

<b>Ward:</b>	West End	<b>Officer:</b> Charles Thuaire	4
<b>Address:</b>	Site of former Hampstead Cricket Club, Lymington Road NW6 and of Cumberland Lawn Tennis Club, Alvanley Gardens NW6.		
<b>Date of Application:</b>	25.8.00		
<b>Application Number:</b>	PW9902597R3	<b>Case File:</b> F7/7/B	
<b>Proposal:</b>	<u>Masterplan for whole site:</u> a) <u>SW corner of site:</u> erection of swimming pool building attached to existing clubhouse on Lymington Road frontage; conversion of clubhouse to changing room facilities and plant plus associated alterations; rearrangement of carpark and vehicular entrance, plus associated landscaping, pergolas and fencing; relocation of 2 tennis courts with floodlighting and demolition of squash court building; b) <u>NE corner of site:</u> erection of 2 storey side extension to clubhouse on Alvanley Gardens frontage, to incorporate 2 squash courts, changing room facilities, bar and terrace; erection of 2 <sup>nd</sup> floor rear extension to function room and installation of new roof terrace at its rear, plus associated alterations; demolition of bungalow and relocation of vehicular entrance; erection of cricket viewing pavilion on sports pitch. as shown on drawing numbers: SU01,EX00, MP00C,1C,2D,3D,10A,11A,12A,13; EX00, MP00C, PL01D,2A,3C,4C,5,6; 544.61a,62b,63b,64b,65b,75a,76 (existing HCC clubhouse plans); 389.6 (landscape plan), Landscape MasterPlan report (May 1999); BWCP letters 23.7.99 (& attached SHHS Travel Policy), 26.11.99, 19.5.00, 1.8.00, 14.9.00; CLTC letters 21.10.99, 14.12.99; GDST letter 31.5.00; Traffic Survey report 18.7.00 and associated letter 22.9.00.		
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 legal agreement and GOL authorisation (FP6/GOL authorisation)</b>			
<b>Related Application</b>			5
<b>Date of Application:</b>	23.5.00		
<b>Application Number:</b>	PW9902598R2	<b>Case File:</b> F7/7/B	
<b>Proposal:</b>	<u>Phase 1 plan for SW corner of site:</u> erection of swimming pool building attached to existing clubhouse on Lymington Road frontage; conversion of clubhouse to changing room facilities and plant plus associated alterations; rearrangement of carpark and vehicular entrance, plus associated landscaping, pergolas and fencing; relocation of 2 tennis courts with floodlighting and demolition of squash court building. as shown on drawing numbers: EX00, MP00C, PL01D,2A,3C,4C,5,6; 544.61a,62b,63b,64b,65b,75a,76 (existing HCC clubhouse plans); BWCP letters 23.7.99 (& attached SHHS Travel Policy), 26.11.99, 19.5.00, 14.9.00.		
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission subject to a Section 106 legal agreement and GOL authorisation (FP6/GOL authorisation)</b>			
<b>Related Application</b>			6
<b>Date of Application:</b>	26.11.99		
<b>Application Number:</b>	PW9902994	<b>Case File:</b> F7/7/B	
<b>Proposal:</b>	Erection of 2 covered enclosures to the 2 proposed relocated tennis courts on Lymington Road frontage, as shown on drawing numbers: EX01,MP06C,7B,8B,9B; BWCP letters 23.7.99, 26.11.99.		
<b>RECOMMENDATION SUMMARY: Refuse Planning Permission</b>			

<b>Applicant:</b> Girls Day School Trust 100 Rochester Row London SW1	<b>Agent:</b> Boisot Waters Cohen Partnership 149a Grosvenor Road London SW1
--	---

## ANALYSIS INFORMATION

### a) PW9902597R3 - Master plan:

Land Use Details: (enclosed structures only)			
	Use Class	Use Description	Floorspace
Existing	D2	Leisure	2545m <sup>2</sup>
Proposed	D1	Education	1760m <sup>2</sup>
	D2	Leisure	1708m <sup>2</sup>

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	3 Flats 1 House		2	1	1					
Proposed	3 Flats		2	1						

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	31	0
Proposed	26	0

### b) PW9902598R2 - Phase 1:

Land Use Details: (enclosed structures only)			
	Use Class	Use Description	Floorspace
Existing	D2	Leisure	1359m <sup>2</sup>
Proposed	D1	Education	1760m <sup>2</sup>

Residential Use Details:										
	Residential Type	No. of Habitable Rooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	3 Flats		2	1						
Proposed	3 Flats (no change)		2	1						

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	31	0
Proposed	26	0

**c) PW9902994- Covered courts:**

Land Use Details: (enclosed structures only)			
	Use Class	Use Description	Floorspace
Existing	D2	Leisure	0m <sup>2</sup>
Proposed	D1	Education	1190m <sup>2</sup>

## OFFICERS' REPORT

### 1. SITE

- 1.1 The whole site is a large triangular-shaped area of open space, totalling approx. 34,612m<sup>2</sup>, with a green sports pitch and additional sports facilities in the form of tennis courts, squash courts and 2 separate clubhouses. The site is bounded by Crediton Hill to the west, Albanley Gardens to the east, and Lymington Road to the south, which are entirely residential in character comprising detached/semi-detached houses or flats (in the case of Lymington Rd).
- 1.2 It is divided into 2 distinct sections, formerly operated by 2 different sports clubs. The southern two-thirds of the site contains a large open sports ground for cricket and hockey pitches and in the SW corner, the following facilities: 2 storey cricket pavilion at the rear of 14-20 Crediton Hill, with ancillary caretakers' flats and social facilities on the 1<sup>st</sup> floor, formerly used by the Hampstead Cricket Club (HCC); 2 squash courts attached to it; a separate block of 2 squash courts and 8 floodlit hard tennis courts on the Lymington Rd frontage; carpark for 31 cars on the SW corner with access from Lymington Rd. The cricket ground represents a significant green open space in the local townscape, and has a timber fence and line of lime trees along Lymington Road allowing views northwards uphill over the site.
- 1.3 The northern third of the site contains a 3 storey tennis clubhouse opposite 15-17 Albanley Gardens, with ancillary gym and social facilities, used by the Cumberland Lawn Tennis Club (CLTC); groundsmans bungalow on its south side; 4 squash courts attached to its west side; 8 hard tennis courts and 3 grass ones between this and the northern tip of the site.
- 1.4 The whole site is classified as Private Open Space in the UDP. The western side borders the rear of properties in Crediton Hill which are in the West End Green conservation area. The surrounding streets are due to have a Controlled Parking Zone (CPZ) installed in July 2001 (assuming no objections during the forthcoming statutory consultation period), which would restrict on-street carparking during 8.30am-6.30pm Mondays to Saturdays.
- 1.5 The Girls Day School Trust (GDST), which includes the South Hampstead High School (SHHS) on 2 sites in Maresfield and Netherhall Gardens, purchased the southern part of the site in 1996 from Hampstead Cricket Club. The latter has merged with the Cumberland Lawn Tennis Club, which owns the northern part of the site. There is an agreement regulating use of the facilities so that the School uses the pavilion and sports facilities for tennis, netball and hockey games during school hours while the Club can use them for tennis, squash, hockey and cricket at all other times.

### 2. THE PROPOSALS

#### a) PW9902597- whole site.

##### Original

- 2.1 Outline application as "master plan" for whole site:  
HCC clubhouse area: Phase 1- Demolition of squash courts, removal of 5 tennis

courts; erection of new swimming pool building attached to cricket clubhouse, latter converted to changing room facilities and ancillary accommodation; 2 open tennis courts, relocated carpark entrance between these courts, redesigned carpark, associated landscaping.

Phase 2- covering of 2 open tennis courts on Lymington Rd.

CLTC clubhouse area: Phase 3- demolition of bungalow, erection of 2 squash courts, erection of extension to clubhouse for cricket club use with changing rooms, social facilities and viewing terraces; new cricket pavilion structure on pitch.

### **Revision 1**

Outline app. transformed into detailed app. so that CLTC elements can take place concurrently with HCC elements; deletion of Phase 2 covered tennis courts proposal (now subject to separate application- see below).

HCC: pool roof lowered by 1.2m, ventilation ducting relocated; open tennis courts relocated together; relocated carpark entrance to west of these, redesigned carpark.

CLTC: omission of cricket pavilion structure; clarification and additional info. on clubhouse extension.

### **Revision 2**

HCC: pool roof lowered by 0.5m, further tree planting on Lymington Rd; additional info on use of clubhouse.

CLTC: pavilion structure reinstated; reduction in size and bulk of clubhouse extension, redesign of elevations, relocation of function room and terrace to west side, tree planting on Alvanley Gdns, larger scale more detailed plans.

### **Revision 3**

CLTC: minor amendments to clubhouse street elevation.

### **b) PW9902598- HCC clubhouse area in SW corner only.**

#### **Original**

- 2.2 Detailed application for new swimming pool and clubhouse alterations: details as described above for Phase 1 HCC element.

#### **Revisions 1,2**

revised details as described above for HCC element.

### **c) PW9902994- covered tennis courts.**

- 2.3 Outline app. for new structure enclosing 2 tennis courts on Lymington Rd (proposed in Phase 1 above) to provide "tennis centre".

## **3. RELEVANT HISTORY**

### **a) HCC:**

- 3.1 23.8.96 - pp refused for 3 storey health club along Lymington Rd and 28 carspaces.

- 8.11.91- pp refused for 3-4 storey block of flats and 14 carspaces.
- 21.7.89- pp for 2 storey extension to clubhouse.
- 22.12.82- pp for floodlighting of 3 northern tennis courts (conditioned for 9am-9.30pm only).
- 28.7.80 - pp for extension to clubhouse.
- 20.4.78 - pp for 2 squash courts.
- 21.7.60 - pp for extension/alterations for groundsman's accommodation.

#### **b) CLTC:**

- 3.2 17.8.99- pp for floodlighting of 3 tennis courts (conditioned as above).
- 23.8.96 - pp refused for platform for 3 tennis courts and floodlights plus 35 carspaces and club accommodation underneath.
- 18.1.89 - pp for rebuilding 2 squash courts and roof extension for recreation rooms.
- 3.11.81 - pp for 3 storey front and rear extension to clubhouse.
- 14.6.77 - pp on appeal for floodlights to 3 tennis courts.
- 25.11.76- pp for rear extension including 2 squash courts.
- 29.10.63- pp for groundsman's house and parking.
- 13.3.63 - pp for extension to clubhouse.

## **4. CONSULTATIONS**

### **a & b) PW9902597/8**

#### **Conservation Area Advisory Committee**

- 4.1 **West End Green CAAC** object - no need to depart from UDP.  
**R1:** object- pool scale, volume, shape totally inappropriate parking noise/pollution too close to residents; encroaches on open space.  
**R2:** object- pool unsightly, ugly, wrong materials, out of scale, unrelated to adjacent properties; noise and light pollution, traffic increase, poor coach access; clubhouse extension uncharismatic, bulk not related to existing clubhouse.

#### **Local Groups**

- 4.2 **WHAT and WHOSE** object- excessive scale of pool and courts; covered courts create more parking and noise; division of site into hard and soft open space misleading; landscape plan ignores residents' views and tree quality; light spillage; pupils should only use coaches without parent pickup; open space should be retained as cricket pitch, not 24hr sports complex; if pp granted, should be subject to public access to facilities.  
  
**R1: WHAT** object- extra parking due to school and club use; loss of green open space; loss of outlook; increased nuisance and overlooking from clubhouse extension; if pp granted, should have public access.  
**WHOSE** object- encroach on open space and views; design, bulk and height of clubhouse extension ugly and obtrusive; incr. nuisance, noise, traffic in Alvanley Gdns, noise and light pollution in Crediton Hill; no need for swimming pool; pool design should be more sympathetic with CA and less

bulky.

**Alvanley Gardens Res. Ass.** object- size and appearance of clubhouse ext.; overlooking and noise from terraces; loss of light and views; no need for extension if no increased club membership; increased double parking and traffic congestion (already serious problem); incr problems (already occurring) from late night socials etc.; pool ugly, noisy, incr. traffic, possible subletting to private parties.

**R2: WHOSE** object- will incr. existing congestion in Alvanley Gdns, need to see traffic survey (copy has now been sent); similar restrictions to UCS pool needed; unclear on use of 1<sup>st</sup> floor of HCC clubhouse, hours of operation in evenings/weekends, who uses pool, noise/light breakout from pool; clubhouse extension ugly and not necessary except to provide more social amenities; awning over terrace funnels noise to Crediton Hill; provides additional amenities for privileged few while reducing amenities of OS and peace to residents, thus previous objections still stand.

**Alvanley Gdns R/A** object- previous objections still stand; need more detail on clubhouse ext. which is ugly and loses views; incr. social facilities create more noise and existing ones already cause nuisance esp. late night; open terrace and bar create noise and funnel it down pitch; need strict conditions on pool usage to prevent additional members/parents causing traffic and noise; traffic congestion already in area, CPZ will not control evening/weekend parking, need to see traffic report; no need for new clubhouse as existing facilities are underused or can be refurbished.

#### 4.3 **Adjoining Occupiers**

**NB.** For convenience, due to the overlapping of both applications and due to many replies referring to both applications while many others do not specify any application number, the replies for both applications (Master Plan and Phase 1) are summarised together below.

	<b>Original</b>	<b>R1</b>	<b>R2</b>
<i>Number of Letters Sent</i>	<b>869</b>	<b>94</b>	<b>117</b>
<i>Number of responses Received</i>	<b>71</b>	<b>92</b>	<b>88</b>
<i>Number in Support</i>	<b>1</b>	<b>26</b>	<b>00</b>
<i>Number of Objections</i>	<b>70</b>	<b>66</b>	<b>88</b>

- 4.4 **Original: objections** from 8 residents of Alvanley Gardens, 27 of Crediton Hill, 16 of Lymington Rd, plus petition of 19 signatories-  
Query financial need for devt. as open space's future is secure with applicant; query that this is change of use from D2 to D1; object to loss of open space, pollarding of trees (both already taken place from hard tennis courts on Lymington Rd), tennis courts valuable in their open character; contrary to UDP; excessive bulk and height of all pool, enclosures and extension; structures ugly like aircraft hangars; design, scale, materials inappropriate. and does not enhance CA; loss of views of open space/pitch; loss of amenity (incr. noise from sports, visitors, plant, schoolgirls on pitch, social events, traffic etc.); no benefit to community (private use only); increased parking and traffic congestion from parents, coaches, club members; creeping devt on open space; loss of light and privacy, glare from floodlighting; no need for devt as other

clubs exist in locality; no need for more tennis courts. NB: Only 4 residents specifically object to clubhouse extension.

**Support** from 1 resident of Crediton Hill.

- 4.5 **R1: objections** from 18 residents of Alvanley Gdns, 16 of C. Hill, plus petition of 7 signatories, 25 of Lymington Rd (19 of which are on standard proforma postcards)-

Loss of open space, townscape and open character; creeping devt of open space; loss of green pitch from widened footpath, loss of trees, loss of onstreet parking from carpark access; loss of views and skyline, loss of light; excessive scale and height, inappropriate design; no benefit to community, query whether school need facilities, sports facilities exist elsewhere; increased traffic congestion and parking, noise and pollution; clubhouse extension- ugly wall, height, bulk, loss of privacy from terrace, loss of light, additional double parking, noise and antisocial behaviour (already a problem), no control over future use or management of clubhouse and members activities; pool- need conditions on hours and users of pool, increased noise and disturbance from plant and pool users, ugly modern design, late night use and subletting to private parties; covered tennis courts- eyesore, detrimental to open space, noise from fans, loss of light and view.

**Support** from 26 residents of North London (including 4 in Crediton Hill, 5 in NW6, 3 in NW3)- net improvement for area, sensitive design and scale; increased opportunity for sports by public and school (Swiss Cottage centre overused), need for facilities esp. swimming for children; will support if pool is open to all local children; objections from minority and NIMBY's; size, design, traffic, parking are local concerns and outweighed by public advantage; enhancement of brownfield site; more local facilities will decrease traffic; less dangerous carpark entrance.

- 4.6 **R2: objections** from 9 residents in Alvanley Gdns, 28 in Crediton Hill, 51 in Lymington Rd (NB: 70 of these are on standard proforma postcards)- issues as before, especially:

Loss of open space and character; no need for club extension; increased disturbance from social events; increased traffic and parking, need to control who uses what and when; bulk and poor design; loss of views, privacy; noise nuisance from plant, pitch games, pool, parking, terrace, socials etc.; possible use of pitch for parking, continued use of HCC changing rooms by cricketers and unspecified use of upper floors, funnelling of noise from terrace, dangerous coach access to carpark.

- 4.7 **R3: no consultation.**

#### **c) PW9902994**

##### **Conservation Area Advisory Committee**

- 4.8 **WEGCAAC** object: traffic increase; dominate whole environment; totally inappropriate. style, shape and materials; intrusive floodlights, pollution.

##### **Local Groups**

- 4.9 **WHAT** object: oppressive height and scale; creeping inroads on open space, loss of OS should be compensated by public usage.



- 4.10 WHOSE object: oppressive feel to Lymington Rd, use of open space, inappropriate. height and bulk.
- 4.11 Alvanley Gdns R/A object: totally unacceptable, inappropriate location, spoil outlook and character, light and noise pollution.
- 4.12 **Adjoining Occupiers**

	<b>Original</b>
<i>Number of Letters Sent</i>	<b>132</b>
<i>Number of responses Received</i>	<b>7</b>
<i>Number in Support</i>	<b>0</b>
<i>Number of Objections</i>	<b>7</b>

- 4.13 Objections, 3 from Lymington Rd and 4 from Crediton Hill, specifically on this application-  
 Loss of OS; loss of view, outlook, light, sun; noise from games, fans and night use; traffic congestion (esp. Sundays); inappropriate. size, height and bulk in res. area; "no domes and hangars"; near houses in CA; no value to community.

## **5. POLICIES**

### **Camden Unitary Development Plan 2000**

- 5.1
- EN1 Env. Protection and improvement
  - EN6 Noise
  - EN7 Plant and machinery
  - EN16 Design of new development
  - EN26 Design of infill developments
  - EN16(new) Setting of new devt.
  - EN17 Landscaping
  - EN19 Site layout
  - EN27 Amenity for occupiers and neighbours
  - EN51 Alterations to existing buildings
  - EN52 Extensions to existing buildings
  - EN57 Roof alterations and extensions
  - EN68 Public and private open space
  - EN71 Playing fields and open sports and recreational facilities
  - EN72 Development bordering open space
  - EN73 Open space and new development
  - EN81 Tree canopy and vegetation
  - RE\* Impact on residential amenity, env, transport systems
  - LC1 Retention of existing leisure provision
  - LC3 Location of new provision
  - LC5 Public access to leisure facilities
  - LC6 Intensification of use of leisure facilities
  - LC11 Floodlighting
  - TR2 Sustainable devt and use of public transport
  - TR9 Coaches
  - TR11 Traffic restraint
  - TR12 On-street parking controls
  - TR13 Private non-residential parking

TR22 Cycling  
TR23 Movement of goods: facilities and amenity  
HG15 Visual privacy and overlooking standards (DS5)

## 6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are summarised as follows: loss of private open space contrary to UDP policy, creation of new leisure facilities, bulk and design of pool building and clubhouse extension, impact on traffic generation and onstreet parking, impact on amenity to local residents.

### Aims of proposals

- 6.2 The basic aims of the proposals are to improve the range and quality of sporting facilities for the school, improve the efficiency of their usage on this site, and to improve the facilities available to the club and enhance the landscape setting. In the short term, the school wants/needs to have unrestricted access to its own swimming pool (rather than being constrained by using outside facilities) which can be used by the club outside school hours. This means relocating the cricket club facilities to the CLTC clubhouse, thus centralising administration of all such club facilities and completely separating pupil and club changing room facilities. The long-term aim is to enclose 2 hard tennis courts to provide an indoor Tennis Centre for both the school and club.
- 6.3 The school currently intensively uses the pitch and courts for field games and tennis/netball. The intention is that no more school traffic is attracted to the proposed pool and covered tennis courts, as these will widen the range of sports available to pupils on games afternoons as allowing tennis in bad weather. Pupils to the pool will continue to walk to the site or be transported by coach, as at present. Other primary schools (Holy Trinity and Hampstead Parochial are mentioned specifically) will be invited to use the pool during free slots by arrangement, and there may be additional events such as swimming lessons, galas and competitions held after school (4-5.30pm). Parents and staff may only be allowed to use the pool during school time, but their use is anticipated to be minimal. The intention is that outside school hours (9am-5.30pm), club members will have access to the pool and pitch from 7am to 9.30pm before and after school, during school holidays and weekends. There will be strict demarcation of facility use so that the new tennis courts and existing clubhouse adjoining the pool will be for school use only and similarly the new squash courts and clubhouse extension will be for club use only. There is no intention to increase the club membership (currently 1975) or to change the existing hours of operation of the CLTC clubhouse, as a result of these proposals.
- 6.4 The plans have been subject to much discussion with officers both pre- and post-application; officers have sought to explore alternatives to the proposed pool location/layout and revisions have aimed to reduce the intrusiveness of both the pool and clubhouse extension in terms of impact on open space and residential amenity. The master plan has been converted into a detailed planning application as it was realised that the clubhouse and pool proposals needed to be considered and implemented concurrently due to the displacement of the cricket clubhouse facilities by the pool changing rooms and plant. A

public exhibition of the proposals was also held by the developers in January 2000. Additional questionnaire surveys of club members were carried out on 11th and 21st May 2000, at the request of traffic officers, to help assess the impact of the pool proposal.

#### Details of proposals

6.5 The revised plans now involve the following in detail:

- erection of pool building 33m long x 19m wide, in place of 3 existing tennis courts, attached to south side of HCC clubhouse, with glazed side and curved roof enclosing ventilation ducting and 2 chimneys, and including internal viewing terrace.
- installation of 2 open hard tennis courts in place of 2 existing ones and squash court building.
- redesign of carpark to provide 26 spaces and coach access and relocated entrance away from corner of Lymington Rd.
- tree planting in carpark and adjoining tennis courts along full length of Lymington Rd.
- conversion of HCC clubhouse to wet and dry changing rooms facilities and plant on ground floor, retention of 1 squash court, retention on 1<sup>st</sup> floor of 3 groundsmen's flats, and of meeting rooms, dining room and viewing terrace for school use, plus associated alterations.
- erection of extension 15m long 27m wide (to match existing clubhouse width), attached to south side of CLTC clubhouse on site of yard and groundsman's bungalow, and to comprise 2 squash courts, ground floor changing rooms and stores, 1<sup>st</sup> floor sports bar and viewing terrace facing cricket pitch (to replace facilities lost from HCC clubhouse), plus 2<sup>nd</sup> floor side extension to west of existing function room and new associated terrace on roof of existing squash courts adjoining existing roof terrace.
- new tree planting outside extension on Albanley Gardens frontage and relocation of vehicular entrance.
- erection of new cricket players' "pavilion" facing cricket pitch.

6.6 The 3<sup>rd</sup> application involves a final phase of erection of 2 separate enclosures over the 2 new tennis courts adjoining Lymington Rd, with part-solid part-open louvred sides, curved roofs and ventilation fans.

#### Leisure use policy

6.7 UDP policy LC1 welcomes proposals that retain leisure facilities and resists those that lead to a shortfall in their provision. LC3 guides new leisure proposals to areas of high public accessibility such as major Centres, an exception being where the proposal meets local needs and is small in scale. LC5 seeks to secure public access to leisure facilities and LC6 encourages intensification in the use of them.

6.8 The proposals do not involve any loss of existing facilities (except for a rationalisation in number of tennis and squash courts for club use); indeed there is an intensification of the use of the site for a greater variety of sports facilities for both the School and Club. Although there is no explicit intention for public access to the facilities, local residents can use them via membership of the Club. The applicants have not agreed to any form of community benefit to

allow unrestricted access by the general public, as this would undermine the existence of the Club. Some residents in consultation have expressed a desire to use the pool as a trade-off in exchange for accepting the disbenefits in terms of traffic generation and bulk. However, officers are concerned that such unrestricted access, either on a commercial basis to all residents or by special arrangement to local residents only, would lead to traffic and parking congestion; this issue, which is a major objection to the scheme by all local residents and groups, is discussed further later in the traffic section.

- 6.9 Finally, in relation to policy LC3, although the site does not fall within a Major Centre, it is within walking distance from both Finchley Rd tube station and West End Lane stations plus bus routes in both these roads. The proposals also meet local needs, both of the Club and of a nearby school in Hampstead as well as more local primary schools that would be allowed to use the pool.
- 6.10 It is considered therefore that the site is capable of accommodating additional leisure development and that the scheme complies with UDP policy on leisure provision, except LC5 which encourages public access to facilities - however, as explained above and in para 6.48 below, such unrestricted access could give rise to serious problems of onstreet traffic congestion and it would be impossible to control access to only those residents who walk to the pool. However the school's intention that the pool can be used by other primary schools is welcomed as a positive benefit of the scheme.
- 6.11 In response to residents' concerns that the proposals involve an unnecessary intensification of social facilities for the club rather than sports provision *per se*, the various new elements of the extension, such as bar, function rooms and terraces, have been substantially reduced in size and relocated to meet officer's concerns on this matter and to minimise impact on local amenity (see also section on Amenity below). Thus the existing cricket club bar, lounge, billiard room and gym (totalling 211m<sup>2</sup>) will be replaced by one new sports bar (75m<sup>2</sup>) which is half the size of the originally proposed one. The existing cricket terrace will be replaced by a new one of a similar size in the clubhouse extension; this is also now smaller than originally proposed. The existing cricket club meeting rooms (totalling 174m<sup>2</sup>) will be replaced by a much smaller extension (38.5m<sup>2</sup>) to the tennis clubhouse function room; again this is half the size of that originally proposed. Finally the new terrace adjoining the function room has been reduced in size from 182m<sup>2</sup> to 110m<sup>2</sup>.
- 6.12 In relation to other landuses on the site, all residential accommodation here is ancillary to the principal use of the site. No objection is thus raised to the loss of the groundsman's bungalow, particularly as the 3 existing flats on the 1<sup>st</sup> floor of the cricket clubhouse will be retained for this purpose.
- 6.13 In relation to the school use of the current facilities (tennis courts and clubhouse), their proposed sole use by the school rather than joint use with the Club means that there is a change of use from Class D2 (leisure) to Class D1 (education). However no objection is raised to this, as effectively there is no difference between the two in the nature of the uses involved or their impact on the locality. The new pool will be classed as an education use, and club members' use of it would remain ancillary to this. The clubhouse extension in Alvanley Gardens however will be treated as an additional leisure use.

### Open space policy

- 6.14 UDP policy EN68 protects designated private open space from development except in exceptional circumstances (i.e. where ancillary to the current use and where necessary, in that there is a demonstrable need that cannot be satisfied elsewhere) and where small in scale to retain the open character of the land. EN71 resists development of playing fields and open sports facilities attached to schools etc., subject to the same exceptions as the above policy.
- 6.15 The proposed pool building is positioned in the same SW corner as the health club formerly proposed for this site and refused permission in August 96 (see History section above). The only difference from the current scheme was the detailed orientation: the club was proposed to be placed parallel with Lymington Road, whereas the new pool building will be attached to the clubhouse at right angles to the road. The issue of loss of open space was assessed at that time and it was considered that an exception could be made to policies for protection of open space for a number of reasons. Circumstances have not materially changed since then: the site's appearance and condition remains the same, except for the creation of 3 additional hard tennis courts along Lymington Rd; the UDP policies on open space have not changed; and the current scheme raises the same issues of bulk/design, provision of new sports facilities, and impact on the use and character of the open space. It is therefore considered relevant to rehearse here the assessment on the health club proposal contained in the 1996 Committee report.
- 6.16 Firstly in relation to open character, the current scheme would be visible from Lymington Rd and from the rear of houses at the bottom of Crediton Hill, and it would undoubtedly change the townscape of this part of the street by losing its open character. Conversely it is argued that this corner is not particularly green and attractive, especially as seen from the street level, as it is composed of hard tarmac surfaces, timber and chainlink fences and floodlights. It was argued in the previous report that its partial loss to a 2 storey building on the road frontage set behind a landscaped boundary would actually enhance the streetscape. In the case of the pool, the building would now be even further set back behind the tennis courts and new tree planting and it would be orientated at right angles to the road, not parallel to it as was the health club. The pool building does not impinge on the green open space of the sports ground itself but is rather concentrated on the "harder" (in urban design terms) space of the SW corner, and thus does not result in the loss of any green landscape which is the fundamental and most visible characteristic of the triangular site. Furthermore, both schemes involve the loss of the unattractive squash court building at the eastern edge of the existing courts, which is welcomed in enhancing views along Lymington Rd.
- 6.17 In the case of the proposed clubhouse extension in Albanley Gardens, this would be sited south of the clubhouse in an area occupied by the existing groundsman's bungalow, stores and tarmac yard. The building has no architectural merit and the area is not especially visible to the public, being screened behind trees in views from Lymington Rd and behind hedges in Albanley Gardens. This site does not contribute to the overall sense of openness or greenery of the whole site. It is considered that the same argument applies here as with the health club above, in that only a "hard" area of the open space

would be lost to building and this area is not fundamental to the character of the whole open space.

- 6.18 Secondly, in relation to development on sports grounds, the previous health club scheme was justified on account of its necessity to secure the cricket club's financial future. Although this is not the case now, the school having bought the site from the club, it is considered that the proposed sports facilities are both ancillary and necessary and that they are part of the overall mixed use of the site for sports purposes: the pool building and associated changing facilities is necessary for the purpose of fulfilling the school's requirements for teaching swimming and for providing proper dedicated (rather than shared) facilities for a wide range of sports. The clubhouse extension is also necessary and ancillary to the current site's use for cricket and hockey matches, and essentially replaces existing facilities.
- 6.19 It is considered therefore that an exception can be made to policies to retain open space and open sports facilities in this instance, and that on balance the provision of new buildings in these 2 specific locations on Lymington Rd and Albanley Gdns would be acceptable. They would not result in the loss of open space which is actually useful in terms of amenity, aesthetic, nature conservation or public access value; they would not detract from the open character of the main element of this triangular site; they can be regarded as necessary and/or ancillary to the overall mixed sports usage of the whole site and to ensure retention of both remaining spaces, both hard tennis courts and green cricket pitch; they would not result in any loss of sports facilities but rather an enhancement or increase of them. The previous report emphasised that the health club should not be seen as setting a precedent for further "creeping development" on the open space, as feared by local groups. The same applies to the current scheme which aims to regulate the long term intentions of the both the club and school and which seeks to retain the existing green pitch and tennis courts as a fundamental element of this site and sports "complex".
- 6.20 Finally, the justification to policies EN68-71 states that in exceptional circumstances, such development may be acceptable if equivalent open space provision is made in the same locality to meet the same needs of open space it is to replace. In the case of the health club, the applicants agreed to make a small area in the SE corner of the open pitch, of the same size of the proposed building, available for new public access and informal recreational use. However details of management and access were never discussed, and it was felt at the time that the offer was more of a token gesture than a genuine proposal. The current applicants have not agreed to provide any such land or access, for reasons that all the pitch is actively required for sports use, that the SE corner is currently used as a maintenance yard, and that any unregulated dual use would lead to problems of security and safety with schoolchildren. There has been no clear guidance from residents whether any such usage would be desirable, and if so how it would be controlled, and thus this issue of benefit has not been actively pursued.

### **Building design and bulk**

#### **a) pool**

- 6.21 The essential difference between the previous health club scheme and the current one for the pool is the location and orientation of the new buildings. The health club involved a 1-2 storey with pitched roof solid building placed alongside Lymington Rd on the existing 2 courts; the 2 storey element would have a footprint of 720 m<sup>2</sup> (total footprint of 900 m<sup>2</sup>) and eaves height of 7m. The pool building is now proposed to be at right angles to the Road and set back from it behind the 2 courts, so that it is attached to the clubhouse; it would be equivalent to 2 storeys high with curved roof and glazed walls, and would have a footprint of 650m<sup>2</sup> and eaves height of 3.5 - 5m. the latter range is due to the uphill slope, thus the total roof height varies from 8m on the street side to 6m adjoining the clubhouse. The overall gross volume of the health club was 5760m<sup>3</sup>, compared to the proposed pool, which is smaller at approx. 5180m<sup>3</sup> (note that this over-estimates the curved roof volume).
- 6.22 Alternative locations and orientations of the pool were explored but rejected due to being more bulky in street views: if the pool was placed parallel to the road and separate from the clubhouse, it would allow street views from the SW corner of the site through to the field beyond, but conversely it would present a greater building bulk with a 5m high wall along the road itself for a greater length; in contrast, the current orientation means that it is setback from the road allowing a greater sense of openness along the whole road's length. The other advantage is that by using the clubhouse for changing facilities and plant, it means that the size of the actual new building for the pool complex can be reduced whereas a orientation parallel to the road, as with the clubhouse, would require a greater volume to accommodate changing rooms etc.
- 6.23 The height of the pool building has been reduced in 2 revisions so that the total height is lower than the clubhouse and its ridge sits more comfortably below the eaves of the clubhouse. The width of the pool matches that of the clubhouse. The ventilation ducting now sits internally below the roof with only 4 chimneys projecting above this. The building would have a lightweight appearance with curved metal roof and fully glazed sides, which could allow views through to the pitch beyond.
- 6.24 It is considered that the pool building overall is appropriate in bulk and design. Its overall size and height is less than the previous health club building and its location reduces the dominance of the building on the street side and allows better views through of the whole site from the street. The size and height is now more sympathetic to the clubhouse; the latter is not distinguished in its architecture and no objection is raised to the obscuring of the south elevation by the new pool. Its height is also less than the blocks of flats opposite in Lymington Rd. Although it is clearly a modern design using non-traditional materials, it is considered that this acceptable in this context of its specific use and of this street with no established architectural character. Its bulk will be further reduced by having pergolas and screens on 2 sides of the pool, and tree and climber planting around the carpark and pool.
- 6.25 Finally, it is considered that the pool building will not harm the character and appearance of the adjoining West End Green CA which covers the adjoining properties in Crediton Hill: the new building will be mainly screened by the existing clubhouse in views from these houses, and as the application site is at a much lower level than Crediton Hill, the pool will have a minimal impact on the open character of their gardens.

#### b) clubhouse extension

- 6.26 The site of the new clubhouse extension in Albanley Gardens is occupied by a bungalow of no special architectural merit and an open yard screened by fence, hedge and row of cypresses. The existing clubhouse is unattractive with a large blank wall and pitched roof facing the street, and has been extended several times in the past. The proposed extension has been revised so that the bulk slopes down the hill and has greater articulation in its street facade. The extension for the changing rooms and sports bar with terrace would match the eaves height of the existing clubhouse, with no extension to its pitched roof; it would have a ridged flat roof and a stair tower with pitched roof. It is considered that the revised scheme in terms of street views is now acceptable: it is now subordinate to the main clubhouse in bulk by being no higher than the clubhouse's eaves; it is set back from the front building line to allow screening by tree planting; the blank facade is relieved by brick articulation features and pitched roofs; it does not result in the loss of any key views of the green pitch nor result in any serious loss of openness to the streetscape.
- 6.27 The clubhouse is further extended to its west side by having 2 new squash courts on the site of a tennis court, to match the existing building's width. This would not be visible from Albanley Gardens; in views over the pitch from Lymington Rd, it would be in front of the existing squash courts and behind trees, thus not creating any additional bulk and thus would have no major impact on loss of open character of the whole site. Additionally, a small extension to the existing function room in the pitched roof is proposed. It would match the roof design in terms of pitch and gable. Its small size at 40m<sup>2</sup> and sympathetic design ensure that it reads as a subordinate feature and is acceptable in long views. Finally no objection is raised to the small cricket viewing pavilion structure adjoining the pitch itself; it is of a small scale insubstantial nature and has no impact on the open character of the site.

#### c) covered tennis courts

- 6.28 The final phase of the master plan involves lightweight enclosures to cover the 2 new tennis courts on Lymington Rd. As with the pool, they would be uncompromisingly modern in design with metal curved roofs and open louvered sides. However they would be much higher than the pool (necessary to accommodate tennis games), with the highest point of the curve being 11.5m (cf. max. pool height of 8m) and with solid boundary walls 5m high. The structures would be extremely dominant and bulky in their location on the street side and it is considered that they are totally unacceptable in bulk, location and design; they would seriously impede views through the site to the open pitch, lose the open character of this SW corner by building over the open frontage (which would be maintained in the Phase 1 proposal for the pool), and dominate both the proposed pool and existing clubhouse buildings.
- 6.29 These enclosures are not vital to the operations of the club or school and the only justification for them is that they will provide the club in the long term with a purpose-built "tennis centre", allowing tennis to be taught and played in all weathers and at all times. This benefit is outweighed by the serious impact on the open character of the site and the local streetscape, and thus refusal of this element is recommended.



## **Landscape**

- 6.30 A full landscape plan and comprehensive strategy for the whole site (including areas not actually affected by the proposals) has been prepared, the intention being to improve the site's value as an open space and local visual amenity. It involves substantial landscaping throughout and remedial works to the existing trees on the perimeter of the site. In particular, new tree planting is proposed along the whole length of Lymington Rd, replacing the existing row of badly pollarded lime trees by better species; although enhancement of this edge is welcomed, the proposed method of entire felling and replacement is questionable and this issue needs to be more carefully addressed in the details submitted in due course. Additional planting is proposed around the pool carpark and entrance, and in front of the clubhouse extension and pool, although more substantial tree planting would be preferred to screen the pool, plant and parking from neighbours in Crediton Hill. The overall approach is generally acceptable but it needs to be worked up in more detail as part of a detailed submission required by condition.

## **Residential amenity**

### **a) pool and HCC clubhouse**

- 6.31 The new tennis courts will be floodlit to 9.30pm, in the same way as the existing ones currently are, and no additional lighting is proposed except for the carpark, thus no additional glare is anticipated. However controls on hours of usage are proposed to enforce these timings. The swimming pool ventilation and water treatment plant will be contained in the existing squash court attached to the west side of the cricket clubhouse: pollution officers are satisfied in principle that no additional nuisance will be created to residents at the rear of Crediton Hill but recommend that standard conditions be attached to control noise and fume nuisance. The pool itself will be sound insulated to current standards to ensure there is no noise breakout, and again conditions should ensure that no noise or music is audible to adjoining residents.
- 6.32 There would be no additional coach traffic above that currently caused by transporting pupils to the site. The pool will also be available for use by some primary schools, parents and staff during school hours; it is anticipated that this usage and additional traffic generated by it would be minimal (see also para 6.41 for more detail on traffic issues). There is no stated intention at this stage for school use of the pool outside school hours; however there may be demands in future to hold sporadic events in early evenings or on Saturdays, which would be within CPZ hours of operation (see also para 6.53). Additionally the pitch would be used for hockey matches on some Saturdays with parent/staff spectators. This is acceptable as the traffic and activity created would be little different from that currently caused by cricket matches and use of the clubhouse facilities.
- 6.33 In relation to club members' use of the pool, it is proposed for traffic/parking reasons to limit their use to during CPZ hours (plus early morning use on weekdays) which would prevent any usage of the pool after 6.30pm and during Sundays- this is discussed further in the Traffic section below. It is considered that the additional early morning club use of the pool at 7am weekdays,

accepted by traffic officers (see para 6.54 below) is also acceptable in general amenity terms, as the likely numbers of users would be low and any nuisance from such activity would be little different from the existing use of the clubhouse facilities (e.g. gym and squash courts) that can potentially take place in early mornings.

- 6.34 Thus the most intensive use of the pool would be during school hours, i.e. daytime in the week, and all use of the pool would finish at 9.30pm. This would minimise any loss of amenity to local residents during the most sensitive times, i.e. late evenings and Sundays. Conditions on hours of usage of the pool would ensure that the stated intentions for its use are maintained to control its impact on local amenity, in terms of noise from plant and general activity; it is also proposed that pool use is prevented on Sundays to ensure one "quiet" day in the week for adjoining residents, on the basis that the school will not be needing it then and that the club will not be permitted to do so for traffic reasons, as already mentioned above.

- 6.35 The cricket clubhouse will have its ground floor bar/lounge areas and gym/billiard room converted to wet changing rooms for pool users; the existing changing rooms will be used for school users of the pitch (contrary to residents' fears, cricket players will have their own dedicated changing rooms in the new clubhouse extension). On the 1<sup>st</sup> floor, existing meeting rooms and dining room will be used by the school for teaching purposes when wet weather prevents pitch use, and the terrace used for viewing matches; it is possible also (but not definitely known at this stage) that both rooms and terrace may occasionally be used by parents/staff for PTA meetings and social events outside school hours. This would be similar to the current use of these rooms by the cricket club; as the rooms and terrace face east over the pitch, any noise nuisance should be directed away from the houses in Crediton Hill. The clubhouse has no conditions controlling its usage, thus it is proposed to place conditions on noise and hours of operation (to reflect the CLTC clubhouse current hours): this would ensure residential amenity can be more rigorously maintained, and the early evening closure on Sundays (to match the existing controls on floodlit tennis courts) should not adversely restrict the school's intentions for use of the building.

#### b) CLTC clubhouse and extension

- 6.36 The clubhouse extension in Alvanley Gardens will operate at the same times as the existing clubhouse here which is 9am-11pm daily (except 7am-11pm on Tue and Thu, 9am-8.30pm on Sundays). As with the former HCC clubhouse above, there are no controls currently specifying these hours of operation for the CLTC clubhouse, thus it is proposed that new conditions be placed to ensure greater enforceability of these hours of usage, to protect local amenity. However it would be unreasonable to impose more stringent controls in terms of reduced hours of operation; indeed it is proposed to adjust the hours so that use of the clubhouse takes account of use of the floodlit tennis courts (currently permitted until 9.30pm daily). The extension has been designed to prevent additional noise intrusion to residents in Alvanley Gardens: the front elevation has minimal window openings and ancillary toilets etc. to prevent noise breakout into the street and as a buffer in front of the proposed sports bar.

6.37 Inevitably the relocation of the cricket club's activities to Alvanley Gardens and thus intensification of all club facilities in one specific location means a greater possibility of nuisance being created locally here, through carparking, visitor arrivals and departures, and evening social events, which formerly would have been concentrated in the clubhouse and carpark in Lymington Rd. The traffic/parking issues of this relocation are considered later. It should be noted that the proposed garage and vehicular access to the clubhouse extension is intended for the groundsman's tractor and lawn mowing equipment, and the grasscrete ramp shown is to provide its access onto the pitch; there is no intention to use this for general vehicular access or carparking. It is anticipated that conditions controlling hours of operation, noise and music levels, and club membership numbers would keep this disturbance to a minimum. It should be noted that there would be no intensification of these facilities on the site overall, only a rationalisation, and indeed the floorspace areas devoted to bar, terrace, meeting facilities have been substantially reduced in area from the existing cricket facilities (see below). Moreover the club do not intend to increase the club membership (currently 1975) as a result of this.

6.38 The proposed 1<sup>st</sup> floor bar terrace is intended as a viewing area for cricket matches and as ancillary seating for the bar, as a replacement for the existing clubhouse terrace, which is of similar size. As discussed in para. 6.11 above, the bar itself has been substantially reduced in size from the original proposal and is almost a third less than the existing social facilities in the clubhouse. The principle of this bar and terrace is acceptable as a replacement facility to an existing one; it would be unreasonable to insist upon a smaller size, and revisions have sought to ensure that its location/orientation minimises harm to local amenity. The terrace has a retractable roof covering for protection in sun or rain, which should help baffle noise travelling upwards; it faces south, screened from the road by the stair tower, so that any noise should be funnelled downhill over the pitch rather than towards the houses opposite in Alvanley Gardens. Overlooking of houses is now very difficult and the most direct and closest view from one corner is 35m away from front gardens of Alvanley Gardens, which is well over the UDP development standard (DS5) minimum of 18m.

6.39 An additional terrace at 2<sup>nd</sup> floor level is proposed above the western squash courts, to allow views of tennis matches and as an adjunct to the existing small terrace and the function room (which is used for meetings and social events). The function room will also be extended by approx. 39m<sup>2</sup>, half the size originally proposed here and a quarter of the existing meeting rooms it replaces in the cricket clubhouse. The new terrace is an entirely new facility unrelated to the relocation of the cricket club. The same principles as the cricket bar terrace apply here, and this new terrace has also been relocated and reduced in size to reduce its impact. It is hidden by the existing clubhouse from houses in Alvanley Gardens thus it should not affect residents here. Views to the back of houses in Crediton Hill are 50m away from their gardens thus no overlooking can occur.

6.40 The applicants have stated that it is not the club's intention to use the terrace for social events but rather for viewing tennis matches. Nevertheless, it is considered that its location next to the function room will be inevitably attractive for such events in good weather, that even spectators of important tennis matches could be noisy, and that it would be difficult to limit the use of

the terrace to quiet viewing only. Residents are concerned that there is the possibility of noise intrusion from such a terrace in this raised position, particularly from outdoor parties in warm summer evenings, which would travel across the courts towards Crediton Hill. However pollution officers are satisfied that controls on noise levels and hours of operation can be enforced for this terrace to cover such eventualities.

### **Traffic/parking**

#### **a) Use by school**

- 6.41 The school intend to continue their practise of bussing pupils to the existing and proposed sports facilities based at Lymington Road, and no additional coach traffic is anticipated: currently this involves 1 coach in winter and 2 in summer terms and they wait in the carpark. No pickup of pupils from parents will be allowed. No objection is raised to this form of transport. The pool will also be used by other primary schools, parents and staff during school hours only; other school pupils will also walk or use coaches, and parent use will be minimal. The carpark is ample sized to cope with this additional traffic generated by this during the day, and also by additional traffic from occasional school matches on Saturdays when cricket games are not being played. Traffic officers therefore do not raise any objections to this school and ancillary use. See also para 6.53 below on school use outside CPZ hours. The school already has a "Travel Policy" in operation for its existing school buildings in Netherhall and Maresfield Gardens. Officers suggest that this is extended in operation to cover use of these sports facilities, and updated to reflect current Council best practice. It is proposed to ensure the use of a Green Travel Plan, including the transporting of pupils by coach, by means of a S.106 legal agreement.
- 6.42 The carpark will not be increased in capacity, and indeed will be reduced in size from 31 to 26. It will be redesigned with the entrance relocated away from the dangerous corner at the bend in the road, which is welcomed. However there are detailed criticisms of the carpark and entrance design and layout, and it is recommended that details are reserved by condition for later approval.

#### **b) traffic survey**

- 6.43 In relation to traffic generation by club members to both the pool and clubhouse, traffic officers requested that a traffic survey be carried out in summer for visitors to both clubhouses on a weekday and Sunday, to ascertain reasons for visits, amount of traffic and parking generated, and likelihood of members using the pool in the future. Unfortunately at the time of surveys in May, the weather was inclement and cricket matches were cancelled, which meant that the survey underestimated the club movements and car arrivals on these days. The survey showed that over 80% of visitors were club members who are mostly from the NW3 area, and that most arrive at the Alvanley Gdns clubhouse. Most visit more than once weekly, with most visits after 6pm weekdays or mid-morning and afternoon on Sundays. Half of them came for tennis, staying on average for 2hrs. A high proportion (over 60%) drove to the site with a low amount (17 & 26%) using the carpark while the rest parked in local streets, mostly in Alvanley Gdns (62 & 73%). With better weather, this figure could be even higher.

- 6.44 The survey showed that 69-75% would be interested in using the new pool, with an estimated 145 potential visits weekly, which equates to 21 visits daily. On both weekdays and weekends, 75% of these visits were likely to be combined with or replacing existing trips to the club, while up to 40% could be entirely new trips to use the pool, which means on average an additional 8 visits daily. Finally, the survey showed that more members would cycle to the facilities if secure cycle parking were provided.

c) club use of extended clubhouse

- 6.45 The carpark is currently underused during the week, and most visitors using the tennis clubhouse for tennis and social events prefer the convenience of parking in Alvanley Gdns rather than the carpark. Residents also report that Alvanley Gdns is congested at all times, by both commuter and club member parking (houses in this road have their own forecourt carparking), and there are problems of double parking by casual visitors to the club and of obstruction to entrances to house drives. The problem of commuter parking should disappear after the imposition of CPZ controls during the week (see para 6.49 below). However the intensification of clubhouse facilities in this location will inevitably increase this congestion in Alvanley Gdns, especially at weekends, as cricket players may be loathe to walk to the relocated changing rooms from a carpark further away. Conversely, the club argues that it is possible that, given current local parking congestion, members who come for a specific match (particularly a lengthy cricket game) would prefer to park in the carpark which has guaranteed freely available spaces rather than waste time looking for limited onstreet parking or risk parking illegally in Alvanley Gdns.

- 6.46 A solution would be to relocate the carpark to a more central position but this would require it to be placed on the open green pitch which would be unacceptable in open space/landscape terms and UDP policies (see section on open space policy above). In response to residents' concerns that the vehicular entrance to the clubhouse extension would allow access for carparking by visitors, it should be noted that there is no intention to allow general parking on the sports pitch and that the garage and ramp are only proposed for groundsman's equipment (see para 6.36): a condition is recommended to ensure this happens. Traffic officers consider that limiting traffic generation is the only means of controlling additional traffic nuisance created by the relocated clubhouse, and they recommend that conditions (backed up by a S.106 legal agreement) should be imposed to require a capping of the club membership to existing levels (as agreed by the applicants) and the development of a Green Travel Plan specifically for the club use of facilities (which presumably the club would support as part of its promotion of a healthy lifestyle).

d) club use of pool

- 6.47 The most controversial aspect of the applications in traffic terms is the intention that the pool will be also used by club members outside school hours, i.e. weekday mornings (7-9am) and evenings (5.30-9.30pm) and during weekends and school holidays. However the availability of the pool to them will actually depend on likely numbers willing to use it at any one time, as it will not be economically worthwhile in running the pool for only a few people in one evening. This joint use by both club and school is a fundamental aspect of the whole scheme.

- 6.48 The survey (which, as already noted, under-represented a typical scenario) shows that the current use of the club already severely impacts on local onstreet parking, especially in Alvanley Gardens, and that 40% of car trips are after 6pm. This confirms the CPZ survey which showed that evening parking around this site was especially heavy: over 80% of Alvanley Gdns and 70% of the eastern half of Lymington Rd was parked during 6-8pm. Traffic officers are concerned that there is no reason to doubt that club member usage of the pool will be different from other club uses and it can be assumed that the pool proposal will generate additional car trips, particularly in the evenings, and that this would worsen this impact. Only club members who are live locally (and a high proportion of them live in Alvanley Gardens) would be likely to walk to the pool; although no objection is raised to allowing use of the pool by residents who live within a 10 minutes walking distance away, this would be impossible to control by condition or legal agreement.
- 6.49 The proposed CPZ is currently undergoing statutory consultation but is unlikely to receive objections, given that residents requested it in the first place. Although there is no guaranteed certainty that it will be approved, there is no reason to suggest that it will not be; the intention is that it will be implemented by July 2001, with a review one year later in 2002. It would restrict parking between 8.30am to 6.30pm Mondays to Saturdays, with a mixture of residents parking bays and "pay and display" bays (allowing 3 hrs maximum) on the west side of Alvanley Gdns. This would have the advantage of removing the problems currently experienced by residents here during the day and especially on Saturdays, when there are matches being played, but it will not affect club visitors in evenings and Sundays.
- 6.50 Traffic officers therefore have no objection to club use of pool during CPZ hours of operation, and recommend that use of the pool should be subject to a delaying "Grampian" condition (backed up by a S.106 legal agreement) that prevents its usage before the implementation of the CPZ. Such use would thus allow club use a ½ hour before and 1 hour after school hours and during school holidays and Saturdays. Although there is no certainty that the CPZ will proceed, it would be unreasonable to refuse permission for the pool on the basis that it was premature in advance of a CPZ in place, provided that conditions are explicit in linking its usage to the existence and hours of operation of a CPZ.
- 6.51 The applicants do not object to this restriction in principle, as it will take at least a year to obtain detailed approvals and complete the scheme on site. However they are very seriously concerned that the hours of restriction would prevent effective usage by club members in early mornings and evenings and on Sundays, and that therefore this would effectively prevent the scheme going ahead as it is being jointly financed by the school and club. The agents argue that such restrictions are unreasonable, for reasons that additional trips to the pool would be minimal (the survey shows 40% additional trips, approx. 8 additional visits daily), they would generate few cars (due to local residents walking), the carpark would be empty at those times and would be able to accommodate the additional parking.
- 6.52 In response, traffic officers consider that club users would still park on-street as they do at present and that these habits would not necessarily change in evenings and on Sundays; evidence of CPZ and applicant's surveys (see para 6.48 above) suggests that evening use would be seriously detrimental to local

residents in terms of parking congestion, traffic flows and road safety, and thus would be contrary to policy TR2 (on sustainable devt). It is accepted that it is difficult to predict club member movements in terms of parking location and visits to the pool, but it is important at this stage to view a worst-case scenario on the basis of the limited survey information available. If necessary, the situation can be reviewed after one year of the pool's operation and the conditions on hours of usage could be relaxed if it is found that the fears of parking congestion are not realised: this option is open to the applicant by means of applying for planning permission to vary these conditions.

6.53 As already mentioned in para 6.32, it is not intended at this stage that the school will use the pool in weekday evenings or on Sundays; however it is proposed to ensure that this pattern of usage is adhered to by conditioning use of the pool to CPZ hours, for the reasons that any school events, however sporadic, outside these times may attract large numbers of individual spectators and parents who could create parking congestion, due to competition for spaces either with cricket players in the carpark or with residents in local roads. Non-use of the pool on Sundays would also help maintain local amenity by preventing additional noise and activity on one "quiet" day of the week (see para 6.34 above).

6.54 Nevertheless traffic officers accept that early morning use by members before school opening at 9am may not be detrimental to local conditions, on the basis that the pool will only be available for 2 hours, that visits would likely to be minimal at this time as members are using the pool before they go to work on weekdays, and that residents will already be parked onstreet. On this basis, officers do not object to such use in traffic terms during 7am-9am weekdays, i.e. 1½ hours before start of CPZ controls.

6.55 It is considered that any extension or review of the CPZ controls to include evenings and Sundays (as requested by the Club) should only be made in July 2002, when the CPZ is reviewed fully after one year of operation and when the pool is fully established. Traffic officers consider that if such a review suggests that controls could be changed to allow increased use of the pool by the club, it should be funded by the applicants, including the costs of consultation and amendments to the traffic management order, and that usage of the pool should still be restricted to the new CPZ controls. The agents suggest that the review should extend the controls to 10pm. However it should be noted that the CPZ traffic survey showed that there was no support apparent from residents for evening parking controls and that there is no reason why residents should suffer from the non-availability of onstreet parking in evenings solely to benefit the applicants' increased usage of the site.

## **7. CONCLUSION**

7.1 The scheme has been compared to the previous health club scheme, which was refused permission in 1996, which was concluded to have both benefits and disadvantages. Unlike this scheme, the proposal now does not involve making available open space for public use, which is regrettable, nor is the scheme now a necessary requirement to ensure the future of the green open space. Although the current scheme does accord with policy for enhanced leisure provision, it does not provide public access to the facilities as encouraged by policy (except

via the existing club or by local schools); however it is considered that such general access would be detrimental to local amenity in terms of traffic, parking and general nuisance from noise and activity, and that use of the new pool and courts is better restricted to school use and a limited number of club members, which is more easily controllable.

- 7.2 As with the previous scheme, the current proposal is contrary to policy on protecting open space. However it is again considered that an exception can be made to policy here by allowing the pool and clubhouse extensions of this bulk and in these specific positions, as they would not be seriously detrimental to local streetscape or views, and they would not compromise the character and quality of the more important green open space of the sports pitch which is the fundamental attraction of this open space. Additional landscaping and tree planting along both boundary roads would also enhance these streetscapes. The bulk, layout and design are considered acceptable subject to details. Conversely the proposed covered tennis courts on Lymington Rd are unacceptable due to their excessive bulk and impact on the open character of the site.
- 7.3 It is considered that residential amenity will not be detrimentally reduced by the pool and clubhouse extension and consequent relocations of activities around the site, provided that their impact in terms of noise, hours of usage, numbers of users, traffic generation etc. is controlled by appropriate conditions.
- 7.4 Finally it is considered that the proposals for club use of the facilities could have a serious impact on local traffic and parking conditions without appropriate controls, whereas school use of the new pool is acceptable (being little different from current usage of the site). Traffic officers consider that club use of the pool would only be acceptable subject to strict conditions which tie this use to the CPZ hours of operation proposed for the area: this is fundamentally necessary to prevent exacerbation of onstreet parking. The adoption of a Green Travel Plan would also be useful in discouraging unnecessary use of cars.
- 7.5 It is concluded that on balance the scheme overall is worthy of support: it would not seriously undermine policies on open space and leisure provision; its design and landscaping, subject to detail, would preserve the environmental quality of the open space and adjoining streetscapes; and it would not seriously impact on local residential amenity and traffic conditions, subject to safeguards on the use of its specific elements and times of operation.
- 7.6 It is thus recommended that both detailed applications are granted planning permission subject to numerous conditions, and to a S.106 legal agreement that covers the following issues (also covered in conditions 1-3):
- a) submission for Council's approval of an updated version of the School's Green Travel Plan to cover their use of sports facilities and to ensure pupils are transported by coach to and from the site;
  - b) submission for Council's approval of a Green Travel Plan for CLTC club members' and visitors' use of pool and relocated clubhouse facilities;
  - c) capping of club membership to existing numbers of 1975, following the availability of the new facilities;
  - d) use of pool by club members to be subject to the implementation and operation of the proposed Fortune Green CPZ, and to be linked to any future changes in its hours of operation.



- 7.7 It is also recommended that the outline application for the covered courts be refused permission on grounds of detrimental impact on the open space.

## **8. LEGAL COMMENTS**

- 8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

## **9. RECOMMENDATIONS:**

### **a) PW9902597R3 (master plan)**

#### **Subject to GOL authorisation;**

**Grant planning permission, subject to a legal agreement covering the issues summarised in para 7.6 above and subject to the following conditions:**

#### **Conditions:**

1. Two Green Travel Plans shall be prepared, one for the use by South Hampstead High School of the new pool hereby approved, and one for the use by Cumberland Lawn Tennis Club of the new pool and relocated clubhouse facilities hereby approved. Details of the Plans should be submitted to and approved by the Council before the use of such facilities, such approval not to be unreasonably delayed or withheld. The Plans should show how users of the facilities should be encouraged to travel by more appropriate means of transport than private car.
2. The numbers of members of the Cumberland Lawn Tennis Club shall not exceed the existing number of 1975 members, following the availability to the Club of the new pool and relocated clubhouse facilities hereby approved.
3. The use of the new pool hereby approved by the Cumberland Lawn Tennis Club shall not take place until after the implementation and operation of the proposed Fortune Green Controlled Parking Zone for roads surrounding the site.
4. The use for social and recreational purposes of the existing Cumberland Lawn Tennis Club clubhouse in Alvanley Gardens and its extensions and terraces hereby approved shall not take place outside the following times: Monday, Wednesday, Friday, Saturday- 9am-11pm; Tuesday, Thursday- 7am-11pm; Sunday- 9am-9.30pm.
5. The floodlighting of the existing and proposed tennis courts on the whole site shall only be between the hours of 9am-9.30pm daily.
6. The new pool building and ancillary accommodation hereby approved shall only be used by school pupils, staff and parents for educational purposes and by Cumberland Lawn Tennis Club members for recreational purposes

ancillary to the uses of the remainder of the site and for no other purpose (including any other purpose within Classes D1 or D2 of the schedule of the Town and Country Planning Use Classes Order 1987). The pool shall not be operated on a commercial basis offering use to the general public, other than by Cumberland Lawn Tennis Club members.

7. The use of the new pool building and ancillary accommodation hereby approved shall not take place outside the following times: a) school use: Monday-Saturday 8.30am-6.30pm. b) Cumberland Lawn Tennis Club use: Monday-Saturday 7am-6.30pm.
8. The 1<sup>st</sup> floor rooms and terrace of the former Hampstead Cricket Club clubhouse in Lymington Road shall only be used by South Hampstead High School for educational and ancillary purposes. The use shall not take place outside the following times: Monday-Saturday 8.30am-11pm, Sunday 8.30am-9.30pm.
9. Notwithstanding the details shown on the plans hereby approved, details of the proposed carpark layout and vehicular entrance on Lymington Road shall be submitted to and approved by the Council before any works commence on site.
10. The whole of the car parking accommodation shown on the drawings shall be provided and retained permanently for the parking of vehicles of the occupiers and users of the remainder of the building. (CH01)
11. The details of the elevations and facing materials to be used on the new pool building and clubhouse extensions and alterations hereby approved shall not be otherwise than as shall have been submitted to and approved by the Council before any work on the site is commenced. (CD01, AMENDED)
12. The development shall be constructed in strict accordance with the drawings hereby approved or drawings that are subsequently approved pursuant to conditions that are attached to this planning permission. (CD13)
13. Notwithstanding the details shown on the plans hereby approved, no development shall take place until full details of hard and soft landscaping and means of enclosure of all unbuilt, open areas have been submitted to and approved by the Council. (CE02, AMENDED)
14. All hard and soft landscaping works shall be carried out to a reasonable standard in accordance with the approved landscape details, prior to the occupation for the permitted use of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the Council gives written consent to any variation. (CE04)

15. All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage to the satisfaction of the Council for a period of at least 12 months following the completion of the development hereby approved, or such longer period as may be required under Sections 198 and 211 of the Town and Country Planning Act 1990. (CE06)
16. Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site, shall be submitted to and approved by the Council as the local planning authority before any works on site are commenced. (CE08)
17. No process shall be carried on or machinery installed which is not such as could be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. (CG02)
18. No music shall be played on the premises in such a way as to be audible within any adjoining premises or on the adjoining highway. (CG04)
19. No sound emanating from the use shall be audible within any adjoining premises between 2300 hrs and 0700 hrs. (CG19)
20. At 1 metre outside the windows of any neighbouring habitable room the level of noise from all plant and machinery shall be at all times at least 5 decibels below the existing background noise levels, expressed in dB(A) at such locations. Where the noise from the plant and machinery is tonal in character the differences in these levels shall be at least 10 dB(A). (CG08)
21. The use of the pool building and clubhouse extension hereby permitted shall not begin until full details of the proposed plant for these buildings, for the ventilation of and the extraction of fumes to an adequate outlet level, including details of sound attenuation for any necessary plant, have been submitted to and approved by the Council and the development shall not be carried out otherwise than in accordance with any approval given. (CG15, AMENDED)
22. Before the use of the pool building commences, details of the proposed method of sound insulation shall be provided for the building in accordance with a scheme to be approved by the Council, to ensure that the use can be accommodated without detriment to the amenity of surrounding premises by reason of noise. (CG03, AMENDED)
23. Before the use of the pool building and clubhouse extension commences, details of the method of waste storage and removal shall be submitted to and approved by the Council and the approved method shall thereafter be maintained. (CG20, AMENDED)

24. Before the use of the pool building and clubhouse extension commences, details of proposed cycle parking facilities shall be submitted to and approved by the Council, and the approved details shall be implemented and retained thereafter.
25. No carparking by any users of the sports facilities and clubhouses on this site shall take place at any time on the sports pitch or the maintenance yard adjoining the clubhouse in Albanley Gardens.

**Reasons for Conditions:**

1. To ensure that the premises do not generate an excessive amount of vehicular traffic in order to ensure compliance with the requirements of policy TR11 of the London Borough of Camden Unitary Development Plan 2000.
2. To ensure that the premises do not generate an excessive amount of vehicular traffic in order to ensure compliance with the requirements of policy TR11 of the London Borough of Camden Unitary Development Plan 2000.
3. To avoid obstruction of the surrounding streets and to safeguard amenities of adjacent premises, in accordance with the requirements of policy TR23 of the London Borough of Camden Unitary Development Plan 2000. (DH03)
- 4-5. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE\* of the London Borough of Camden Unitary Development Plan 2000. (DG01)
6. To ensure that the accommodation is used in accordance with the intentions of the proposed scheme and is not used for unauthorised purposes. (DF04)
- 7-8. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE\* of the London Borough of Camden Unitary Development Plan 2000. (DG01)
9. To ensure that the Council may be satisfied that the layout and operation of the carpark is in accordance with UDP policy TR13 of the London Borough of Camden Unitary Development Plan 2000.
10. To ensure the permanent retention of the accommodation for parking purposes and to ensure that the use of the building does not add to traffic congestion in accordance with the requirements of policy TR11 of the London Borough of Camden Unitary Development Plan 2000. (DH01)
11. To ensure that the Council may be satisfied with the external appearance of the building in accordance with the requirements of policies EN1 and EN16 of the London Borough of Camden Unitary Development Plan 2000. (DD01)
12. To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policies EN1 and EN16 of the London Borough of Camden Unitary Development Plan 2000. (DD04)

13. In order that the Council may give consideration to the details of the proposed development. (DA01)
14. To ensure that the landscaping is carried out within a reasonable period and to maintain a satisfactory standard of visual amenity in the scheme in accordance with the requirements of policies EN17 of the London Borough of Camden Unitary Development Plan 2000. (DE02)
15. To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies EN81 of the London Borough of Camden Unitary Development Plan 2000. (DE03)
16. To ensure that the Council may be satisfied that the development will not have an adverse effect on existing trees and in order to maintain the character and amenities of the area in accordance with the requirements of policies EN81 of the London Borough of Camden Unitary Development Plan 2000. (DE03)
- 17-23. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE\* of the London Borough of Camden Unitary Development Plan 2000. (DG01)
24. To ensure the availability of such facilities in order to ensure compliance with the requirements of policy TR22 of the London Borough of Camden Unitary Development Plan 2000. (DH04)
25. To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy RE\* of the London Borough of Camden Unitary Development Plan 2000. (DG01)

**Informatives:**

1. You are advised that, in relation to condition 3 above, it is anticipated that the proposed Fortune Green Controlled Parking Zone would be operational by July 2001, and that this is subject to the outcome of the formal consultation on the proposed C.P.Z. Traffic Management Order and its subsequent adoption by the Council.
2. You are advised that, in relation to condition 9 above, the proposed carpark layout and relocated entrance, as shown on drawing PL01D hereby approved, is unacceptable in detailed design and that the plans submitted pursuant to this condition should show an alternative design.
3. The Council's Streets Management Engineering Group should be consulted regarding the construction of the crossover on the public highway and any other work to, under, or over, the public highway, including vaults and thresholds. The Group dealing with these matters is located at Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020-7278 4444). (IA01)
4. In good time, prior to the start of construction (or if appropriate, demolition) on site, the contractor shall discuss and agree with the Council's Streets Management Traffic Management Section (tel: 020-7974

5629) detailed arrangements for the transportation of goods and materials to and from the site. The Council will prosecute those responsible for any breaches of the provisions of the Highways and Litter Acts which occur as a result of construction on the site. (IA02)

5. Your attention is drawn to the requirements of Sections 7 and 8 of the Chronically Sick and Disabled Persons Act 1970 (in respect of educational buildings) which requires that appropriate provision shall be made for access to the building for people with disabilities and that signs shall be displayed outside the building indicating that provision is made and, within the building, the location of the provision, together with appropriate routes. Guidance is provided in Design Note 18 "Access for the Physically Disabled to Educational Buildings" published on behalf of the Secretary of State. (IB02)
6. In addition to the statutory requirements to provide access and facilities for people with disabilities, your attention is drawn to the need to provide access and facilities within the development for small children and those caring for them. Standards and guidelines on this subject are included in the Council's Environmental Code. (IB08)
7. Your attention is drawn to the need to consult the Council's Environment & Consumer Protection Service, Waste Management Team, Town Hall, Argyle Street entrance, Euston Road, WC1H 8EQ, (tel: 020-7278 4444) regarding arrangements for the disposal of refuse. (IE02)
8. Your attention is drawn to the need for compliance with the requirements of the Council's Environment and Consumer Protection Service Pollution Team, Camden Town Hall, Argyle Street, WC1H 8EQ, (tel: 020-7278 4444) particularly in respect of arrangements for ventilation and the extraction of cooking fumes and smells. (IE03)
9. Works of construction and ancillary activity should not take place other than between the hours of 08.00am to 18.00pm on Monday to Friday and 08.00am to 13.00pm on Saturday, with no working on Sunday or Bank Holidays, in order to comply with locally enforced standards. (IE04)
10. The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The Regulations require clients (i.e. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive Infoline (tel.0514 545500). (IH09)
11. Your attention is drawn to the fact that there is separate legal agreement with the Council which relates to the development for which this permission is granted. (IH06)

**b) PW9902598R2 (Phase 1 pool)**

**Subject to GOL authorisation;**

**Grant planning permission, subject to a legal agreement covering the issues summarised in para 7.6 above and subject to the following:**

**Conditions and Reasons:**

1-25, as above

**Informatives:**

1-11, as above.

**c) PW9902994 (covered courts)-**

---

**Refuse planning permission**

**Reason for Refusal:**

1. It is considered that the structures, by virtue of their bulk, height, size and location, would be detrimental to the character of the open sports ground, the street and surrounding area, and would constitute unacceptable development on private open space. As such, it fails to comply with policies EN68, 71, 72, 16 and 19 of the London Borough of Camden Unitary Development Plan 2000.

---

