# Old College Lawn Tennis Club

Gallery Road, London, SE21 7AB

PLANNING (Listed Buildings & Conservation Areas) ACT 1990
Application for the re-instatement of a tennis court and miscellaneous associated features and improvements including floodlighting

# PLANNING STATEMENT incorporating DESIGN and ACCESS (and HERITAGE) STATEMENTS

July 2021

This statement has been prepared with reference to Southwark's Design and Access Statements, Supplementary Planning Document September 2007and Development Management, Pre-application response Ref 21/EQ/0080

#### 1. PHYSICAL CONTEXT

- 1.1. The application site at present accommodates seven tennis courts, a club house, an open sided shelter and a croquet lawn. There is on site provision for secure cycle storage. There is good vehicular access to the site off Gallery Road but there is no on-site vehicular parking. It is located at the junction of Gallery Road and Lovers Walk. The surrounding area is predominantly undeveloped Metropolitan Open Land. There are a number of low-density residential units on College Gardens, to the east of the site.
- 1.2. The site has the following designations:
  - Metropolitan Open Land
  - Dulwich Village Conservation Area
  - Green Chain park (Dulwich Picture Gallery)
  - Air Quality Management Area
- 1.3. The site provides essential facilities for outdoor sport and outdoor recreation.
- 1.4. The current proposal is to provide a new floodlit fenced tennis court on the historic site of an earlier tennis court (see figs. 2-4). Recently the site was used as a croquet lawn. Due to a drop in demand the site is currently under-used. The proposal is to pair a new court 3A with existing Court 3, to provide increased capacity to accommodate a rise in demand for tennis and a decline in croquet use at this club.

#### 2. SOCIAL CONTEXT

- 2.1. The club has an active range of social, coaching and competitive tennis programmes catering for juniors and adults across all standards. The programmes are run by a team of four Lawn Tennis Association (LTA) qualified coaches who deliver around 30 hours of coach-supported play across six days each week.
- 2.2. For junior players the club runs after-school and weekend coaching sessions for all age groups from 3 to 16 years old, weekly 'tennis camps' during the school holidays, and enter nine junior teams into the Surrey league. For adults, there are drop-in coaching sessions and coach-led social play sessions for all levels from beginners through to strong advanced players. For competitive play, the club has twenty teams (women's, men's, mixed) which play in Surrey and Southwark leagues, an annual club tournament and winter singles league.

#### 3. ECONOMIC CONTEXT

- 3.1. The Freehold of the club site is held by Dulwich Picture Gallery. Old College is a Community Amateur Sports Club managed by its members and incorporated as a limited company in 2016.
- 3.2. The club has nearly 700 members (202 of whom are junior). There has been a huge surge in interest in playing tennis at the club with 145 members joining in the past year alone. The demand for courts space is such that the Club is now at capacity, and consequently has had to close to new members. Nevertheless, there are 200 people on the waiting list to join. One of the key aims as a community sports club, and indeed an obligation as a member of the

Lawn Tennis Association, is to increase participation in tennis. An additional court is therefore essential to re-open the club to new members and would enable it to increase its coaching programme for both adults and juniors, and to increase the number of children who can join in the popular holiday and after-school camps.

3.3. Old College has seven all-weather tennis courts, four artificial clay and three Macadam (see fig. 1), and a dedicated 'sinking fund' in place to ensure their long-term maintenance and development. Five of the courts have been resurfaced during the past few years with the remaining two due to be resurfaced in 2021.



Fig 1. Aerial view of the application site (source: Google Earth)

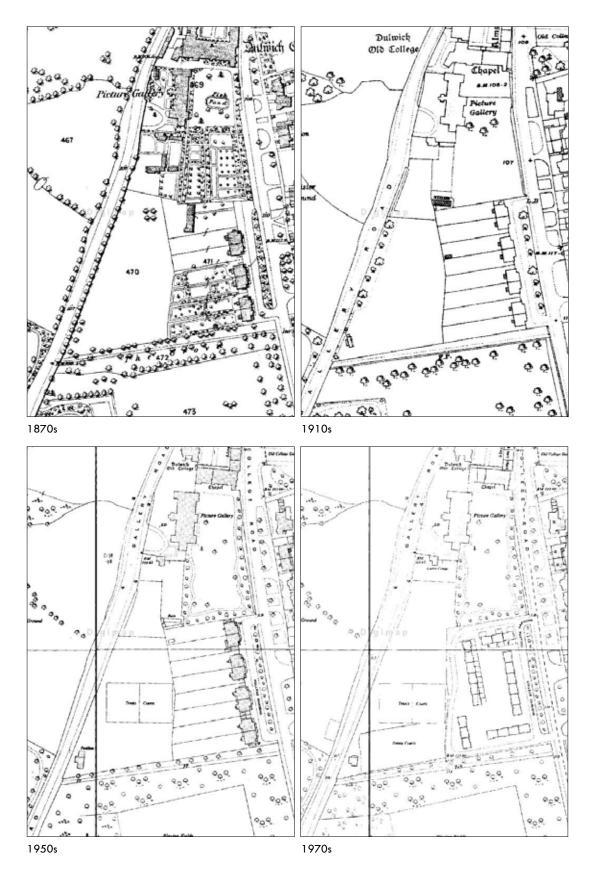


Fig 2. View of the historic tennis court at the site of the current croquet lawn, with Lovers Walk behind the shrubbery on the right (c. 1960s)



Fig 3. Comparative view of the tennis court (c. 1960s) and the current croquet lawn. The large Victorian homes seen in the background on the left felt into disrepair following WW2 and were replaced in the 1970s by the houses seen today

Fig 4. Historical maps of the site showing the old tennis court and neighbouring development (source: Edina Digimaps)



- ENVIRONMENTAL CONTEXT:
   Amenity of adjoining occupiers, neighbours and surrounding area
- 4.1. **Floodlighting**: All seven existing courts are now floodlit using LED floodlights. The permitted and proposed Court 3A (in red) hours of use are:

Days of the week	Court #	Hours of LED permitted
Monday to Saturday	Court 1	08.00 - 21.30
	Court 2	08.00 - 21.30
	Court 3	08.00 - 21.30
PROPOSED	Court 3A	08.00 - 21.30
	Court 4	08.00 - 21.30
	Court 5	08.00 - 21.30
	Court 6	08.00 - 21.00
	Court 7	08.00 - 21.00
Sunday	Court 1	08.00 - 20.30
	Court 2	08.00 - 20.30
	Court 3	08.00 - 20.30
PROPOSED	Court 3A	No lighting permitted
	Court 4	08.00 - 20.30
	Court 5	08.00 - 20.30
	Court 6	No lighting permitted
	Court 7	No lighting permitted

The proposed hours of LED floodlighting for Court 3A from Monday-Saturday are aligned with those permitted for Court 3, with which it is paired. No lighting will be permitted for use on Sunday. The proposed reduced ground level of the new court, the grass bank, the brick boundary wall, the tall evergreen hedge on the site frontage facing College Gardens and the very low light spillage from the proposed LED fittings will result in a negligible difference in light levels at the face of the nearest residential house, from that generated by the existing Court 3 floodlights<sup>1</sup>.

The Court 3A proposed floodlights are almost double the distance from the nearest house on College Gardens and better screened from it by the tall evergreen hedge than are those on Court 7.

- 4.2. Ecology: Similarly, the proposed LED floodlighting of Court 3A will have a negligible additional impact on the trees and hedges along Lovers Walk², from that resulting from the existing floodlighting on Court 3, with which it is paired. Notwithstanding, a bat activity survey has been commissioned by the club, as suggested by Southwark's EPT, to ensure that the existing environmental context is thoroughly understood and that any risk of adverse ecological impact on existing wildlife caused by the addition of Court 3A floodlighting is suitably understood and mitigated. For full details see Appendix C.
- 4.3. Trees and hedges: Over the years, the planting along the southern boundary has been allowed

<sup>&</sup>lt;sup>1,2</sup> See Appendix A: Luminance Pro, LED Tennis Lighting Design, p. 9/14

to creep into the line of the croquet lawn. Three self-seeded Ash trees and a number of other, smaller, self-seeded trees and miscellaneous low level bushes and creepers have taken over. The proposals involve trimming back to the original 'green edge' which forms the boundary on to Lovers Walk, to match the condition at the rear of Courts 1-3 (see figs. 5-7). For full details see Appendix B, the Arboricultural Impact Assessment.

- 4.4. Noise: The distance from the edge of Court 3A closest to the nearest College Gardens' houses is 23m. The distance from Court 7 to the nearest houses is 11m. Noise levels generated on the proposed court 3A will be similar to those on the 7 existing courts. The distance of Court 3A to the nearest houses is greater than that from courts 6-7, which will mitigate any additional impact. Any additional noise created by the addition of Court 3A will not be distinguishable from the background noise emanating from the site as a whole.
- 4.5. **Privacy**: The proposed court 3A will be sunk relative to the road levels in College Gardens. The grassed bank, the brick boundary wall and the tall evergreen hedge will ensure that there will be little to no view of the new Court 3A either from the lower storeys of the houses themselves or their front drive and gardens. Similarly, there will be marginally reduced views due to the reduction in ground level of the proposed court of the houses as a result of the construction of proposed Court 3A.



Fig 5. Panoramic view of existing croquet lawn (proposed Court 3A)

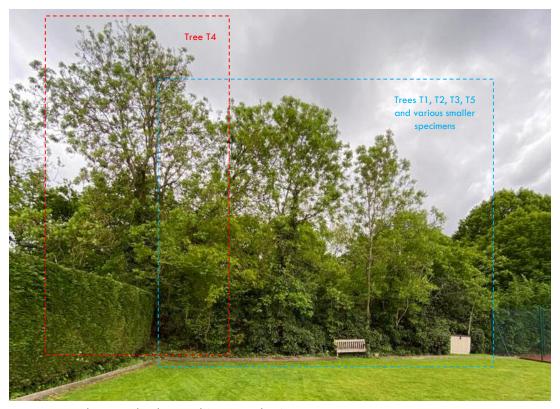


Fig 6. Existing trees to be retained and removed (see Appendix B)



Fig 7. Overgrown planting around the current croquet lawn, with the original 'green edge' seen behind bordering Courts 1-3.



Fig 8. The 'green edge' behind Courts 1-3.

#### 5. PLANNING POLICY CONTEXT

5.1. **Planning Records:** The Council shows the following planning history associated with Old College Lawn Tennis Club. The details are:

Reference	Description	Date
03/AP/1473	The erection of nine 6.1 m high floodlights to serve two tennis courts.	13.11.2003
06/AP/0392	Variation of condition 2 of planning consent 03AP1473 to extend the floodlight time by one hour to 9 pm on courts 4 and 5 on Monday to Saturday	11.09.2006
09/AP/1372	To provide floodlighting to Court no.3 with 3no. new lighting posts; repositioning of 3no. existing posts next to Court no. 2; repositioning of 2no lighting posts to Court no 1; relocation of gate and new gate in wire mesh fencing.	10.09.2009
11/AP/0815	Replacement of the existing pair of timber gates for vehicle access with a pair of wrought iron gates for vehicle access and a wrought iron pedestrian access gate.	09.06.2011
12/AP/1573	Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday.	23.07.2012
17/AP/4258	Installation of LED floodlights to courts nos.6 and 7 for use Monday to Saturday 8:00 to 21:00. Extension of use of existing floodlights on courts nos. 4 and 5 on Sunday 8:00 to 20:30.	12.03.2018
19/AP/1573	Variation of condition 2 (approved plans) pursuant to planning permission 12/AP/1573 for: Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday. The Variation is for an increase in height by 0.5m of floodlighting posts around tennis courts 1,2,3,4 & 5. The existing floodlights would be replaced with LED luminaires, with associated new hoods.	19.09.2019

- 5.2. Planning history of adjoining sites: None of relevance to this application.
- 5.3. Planning History Summary: There have been a number of planning applications for this site in the past. The current application is the first to deal specifically with an additional (reinstated) court to increase the capacity of 'open air' facilities for outdoor sport and recreation, which is deemed appropriate development in what is Metropolitan Open Land.

5.4. **Planning Policy:** The planning policies relevant to this development are from the National Planning Policy Framework (NPPF), the London Plan 2016, Southwark's Core Strategy and Dulwich SPD. In considering previous applications for this type of development, the following policies have been considered of relevance, and are addressed in the proposals:

Reference	Brief Description or relevant section	Outcome/Observations
NPPF	The revised National Planning Policy Framework ('NPPF') published in February 2019 sets out the national planning policy and how this needs to be applied.	The proposal complies with the requirements of this policy
	The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.	
NPPF	Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.  Chapter 11 Making effective use of land Chapter 12 Achieving well-designed places Chapter 16 Conserving and enhancing the historic environment	The proposal complies with the requirements of this policy
London Plan 2016	The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:  Policy 7.17 - Metropolitan Open Land Policy 7.4 - Local Character Policy 7.6 - Architecture	The proposal respects and maintains the local character. It is an 'open air facility' for leisure, recreation and sport: it is an appropriate development in Metropolitan Open Land
Core Strategy 2011	The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:  Strategic Policy 12 - Design and conservation Strategic Policy 13 - High Environmental Standards	The proposal complies with the requirements of this policy
Southwark Plan 2007 (saved policies)	In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007unless they had been updated by the Core Strategy with the exception of Policy 1.8(location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:  Policy 3.2 - Protection of amenity Policy 3.12 - Quality in design Policy 3.13 - Urban design Policy 3.25 - Metropolitan Open Land Policy 3.28 - Biodiversity Policy 5.2 - Transport impacts	The proposal complies with the requirements of this policy
Dulwich SPD 2013	The Dulwich SPD seeks to provide sport and leisure opportunities, while protecting open space.	The proposal would accord with this aim.

#### 6. INVOLVEMENT

6.1. Residents engagement: The proposed design was sent to the College Gardens Residents' Association which circulated to all residents. In December 2020, Club representatives met with the association chair and three residents who live closest to the croquet lawn, two of whom are club members. Numbers of attendees were restricted at that time due to the Covid 'rule of six'.

It was a very positive meeting and the residents stated their support for the project provided the hedge adjoining College Gardens remains and the court is sited as far away as possible. They requested that the hedge be grown over the site of the croquet shelter and the use of lights be limited to 8.30 pm Mon-Sat and no use on Sundays. The chair reported that non-attending residents had raised no objections.

The submission therefore locates the court the furthest from the houses that is achievable and agrees to removing the croquet shelter, retaining and raising the height of the hedge and not using floodlights on Sundays. Given the negligible light impact due to the reduced level of the court and its location (see paras 4.1 and 8.2) however, the proposal retains the use of floodlights to 9.30 pm on Mon-Sat. This will maximise the investment in the court and the benefit to members, and align with timings of court 3 with which it is paired.

- 6.2. **Freeholder:** The club has discussed the proposal with the landlord, Dulwich Picture Gallery, who own the freehold of the site and served Notice 1 under article 13 of application under Article 13 to enable Certificate B to be completed.
- 6.3. **Club membership**: The proposal is supported by the club members.

#### 7. DESIGN: ACCESS

- 7.1. Pedestrian and Cyclist Access from Gallery Road: The site is accessible via a digital lock controlled pedestrian gate with a level threshold (see fig. 9). There are a total of 14 bicycle stands for use by club members and visitors close to the main entrance (see fig. 12). A rail attached to the clubhouse provides further 3-4 spaces. A second pedestrian gate is normally locked but provides the flexibility to ensure continued safe access during the works.
- 7.2. **Vehicular Access from Gallery Road:** There is no vehicular access to the site for use by club members. For the purposes of maintenance, building and landscape works there is a wide vehicular gate next to the pedestrian gate. The vehicular gate is normally kept locked shut.
- 7.3. Internal circulation within site: The layout of the courts, club house and facilities, e.g. bicycle stands provides a secure, accessible, inclusive environment for members and visitors of all ages and abilities, on an equal basis. The courts are not currently accessible to wheelchair users.
- 7.4. Accessibility: The proposed scheme for the reinstatement of a tennis court, paired with Court 3 will leave unchanged existing accessibility, site access, and internal circulation arrangements (see figs. 10 & 11).
  - 8. DESIGN: PROPOSED LAYOUT
- 8.1. Siting: Three possible configurations of the proposed new tennis court have been tested. The proposed layout offers the most benefits and least disadvantages. It optimises the use of land, minimises interference with the boundary hedges and trees and maintains the greatest distance from the neighbouring houses to the east of the site, which protects their privacy. Dropping the existing ground level to match that of the existing Court 3 helps ensure the new court is not easily visible from outside the site boundaries, and reduces the relative height of the floodlight mast heads above the ground level beyond the site boundaries.
- 8.2. **Floodlighting:** The lighting design criteria provide for a lighting scheme suitable for Lawn Tennis Association minimum standards, whilst minimising light spill and glare to neighbouring properties. The proposals are to utilise 3no existing columns and to add 6no new 6.4m high columns to match existing. As with floodlights on the other courts, deflectors will be installed on the luminaires facing the houses to mitigate against the appearance of glare.

The predicted lighting design light spill levels and glare to neighbouring properties takes into account the shadowing effect of the hedge on the boundary and the reduced level of the proposed new court. The resulting light levels comply with the requirements of the Institute of Lighting Professionals Guidance Note 1 for the reduction of obtrusive light for Environmental Zone E2. There is no additional impact of lights on court 3A compared to the current existing floodlights on existing courts, and light levels reaching the houses (approx. 5 lux) is considerably less than that from typical street lights (approx. 25 lux). The lighting design calculation results based on the proposed luminaires is set out in Appendix A.

- 9. DESIGN: LANDSCAPING, TREES, HEDGES and ECOLOGY
- 9.1. An area of soft landscaping will be retained between the eastern edge of the new court and the existing hedge on the boundary. The evergreen hedge, planted some years ago to screen

- the courts from the neighbouring houses, is unaffected by the proposal. At the request of the residents this will also be allowed to grow to a greater height.
- 9.2. The installation of the land drain and court fencing in the SE corner of the proposed court requires the removal of four trees of lesser importance and the trimming of overgrown boundary planting. A specialist survey by a qualified arboriculturist has been commissioned by the Club (see Appendix B). The Arboricultural report sets out tree protection measures designed to protect from damage during the works, which minimally impinge its notional root protection area, the tree shown as retained on the application drawings.
- 9.3. A specialist survey by a qualified ecologist has been commissioned by the Club to ensure that the extent and type of wildlife in general, and bat activity in particular is known before the proposals are implemented, to ensure that specific risks to bio-diversity are known in advance of the works and suitable measures to mitigate any hare are put in place (see Appendix C).
- 10. DESIGN: FLOOD RISK & SuDS
- 10.1. Flood Risk Zone: The Environment Agency Flood map for planning for the site shows it in flood risk zone 1, an area with a low probability of flooding. This combined with the fact that the proposed development is under 1 Ha, means that a flood risk assessment is not required (see Appendix D, Flood Map for Planning).
- 10.2. Surface Water Management: Notwithstanding the fact that the EA does not require a flood risk assessment, we have taken precautions to ensure that the proposed court will not contribute to an increase in surface water run-off. Currently, disposal of surface water from the site relies exclusively on infiltration techniques, with a land drainage channel along the outer perimeter of the courts. The court itself acts as a water storage/attenuation 'tank'. The following is extracted from advice provided by a specialist tennis court installer:

The new court will be of porous construction with 65mm compacted depth of porous asphalt over a 300mm depth of aggregate base comprising single sized aggregate. This provides a stable base suitable for pedestrian loadings, but importantly approx. 30% of the volume will be voids that will attenuate water percolating down from the surface – in effect a massive soakaway with the water either slowly (very slowly if the subsoil is all clay) seeping downwards, or evaporating back up through the surface. This avoids any surface water problems.

This is a far better situation that the existing grass surface which when it is hard acts more like an impermeable surface where the water can only run off to lower adjacent land (in this case the drainage margin of court 3).

10.3. **Porous Surface Infiltration:** The proposed court build-up, taking the estimated void percentage above, gives an approximate total volume of surface water storage in the region of 65,000 litres. This is the equivalent to a substantial attenuation tank. This volume of water will infiltrate at a reasonable rate because the site sits in an area classified as 'moderately suitable' for soakaways (see Appendix E). The extension of the existing perimeter land drainage channel will assist with ensuring the efficacy of surface water infiltration.



Figs 9 & 10. Main entrance



Figs 11 & 12. Internal circulation and bicycle stands



Fig 13. Existing drainage edge to Court 3 and grass surface on the croquet lawn.

# 11. EVALUATION: HERITAGE/PLANNING IMPACT

	Brief Description of Proposed Work The works described below are illustrated on the proposals drawings submitted with the application and in the technical information attached as appendices to this statement.	Impact
l.	The new tennis court will sit below the present ground level, to match the existing level of court 3 with which it will be paired	The reduced level will help minimise the visual impact of the new court and associated equipment from adjacent ground, including Lovers Walk and College Gardens
II.	Floodlighting (see Appendix A for details of proposal)	The light spill diagram supplied as part of this application indicates that the illumination levels from the proposed LED lighting would drop to below 10 lux before reaching the nearest residential windows.
		Guidance from the Institution of Lighting Professionals advises that in suburban contexts such as the application site and surrounding area, light intrusion levels below 10 lux before a curfew are acceptable: the proposed illumination levels would not have an unacceptable impact on residential occupiers' amenity.
		The proposed LED lighting would require less energy than the traditional arrangement
		The hours of operation of the lights at the Club would not have an additional impact on wildlife in the area. This has in previous applications been confirmed by the council's ecology officer.
III.	Existing trees and hedges	The existing hedge separating the neighbouring houses on College Gardens will be unaffected by the proposed development.
		Existing trees affected by the development are not the subject of a current TPO — See Appendix F [extract from Southwark TPO MAP]
		Work that affects existing trees and hedges has been evaluated by a qualified arboriculturist and is set out in a report, together with mitigation measures, which forms part of this application
IV.	Transport	As above, the proposal would not alter the hours of use of the grounds, and would not result in a significant increase in overall use. Therefore, there would not be any further strain on parking or transport demand in the area.

#### 12. EVALUATION

- 12.1. The proposed design was selected from three possible options. The preferred option optimises the use of land, minimises the impact of the proposed development on existing trees and hedges, best safeguards the residents' interests whilst providing a court that meets the Lawn Tennis Association's minimum standard.
- 12.2. The proposal expands provision for open air tennis to meet real increase in demand.

#### 13. CONCLUSION

- 13.1. The proposal would involve minor changes to the existing soft and hard landscape, mainly related to ground level reduction and re-location of an existing grass banked area. Areas of indifferent quality existing landscape will be reinstated with better quality planting consisting of five new specimen trees and understorey planting to form a hedgerow type of boundary similar to the existing green edge at the back of courts 1 -3.
- 13.2. The proposal would not cause any loss of amenity in terms of noise intrusion, light, outlook and privacy of neighbouring residents.
- 13.3. The light spillage calculation shows the light levels from court floodlighting will not have an unacceptable impact on neighbours and wildlife.
- 13.4. The proposal will allow better use of the site, increasing capacity at a popular, well used 'open air' sports facility and providing greater opportunities for enhancing wellbeing and fitness for members from the local Dulwich community, Southwark at large and beyond.
- 13.5. The proposed alterations to the site are minimal and reinstate a new court on the historic site of an earlier court. They are sympathetic to the preservation of the character of the site and the local area.
- 13.6. The positive approach to the management of this asset which has informed the design of the proposals emphasizes the preservation of what is special in the historic local character of the area enhancing it and ensures its continued viability and beneficial future.
- 13.7. We respectfully submit that the proposed works will not be detrimental to the special and historic character of the Dulwich Conservation Area, the Metropolitan Open Land, the Green Chain, the Dulwich SPD, and are therefore acceptable.

## **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX A: (uploaded seperately)

Outdoor LED Tennis Lighting Design Luminance Pro

## **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX B: (uploaded seperately)

Arboricultural Survey, Impact Assessment & Method Statement PJC Consultancy

# **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX C: (uploaded seperately)

Bat Activity and Impact Assessment Simlaw Ecology

Full Report expected: 31.08.2021

## **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX D:

Flood Map for Planning Environment Agency



# Flood map for planning

Your reference Location (easting/northing) Created

OCLTC 533040/173459 16 Mar 2021 13:12

Your selected location is in flood zone 1, an area with a low probability of flooding.

# This means:

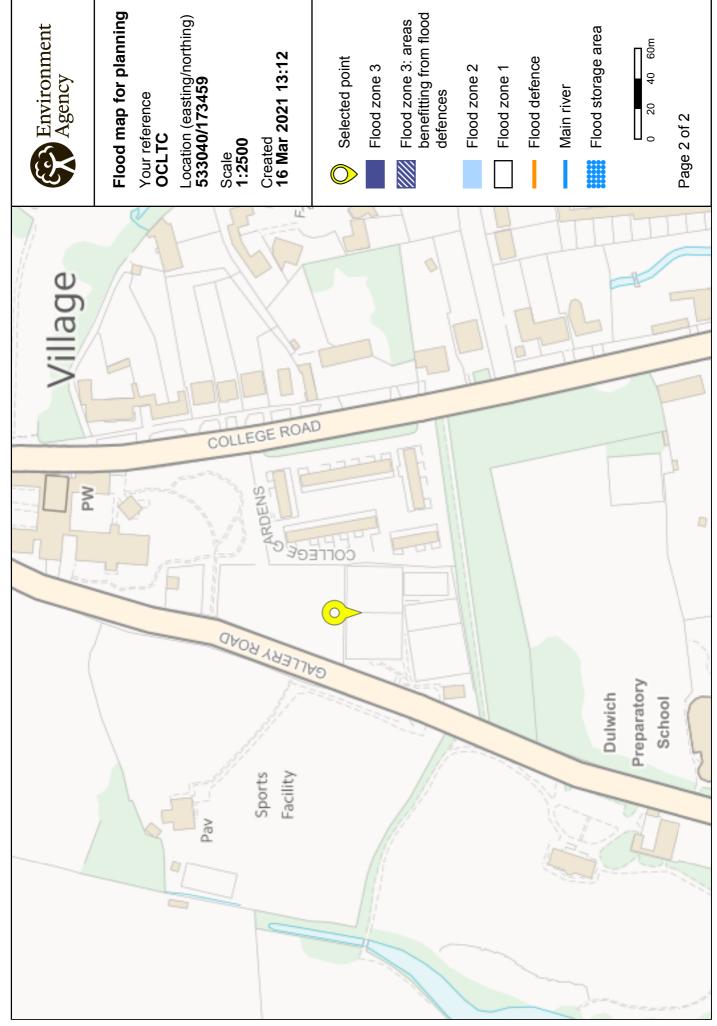
- you don't need to do a flood risk assessment if your development is smaller than 1
  hectare and not affected by other sources of flooding
- you may need to do a flood risk assessment if your development is larger than 1
  hectare or affected by other sources of flooding or in an area with critical drainage
  problems

#### **Notes**

The flood map for planning shows river and sea flooding data only. It doesn't include other sources of flooding. It is for use in development planning and flood risk assessments.

This information relates to the selected location and is not specific to any property within it. The map is updated regularly and is correct at the time of printing.

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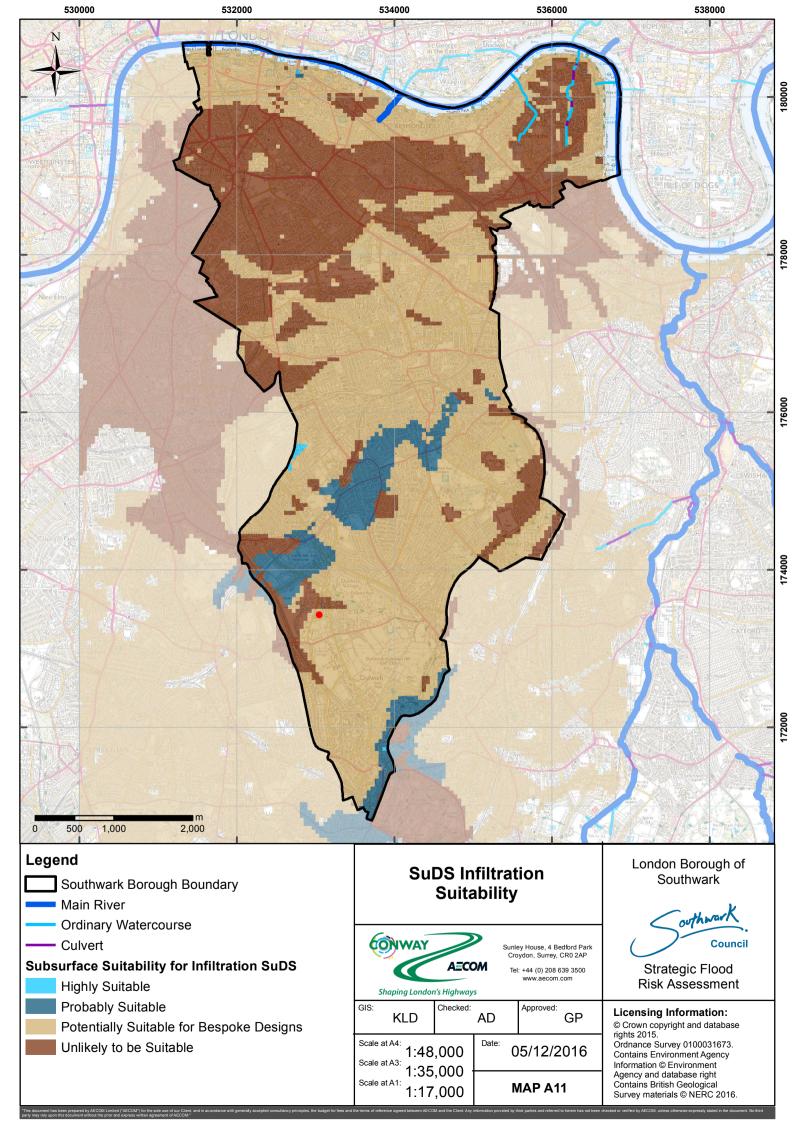
## **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX E:

SuDS Infiltration Suitability
Southwark Council

(site marked in red)



## **DESIGN and ACCESS STATEMENT**

July 2021

APPENDIX F:

Southwark TPO Map

(site marked in red)

