Local Planning Authority; this condition shall not be construed as overriding the requirements to obtain consent under any Tree Preservation Order or the legislation concerning trees in Conservation Areas

Reason: To ensure that the specified planting enhances the appearance of the development in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)

4. A scheme of protective fencing to be erected around each tree or group of trees referred to in the foregoing condition shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the commencement of any demolition, site clearance or development works. The fencing shall be erected around each tree or group of trees at a distance to be specified in the scheme and in accordance with British Standard 5837:2005. The fencing shall be not less than 2 metres in height and shall comprise a vertical and horizontal framework of scaffolding, well braced to resist impacts, supporting either 'Heras' panel fencing or 20 mm exterior grade ply or other robust man-made boards (in accordance with British Standard 5837:2005. The fencing shall be kept in position at all times unless otherwise agreed in writing with the Local Planning Authority until the completion of the development
Reason: To ensure that the trees to be retained are not damaged by the construction and associated works in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
5. No structures, vehicles, plant, machinery, equipment, materials or spoil shall be positioned or stored within 5 metres of the trunk of any tree to be retained and no cement, oil or tar, bitumen or other similar material shall be stored within 10 metres thereof without the prior written approval of the Local Planning Authority
Reason: To ensure that the trees to be retained are not damaged by the construction and associated works in accordance with Policy BE14 of the Unitary Development Plan and Policy UD13 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
6. The application premises shall be used only for the purpose specified above and in the documentation supporting the application.
Reason: To protect the amenities of nearby residential occupiers
7. Details of the bat roost boxes as specified in the applicant's letter dated 11 May 2006 shall be submitted to the Local Planning Authority prior to the commencement of the development and shall be installed on the building before its occupation and be retained for so long as the building remains in existence.
Reason: In the interests of nature conservation and in accordance with Policies NC1 and NC2 of the Unitary Development Plan and Policies NC1 and NC2 of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan)
8. The development shall be begun within three years of the date of the permission.

Reason: To comply with the provisions of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

In granting permission the local planning authority had regard to the following policies:-

1. The relevant policies of the Unitary Development Plan are SP1, BE1, BE13-14, BE16-17, SP7, RO1, RO9, RO16, SP10-11, NC1-2, NC4.
2. The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD2, UD6, UD13, SP6, RO1, RO8, RO16, SP9, NC1-2, NC4.

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

- (a) the relationship of the development to adjacent property
 - (c) the character and visual amenity of the surrounding area
 - (d) the impact on the amenities of the occupiers of nearby property
 - (e) the relationship of the development to trees to be retained
 - (f) accessibility to the building
 - (g) maintaining the open character of the Metropolitan Green Belt
 - (h) the nature conservation policies of the development plan
- and having regard to all other matters raised.

Ward: Heathfield

PLANNING CONTROL COMMITTEE

25 May 2006

Lead Officer: Head of Planning Control

APPLICATION NO. 05/3006/P: SHIRLEY PARK GOLF CLUB, ADDISCOMBE ROAD, CROYDON

1. SUMMARY

- 1.1 This report concerns an application for full planning permission for the erection of a single-storey building for use by the green keepers of the Golf Club for the storage of implements, machinery and other sundry equipment related to the maintenance of the golf course.
- 1.2 The application was referred to the Committee on 22 December 2005 by Councillor Margaret Mead, when it was decided to defer a decision on the application to allow Members to visit the site. This took place on Saturday 14 January 2006. An alternative location for the building by the 7th hole was also looked at.
- 1.3 Since then Officers have been negotiating with the Golf Club for an alternative design for the building and revised plans were received on 20 February 2006. A further round of consultation with interested parties has also taken place on these amendments.
- 1.4 The original report has been updated to reflect these changes.

2. RECOMMENDATIONS

- 2.1 Grant planning permission subject to the conditions and reasons set out in the DCC250506

3. BACKGROUND

(a) Site Description

- 3.1 The site of the proposed building is located in the south-western part of the golf course, to the north of Oaks Lane and to the west of a group of buildings comprising Oaks Farm and Oaks Farm Cottage. To the west and north are a number of trees and along the southern boundary with Oaks Lane is a low post and rail fence. There is a pathway used by golfers along the eastern part of the site from the third green to the fourth tee.
- 3.2 The site and the surrounding land are designated as Metropolitan Green Belt on the UDP proposals map. In addition, the site is on land shown as a Site of Borough Importance (SBI) for Nature Conservation (that also extends to parts of Lloyd Park/Coombe Farm to the south and west).
- 3.3 Oaks Lane is classed as a permissive footpath under the provisions of the Rights of Way Act 1932 and the Council's obligation is to keep it to a reasonable standard for pedestrian use only. The path is part of the "Saffron Way" green way/footpath identified on the UDP proposals map. Further to the south is Oaks Road comprising semi-detached and detached houses also within the Green Belt.

(b) Relevant Planning History

- 3.4 95/0157/D- In May 1995, an application for a certificate of lawful use for use of this area as a storage area for course maintenance materials was refused as it was decided the proposal would involve a material change of use of the land and thereby constitute "development" within the meaning of the Town & Country Planning Act 1990. An appeal against this decision was successful and a lawful development certificate granted on 13 August 1996. The Inspector considered the site part of a much larger planning unit, forming the golf course itself, and clubhouse with its associated storage and parking areas. In granting the certificate, it was made clear that the storage of course maintenance materials related to the use of and is ancillary to the main use of the surrounding Shirley Park Golf Club as a golf course. It did not relate to the carrying out of any operational development, such as the construction of hardstandings, concrete or other bunkers to contain the materials.
- 3.5 02/1804/P – In March 2002, planning permission was granted for the erection of a single-storey building, near to the professional's shop and first tee, for the storage of golf buggies. It has not yet been implemented. The application was amended to exclude some proposed sand/soil storage bays near to the 4th tee, adjacent to Oaks Lane.
- 3.6 03/3200/P- In November 2003, planning permission was granted for the re-installation of a vehicular access and footway crossover onto Oaks Road.
- 3.7 05/470/P- An application for full planning permission for the same building as originally submitted, but elsewhere on the golf course, further to the north, was withdrawn in May 2005, following identification by Officers of problems relating to

the loss of trees and the effect on the visual amenity of occupiers of adjoining property in Upfield.

(c) Proposal

- 3.8 The proposed building would have a floor area of 251sq.m. It would replace the main storage facilities within an existing barn adjacent to the Oaks Farm buildings. The applicant states that it is not possible to extend or modify the existing barn to comply with current Health & Safety legislation. The new building, as revised, would have gable ends and a pitched roof and would have a height of 4.68m (reduced from 5.27m) to the ridge and 3.5m (reduced from 3.65m) to the eaves. It would have feather edge wooden cladding to all elevations and a composite pantiled roof. The colours of the elevations and roof have yet to be agreed. The roof pitch has been reduced from 12.5 degrees to 10 degrees. There would be a pair of sliding doors in lieu of roller shutter doors and personnel door in the front elevation.
- 3.9 The building would be sited between 8-9m from Oaks Lane and approximately 12m from an existing track to the west. One Sycamore tree is shown to be removed to make way for the new building. The building would be served by a new access path from the existing track linking the 3rd green and 4th tee and a hardstanding and wash down area for vehicles would be provided to the north side of the building. Details of the materials for this hardstanding area would be the subject of a condition. The building would be used for the storage of tractors, green cutting machinery (gang mowers), and other small hand machinery.
- 3.10 The application has been amended three times during its consideration showing a revised design for the building, and a proposed tree and hedgerow planting scheme for the site. The new hedgerow planting would comprise a mixture of Hazel and Beech to a height of 2m and spacing every metre, together with new specimen trees of Alder and Birch every 2m, along the southern boundary with Oaks Lane and the eastern boundary with the track linking the 3rd green with the 4th tee. The Club state that drainage in the area will be improved following installation of a soak-away drain within the vicinity of the building.
- 3.11 The Golf Club submitted a statement in support of their original plans. It explained that the current storage facilities in a barn next to the 3rd hole and adjoining Oaks Farm has an area of 159sq.m, which together with 2 small outbuildings of 30sq.m, makes a total of 189sq.m of storage. The Club stated that the existing barn had become cramped and unacceptable from a Health & Safety point of view and was unable to be extended. In addition, there was a limited wash down area on a sloping and un-surfaced yard. A Health & Safety report concluded that the Club would be likely to be in breach of its general duties from the hazards associated with the use of the existing barn. Other secure storage areas have been looked at, such as two garages next to the club house, but these are currently storing tables, chairs and a number of golf buggies. The Club also stated they are restricted from building additional storage facilities near to the club house due to the current lease and the proximity of residential housing along Addiscombe Road. In addition to the site next to the 2nd tee, by the houses in Upfield which was withdrawn (05/470/P), the Club have also investigated an area of land in Lloyd Park, near to the 2nd fairway, but was unable to proceed as this would have needed approval from a Government Department to re-assign the land to the Club. The Club consider the proposed site to be the only viable location where

reasonable access could be achieved, or where the provision of essential services of power and water for a new storage facility could be provided. Should permission be granted, the Club would want to use the existing barn only for storage of smaller hand machinery and tools and also to accommodate some golf buggies.

- 3.12 An additional statement submitted with the revised plans has commented on the 7th hole alternative location looked at by Members at their site visit. The Club feel this would be totally impractical both from a golfing and health and safety viewpoint. It is regarded as a “feature” hole on the course and the siting of the storage building in the valley below the 7th green would destroy the playing characteristics of this hole and would create a safety hazard for golf club staff that would need constant access throughout the day. In addition, the provision of the necessary services of electricity and water from Oaks Road would prove difficult and costly due to the heavily wooded and sloping terrain. They also comment that an alternative area behind the professional’s shop is severely restricted by mature trees, with insufficient space for a storage/wash down area.
- 3.13 Following comments received from the Greater London Authority (GLA), outlined in paragraph 5.8 below, the Club have employed the services of an ecologist to carry out an ecological impact assessment of the site, in accordance with the provisions of Policy NC1 of the UDP. The report concludes that the proposal would not have a significant adverse effect on nature conservation, apart from the loss of the existing vegetation on the site. The proposal would not affect adjacent areas of secondary woodland or other habitats. Mitigation and enhancement would be provided as part of the landscaping and screening proposals for the site, which include the planting of a 55m section of hedgerow, composed of locally native species on a grassy embankment. The report states this feature will provide new habitat for grassland invertebrates and will support nesting and foraging birds, small mammals and potentially reptiles. The report recommends further wildlife enhancement including the planting of Hazel in an area of adjacent woodland and the erection of bat roost boxes on the new building. The applicant has agreed to this and shown the new planting on an amended plan. The new planting and measures to provide bat boxes at the site could be secured through planning conditions.

4. PLANNING POLICIES

- 4.1 The relevant policies of the Unitary Development Plan are SP1, BE1, BE13-14, BE16-17, SP7, RO1, RO9, RO16, SP10-11, NC1-2 and NC4.
- 4.2 The relevant policies of the Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD2, UD6, UD13, SP6, RO1, RO8, RO16, SP9, NC1-2 and NC4.
- 4.3 The relevant policies of the Modified Second Deposit Draft Replacement Unitary Development Plan (the Croydon Plan) are SP1-3, UD2, UD6, UD13, SP6, RO1, RO8A, RO16A, SP9, NC1, NC2A and NC4A.

5. CONSULTATIONS

- 5.1 Thirty-one occupiers who were notified of the previous 2005 application have been notified of this application, together with the occupiers of Oaks Farm, Oaks

Farm Cottage and Coombe Farm, Oaks Lane. Replies have been received from 30 occupiers (of which 24 have sent in the same standardised letter) objecting on the following grounds:-

- (a) the site for the proposed building would be detrimental to the visual amenity of the area and seriously affect views leading to and from Oaks Farm, which is used for the solemnisation of marriages and for wedding receptions and where “first impressions” are particularly important;
- (b) the grant of planning permission for this building would be contrary to the advice given by the Department of the Environment in the 1995 appeal application;
- (c) size and siting of the building would result in inappropriate commercial/industrial development in the Green Belt and would be out of keeping with adjoining residential properties;
- (d) would increase the use of Oaks Lane by heavy goods vehicles;
- (e) would lead to the felling of more trees;
- (f) the proposal would add to flooding problems in the area;
- (g) increased noise pollution;
- (h) may affect the wildlife habitat of badgers in the area;
- (i) proposed mitigation landscaping would not completely shield the building from view from Oaks Lane;
- (j) proposed design would not be sympathetic with the surrounding environment;
- (k) would harm nature conservation interests;
- (l) other sites for this storage facility have not been thoroughly investigated;
- (m) there would be limited vehicle access as Oaks Lane is a ‘public footpath’;
- (n) would be a target for vandalism and defacement.

5.2 Councillor Margaret Mead referred the application to the previous Meeting on grounds that the size, structure and location of the proposed building in this Nature Conservation Area would dominate the area and result in a loss of visual amenity.

5.3 A copy of a letter of support for the proposal (addressed to Councillor Margaret Mead) has also been received from a resident since the application was deferred.

5.4 Councillor Stuart Collins (former Cabinet Member for Culture & Sport) supports the proposed application. He points out that the Club have a 150 year lease from the Council requiring them to upkeep the area and maintain public access and would need somewhere to store their equipment. In addition, the Club were advised by Officers to withdraw their previous application and so would expect this application to be supported as the positioning of the building would have no visual impact on local residents living nearby.

5.5 The Surrey Badger Protection Society were asked to assess the site for possible impact on the local badger population and concluded “that there were no reasonable grounds to object to the proposal on grounds of badger protection”.

5.6 The Countryside Agency recommend consideration be given for the potential impact of the scheme on the landscape character and visual amenity of the surrounding area and that the detailed design of the proposed improvements should seek to respect and enhance local character and distinctiveness and use appropriate materials.

- 5.7 Andrew Pelling (GLA Assembly Member) has asked the Committee to consider this application bearing in mind the significant change of use in a “nature conservation area”. He considers the site is a particularly sensitive one within the overall view across open country as seen from Oaks Road and Oaks Lane. A further e mail has been received stating he is pleased that an ecological survey has been done and that the altered appearance of the building is in line with its rural parkland context.
- 5.8 The Biodiversity Team at the GLA have been notified as the proposed building would be within a Site of Borough Importance for Nature Conservation. They have replied stating that the application would result in the loss of approximately 500sq.m of habitat and that although this is a very small fraction of the total area of this large wildlife site, the loss of habitat would have an adverse effect on nature conservation. They recommend the applicant undertake an ecological impact assessment to include an initial habitat survey and evaluation with an assessment of the impact of the proposed development and proposals to avoid, mitigate or compensate for any adverse impacts. They consider that features should be incorporated into the design of the new building to provide roosting sites for bats.
- 5.9 The same occupiers have been notified of the amended scheme, along with all those who submitted representations on the original scheme, including 14 occupiers in Oaks Road. The application was additionally advertised by way of a site notice on 6 April 2006. Eighteen replies have been received re-iterating previous concerns about the effect the building will have on the Nature Conservation Area. In addition, it is considered that the amendments are cosmetic and that reducing the pitch of the roof will have little effect on the building’s visibility; it would still appear as a “hanger-like” structure with a large footprint; and it would be an “eyesore” on the open rural view.
- 5.10 Included in these replies is one letter of support received from a resident in Oaks Road.

6. CONSIDERATIONS

- 6.1 The principal issues are:-
- (a) the effect of the development on the open character of the Metropolitan Green Belt,
 - (b) the effect on the visual amenity of the area,
 - (c) whether there would be any significant effect in respect of nature conservation or wildlife interests,
 - (d) the effect of the development on the amenity of nearby residential property.
- 6.2 Policy SP7 of the UDP (SP6 in the draft Croydon Plan) sets out the strategic commitment by the Council to safeguard and enhance the open character of land in the Green Belt. Policy RO1 states that the construction of new buildings in the Green Belt will be refused in order to maintain its open character except in a limited range of circumstances. New buildings for sport/outdoor recreation are acceptable in the Green Belt as outlined in Policy RO1 (d) provided they are essential, genuinely required and do not seriously conflict with the purposes of

designating land as Green Belt.

- 6.3 The applicant has set out the demonstrable and genuine need for the new building. The intended use would be for essential safe storage of machinery, implements and other sundries for use by green keeping staff, in relation to the use of the whole site as a recreational golf club. It is considered that the proposed floor area of the new building is what could be reasonably expected to be provided at a golf club and would therefore meet the requirements of being essential and genuinely required in the Green Belt in accordance with Policy RO1. The existing barn currently used for storage would be retained; this forms part of a cluster of buildings at Oaks Farm that are now a long standing feature in the Green Belt. It would continue to be used for less intensive storage compliant with Health & Safety limitations.
- 6.4 Policy RO9 of the UDP (RO8 in the draft Croydon Plan) requires development in the Green Belt not to harm visual amenity. Views from the minor access road, Oaks Lane, especially by users of the Saffron Way Greenway, passing through the Green Belt, players on the golf course, and the adjoining Oaks Farm residence, which functions as a wedding venue, approximately 60-100m to the north-east, and Oaks Farm Cottage are therefore to be taken into account. The proposed location for the building is on scrubland and there are existing trees to the north-east and south-west of the site. Although the new building would be higher than the existing barn, this is necessary under Health & Safety legislation to provide adequate ventilation. The revised design and height of the building would be in keeping with the visual character of the area and the colour and texture of the external materials would be such that the building would better blend into the landscape. The proposed new tree and hedgerow planting along the southern and eastern boundaries and along the south-western side of the building would help screen the development and mitigate against any additional noise. It is therefore considered that there would be only limited impact on the visual amenity of the area. It is concluded that the need demonstrated for the development and its appropriate nature in the Green Belt would outweigh any harm arising from views of the development across open land that the proposal would be acceptable on Green Belt grounds.
- 6.5 Policy NC1 of the UDP states the Council will resist development proposals which harm the nature conservation interests of SBI's with the weight attached to such harm reflecting the relative significance of the designation. The policy requires an ecological assessment to be undertaken prior to determination of an application in order to assess the impact of a development. This has now been completed by the applicant and concludes there would not be significant harm caused to nature conservation interests in the locality or to the existing habitat within the vicinity of the site. The development would result in the loss of a small part of a Site of Borough Importance for Nature Conservation (SBINC). Whilst this is regrettable, the designation is the lowest classification of Nature Conservation Areas, the SBINC extends a considerable way to the west and the ecological report has not indicated particular harm. Given the need demonstrated for the facility and limited alternative locations, any harm to nature conservation interests would not warrant refusal of planning permission. Furthermore, the new tree and hedgerow planting would include appropriate species for this nature conservation area, and the other recommendations made by the applicant's ecologist can be incorporated into conditions attached to any planning permission.

6.6 The proposed building would be approximately 50m from the nearest residential building to the east, Oaks Farm Cottage, and approximately 95m from Oaks Farm house further to the east. It is considered that at these distances there would be no significant loss of amenity or visual intrusion for the occupiers of these properties. The outlook from Oaks Farm Cottage, nearest to the application site, would be partially screened by existing trees and would not be significantly harmed by the siting of the new structure. In addition, there are a number of outbuildings between Oaks Farm house and the application site, and this area is also occasionally used for car parking in connection with a wedding business carried on at this premises.

7. ENVIRONMENTAL CONSIDERATIONS

7.1 The development proposes a new building within the Green Belt, but is considered to be essential and genuinely required within the terms of UDP policy. There would be some tree and vegetation loss as a result of the development, but this would be compensated for by new planting.

8. EQUALITIES CONSIDERATIONS

8.1 The new building has level threshold access. The retention of the existing barn would allow for the additional storage of buggies and would enable elderly golfers with limited physical mobility to continue playing golf, which would give equal access to the course for all persons. There are no other equalities issues arising from this application.

Case Officer: John Lawson

Background Documents: 16 letters and enclosures from the occupiers of Oaks Farm and Oaks Farm Cottage
48 letters from other interested persons
Referral from Councillor Margaret Mead
E mail from Councillor Stuart Collins
Letter from the Countryside Agency
Letter from the East Surrey Badger Protection Society
Letter and e mail from Andrew Pelling (GLA Assembly Member)
Letter from the Greater London Authority
Applicant's Ecological Assessment (dated 12/04/06)

Contact Officer: Phil Mills, Tel 0208 686 4433 (extension 65419)