Proposal: The erection of an outdoor swimming pool, clubroom extension and associated plant room.

Applicants: Mr. John Mullen, David Lloyd, C/O CB Richard Ellis.

Application received: 24 May 2011

Main development policies:
Emerging Development Management Plan policies DM DC1, DM DC 5, DM OS 2, DM OS 6 and DM TP 8.
Core Strategy (adopted April 2009) policies: CP4, CP7, CP10.
Supplementary Planning Guidance: Design Quality (adopted February 2006).
SUMMARY OF APPLICATION:
The applicant seeks permission for the construction of an outdoor swimming pool, clubroom extension and associated plant room to the existing private Amida Health Club. The proposed outdoor swimming pool and existing tennis courts fall within the Metropolitan Open Land, Public Open Space and Other Site of Nature Importance designations (MOL, POS & OSNI hereafter), the proposed club room extension and associated plant building does not fall within MOL & POS. The appearance and openness of the MOL and POS is considered to be maintained. The proposed clubroom extension and associated plant room is located within the existing building lines of the Amida Health Club adjacent designated MOL & POS, whilst the outdoor swimming pool is replacing an existing tennis court and maintains the openness of these designations by virtue of boundary treatments and water.

Recommendation: PERMISSION

Site and surroundings
1. The application site is the property known as the Amida Health Club and adjoins Staines Road and residential properties to the north, Twickenham Golf Course to the east, to the south Twickenham Golf Course and Uxbridge Road beyond, to the west Twickenham Golf Course and residential properties located on Twickenham Road. The Amida Health Club is a large two storey leisure facility with associated on site parking and outdoor tennis courts. A small portion of the existing building, tennis courts and some on site parking are located within MOL and POS, whilst the entire site is located within OSNI.

Emerging designations
2. Within the emerging Development Management DPD, the council is proposing to remove the POS designation for the sports centre to reflect that this is now an area associated with a private sports club, which is no longer freely available to the public. This is demonstrated on the DM DPD Publication Version Proposals Map Changes. The Development Management DPD underwent an examination in public in May 2011. A number of changes were proposed just before and during the examination. No changes have been proposed in relation to the MOL policy or to the removal of POS referred to above. The examiner indicated at the examination that he is not intending to propose any changes in his report.

History
3. The property has extensive planning history. However, the most relevant permissions are listed below;
   • 00/2371/FUL – Erection of a 6882m² golf, racquets and fitness facility, with associated (part illuminated) outdoor Tennis courts, access and car parking. Provision of an equipped children’s play area. Alterations and improvements to existing nine hole golf course granted 03.09.2002.
   • 08/2820/FUL – Single storey ‘club room’, pool plant room extension and outdoor swimming pool granted 08.10.2008.
   • 08/2820/DD01 – Details pursuant to condition BD06 (materials – specific matters) of planning permission 08/2820/FUL dated 08/10/2008 – is in progress.
   • 11/0437/FUL – The installation of an external CHP unit to provide electrical power and heating water to the existing leisure centre – at the time of writing this report the application was yet to be determined by Council.

Proposal
4. The proposal seeks permission to erect an outdoor swimming pool, clubroom extension and plant room. The proposed outdoor swimming pool and family terrace area would be replacing an existing lawn area and tennis court, whilst the plant room measures 4.15
metres by 4.770 metres and clubroom extension measuring 30.185 metres by 5.8 metres would be located within the existing building lines of the leisure club.

**Public and Other Representations:**
5. 18 third party responses have been received. 16 responses are in objection and 2 in support. Responses in objection raised the following concerns;
- The application site is designated as Green Belt under the Green Belt Act 1938. The property is also covered under covenants governed by the 1942 Deed.
- An application must be made to the secretary of state under section 10 1938 Act, due to its Green Belt designation.
- Noise generated from the proposed outdoor swimming pool in conjunction with noise from the three local schools in the nearby vicinity.
- Additional generation of traffic
- Nuisance caused by flood lighting
- Surrounding area is generally noisy due to aircraft, local schools & traffic – compounds noise issues.
- Opening times are not specified
- Sufficient open air facility at Hampton Pool on Hampton High Street.
- Present David Lloyd has indoor swimming pool and children’s play facilities.
- Extensive history of the site was outlined.
- The golf practice area has been fenced off between clubhouse and Sainsbury.
- PPG2 is relevant
- Full and proper consultation has not been undertaken by the council.
- Existing use by Lloyds Health Club does not justify the expansion of unauthorised use.
- Increased potential to abuse Sainsbury car parking
- Litter increase in the area
- David Lloyd is not the legal owner/tenant of the land
- Council has a duty to ensure that the terms & conditions of this lease are adhered to.

6. Responses in support are as follows:
- The proposal provides a community use for all ages.
- Noise nuisance is not a fair argument as the busy Uxbridge Road is likely to make more noise than the proposal.
- Noise of children playing is not considered to be offensive.

**Professional comments**
7. The proposal is for a single storey clubroom extension 5.8 metres deep, 30.185 metres in length and 3.8 metres in height. The proposed pool plant would be 4.150 metres in depth, 4.77 metres in width and a height of 3.8 metres. This creates an additional 194cm² in floor area to the existing facility. The proposal would also replace an existing tennis court with an outdoor swimming pool and existing lawn area with a family terrace. The pool would be 25.5 metres in length and width of 8 metres. A 1.8 metre timber fence would surround the outdoor pool area with a 1.2 metre fence separating the family terrace and the pool. Planning permission for a similar development 08/2820/FUL – Single storey club room, pool plant room extension and outdoor swimming pool was approved 08.10.2008.

**Design**
8. The proposed club room extension and plant room has a flat roof design which would be in character in with the existing building whilst being set down and subservient to the main building with a curved roof.
9. The pool and terrace area will have little impact in terms of design, as they are very low-level developments. However, they are not overly large in area and would maintain the appearance of the MOL and POS, and as such the character of the existing facility. The fence is low level and creates designation between the pool, terrace and court areas.

10. A condition would be imposed which ensures that appropriate materials are used.

11. No flood lighting is proposed in this application.

Impact on MOL & POS

12. Only part of the proposal is located within the MOL & POS designations. The clubroom and plant room extensions are located outside of the MOL & POS designations but are located within the existing building lines of the leisure facility.

13. In considering proposals within designated MOL & POS policies ENV 1, ENV11, CP10 and emerging policies DM OS 2 and DM OS 6 apply. These policies recognise that there may be exceptional cases where appropriate development such as small scale structures is acceptable, but only in the event that it doesn’t harm the character and openness of the MOL and is linked to its functional use. In addition, policies aim to maintain and improve the public open space whilst enhancing visual quality through high standard of design in landscaping, boundary treatment, fencing materials, play equipment and other items of furniture and by ensuring a high quality of design in new development with or adjacent to it.

14. The entire outdoor swimming pool and family terrace areas fall within the MOL and POS designations. However, the proposed club room and plant room extensions are not located within the MOL or POS. They are located adjacent to these areas and are not considered to be overly large or obtrusive when viewed from these designated areas.

15. The extensions would not be visible from the golf course and are largely hidden from the MOL & POS. Therefore, overall the proposal is not considered to have a detrimental impact on the openness or the appearance of the MOL & POS. As aforementioned, materials will be controlled through a condition to ensure that they are sympathetic to the MOL & POS.

Other Site of Natural Importance

16. Policies ENV18 and CP4 seek to safeguard and enhance the borough's biodiversity. The proposal would not have a detrimental effect on the biodiversity of the application site as all works are contained within the leisure facilities boundaries and do not encroach further into MOL, POS & OSNI designations.

Neighbour amenity

17. The proposal will not be visible to the residents of Broadlands, Twickenham Road or Staines Road. The proposal can be seen from Uxbridge Road but is obscured from high trees and boundary vegetation in most areas along the road and is a significant distance away (over 100 metres).

18. The proposed outdoor swimming pool is not considered to generate excessive noise which would not be detrimental to the residential amenity of nearby residents. The nearest residential property is located over 100 metres from the proposal. Councils Environmental Health Officer has raised no objection to the proposal on the grounds that the separation distance is over 100 metres from the nearest residential property and the existing ambient noise levels and the daytime use of the outdoor swimming pool is unlikely to have a negative acoustic impact. The applicant has proposed a fence surrounding the pool. It is considered that the installation of a 25mm close board fence
would provide further acoustic benefit which can be secured by condition should permission be granted.

**Transport**

19. No transport objections have been raised. The operating hours of the pool would be within the clubs approved hours. It is not foreseen that the outdoor swimming pool will generate more traffic to the application site as there is not an anticipated net gain in membership numbers with no intention to operate beyond capacity. There is an existing Travel Plan in operation which was part of the original permission 00/2371/FUL. There is no projected increase in membership and as such additional car parking is not required. However, there is an increase of 194m² which requires 4 additional cycle spaces. These can be secured by condition should permission be granted.

**Other matters**

20. The application site is not designated as Green Belt Land. The proposal is in accordance with Development Plan Policies.

21. The opening hours will remain as previously approved under permission 00/2371/FUL and no flood lighting has been proposed as part of this application.

22. Whilst there is an open air swimming pool facility at Hampton Pool there are no material planning considerations why another facility within the area may not be allowed.

23. An increase in the litter present within the area, the abuse of the Sainsbury car parking area and unlawful fencing off of the public paths and access ways will be monitored by the Council's Enforcement Team and are not material planning considerations.

24. The application has been advertised within the Richmond and Twickenham Times in addition to two site notices being erected and adjoining properties being consulted via letter.

25. With regards to the Council's lease to Stax Leisure, permission is being sought through the appropriate channels. However, Council is not able to withhold permission on this basis.

**Conclusion**

26. The proposed outdoor swimming pool and existing tennis courts fall within the Metropolitan Open Land, Public Open Space and Other Site of Nature Importance designations, the proposed club room extension and associated plant building does not fall within MOL & POS designations. The appearance and openness of the MOL and POS is considered to be maintained. The proposed clubroom extension and associated plant room is located within the existing building lines of the Amida Health Club adjacent designated MOL & POS, whilst the outdoor swimming pool is replacing an existing tennis court and maintains the openness of these designations by virtue of open boundary treatments and water. In addition, the biodiversity of the site is maintained for the same reason and would not have an adverse effect on the OSNI.

I therefore recommend **PERMISSION** subject to the following conditions and informatives:

**Standard conditions:**

- **AT01** - Development begun within 3 years
- **BD06** - Materials app-Specific matters
- **DV11** - Use of roof restricted
- **DV02** - Boundary fencing – Devt commence
- **DV48** - Approved Drawings

Non standard conditions:
NS01 - Additional 4 cycle spaces
No part of the extension hereby approved shall be used until 4 covered and secure cycle parking stands have been provided on site in accordance with detailed drawings to be submitted to and approved in writing by the Local Planning Authority, such drawings to show the position, design, materials and finishes thereof.

Reason: To accord with this Council’s policy to discourage the use of the car wherever possible and provide extra cycle parking owing to the additional 194m2 of floor space.

NS02 - Emptying of swimming pool
The outdoor swimming pool hereby approved shall be drained over night and during dry periods. The discharge rate shall not exceed a flow rate of 5 litres/second into the public sewer network.

REASON: To prevent the risk of flooding or surcharging to the public sewer network.

Standard informatives:
IE05B - Noise control – Building sites
IL10A - Building Regulations
IL19 - Reason for granting planning permission: The proposal has been considered in the light of the Development Plan, Local Development Framework Core Strategy, comments from statutory consultees and third parties (where relevant) and compliance with Supplementary Planning Guidance as appropriate. It has been concluded that there is not a demonstrable harm to interests of acknowledged importance caused by the development that justifies withholding planning permission. The proposed outdoor swimming pool, clubroom extension and plant room are deemed to be that of an acceptable design and scale not to create significant loss of amenity or a visual intrusion to neighbours, the application property or the Metropolitan Open Land, Public Open Space and Other Site of Nature Importance.

IL16HA - Relevant Policies: The following has been taken into account in the consideration of this proposal:- Unitary Development Plan – First Review 2005 Policies ENV 1, ENV 11, ENV 18, BLT 11, BLT 13, BLT 15, BLT 16 and TRN 4, Core Strategy (adopted 2009) policies CP4, CP7, CP10, Emerging Development Management Plan policies DM DC1, DM DC 5, DM OS 2, DM OS 6 and DM TP 8 and adopted Supplementary Planning Guidance: Design Quality (adopted February 2006).

IH06D - Damage to Public Highway

Non standard Informatives:
NI01 - Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer
Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water’s Risk Management Team by telephoning 020 8507 4890 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Any property involving a swimming pool with a volume exceeding 10 cubic metres of water will need metering. The Applicant should contact Thames water on 0845 9200 800.