

DARLINGTON BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE

COMMITTEE DATE: 2nd March 2016

APPLICATION REF. NO: 15/01095/FUL

STATUTORY DECISION DATE: 16 March 2016

WARD/PARISH: HEIGHINGTON AND CONISCLIFFE

LOCATION: Westfield Tennis Club, Mill Lane, High Coniscliffe

DESCRIPTION: Demolition of existing tennis club pavilion and erection of a replacement building (additional information and amended plans received 14 January 2016)

APPLICANT: Mr Mike Sowerby

APPLICATION AND SITE DESCRIPTION

The tennis club consists of three tennis courts enclosed by weldmesh fencing and a single storey timber and single brick clubhouse located on the eastern edge of High Coniscliffe village. The site is enclosed by mature hedging and has open fields to the north, east and south. There is a row of terraced dwellings on Mill Lane and a row of bungalows alongside the Spotted Dog Public House on the A67 to the west of the site with the remainder of the village beyond. There is no parking area within the application site and pedestrian access is via a gap in the existing hedge off Mill Lane. Public Bridleway No1 (High Coniscliffe) runs along Mill Lane. The site lies within the High Coniscliffe Conservation Area.

The existing clubhouse is a single storey building and consists of a club room, kitchen and WC. There is a covered veranda at the front under the asphalt roof and the building has no heating. The building is located on the west boundary of the site and measures approximately 5.6m long; 4.9m wide (including the veranda) with an overall height of 3.2m under a dual pitch roof.

The Tennis Club has recently received funding from Sport England/National Lottery to refurbish the facilities and this proposal involves the demolition of the existing clubhouse and the erection of a replacement building.

The new building would comprise a club room, kitchen, disabled WC and two changing rooms. There would also be a covered walkway to the front to provide a level access for disabled persons and a small external store on the north facing elevation. The main building would measure approximately 10m long; 5.2m wide (including covered walkway) with an overall height of 3.8m under a hipped and pitched style roof. The attached store would measure approximately 1.5m long; 2.1m wide with an overall height of 3.2m. The building would be

constructed from brown facing brickwork and render and brown Sandtoft double pantiles. The proposal also includes a new block paved areas and relocation of existing fencing within the site.

Following discussions with Northumbrian Water, the clubhouse has been repositioned 4m further south within the application site to ensure it is not built over a public sewer.

PLANNING HISTORY

The most recent planning entries are:

98/00614/FUL In December 1998 planning permission was GRANTED for the erection of a replacement pavilion and extension of amenity area

99/00388/FUL In August 1999 planning permission was GRANTED the erection of new tennis court and erection of boundary fence

PLANNING POLICY BACKGROUND

The relevant national and local development plan policies are:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

E2 Development Limits

E4 New Buildings in the Countryside

Darlington Core Strategy Development Plan Document 2011

CS1 Darlington's Sub-Regional Role and Locational Strategy

CS2 Achieving High Quality, Sustainable Design

CS16 Protecting Environmental Resources, Human Health and Safety

CS18 Promoting Quality, Accessible Sport and Recreation Facilities

RESULTS OF CONSULTATION AND PUBLICITY

Following the submission of the original application, four letters of objection have been received and the comments can be summarised as follows:

- *With reference to a larger building at Westfield Tennis Club High Coniscliffe we already have problems with cars and parking I oppose it.*
- *I am concerned on the impact of more members joining the club therefore more traffic, the members of the Club do not abide by the Tennis Club rules asking them not to park on Mill Lane now without more cars coming. We have children playing on Mill Lane is this an accident waiting to happen.*
- *The proposed building is considerably larger than the original footprint both in length and height. The proposed new structure would take the building out of the original build line of the village, which would set a dangerous precedent for future applications and an argument to appeal recent decisions. Even though this is a non residential application the precedent would be set for further applications submitted. The proposal to include a club room and changing rooms would only cause increase to noise pollution and increased usage of the facility impacting on the quality, privacy, peace and tranquillity the position of my property offers. The inevitable increase of such facilities would also impact on visitors vehicles causing extreme safety issues for members and residents on a very limited access lane of which all visitors would have to use to access any parking in spotted dog car park as there are*

no other parking facilities. Aesthetically the view from my property would have a great impact due to change of construction material, height and size of building and would greatly affect my property value. Where I fully support amenities within the village community I do feel that any such development should be in keeping with the original character of the village, both within building materials and size which I feel have been totally disregarded in proposed application. The proposed development I feel is more suitable for a modern environment area, with increased access and adequate increased safe parking facilities none of which are available at this development site.

- I have no objections to the building of the clubhouse to the replace the old one. I have concerns about parking with their plans to expand membership and to invite colleges and schools to use the club. There is no agreed parking with the local hotel to use their car park and with schools and colleges comes coaches. Their aim to expand is in the Northern Echo*

One of the objectors withdrew their comments stating:

- Having reconsidered the plans I would like to remove my objection*

Following the submission of the amended plans and additional information, three further comments have been received from two households:

- I oppose these plans as the person who has applied for this has stated he is to take the hedging down to the front of our properties and put up conifers, this would stop the natural light to our properties, the club members do not abide by the club rules which states no playing of tennis on a Sunday during Church hours, they are there before 9am, the road leading into Mill Lane is far too narrow for coaches etc., also we have problems now with the members parking outside our properties and the abuse we have to listen to when we ask them to move their cars.*
- We still oppose this planning, it still does not get away from the traffic problems, as the Northern Echo pointed out there will be mini buses and coaches coming the entrance to Mill Lane is far too narrow, the Club does not have its own car park its members use outside our properties, on numerous occasions I have had verbal abuse from members when I have asked them to move their cars so I can get parked. We bought this property for its peaceful location not to have to live in a car park*
- My priorities are two fold, public safety (residents and club members) and the impact on residents quality of life .The proposed building is more than double the current building, why is this necessary if this is simply a replacement of an aged building (surely like for like would be more appropriate), unless the sport England application has included promises of increased availability/increased use by groups within Darlington and outlying areas. The proposed new positioning of the building provides less initial congregating area and subsequently members and those that attend with them could well end up spending more time stood socialising / waiting on single track lane known as Mill Lane, causing more disruption to residents of Mill Lane and increased risks to themselves on a public highway.*
- Current status is the majority of members use the Spotted Dog private car park which has always been at the discretion of the licensee, this facility could be withdrawn at any time by the current or any future licensee, however some current members ignore the extremely limited parking for residents in Mill Lane, leaving their cars outside of their homes and often immediately to the side of the junction parallel with bungalows, which is extremely dangerous to all road users.*

- *If at anytime the parking facility at The Spotted Dog is removed there is nothing at all in the submitted plans to deal with the congestion caused by members parking not only in Mill Lane but within the village. This is a serious risk to public safety.*
- *The decision to double the size of the building suggests a potential drive to increase membership and therefore the risks of public safety are increased in line with any increase of membership.*
- *Aesthetically the proposed submission is again not in keeping with the village, to go from the current timber structure to brick, tile and UPVC fully in view of the Mill Lane dwellings is an unfair and inconsiderate choice spoiling the view from those dwellings, particularly due to the size of the building and the current view being of a much smaller timber and felt roofed construction.*
- *The possibility of increased use of the premises due to the new larger facilities will without question impact on the noise pollution which has a negative impact on the quality of life for the residents (as previously stated on occasion includes foul and abusive language, the general noise from the conversations across the courts and spectators which can be heard well into the evening).*
- *While I have been contacted by a club representative to allay my previous objections the individual would not disclose the intentions of the club, neither would they disclose what current percentage of the membership were actually resident in the village and what percentage travelled by vehicle to the club.*
- *I fully support village community facilities and amenities, however not when it is to the detriment of quality of life to residents and increased risk to road users, residents and members of the club, unless these issues can be addressed the application should be refused, there are numerous facilities within Darlington where there is no risk to public safety and no inconvenience to surrounding residents which provide the same facilities to all.*

Consultee Responses

The Council's Contaminated Land Officer has no objections but advised that the applicant commission an asbestos survey prior to the removal of the existing building.

The Council's Environmental Health Officer has no objections to the proposal following confirmation that there would be no external plant or machinery associated with the new building

The Council's Countryside Access Officer has confirmed that Mill Lane is a Public Right of Way. Access to and along the public bridleway must be maintained at all times and any vehicles servicing and delivering to the site must be parked and offloaded within the confines of the development site. The route is used by horse riders and their safety must be maintained at all times

The Council's Highways Engineer has raised no objections.

High Coniscliffe Parish Council has recommended that the application be approved subject to the hedge being extended to the north to hide the building. The Parish Council reiterated the comment following a further consultation on the amended plans.

Northumbrian Water informed the Council that a public sewer crosses the site and it may be affected by the proposed development. Following the submission of the amended plans NWL commented that they have worked with the applicant to ensure the protection of the surface

water sewer that runs in close proximity to the proposed development. NWL has located the sewer and provided that information to the applicant and the proposed development has been moved so the surface water sewer will no longer be built over. NWL has confirmed they have no objections to the proposal.

PLANNING ISSUES

The main issues to be considered here are whether or not the proposal is acceptable in the following terms:

- Planning Policy
- Impact upon the Appearance and Character of the Surrounding Area and the Significance of the High Coniscliffe Conservation Area
- Residential Amenity
- Highway Safety and Parking
- Impact upon Public Right of Way

Planning Policy

The existing tennis courts lie on the edge but outside of the development limits for High Coniscliffe as defined by the Proposals Map of the Borough of Darlington Local 1997. Policy E2 of the Local Plan states that small scale development beneficial to the needs of the rural communities and developments for countryside related sports or recreation activities will be permitted outside limits to development provided that there is no unacceptable harm to the character and appearance of the rural area. Policy CS1 of the Darlington Core Strategy Development Plan 2011 states that outside the limits to development of the main urban area and the villages, development will be limited to that required to meet identified rural needs. This is an existing sports facility within the countryside and therefore the use of the site for sporting purposes has been established.

Policy E4 of the Local Plan states that any new buildings in the open countryside should wherever possible be visually related to existing buildings.

Policy CS18 of the Core Strategy states that Darlington's sport and recreation facilities will be protected and where appropriate, enhanced to provide a range of quality, accessible and safe facilities to meet the needs of the community.

Policy CS2 of the Core Strategy is an overarching policy seeking to secure sustainable, well designed development.

Government guidance on conservation areas is contained within the National Planning Policy Framework 2012 and CS14 of the Core Strategy is the relevant local development plan policy.

Impact upon the Appearance and Character of the Surrounding area and the Significance of the High Coniscliffe Conservation Area

The site is within the boundary of the High Coniscliffe Conservation Area which also includes the field to the east which surrounds the tennis club and Ulnaby Beck. High Coniscliffe Conservation Area is designated for its rural, roadside village qualities, set high above the River Tees. The village green, church, rectory and a few other houses lie somewhat isolated on the south side, in a wedge of land between the road and the river. On the north side there is an almost continuous row of houses of all periods from the early eighteenth century to the present, most of which still benefit from long back gardens. The site has a terrace of 1960s residential

properties to the west and is located on Mill Lane, which is single track rural lane, leading to The Mill House, which is a listed building.

The site is bordered by a mature hedgerow along Mill Lane and hedgerows enclose the entire field. The site and existing club house are highly visible from the A67 when approaching the village from the east. The existing hedge on the west boundary with Mill Lane would be retained and extended to provide a visual barrier from this western viewpoint. The scale, design and proposed materials are sympathetic to the site and surroundings and it is considered acceptable in general design terms and also would not impact on the character of the wider Conservation Area.

The re-development of the site would remove a temporary, timber clad, slightly run down building, and replace it with a permanent, functional and fit for purpose, low scale pavilion. The use of the site as a tennis club is already established and what is proposed would both enhance the existing facility and the appearance of the site in general. The use of porous block paving and the retention, and addition to, the existing mature hedgerows which surround the site, and characterise its semi-rural setting, at the edge of the village are acceptable. Disabled access to the building would be greatly improved.

The proposal would accord with the requirements of the National Planning Policy Framework and the relevant local development plan policies of the Core Strategy.

Residential Amenity

The Tennis Club currently has 110 members has averaged approximately 100 members over the past 10 years but only approximately 40 of those members are regular players. The operating times for the Club are currently ad-hoc depending on the weather and therefore there are days when the courts are not used at all. There are no planning conditions that restrict the hours of operation.

There is a concern from the objectors that the number of members and patrons of the Club will increase and the Club will more widely advertise the site as a result of the improved facilities which was indicated in a recent article in the local press.

In response to this concern, The Club does not expect the existing membership to increase beyond its existing numbers due it is limited catchment area and the tennis club in Blackwell serves Darlington. The Club has also stated that High Coniscliffe School have shown an interest in the courts but they would be expected to walk the short distance to the site and it is not anticipated that any other school will begin to use the site. For example, Hummersknott School, which is the closest school has its own tennis courts. The intention of the proposed works is to ensure the members of the Club have a clubroom which is fit for purpose.

The proposal does not include the installation of any noise emitting external plant or machinery that may impact upon the amenities of the neighbouring dwellings. There is one small high level kitchen window in the west facing elevation which is a reduction in the number of openings in the same elevation in the existing building.

The new clubhouse will be longer and higher than the existing building. It would be slightly higher in order to achieve the minimum permissible roof pitch for concrete roof tiles. The need to include changing facilities and a female and male WC was a prerequisite of the funding submission to Sport England and this has resulted in an increased footprint for the building.

Despite the increase in size of the proposed building it will not be domineering or dominant when viewed from the dwellings on the opposite side of Mill Lane and the existing hedge will be retained and extended to screen the building. A planning condition would be imposed to secure appropriate hedge species and to ensure any planting is carried out within an agreed timescale.

It is considered that the proposed development would not have a significant impact upon the amenities of the existing neighbouring dwellings.

Highway Safety and Parking

The Club has provided advice on the current number of members, the approximate numbers of those that use the courts on a regular basis and that they do not expect the membership to grow beyond existing levels. The Club could increase its existing membership with the current facilities and the Council would have no controls over any such increases.

The site does not include any off street parking spaces and the Club has had an arrangement for approximately the last 40 years with the landlords of the Spotted Dog Public House which allows members to use their car park provided that they park their cars on the outer edges of the car park. The car park to the rear of the Public House can be accessed off both the A67 and Mill Lane. The Club do not expect that this arrangement will change in the future and there is no evidence to suggest otherwise.

The Club has advised that members are reminded to not park on Mill Lane itself and they must use the Spotted Dog car park although comments from the local residents indicate that this does not occur and furthermore the existing parking arrangements cause problems for the neighbouring dwellings. Officers acknowledge the comments from the local residents on the existing parking problems but these are considered to be matters that the Club needs to monitor and resolve with their members.

Based on the information that has been submitted, the “status quo” is being maintained and this proposal will not be introducing anything that will make the parking situation worse than the current existing permission for the tennis club and therefore no highway objections have been raised.

Impact Upon Public Right of Way

A planning condition to secure the submission of a Construction Management Plan would be imposed to ensure the Public Right of Way is not adversely affected during the construction phase of the development.

Other Matters

One of the concerns that have been raised relates to the potential impact of the development on the value of the neighbouring dwellings. However, Members are advised that this is not a material planning consideration and the planning application cannot be refused on such grounds.

SECTION 17 OF THE CRIME AND DISORDER ACT 1998

The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area. It is not considered that the contents of this report have any such effect.

CONCLUSION

The principle of improving the facilities within the existing sports facility is acceptable in general planning policy terms. The proposed development would not have an adverse impact on the character or appearance of the locality and it would not harm the significance of the High Coniscliffe Conservation Area.

Officers are being advised by the club that the proposal is to enhance the facilities for the existing members and that an increase in members is not expected as a result of the development for the reasons outlined in the Report. There is currently an agreement between the Club and Spotted Dog Public House which permits members to use the car park of the public house and this has been the case for approximately 40 years and there is no evidence which indicates that this agreement will not continue. There are comments from local residents that despite this agreement, cars park indiscriminately on Mill Lane and there are concerns that this parking agreement may end in the future. This could obviously happen at any time, regardless of whether this planning application is approved or refused.

It is acknowledged that there appears to be existing problems over the management of the parking arrangements but Officers consider that this is a matter that the Club need to seek and continue to resolve with local residents and their Members.

Officers consider that based on the information that has been provided the proposal will not increase the membership of the club nor increase the need for additional parking, whilst acknowledging the existing problems that the residents are experiencing. It is on this basis, the planning application is being recommended for approval.

RECOMMENDATION

PLANNING PERMISSION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. A3 Implementation Limit (Three Years)
2. Prior to the commencement of the development precise details of the additional hedge planting shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the details of the species and the timescale for the implementation and the development shall not be carried out otherwise than in complete accordance with the approved details
REASON: In the interests of the visual appearance of the street scene and residential amenity
3. Prior to the commencement of the development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details relating to the hours of construction and deliveries, areas designated for the storage of materials, the access and parking arrangements for construction traffic. The development shall not be carried out otherwise than in complete accordance with the approved Plan
REASON: In the interests of highway safety and to ensure that the Public Right of Way is not obstructed during the construction phase of the development.
4. B5 Detailed Drawings (Accordance with Plan)

THE FOLLOWING POLICIES AND DOCUMENTS WERE TAKEN INTO ACCOUNT WHEN ARRIVING AT THIS DECISION:

National Planning Policy Framework 2012

Borough of Darlington Local Plan 1997

E2 Development Limits

E4 New Buildings in the Countryside

Darlington Core Strategy Development Plan Document 2011

CS1 Darlington's Sub-Regional Role and Locational Strategy

CS2 Achieving High Quality, Sustainable Design

CS16 Protecting Environmental Resources, Human Health and Safety

CS18 Promoting Quality, Accessible Sport and Recreation Facilities

INFORMATIVE TO BE INCLUDED SHOULD PLANNING PERMISSION BE GRANTED

Environmental Health

Due to the age of the existing building, the applicant is advised to commission an asbestos survey prior to the demolition works and any asbestos found should be removed in the appropriate manner