

London Borough Of Hammersmith & Fulham

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## Planning Applications Committee

### Agenda for 2nd July 2019

Index of Applications, Enforcement Actions, Advertisements etc.

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**WARD:**

**SITE ADDRESS:**

**PAGE:**

**REG NO:**

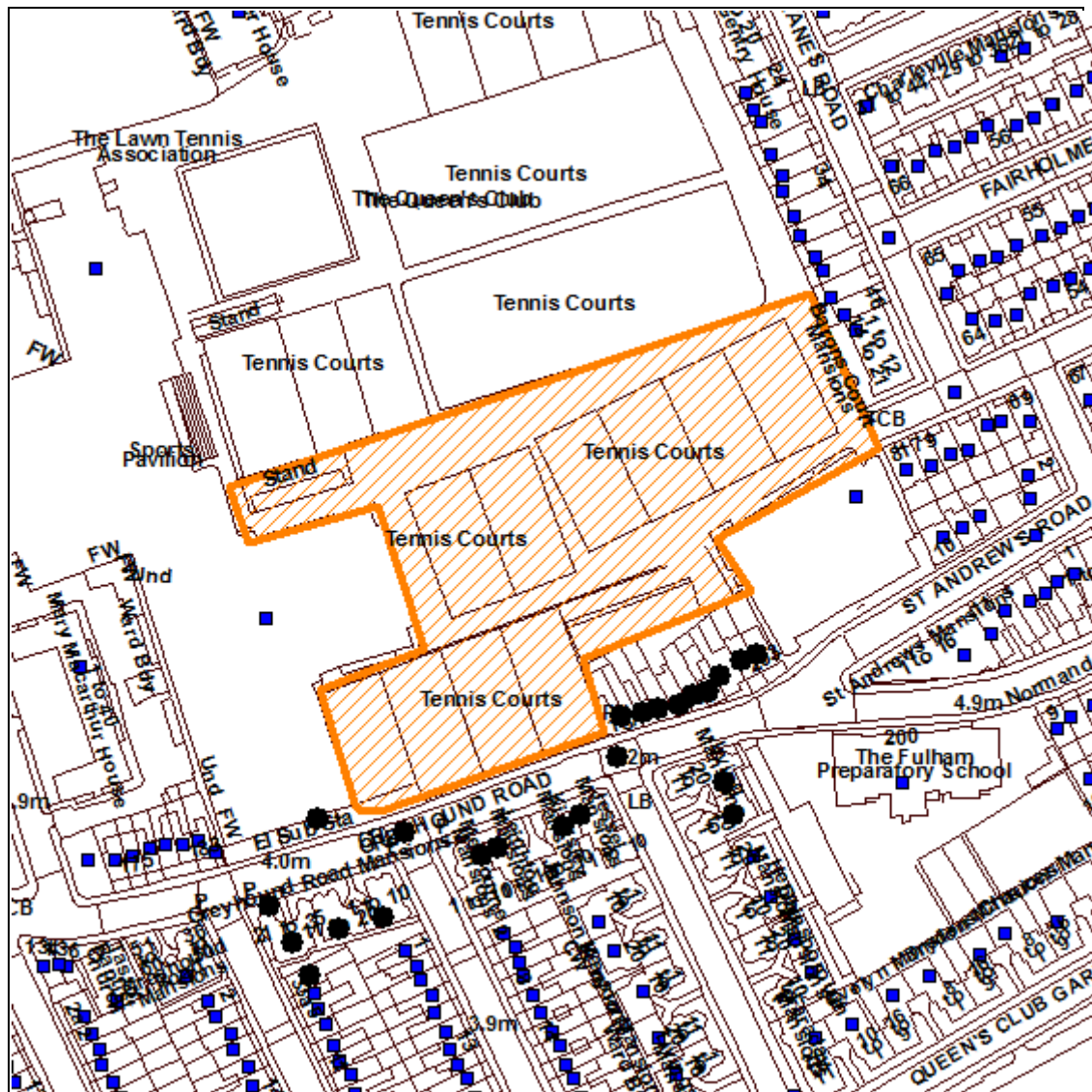
North End  
2018/03263/FUL

The Queens Club Palliser Road London W14  
9EQ

**Ward:** North End

**Site Address:**

The Queens Club Palliser Road London W14 9EQ



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**For identification purposes only - do not scale.**

**Reg. No:**

2018/03263/FUL

**Case Officer:**

Marina Lai

**Date Valid:**

04.10.2018

**Conservation Area:**

Constraint Name: Queen's Club Gardens  
Conservation Area - Number 11

**Committee Date:**

02.07.2019

**Applicant:**

The Queen's Club Ltd  
C/o Agent

**Description:**

Demolition of existing South Stand and red brick boundary wall along Greyhound Road, and erection of new replacement boundary wall with an additional access point and associated tree planting; lowering of ground level of existing outdoor courts (P3-P5) and alterations to existing outdoor courts (S1-S6) and associated existing temporary tennis enclosure to the south west of the site, in connection with the creation of an additional tennis court and reconfigurations of existing car park ; erection of a plant room to the side of indoor courts building and erection of a temporary tennis enclosure over two existing outdoor tennis courts during the winter months October to March

Drg Nos: Site Location Plan; 513-PE-00-00-DR-A-0204 Rev.P01;415 103 Rev.A; 105 Rev.C; 106 Rev.C; 107 Rev.A; 109 Rev.A;203 Rev.B; 204 Rev.B; 205; 208; 301 Rev.A; 302;

**Application Type:**

Full Detailed Planning Application

**Officer Recommendation:**

That the Committee resolve that the Strategic Director, Growth and Place be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to the condition(s) listed below

To authorise the Strategic Director, Growth and Place, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1) (a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development shall be carried out and completed in accordance with the following approved drawings:

513-PE-00-00-DR-A-0204 Rev.P01; 415 103 Rev.A; 415 105 Rev.C; 415 106 Rev.C; 415 107 Rev.A; 415 109 Rev.A; 415 203 Rev.B; 415 204 Rev.B; 415 205; 415 208; 415 301 Rev.A; 415 302;

In order to ensure full compliance with the planning application hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing building (including works of making good) shall be carried out in the same materials as the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 4) No demolition or construction works shall commence prior to the submission and approval in writing by the Council of a construction logistics plan which shall include details of the steps to be taken to re-use and recycle waste, details of site enclosure throughout construction and details of the measures proposed to minimise the impact of the construction processes on the existing amenities of the occupiers of neighbouring properties, including monitoring and control measures for dust, noise, vibration, lighting and working hours, waste classification and secure off-street loading and drop off facilities, and the measures proposed to prevent the passage of mud and dirt onto the highway by vehicles entering and leaving the site in connection with the demolition and construction processes. All construction works shall be carried out in accordance with the approved details.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, in accordance with Policies 6.11 and 6.12 of the London Plan and T1, T6 and T7 of the Local Plan 2018.

- 5) The demolition of Greyhound Road boundary wall hereby permitted shall not commence until a scheme for temporary fencing and/or enclosure of the site where necessary has been submitted to and approved in writing by the Council, and such enclosure has been erected in accordance with the approved details and retained for the duration of the building works. No part of the temporary fencing and/or enclosure of the site shall be used for the display of advertisement hoardings.

To ensure that appropriate steps are taken to limit the impact of the proposed construction works on the operation of the public highway, and to ensure that the site remains in a tidy condition during and after demolition works and during the construction phase, in accordance with Policies 6.11 and 6.12 of the London Plan and T1, T6 and T7 of the Local Plan 2018.

- 6) The demolition of Greyhound Road boundary wall hereby permitted shall not commence prior to the submission and approval in writing by the Council of details and samples of all materials to be used on the external faces of the boundary wall, including the new gate, and no part of the development shall be used prior to the completion of that part of the development in accordance with the approved details.

The proposed new plant enclosure hereby approved shall be constructed in bricks, to match the existing facing brickwork of the indoor tennis courts building in terms of colour range, texture and pointing style and mortar mix.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 7) The demolition of Greyhound Road boundary wall hereby permitted shall not commence prior to the submission and approval in writing by the Council of details in plan, section and elevation (at a scale of not less than 1:20) of the proposed boundary wall, and no part of the development shall be used or occupied prior to the completion of that part of the development in accordance with the approved details.

To ensure a satisfactory external appearance and prevent harm to the street scene, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 8) Prior to the commencement of the proposed works on the Club's grounds hereby permitted, a revised drainage strategy shall be submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.

To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policy CC3 and CC4 of the Local Plan (2018)

- 9) No tannoys or public address systems shall be used in connection with the air dome hereby approved unless details have been submitted to and approved in writing by the Council. Approved details shall be implemented as agreed and thereafter be permanently retained.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 10) The air-dome enclosure hereby approved shall only be used between 07:30 hours and 21:30 hours Mondays to Sundays.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policies DC1, CC11 and CC13 of the Local Plan (2018).

- 11) The proposed works on the Club's grounds shall not commence prior to the submission and approval in writing by the Council of full details of the proposed landscaping of the site, including planting schedules and details of the species, height and maturity of the new trees. The approved scheme shall be implemented in the next winter planting season following completion of the building works, or before the occupation and use of any part of the air hall, whichever is the earlier.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policies DC1, DC4, DC8 and OS5 of the Local Plan 2018.

- 12) Any tree or shrub planted pursuant to condition 11 being removed or severely damaged, dying or becoming seriously diseased within 5 years of planting shall be replaced with a tree or shrub of similar size and species to that originally required to be planted.

To ensure a satisfactory external appearance and to prevent harm to the streetscene, in accordance with Policies DC1, DC4, DC8 and OS5 of the Local Plan 2018.

- 13) The demolition of Greyhound Road boundary wall hereby permitted shall not commence prior to the submission and approval in writing by the Council of details of the location of the existing religious plaque. The plaque shall be located in a position where it can be readily viewed by the public. No part of the development shall be used or occupied prior to the installation of the plaque in accordance with the approved details, and the plaque shall thereafter be retained.

In order to ensure that the historic identity of the site is commemorated as a point of reference for the future, in accordance with Policies DC1, DC4 and DC8 of the Local Plan (2018).

- 14) The erection of the air-dome enclosure hereby permitted shall not commence prior to the submission and approval in writing by the Council of details of the opaque membrane to be used on the air hall hereby approved. The air hall shall be erected in accordance with the approved details.

To ensure a satisfactory external appearance, and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policy CC12 and CC13 of the Local Plan (2018).

- 15) The external sound level emitted from plant, machinery or equipment at the development hereby approved shall be lower than the lowest existing background sound level by at least 10dBA in order to prevent any adverse impact. The assessment shall be made in accordance with BS4142:2014 at the nearest and/or most affected noise sensitive premises, with all machinery operating together at maximum capacity.

To ensure that the amenity of occupiers of the development site/ surrounding premises is not adversely affected by noise from mechanical installations/ equipment, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 16) No new floodlights or security lights shall be installed or used at the development hereby approved unless details have first been submitted to and approved in writing by the Council.

To ensure a satisfactory external appearance, and to ensure that the amenity of occupiers of surrounding premises is not adversely affected by lighting, in accordance with Policies CC12 and CC13 of the Local Plan (2018).

- 17) Neither music nor amplified voices emitted from the development hereby approved shall have an audible adverse impact to any residential/ noise sensitive premises.

To ensure that the amenity of occupiers of the development site is not adversely affected by noise, in accordance with Policies CC11 and CC13 of the Local Plan (2018).

- 18) The development hereby approved shall be carried out in accordance with the sustainability measures outlined in the Design and Access Statement, dated 20.09.2018.

To ensure that sustainable design and construction techniques are implemented, in accordance with Policies CC1 and CC2.

- 19) Prior to the commencement of each of the demolition and construction phases of the development hereby permitted, an Air Quality Dust Management Plan (AQDMP) in order to mitigate air pollution shall be submitted to and approved in writing by the Local Planning Authority. The AQDMP must include an Air Quality Dust Risk Assessment (AQDRA) that considers sensitive receptors off-site of the development and is undertaken in compliance with the methodology contained within Chapter 4 of the Mayor of London 'The Control of Dust and Emissions during Construction and Demolition', SPG, July 2014 and the identified measures recommended for inclusion into the AQDMP. The AQDMP submitted must comply with the Mayor's SPG and should include: Inventory and Timetable of dust generating activities during demolition and construction; Site Specific Dust mitigation and Emission control measures in the table format as contained within Appendix 7 of Mayor's SPG including for on-road and off-road construction traffic; Detailed list of Non-Road Mobile Machinery (NRMM) used on the site. The NRMM should meet as minimum the Stage IV emission criteria of Directive 97/68/EC and its subsequent amendments. This will apply to both variable and constant speed engines for both NO<sub>x</sub> and PM. An inventory of all NRMM must be registered on the NRMM register <https://nrmm.london/user-nrmm/register>; Ultra Low Emission Vehicle Strategy (ULEVS) for the use of on-road Ultra Low Emission Vehicles in accordance with the emission hierarchy (1) Electric (2) Hybrid (Electric-Petrol) (3) Petrol, (4) Hybrid (Electric-Diesel) (5) Diesel (Euro 6 & Euro VI HGV); Details of Air quality monitoring of PM<sub>10</sub> where appropriate and used to prevent levels exceeding predetermined Air Quality threshold trigger levels. Developers must ensure that on-site contractors follow best practicable means to minimise dust and emissions at all times. Approved details shall be fully implemented and permanently retained and maintained during the demolition and construction phases of the development.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by poor air quality, in accordance with Policies CC10 and CC13 of the Local Plan (2018).

- 20) Prior to occupation of the development a report with details of the combustion plant in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the council. The report shall include the following:
- a) Details to demonstrate that the termination height of the shared Flue stack for the combustion plant has been installed a minimum of 2 metres above any openable window and/or roof level amenity area of the tallest part of the building in the development
  - b) Details of emissions certificates, and the results of NO<sub>x</sub> emissions testing of each Ultra Low NO<sub>x</sub> gas boiler and Emergency Diesel Generator Plant to demonstrate that all the Ultra Low NO<sub>x</sub> Gas fired boilers, Emergency Diesel Generator Plant and associated abatement technologies shall meet a minimum

dry NO<sub>x</sub> emissions standard of 30 mg/kWh (at 0% O<sub>2</sub>) and 95 mg/Nm<sup>3</sup> (at 5% O<sub>2</sub>) respectively by an accredited laboratory shall be provided following installation and thereafter on an annual basis to verify compliance of the relevant emissions standards in part b). Where any combustion plant does not meet the relevant emissions Standards in part b) it should not be operated without the fitting of suitable secondary NO<sub>x</sub> abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

c) Details to demonstrate where secondary abatement is used for the Emergency Diesel Generator the relevant emissions standard in part b) is met within 5 minutes of the generator commencing operation. During the operation of the emergency Diesel generators there must be no persistent visible emission. The maintenance and cleaning of the systems shall be undertaken regularly in accordance with manufacturer specifications. The diesel fuelled generators shall only be used for a maximum of 48 hours when there is a sustained interruption in the mains power supply to the site, and the testing of these diesel generators shall not exceed a maximum of 12 hours per calendar year.

Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by poor air quality, in accordance with Policies CC10 and CC13 of the Local Plan (2018).

- 21) Prior to occupation of the development hereby permitted a Low Emission Strategy for the operational phase in order to mitigate the impact of air pollution shall be submitted to and approved in writing by the Council. The Low Emission Strategy must detail the remedial action and mitigation measures that will be implemented to protect receptors (e.g. abatement technology for energy plant, design solutions). This Strategy must make a commitment to implement the mitigation measures (including NO<sub>x</sub> emissions standards for the chosen energy plant) that are required to reduce the exposure of poor air quality and to help mitigate the development's air pollution impacts, in particular the emissions of NO<sub>x</sub> and particulates from on-road vehicle transport via a Ultra Low Emission Vehicle Plan (ULEVP) e.g. the use of Ultra Low Emission Vehicles in accordance with the emissions hierarchy (1) Cargo bike (2) Electric Vehicle, (3) Hybrid (non-plug in) Electric Vehicle (HEV), (4) Plug-in Hybrid Electric Vehicle (PHEV), (5) Alternative Fuel e.g. CNG, LPG, (6) Petrol (7) Diesel (Euro 6 & Euro VI) and energy generation sources. Approved details shall be fully implemented prior to the occupation/use of the development and thereafter permanently retained and maintained.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by poor air quality, in accordance with Policies CC10 and CC13 of the Local Plan (2018).



## **Justification for Approving the Application:**

- 1) 1. Land Use: It is considered that the proposal would be acceptable in land use terms, as it would provide improved sports and recreation facilities for the Club without resulting in a harmful loss of the designated open space. It is therefore considered that the proposal complies with Policies CF1, CF2 and CF3 of the Local Plan (2018).
2. Heritage & Design: It is considered that the proposed air hall structure, associated plant room and boundary wall would be appropriate in scale, height, mass, proposed materials and design. Furthermore, it is considered that the proposal would be of an acceptable visual appearance and it would not harm the architectural or historic significance of the neighbouring buildings of merit. The proposal would preserve and enhance the character and appearance of the conservation area. The development would therefore be acceptable in accordance with the NPPF (2012), London Plan Policy 7.1, 7.2, 7.4, 7.5 and 7.6 (2011), Local Plan DC1, DC2, DC4 and DC8.
3. Residential Amenity: The impact of the proposed development upon neighbouring occupiers is considered acceptable. Due to the relationship of the proposed air hall structure to residential neighbours and its position, height and bulk, it is considered that the proposal would not materially affect the outlook from, and light to, neighbouring properties. Measures would be secured by condition to minimise noise and disturbance to nearby occupiers from the operation and use of the proposed structure. In this regard, the development would respect the principles of good neighbourliness, and thereby satisfy Policies DC1, DC2 and H11 of the Local Plan (2018).
4. Highways matters: There would be no adverse impact on traffic generation and the scheme would not result in congestion of the primary road network. The proposal is thereby in accordance with NPPF (2012), London Plan Policy 6.1, 6.3, 6.9, 6.10, 6.11 and 6.13 (2011), Core Strategy Policy T1 (2011), Policy DM J1, J2, J3 and J5 the Development Management Local Plan (2013), and SPD Transport Policy 1, 2, 3 and 12 of the Planning Guidance SPD (2013).
5. Flood Risk: A Flood Risk Assessment (FRA) has been submitted and has considered risks of flooding to the site and adequate preventative measures have been identified. In this respect the proposal is therefore in accordance with the NPPF (2012), London Plan Policies 5.11, 5.12, 5.13, 5.14 and 5.15, and Local Plan Policies CC1, CC3 and CC4.
7. Land Contamination: An informative will ensure that the site would be remediated, if necessary, to an appropriate level for the sensitive open space uses, in accordance with Policies CC1, CC9 and CC13 of the Local Plan (2018).
8. Planning Obligations: The application proposes that its impacts are mitigated by way of a financial contribution to improve tennis provision / opportunities in the borough that is considered necessary as a consequence of the development. The proposed development would therefore mitigate external impacts and would accord with London Plan Policy 8.2.

9. Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

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**LOCAL GOVERNMENT ACT 2000  
LIST OF BACKGROUND PAPERS**

**All Background Papers held by Andrew Marshall (Ext: 4841):**

Application form received: 3rd October 2018  
Drawing Nos: see above

**Policy documents:** National Planning Policy Framework (NPPF) 2019  
The London Plan 2016  
LBHF - Local Plan 2018  
LBHF – Planning Guidance Supplementary Planning Document  
2018

**Consultation Comments:**

**Comments from:**

**Dated:**

**Neighbour Comments:**

**Letters from:**

**Dated:**

5 Melbourne Mansions Queens Club Gardens London W149SF	18.03.19
NAG	19.03.19
Flat 3, Leighton Mansions Greyhound Road London W14 9SQ	19.03.19
Flat 3 Leighton Mansions Greyhound Road London w14 9sq	18.01.19

Supplementary Report

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1. BACKGROUND

1.1. On 12th February 2019, the Planning Committee considered this application and resolved to authorize the Strategic Director, Growth and Place to determine the application and grant permission subject to conditions and the completion of a legal agreement.

1.2. Following the Committee, one neighbouring resident complained that they did not receive a neighbour consultation letter and that his objections were not taken into consideration. To address this and to ensure a satisfactory resident engagement, officers have carried out an additional round of public consultation. Individual notification letters have been sent to 429 neighbouring properties including 307 properties that were originally consulted.

1.3. This report sets out the results of the updated public consultation and should be read in conjunction with the original committee report (see Appendix 1).

## 2. UPDATED PUBLIC CONSULTATIONS

2.1. In total 2 representations have been received. The grounds of objections are summarised as below:

- the development will obstruct the views and block the light to the windows of the neighbouring property;
- this eye-sore will damage the character and appearance of the conservation area;
- the proposed parking will create significant additional noise pollution and traffic congestion;
- The additional tennis court will generate additional noise pollution;
- The annual Queen's Club tennis tournament has grown larger each year, causing increasing period of chaos, noise and traffic and parking disruption.

## 3. OFFICERS' RESPONSES TO REPRESENTATIONS RECEIVED

3.1. Officers have reviewed the comments raised in addition to the original committee report and are satisfied that the comments do not raise any new issues. The concerns raised were covered in the original committee report.

### Outlook

3.2. The proposed air dome would be approximately 18m from the Melbourne, Leighton, Kinglsey and Jessel Mansion blocks which are on the opposite side of Greyhound Road, and 30m from the Colton Arms Public House. The proposals would not impinge on a notional 45-degree line and would not therefore have an adverse impact on outlook from these properties (see paragraph 5.21 of the original committee report).

### Light

3.3. Officers considered the submitted Daylight & Sunlight assessment and agreed with its conclusion. The relevant adjoining residential properties were formed part of the assessment. The additional objections raise no new issues and the proposals would still therefore have no adverse impact in terms of daylight and sunlight (see paragraphs 5.24 of the original committee report).

### Impact on the Conservation Area

3.4. The proposals would ensure that a significant amount of the southern part of the site (opposing the Mansion Blocks) would retain its open character. Officers remain of the view that the development would not unduly impinge on the views across the grounds, and would thereby maintain the open character of the Queen's Club from Greyhound Road within this conservation area. (see paragraph 5.13 of the original committee report).

## Car Parking and Travel Plan

3.5. The proposals would not result in any increase in parking spaces and the existing number of spaces would remain the same as existing (see paragraph 5.35 of the original committee report).

3.6. In 2017, a Travel Plan for the site was (ref: 2017/01775/DET) in connection with the previous planning permission (ref: 2016/03397/FUL) for virtually the same proposal. The approved Travel Plan includes measures and targets to reduce car use and promote the use of sustainable transport alternatives. The Council's Highways Officer remain satisfied that the proposed Travel Plan arrangements are acceptable for the current proposals (see paragraph 5.40 of the original committee report).

## Noise

3.7. The application site is a well-established tennis club containing a number of outdoor tennis courts and the nature of the proposed land use remains the same. The reconfigured layout of tennis would not result in any undue harm (see paragraph 5.26 of the original committee report).

## 4. CONCLUSION and RECOMMENDATION

4.1. Having regard to additional comments concluded in this report and the original committee report, the application, subject to conditions and a S106 legal agreement, remains in accordance with the development plans.

4.2. Officers recommend the application be approved as per the Committee Decision made on 12 February 2019:

- 1) That the Committee resolve that the Strategic Director, Growth and Place be authorised to determine the application and grant permission up on the completion of a satisfactory legal agreement and subject to conditions.
- 2) To authorise the Strategic Director, Growth and Place, after consultation with the Director Law and the Chair of the Planning Development Control Committee to make any minor changes to the proposed conditions or heads of terms of the legal agreement, any such changes shall be within their discretion.

## Appendix 1:

### 1.0. SITE DESCRIPTION

1.1. The Queens Club is a purpose-built tennis club, bounded by Field Road, Comeragh Road, Gledstones Road and Greyhound Road. The site is largely open space laid out as grass and all-weather tennis courts with club house. The Club's grounds contain a number of Buildings of Merit, including the Pavilion and stands to the north and south of the Centre Court.

1.2. The proposals relate to the works on the south west of the Club, including the South Stand, 9 existing outdoor courts (Shale Courts S1-S6 & Practice Courts P3-P5), associated storage building, 39 car parking spaces between shale courts and practice courts and the adjacent brick boundary wall along Greyhound Road.

1.3. The surrounding area is predominantly residential. The site falls within the Queens Club Gardens Conservation Area, and is designated as an open space of local importance in the Local Plan (2018). The site is in Flood Risk Zone 3.

## 2.0. RELEVANT PLANNING HISTORY

2.1. In December 2001, planning permission (Ref: 2001/00857/FUL) was granted for erection of a temporary canvas enclosure over two outdoor tennis courts during the winter months October to May. The approved scheme has been implemented on site.

2.2. In October 2013, planning permission (Ref: 2013/02318/FUL) was granted at Planning Committee for demolition of existing red brick boundary wall along Greyhound Road, and erection of new replacement boundary wall, with timber gate and sliding gate, and associated tree planting; lowering of ground level of four existing outdoor courts to the south west of the site; and erection of a plant room to the side of indoor courts (3-6) building, in connection with the erection of a temporary tennis enclosure over two of the existing outdoor tennis courts during the winter months October to March. The scheme has not been implemented on site.

2.3. In June 2016, planning permission (Ref: 2016/02516/FUL) was granted for the relocation of four tennis courts, demolition of existing North Stand, resurfacing and reconfiguration of car park, associated landscaping, drainage and infrastructure works. The scheme has been partially implemented on site.

## 3.0. PROPOSAL

3.1. The current proposal seeks to renew the 2013 permission and additional approval is sought for the demolition of South Stand, to enable the Club to improve the hosting and servicing of the Tournament (an annual tennis championship) and increasing the usage of tennis courts for existing members during winter months.

3.2. The proposed works would comprise:

- o Demolition of South Stand;
- o Alterations to existing tennis courts and creation of one additional tennis court;
- o New single-storey storage area and altered parking layout;
- o Erection of an additional temporary air-dome enclosure;
- o A new boundary wall along Greyhound Road with an additional access, and associated tree planting;

3.3. The proposed alterations to existing tennis courts involve resurfacing and repositioning Shale Courts and the existing air bubble and lowering practice courts by 500mm, to create an additional tennis course and reconfigure existing parking spaces.

3.4. The proposed additional air-dome enclosure would have a coverage of 33m by 35m and would extend to a maximum height of 11m. The enclosure would be erected between the 1st October and end of March each year, to facilitate the use of two outdoor courts during winter months. To reduce the visual impact of the temporary air-dome structure the proposals include the planting of 11 pear trees along the Greyhound Road boundary.

3.5. The proposed additional vehicle access on Greyhound Road, together with the widened existing access, seek to improve HGV access during The Tournament set-up and take-down. Pedestrian access to the site would not be affected.

3.6. The current proposal does not involve in an increase in the existing membership or parking spaces within the Club.

#### 4.0. PUBLICITY AND CONSULTATIONS

##### Pre-Application

4.1. A Statement of Community Involvement has been submitted by the applicant in support of the proposal, stating the pre-application engagements with local residents and stakeholders. 1,100 invitation letters were sent to nearby local residents in connection with two public exhibitions held at The Queens Club on 17 and 18 July 2018. Approximately 25 local residents attended the exhibitions, and separate meetings were also held with ward councillors and local businesses.

4.2. Overall, the scheme received a positive response from local residents, local businesses and ward councillors. Most residents agreed that the proposals would be an enhancement to the area and improve the access during construction for 'The Tournament'. Some residents raised concerns about the materials that have been addressed in the submitted application.

##### Consultation for Application

4.3. The application has been advertised by means of site and press notices. In addition, 307 individual notification letters have been sent to the occupiers of neighbouring properties.

4.4. No representations have been received.

#### 5.0. PLANNING CONSIDERATIONS

5.1. The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 (hereafter referred to as LP 2018) and the Planning Guidance Supplementary Planning Document 2018 (hereafter referred to as Planning Guidance SPD), include: the principle of the development in land use terms; design and appearance; existing residential amenities of neighbouring properties; and traffic impact on the highway network.

##### Draft London Plan

5.2. The new draft London Plan was published on 29 November 2017. The Plan's consultation ended on 2 March 2018. An Examination in Public (EiP) commenced in January 2019, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (2016).

## LAND USE

5.3. Policies CF1, CF2 and CF3 of the Local Plan (2018) encourage the maintenance, promotion and enhancement of existing sports recreation facilities within the Borough. Officers consider that the principle of the proposed development has already been established by the planning permission in 2013 and the proposals accord with current policies.

## DESIGN AND APPEARANCE

5.4. London Plan Policies 7.1, 7.2, 7.4, 7.5 and 7.6 require all new development to be of high quality that responds to the surrounding context and improves access to social and community infrastructure, contributes to the provision of high quality living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood.

5.5. Local Plan Policy DC1 (Built Environment), DC2 (New Buildings) and DC4 (Alterations and Extensions (Including Outbuildings)) require that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets, to help regenerate places.

5.6. Local Plan Policy DC8 (Design and Conservation) seeks that development be compatible with conservation areas and their setting.

### Demolition of South Stand

5.7. All buildings within the Queens Club are registered on the Local List of Buildings of Merit. The original Queens Club buildings were constructed in 1888 and are of most significance in terms of their architectural quality. Nevertheless, most of the later additions, including indoor courts and the North and South Stands have little or no architectural merit. Their inclusion as Buildings of Merit seems to be for group value reasons owing to the historical continued use of the site as a premier racket sports facility rather than their individual integrity and appearance.

5.8. Consent for the demolition of the North Stand was granted in 2016 (Ref: 2016/02516/FUL) and it has subsequently been removed. The South Stand is a modern structure that has an entirely utilitarian appearance and houses toilets. It has no architectural merit and its appearance detracts from the setting of the main club house which it sits in front of. Officers consider that the proposed demolition would improve the appearance of the 1888 clubhouse which would outweigh the loss to the significance of the club grounds overall. Also, the structure cannot practicably be adapted to retain any historic interest as it is a modern structure that does not possess any architectural merit of its own. It makes even less of contribution to the group of buildings overall since the North Stand has been demolished.

### Alterations

5.9. The proposed alterations include reconfiguring Shale Courts and existing parking layout, lowering practice courts to create an additional tennis court and erecting single storey storage room. These works would be screened by the boundary wall along Greyhound Road. As such, the alterations would have limited views from the street and would not unduly impact on the character and appearance of the conservation area.

5.10. With regards the new storage room, the applicant has submitted detailed drawings of appearance in elevation and materiality, which are considered to be acceptable. The proposed fencing is neatly integrated and consists of high quality cedar screening. It will screen the existing concrete piers from view and provide a more coherent and consistent edge to the building.

#### Erection of an additional air-dome enclosure

5.11. The proposal to place a new air bubble over two tennis courts adjacent to Greyhound Road boundary wall, would have some impact on the character of the Queens Club Gardens Conservation Area. However, in terms of the NPPF definition of "less than substantial harm", the harm is considered to be minor for the following reasons.

5.12. First, the structure would be partially surrounded on its north and west sides by the indoor court buildings, which have blank brick walls with little architectural appeal. As mentioned above the club grounds contain original Victorian buildings and an array of more modern and functional building types, and this is part of the character of the overall group within the conservation area. The structure would not harm the composition of the architecturally significant parts of the club as it would be set well away from the original club house buildings with the modern brick buildings sitting in between.

5.13. Second, the proposed air bubble would be visible via the mansion blocks opposite to the Club and along Greyhound Road, which would partially disrupt the views across the club grounds that are open in character. Nevertheless, a significant amount of the southern boundary of the site would retain its open character. The proposal also involves the repositioning of the existing bubble within the grounds to a new position slightly further to the north. This is beneficial as it would open up slightly wider views across the site from Greyhound Road. Besides, the bubble would have a modern appearance, and the fabric would be opaque forming a strong contrast to the adjacent brick buildings. It does slope back into the site making it recessive, rather than dominant in views along Greyhound Road. As such, the structure is not considered to unduly impinge on the view across the grounds, maintaining the open character of the Club from Greyhound Road.

#### New boundary wall along Greyhound Road

5.14. The existing red brick wall along the Greyhound road boundary is functional but has no architectural merit. The proposed new stock brick boundary with piers, corbelled brick courses, dentils, copings and timber panelled gates would create a much more attractive and suitable boundary that would enhance the character and appearance of the Greyhound Road. The provision of 11 pear trees behind would soften its appearance whilst still permitting views across the grounds. This is also considered to further enhance the appearance of the Greyhound Road perimeter in combination with the new wall.

5.15. With regard to the bubble proposal overall, although there would be some minor harm to the character of the conservation area due to its visibility and effect on openness, there would be sustainable public benefits that enhances the setting of the Club House that is listed as Building of Merit, improves the Queen's Club as a better



sport facility and promotes views along Greyhound Road by tree planting. Also, the secured financial contributions would be used for the provision and improvement of tennis facilities within the Borough. Officers then consider that these public benefits as identified would outweigh the harm as required by the NPPF (2018) paragraphs 195 and 196.

5.16. The proposed location of the new structure would have little impact on the original club house buildings and views across the open grounds of the Club when viewed from Greyhound Road. In this respect, together with the temporary nature of the enclosure (during the winter months with less hours of daylight), the lowered ground level, the new boundary wall and the tree planting, the structure, whilst visible from Greyhound Road would not be imposing, and overall the effect of the structure will be neutral in terms of the character of the conservation area.

5.17. To ensure a satisfactory external appearance, Conditions 6, 7, 11 and 12 are attached to planning consent, requesting the details of material samples and elevation of the new boundary wall and proposed landscaping scheme to be submitted prior to the demolition of the existing boundary wall.

5.18. In view of the above, subject to conditions, the proposal is considered acceptable in its appearance and in terms of its impact on the designated heritage assets, including the conservation area, and is therefore judged to comply with the abovementioned policies.

## RESIDENTIAL AMENITY

5.19. Policies DC1, DC2, CC11, CC13 and HO11 of the Local Plan (2018) require all proposals to be formulated to respect the principles of good neighbourliness. Key Principles HS6, HS7 and HS8 seeks to protect the existing amenities of neighbouring residential properties in terms of outlook, light, privacy and noise and disturbance.

5.20. The closest residential properties to the proposed air dome enclosure are the Melbourne, Leighton, Kinglsey and Jessel Mansion blocks to the south (on the opposite side of Greyhound Road), and the upper floors of the Colton Arms Public House to the east.

### Outlook

5.21. SPD Key Principle HS6 note that the proximity of a development can have an overbearing and dominating impact on adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

5.22. The proposed air dome would be approximately 18m from the Melbourne, Leighton, Kinglsey and Jessel Mansion Mansion blocks which are on the opposite side of Greyhound Road, and 30m from the Colton Arms Public House. The proposals do

not impinge on notional 45-degree line and would not therefore have an adverse impact on outlook from these properties. The proposals accord with SPD Key Principle HS6.

## Daylight and Sunlight

5.23. In considering sunlight and daylight, the Council has regard to the guidance set out in 'Building Research Establishments' (BRE) Report 2011 - "Site Layout Planning for Daylight and Sunlight - A guide to good practice". The BRE practice assesses the impact of proposals on the windows of surrounding properties using calculations of Vertical Sky Component (VSC) and daylight distribution or Average Daylight Factor (ADF). VSC calculates light reaching a plane of a window and ADF measures the amount of daylight received with a room.

5.24. The applicant has carried out a daylight and sunlight assessment of 100 windows in the opposing mansion blocks to the south at 1-20 Greyhound Road, Melbourne, Leighton, Kinglsey and Jessel Mansions and the Colton Arms Public House to the east. Officers have considered the submitted report and agree with its conclusions. The proposals would have no adverse impact in terms of daylight, sunlight and overshadowing.

## Noise and Disturbance:

5.25. Local Plan Policy CC11 requires all developments to have no undue noise and disturbance impact on existing surrounding occupiers. SPD Key Principle NN5 states that outdoor uses should be assessed in regard to the frequency and times of use, and the noise level likely to be emitted from activities.

5.26. The application site is a well-established tennis club containing a number of outdoor tennis courts. The proposal would result in two existing outdoor courts being available for use during the winter months which subject to weather condition might not be used.

5.27. In terms of noise breakout from the use of the enclosure it is not considered that this would increase over and above what occurs during the peak months when these courts would be in use. Notwithstanding Conditions 9 and 10 are attached restricting the hours of use and the noise from the use of the proposed air dome.

5.28. The enclosure is an air supported structure and thus relies on no fixed internal framing. As an inflatable structure, the enclosure is relatively quick to erect and dismantle with each operation taking no more than two days (four days in total per year). The air hall would be continuously inflated by an air blowing/heating plant.

5.29. An Environmental Noise Assessment has been carried out by the applicant and this has been reviewed by the Council's Environmental Protection Team. The new plant associated with a fan system blowing air into the proposed air hall would be fitted with sound attenuation and would be located within a new brick built plant room. The submitted Noise Assessment demonstrates that the level of plant noise generated would be acceptable. Furthermore, the new plant room would also house the mechanical unit for the existing air hall which is currently sited outdoors, thereby reducing any existing noise. Notwithstanding this, Condition 15 is attached requesting the external sound level emitted from plant, machinery or equipment of the development

shall be lower than the lowest existing background level by at least 10 10dBA in order to prevent any adverse impact.

#### Light pollution

5.30. Local Plan Policy CC12 (Light Pollution) requires that developments should provide adequate protection from glare and light spill, particularly to nearby sensitive receptors such as residential properties.

5.31. The applicant confirms that the fabric of the air hall will be opaque to prevent light spillage and enable tennis to be played into the evening with no unacceptable impact on the residential amenity of surrounding residents, and this is secured by Condition 14. The proposals do not include additional flood lighting, and this is secured by Condition 16.

5.32. Overall, the proposal would not give rise to a neighbourliness in terms of loss of outlook and light, noise, light pollution, and disturbance to such a degree that would warrant a refusal of planning permission.

#### TRAFFIC GENERATION, CAR PARKING, CYCLE PARKING AND ACCESS:

5.33. Policy 6.1, 6.3, 6.10, 6.11 and 6.13 of the London Plan (2016) sets out the intention to encourage consideration of transport implications as a fundamental element of sustainable transport, supporting development patterns that reduce the need to travel or that locate development with high trip generation in proximity of public transport services. The policies also provide guidance for the establishment of maximum car parking standards.

5.34. Local Plan Policy T4 will require any proposed development to conform to its car parking standards and will also require car parking permit free measures on all new development unless evidence is provided to show that there is a significant lack of public transport available.

#### Car parking:

5.35. The proposal would retain the existing number of car parking spaces.

#### Cycle provision

5.36. A condition for cycle provision is attached under planning consent 2016/02516/FUL. The proposals would not result in any increase in membership and therefore this is no requirement for any increase in cycle provision in this respect.

#### Trip generations:

5.37. The proposal would mean there are two existing courts available for use during the winter months which subject to weather condition might not be used. In this instance, as the proposed additional seasonal enclosure would be used for sports purposes for the Club's existing members in winter seasons, and the scheme would not involve any increase in membership, the additional trips generated is considered to be minor in comparison with peak months when all courts would be in use. as such, the impact on the existing highway networks as a result of the development is negligible.

Additional vehicular access on Greyhound Road:

5.38. The proposal seeks to improve the manoeuvres required for construction vehicles, including HGV, to enter and leave the site via Greyhound Road. The applicant has provided a swept-path analysis which demonstrates the ability for a 16.5m HGV to enter and leave the site in a forward gear. Officers consider that the proposed widening of the existing access and erection of an additional vehicle access on the new Greyhound Road boundary brick wall would improve construction vehicles' access during The Tournament set-up and take-down and that the proposal is acceptable. The new vehicular access and widened existing crossover would be secured by a legal agreement.

CLP

5.39. The applicant has submitted an outline construction logistics plan in accordance with policy T7 of LBHF's Local Plan. A detailed Construction Logistics Plan is secured by Condition 4.

Travel Plan

5.40. A Travel Plan for the site was approved in 2017 (ref: 2017/01775/DET) in connection with the planning permission ref: 2016/03397/FUL. The Travel Plan has set up a variety of measures and targets to reduce car use and promote the use of sustainable transport alternatives. The council's Highways Officers are satisfied that the approved Travel Plan is acceptable for the current proposal.

5.41. In view of the above, the proposals comply with planning policy at all levels in respect of transport matters.

ENVIRONMENTAL QUALITY:

Sustainability

5.42. Local Plan Policies CC1 and CC2 require the implementation of sustainable design and construction measures in all major developments.

5.43. The applicant has submitted information on the sustainability measures to be implemented. These include the use of energy efficiency lighting, a more efficient heat/power system and use of a rainwater collection system which will collect water for re-use on site for irrigation. These measures will be secured by Condition 18.

Flood Risk and Sustainable Urban Drainage Systems (SUDs):

5.44. London Plan Policy 5.11, 5.12, 5.13, 5.14 and 5.15 requires new development to comply with the flood risk assessment and management requirements of National Policy, including the incorporation of sustainable urban drainage systems, and specifies a drainage hierarchy for new development. Policy CC3 will require developments to reduce the use of water and minimise current and future flood risk.

5.45. Regarding flood risk, the site is in the Environment Agency's Flood Zone 3 and this triggers the requirement for a Flood Risk Assessment (FRA) to be submitted with the

planning application. A Flood Risk Assessment (FRA) has been submitted with the application although the planned changes to the site are relatively minor in terms of potential flood risk impacts. The submitted FRA is considered to be acceptable.

5.46. Regarding SUDs, the site is a less vulnerable use, which will not change as a result of this application. Officers would not expect a detailed assessment, given the nature of the proposals. However, further details on how surface water run-off will be collected and stored on-site for re-use to irrigate tennis courts should be submitted prior to the commencement of the proposed alterations to the existing tennis court and car parking area. This is secured by Condition 8.

Contamination:

5.47. Local Plan Policies CC9 and CC13 state that the Council will support the remediation of contaminated land and that it will take measures to minimise the potential harm of contaminated sites and ensure that mitigation measures are put in place.

5.48. Potentially contaminative land uses, past or present, are understood to occur within the general area. To ensure that no unacceptable risks are caused to humans, controlled waters or the wider environment during and following the development works an informative is attached requesting that the applicant contact the Council should any unexpected staining or malodours be encountered during the redevelopment.

AIR QUALITY:

5.49. The London Plan Policy 7.14 and Local Plan Policy CC10 seeks to reduce the potential adverse air quality impacts of new developments. Mitigation measures to reduce emissions and exposure to poor air quality must be taken.

5.50. The Council's Environmental Quality Team have considered the proposed development and raise no objections subject to Conditions 19 to 21 relating to air quality.

## 6.0. PLANNING OBLIGATIONS

6.1. The London Plan Policy 8.2 recognises the role of planning obligations in mitigating the effects of development and provides guidance of the priorities for obligations in the context of overall scheme viability.

6.2. In the event that planning permission were to be acceptable, the applicant would be required to enter into a legal agreement. The Legal Agreement will include the following clauses:

- o A financial contribution to the Council's Community Sports Team of £45k in year 1 and £35k in the succeeding 2 years (£115k over 3 years) to improve tennis facilities/provision/opportunities in the borough.
- o Provision of a new vehicular access (crossover) and a widened existing crossover on Greyhound Road.

## 7.0. CONCLUSION

7.1. The proposed development is acceptable in principle, as it would encourage the maintenance, promotion and enhancement of existing sports recreation facilities within the Borough. The proposed development would have an acceptable visual impact on the surrounding area and the neighbouring Building of Merits. The proposal would also preserve and enhance the character and appearance of the conservation area. The impact of the proposed development upon neighbouring occupiers is considered acceptable and would not adversely affect the neighbouring amenity of the neighbouring properties. The impact of the proposed development upon transport is considered acceptable and would have no adverse impact on traffic generation and would not result in congestion of the primary and local road networks.

## 8.0. RECOMMENDATION

8.1. Grant planning permission subject to conditions and completion of a satisfactory S106 legal agreement.