

Planning Statement – Sidcup Sports Club, Crescent Farm, Sydney Road, Sidcup, DA15 6RA

Applicant

■■■■ Pressney 20 Goodwin Drive, Sidcup, DA14 4PA

Proposal

1. Resubmission of (21/00828/FUL) - Application for a variation to condition 22 to amend the opening hours of the Clubhouse and associated gym under permission 10/01078/FUL allowed on appeal to vary opening hours approved under parent permission 00/01547/FUL which was for a residential development and extensions to the existing Clubhouse. The proposed opening hours of the Clubhouse and associated buildings would be from 6am to 11pm Mondays to Sundays.
2. It is intended to open a new fitness regime club for members which comprises of solo training and occasional classes of no more than 12 (max) persons training for personal accomplishment and competition entry in this specialist CrossFit sport. Specialist equipment is required for this type of gruelling training programme known as CrossFit. CrossFit is a mix of cardio, gymnastics and weightlifting movements which is becoming more popular across the country. Few facilities are available in the area, facilities are very widespread with only one other in the borough at Europa Gym in Erith.
3. Given the healthier lifestyles people currently seek, where exercise, mindfulness and wellbeing are paramount in our lives. It is found that the benefits of early morning exercise are healthier and better for your wellbeing. As such, many people prefer to train early morning before their day starts.
4. It is requested that Condition 22 is varied to allow the hours available for customers and members to use the Gym and associated changing facilities from 06:00am.

Site description

5. The application site has been used for sport and recreation for over 140 years and extending over 5 hectares of land it comprises of rugby/cricket pitches, tennis courts and training/recreational fields. There is an elongated single storey clubhouse building in the middle of the site which houses the changing/showering facilities, a gym, bar, hall, and storage rooms.

Relevant planning history

21/00828/FUL

6. Application for a variation to condition 22 to amend the opening hours of the Clubhouse and associated gym under permission 10/01078/FUL allowed on appeal to vary opening hours approved under parent permission 00/01547/FUL which was for a residential development and extensions to the existing Clubhouse. The proposed opening hours would be from 6am to 11pm Mondays to Sundays. – REFUSED

Refusal reason:

Variation of condition 22 of 10/01078/FUL to vary opening hours from 07.30 to 06:00 is refused as the proposal, by virtue of its start time, intensity of use and close proximity to neighbouring residents is likely to give rise to undue noise and disturbances to the residents at 53-67 Sydney Road due to the early arrival of guests and staff. Moreover, the intensity of use would have added implications in regards to traffic and car parking with other uses on the site. Accordingly, the proposal fails to comply with Core Strategy Policy CS0 and CS15 and UDP Policies ENV39 and T6.

Appeal ref: APP/D5120/A/10/2140206

7. In 2001 planning permission was granted for the 28 new dwellings on the sports grounds to the eastern side of the site. Condition 22 of this planning permission imposed a time restriction stating:

"The hours of opening of the Clubhouse and associated buildings shall be restricted to 7:30 to 11:00pm Monday to Sunday".

To help the economic situation of the struggling club, a planning application was submitted but subsequently refused to extend the hours of opening to 00:30am. The refused decision was appealed and although the extended evening hours were not granted the Inspector, in his appeal decision of 24 February 2011 amended the wording of Condition 22 to state:

"The Clubhouse and associated buildings shall not be open to customers and members outside of the following times: 07:30 to 23:00 on Mondays to Sundays".

8. It appears that the appeal turned on the potential noise and disturbance that would arise from opening to 00.30 am. The number of letters received from local occupiers objecting to the hour's extension (albeit retrospective) was his justification to dismiss the appeal. It is noted that

two of his comments are of particular relevance to the current proposal. In paragraph 16 of his decision, he states:

"...While a variety of issues was raised in those letters, the general theme was that later opening hours would extend the period during which disturbance would arise from the leakage of music from the Clubhouse..."

He continues, in paragraph 22:

"...I am satisfied on the evidence of the complaints from adjoining occupiers and on my assessment of the situation during my site visit that there is a need for the condition in order to avoid the demonstrable harm which has arisen as a result of the bar and Clubhouse being used in the past during the hours which are now requested and the consequent departure time from the premises of patrons and members."

9. On the above basis the opening times and use of the club and its associated buildings were not of concern except for the use of the bar and function hall for events creating music leakage and patrons leaving the site at unsociable hours late in the evening.
10. In contrast, the degree of such noise arising from the intended use of the Gym and changing facilities in this proposal, would be clearly different in nature to that from late night noise breakout of the type that the Inspector concentrated his decision on.
11. **The site has unrestricted times on its playing fields throughout the year. This Cross Fit venture as well as any other training can take place on the fields 24hrs a day. Therefore, cars can enter and leave the site 24hrs a day with only a restriction on entry to the clubhouse and associated buildings.**
12. This venture would only require access to the Gym and changing facilities early in the morning. The refusal reason applied to the recently refused application (21/00828/FUL) was in relation to:

"...by virtue of its start time, intensity of use and close proximity to neighbouring residents is likely to give rise to undue noise and disturbances to the residents at 53-67 Sydney Road due to the early arrival of guests and staff."

Comment:

It is established that any vehicle can enter the site unrestricted 24hrs a day.

13."...the intensity of use would have added implications in regards to traffic and car parking with other uses on the site..."

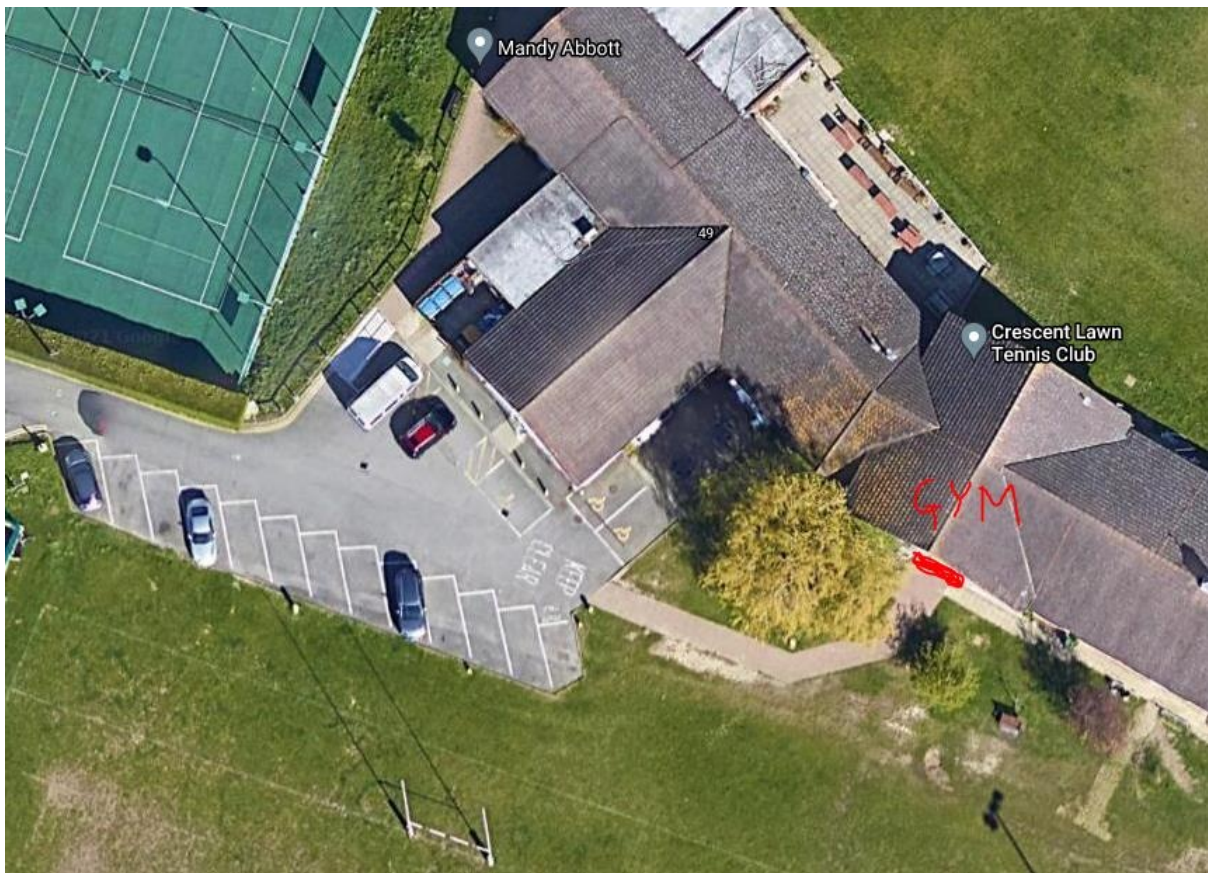
Comment:

There are no other users on the site from 6am. The earliest operation on the site is the Nursery to the far north perimeter of the site starting at 7.30 am.

14.Below is an aerial shots of the site indicating the five aeras of parking in order of preference that members use when they arrive at the site.



15.Following are aerial shots of each of the numbered areas showing the available parking.



Areas 1. (13 + 4 disability spaces)



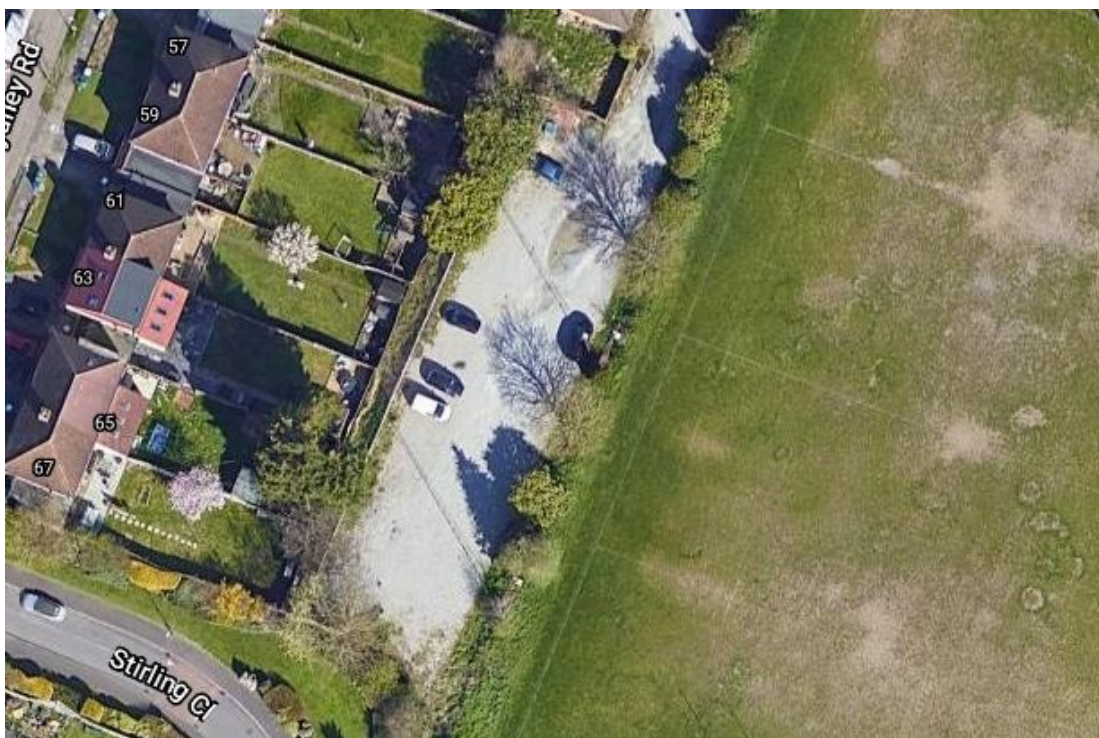
Area 2. (13 spaces)



Area 3. (32 spaces)



Area 4. (15 spaces)



Area 5. Overspill approx. (50 spaces)

16. The officers delegated report (21/00828/FUL) identifies that the two main considerations of the proposal are the 'impact on the neighbouring amenity and on highways'

17. It goes on to say in this first paragraph of assessment, that '*...the sports club car park located directly to the rear of eight houses 53-67 Sydney Road and how this proposal would have an 'unreasonable impact on neighbour amenity'*' and then goes on to mention the 'second car park' near the tennis courts that the council could not enforce unless it was conditioned.

18. This assertion and, moreover the basis for such is wholly incorrect as demonstrated by the attached aerial shots, Photographs and parking availability described in para. 14.
19. Firstly the 'Sport Club Car Park' as described by the officer, is a known overspill carpark used on match days, largely due to its distance from the clubhouse and unmade surface. The 'second car park' is generally used as a third option.
20. Tellingly, it is understood that the case officer did not visit the site and would therefore not have witnessed the 30 prime parking spaces in areas 1 and 2 that all members use as a matter of convenience when arriving at the site. Certainly, the Club Secretary was not contacted, who would have been happy to show the case officer around the site and clarify matters.
21. This venture normally attracts 6-8 cars in the morning due to car sharing and cyclist members. Therefore, it is wholly disputed that the overspill car park would be used for early morning use, notwithstanding there is a gate to prevent this and as the officer mentioned could easily be conditioned.
22. The second and final paragraph of the delegated reports assessment refers to highways which mainly deals with the lack of compliance of submitting a travel plan by a separate user of the site, the nursery. This is a matter for the Council to enforce and should not have any bearing on this proposal given the established and existing use of the site especially as the nursery does not operate until 7.30am.

Policy

23. The following policies are most salient to this proposal and it is considered the policy would not compromise them.

Policy G4

The Council will, within available resources, seek to provide adequate means and opportunities for all sections of the borough's population to have access to housing, jobs, leisure, social and community facilities.

Policy G29

Subject to Policies G1 to G9 and other relevant policies the provision of new leisure and recreational facilities will be encouraged, particularly where there are shortfalls of provision on a local, regional and national scale.

Policy E2

Where appropriate, the Council will encourage the provision of small business units, by means of redevelopment or conversion of existing premises. The Council will take account of the needs of existing or proposed occupiers and the scale and type of development proposed in deciding the amount and type of small unit accommodation to be sought.

Policy TAL15

The Council will encourage and promote public use of existing or new school, collegiate and private facilities for sports, recreation and entertainment subject to:

- no significant detrimental impact on the environment or amenities of neighbouring occupiers; - **achieved.**
- floodlighting and noisy or late-night activity having no detrimental impact on the surrounding area; - **not applicable**
- no conflict with other policies in this Plan – **achieved.**

Conclusion

24.The case report states 15 letters of support were received and only two letters of objection. It has been demonstrated that the use of the car park and grounds are unrestricted. The support received demonstrates how the service is a welcomed venture that brings health benefits to the community and will surely outweigh any potential harm caused by **extending the use of the building** by an hour and a half in the morning.

25.We trust that this resubmission can now be properly assessed taking into consideration the reasoning and extra material provided.