

<b>Application no:</b>	2023/0866
<b>Ward:</b>	Weybridge St Georges Hill Ward
<b>Case officer:</b>	Margarita Romanovich
<b>Location:</b>	St Georges Hill Lawn Tennis Club Warreners Lane Weybridge Surrey KT13 0LL
<b>Proposal:</b>	Detached two-storey outbuilding and 3 semi-enclosed padel tennis courts with associated landscaping, fencing and access works, following the demolition of existing ancillary buildings.
<b>Applicant:</b>	St Georges Hill Lawn Tennis Club Ltd
<b>Agent:</b>	Mr Chris Lloyd AZ Urban Studio Limited 2 John Street London WC1N 2ES
<b>Decision level:</b>	Planning Committee
<b>Recommendation:</b>	Grant permission

## Report

### Description

1. The site forms part of St George's Hill Lawn Tennis Club, which is located centrally within the private Estate of St George's Hill between Warreners Lane and East Road. The application site is located on the eastern side of the club's property, close to the entrance at East Road. This area currently contains two grass tennis courts and several ancillary outbuildings used in relation to maintenance of the club's tennis courts.

### Constraints

2. The relevant planning constraints are:
  - Flood Zone 1
  - Medium Risk Surface Water Flooding
  - Thames Basin Heaths Special Protection Area – 400m-5km Buffer Zone
  - Special low density residential area
  - Strategic View 5 – The Valley of the River Mole from the Ledges at Esher
  - Mature trees surrounding the site and a TPO tree in the rear garden of Beaumont Lodge
  - An area to the south of the Warren Pond is designated by Natural England as a deciduous woodland that is a Priority Habitat.

### Policy

3. In addition to the National Planning Policy Framework and the National Planning Practice Guidance, the following local policies and guidance are relevant to the determination of this application:
  - Core Strategy 2011
    - CS4 – Weybridge

- CS13 – Thames Basin Heaths Special Protection Area
  - CS14 – Green Infrastructure
  - CS15 – Biodiversity
  - CS16 – Social and Community Infrastructure
  - CS17 – Local Character, Density and Design
  - CS25 – Travel and Accessibility
  - CS26 – Flooding
  - CS27 – Sustainable Buildings
- Development Management Plan 2015
    - DM1 – Presumption in favour of sustainable development
    - DM2 – Design and amenity
    - DM5 - Pollution
    - DM6 – Landscape and trees
    - DM7 – Access and parking
    - DM8 – Refuse, recycling and external plant
    - DM9 – Social and community facilities
    - DM21 – Nature conservation and biodiversity
  - Design and Character SPD 2012
    - Companion Guide: The character of Elmbridge (an overview)
    - Companion Guide: Weybridge
  - Flood Risk SPD 2016
  - Parking SPD 2020
  - Development Management Advice Note 7: Supporting biodiversity and encouraging nature in development

## Relevant planning history

### 4. Planning history

Reference	Description	Decision
2023/0697	Part three/part two-storey detached building containing fitness facilities and associated landscape and access works, following the demolition of existing buildings.	Under consideration
2021/4342	Re-configuration of tennis courts to provide an additional court, making 4 in all, with associated new fencing.	Granted
2021/0792	20m high telecoms mast with associated antennas and equipment.	Refused
2020/3251	Non-Material Amendment to planning permission 2020/2301 to replace perspex panels with glass panels.	Granted
2020/2301	Conversion of single outdoor tennis court to a single Padel court with perspex and mesh panel	Granted

	surrounds up to 4m high.	
2020/1100	Single-storey side extension and new sloping roof.	Granted
2020/0163	Detached single-storey pavilion building (30sqm).	Granted
2018/1378	Two-storey front extension, two-storey side/rear extension (890 sqm), new decking and alterations to parking following demolition of existing single-storey rear restaurant facility (308 sqm).	Permitted
2017/2099	Confirmation of Compliance with Condition: 5 (Archaeological Work) of planning permission 2015/2869	Compliance confirmed
2017/1437	Non-Material Amendments to planning permission 2015/2869 to reduce the number of floodlighting poles from 12 to 8 and increase the height of poles by 1 metre	Refused
2016/3084	Single storey rear extension	Permitted
2016/3062	Confirmation of Compliance with Condition: 5 (Archaeology Project Design) of planning permission 2015/2869	Compliance confirmed
2015/2869	3 new tennis courts (hard surfacing) with associated fencing and flood lighting; new practice wall and gazebo	Permitted
2014/3151	Single storey front infill extension to create reception area (11.2 sqm) and alterations to clubhouse	Permitted

## Proposal

- The application is for the erection of a detached two-storey outbuilding and 3 semi-enclosed padel tennis courts with associated landscaping, fencing and access works, following the demolition of existing ancillary buildings.

## Consultations

- Surrey Wildlife Trust – Initially asked the applicant’s ecologist to review external lighting scheme. Following the receipt of the applicant’s clarification email, raise no objection subject to conditions.
- Surrey Bat Group – No objection. Their comments for 2023/0697 should be applied.
- EBC Design and Conservation Officer – No objection.
- SCC Archaeological Officer - No objection subject to a condition.
- EBC Tree Officer - No objection subject to conditions.
- SCC Highway Authority – No objection.

12. SCC SuDS – Initially raised an objection to the development. Following the receipt of amended information raised no objection subject to conditions.

13. Environmental Health (Noise & Pollution) – No objection subject to conditions.

## **Representations**

14.21 neighbouring properties have been consulted on this application. A site notice was also displayed at the application site advertising the application.

15.39 letters of representation have been received from 35 addresses raising the following objections and concerns:

- Excessive size, mass and bulk
- Overdevelopment of the site
- Out of proportion to what is required
- Out of scale and character with surrounding buildings
- Unduly prominent and incongruous
- More in line with commercial or industrial estate
- Not appropriate for residential area
- Padel generates more noise and is faster than tennis
- Padel uses different types of bats, and the ball makes rebounding off the walls of the court
- Added noise of the excited and competitive players
- The courts are not fully enclosed
- The courts need to be fully enclosed
- There should be a prohibition on the holding of padel events of any kind which involve the attendance of spectators
- Detrimental to the outlook
- Detrimental impact on residential amenities of the nearby residential properties
- Noise nuisance and disturbance
- Too close to residential properties
- Light pollution
- Another location should be considered that is less detrimental to residential amenities of the neighbouring properties
- The submitted Noise Impact Assessment (NIA) is inadequate
- It is not clear if the measurements of a padel match in the NIA bore similar characteristics of the site and its surrounds
- It is not clear if the NIA takes into account the use of 3 padel courts
- 3 padel courts would attract 12 players
- simultaneously and in a situation where the access doors to the court were left open
- No consideration has been given to the level of activity between the courts and club house and parking areas
- The NIA admits that padel tennis is typically 10dB louder than tennis
- The NIA does not cover the different character of noise (impulse sound)
- The proposed roof would not provide adequate noise attenuation
- The proposed acoustic fence would be inadequate to mitigate excessive noise

- The tennis club has become too large
- Impact on property values
- The courts would be used every day between 7 am and 10 pm
- The hours of use need to be restricted to more sociable hours
- The area is currently quiet and peaceful
- The submitted Planning Statement does not adequately address the impact on the amenities enjoyed by the occupants of the surrounding residential properties
- The roofing material needs to be reviewed
- Not enough vegetation retained to provide screening
- Native hedgerows and trees have been removed
- Detrimental impact on trees
- Potential removal of trees and vegetation
- The construction would cause a lot of heavy traffic along the small lanes of the estate
- The combined effect applications 2023/0697 and 2023/0866 need to be assessed
- No decision should be made until neighbours can do their own noise impact assessment
- Overbearing impact
- Existing outdoor gym and exercise area produce a lot of noise and disturbance
- A trial of one padel court generated a lot of noise complaints
- Complaints over noise have been made to the club by residents
- The outdoor gym and exercise should have been dismantled when Covid restrictions discontinued
- During Covid, the club dramatically increased its membership numbers
- The parking arrangement is inadequate for 4000 members
- Loss of privacy and overlooking
- The club promised not to increase its membership numbers and keep it below than what it currently has
- The expansion is not needed as the club is well served by the current facilities
- The current facilities sit centrally within the site and have less impact on neighbours
- The clientele of the club would be changed
- No plans have been provided showing the cumulative impact of the overall A proposal to erect an air hall was previously refused by planning committee under application 2008/0037 due to harm to the character of the area
- Application for single radio mast was previously refused under application 2021/0792 due to harm to the character and visual amenities of the area
- Would exacerbate existing traffic issues as a result of the expanding numbers at the club
- Increased pollution
- Harm to environment and biodiversity
- Replacement buildings should be 'like for like'
- Would set a precedent
- Does not take into account the design of the existing buildings
- Only one site notice was advertised within the estate with restricted access

- Properties in Ellesmere Road have not been notified and were not able to see the site notice
- The membership numbers are likely to increase
- Most of the people supporting the proposal do not live close to the site
- The Ecological Appraisal should be undertaken at other periods during the year before any decision is made
- The development site is alongside an SSSI Impact risk zone
- Inadequate replacement planting
- Established trees need to be retained and increased in size
- The plant on the fitness centre would generate noise
- The noise impact assessment needs to be independently reviewed
- The windows need to be kept shut
- The noise levels and light pollution needs to be controlled with conditions

16.98 letters of support from 91 addresses have been received containing the following comments:

- Padel tennis is the fastest growing sport across Europe
- More padel tennis clubs are opening across the UK and worldwide
- Great and inclusive sport for adults and youngsters
- The sport is recognised by the Lawn Tennis Association
- The grounds and facilities at the club are fully suitable to support and promotes padel tennis
- Would enable the club to thrive economically, retain its competitiveness across the region and secure its future
- The club has continuously evolved to meet the ever changing needs of its members
- The current facilities are not fit for purpose
- Would enhance the club, estate and local area
- The club has many members who have tried and enjoyed the sport
- Would benefit the local community by providing enhanced opportunities for active recreation
- Would promote a healthy lifestyle
- It is normal for any sports club to improve and enhance its facilities
- There would be no increase in traffic
- The club membership is capped at its existing 4000 members
- The site is large enough to accommodate the development
- The club has taken the representations and objections into account and amended the plans to address them
- Acoustic tests have been carried out by professionals on behalf of the club to ensure that noise levels are not anti-social
- Would improve health and fitness
- Essential development for the club
- The padel facilities will be utilised all year-round unlike existing courts that are used for 3-4 months each year
- The trial padel court at the club was hugely positive
- Most local tennis clubs have added padel courts with great feedback from the community

- The number of players wanting to play padel tennis greatly exceeds the facilities available
- Padel bats are made of fiberglass or carbon fiber
- Would not result in noise nuisance or disturbance
- The club have gone to great lengths to ensure there is no detrimental noise impact upon neighbouring residents
- Acoustic screening is proposed
- Would not result in light pollution
- Would not result in overlooking of neighbouring properties
- Complies with the Council's requirements with regards to supporting exercising facilities
- Sensitively designed and carefully situated to ensure there is no loss of amenity to neighbouring properties
- In line with the utility and aesthetic attributes of the club

17. Two letters of observation have been received from two addresses containing the following comments:

- Support the proposal
- Padel is a rapidly growing sport with high demand
- Good and efficient use of space
- Would provide a healthy activity that all the family can participate in
- Would be a great asset at the tennis club

### **Positive and proactive engagement**

18. The National Planning Policy Framework requires local planning authorities to work with the applicant in a positive and proactive manner to resolve problems before the application is submitted and to foster the delivery of sustainable development. This requirement is met within Elmbridge through the availability of pre-application advice.

#### Pre-application advice

19. Formal pre-application advice (2022/1852) has been sought by the applicant prior to the submission of this application. No objection was raised to the principle of development subject to the submission of additional or updated information to address technical matters or concerns, including noise, lighting and parking matters as well as the impact on the residential amenities of neighbouring properties.

#### Consultation with stakeholders by the Council

20. The current application was publicised in accordance with Article 15 of The Town and County Planning (Development Management Procedure) (England) Order 2015 (as amended). The Council sent letters inviting comments to a total of 21 neighbouring properties adjacent to the application site. A site notice was also displayed outside the site entrance.

#### Statement of Community Involvement (SCI)

21. The submitted Statement of Community Involvement sets out that the applicant undertook a public engagement programme in 2022 through the St George's Hill Resident's Association application process. The process included the submission of several applications accompanied by supporting information and briefing material being set by the Resident's Association to all residents of the estate. Further information was provided as part of the application.

## **Planning considerations**

The main planning considerations are:

- Principle of the development
- Design of the proposal and its impact on the character and appearance of the area
- Impact on the amenities of neighbouring properties
- Impact on safety, highway and parking
- Impact on flood risk and SuDS
- Impact on trees
- Impact on ecology and biodiversity
- Archaeological implications

## **The principle of the development**

22. Policy DM9 of the Development Management Plan 2015 sets out that new development for social and community facilities will be encouraged provided that:

- VI. It meets identified local need;
- VII. The site is in a sustainable location that is safe and accessible to the local community;
- VIII. It will accord with the character and amenity of the area, particularly in residential areas;
- IX. It achieves a high quality design that allows for flexible use and provides inclusive access for all; and
- X. The level of parking provision and the effects on traffic movement and highway safety are acceptable.

23. The application site forms part of the existing St George's Hill Lawn Tennis Club, which is a private members' club. The site is in a relatively sustainable location that is safe and accessible to the local community.

24. It was originally built as a lawn tennis and croquet club in 1913. Since then, a gymnasium, swimming pool, exercise studio and new changing rooms have been added to diversify the club's offering. This application seeks planning consent for the erection of a semi enclosed structure containing three padel tennis courts and a two storey ground keepers shed together with associated landscape, fencing and access following the demolition of several existing storage and workshop buildings.

25. These are proposed to further diversify and improve the club's offering and to respond to the changing industry trends and members needs. It is noted that padel tennis is becoming increasingly more popular.



26. Points III. and V. are discussed further below under the relevant sub-headings.

27. There is no in principle objection to the proposed development in this location subject to compliance with national and local policies as detailed below.

### **Design of the proposal and its impact on the character and appearance of the area**

28. The NPPF 2021 at paragraph 126 sets out that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve'. It then continues that 'development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes'.

29. Policy DM2 of the Development Management Plan 2015 requires proposals to preserve or enhance the character of the area, taking account of design guidance detailed in the Design and Character SPD, with particular regard to the following attributes: appearance, scale, mass, height, levels and topography, prevailing pattern of built development, separation distances to plot boundaries and character of the host building, in the case of extensions.

30. Furthermore, Council's Design & Character SPD 2012 advises that new development should be designed with careful consideration given to the grain, building line and plot coverage, should respect established spacing patterns in the streetscape and relate to the character of the area.

31. The site falls within Sub Area WEY16 St George's Hill, which is a designated special low-density residential area in an exclusive private estate comprising predominantly of large gated detached houses, mainly two-storey in height, some with rooms in the roof space. The houses are set in very generous wooded plots with large front and rear gardens, largely set back from the road and concealed by vegetation. The estate has a spacious layout, which is landscaped dominated containing many mature hedges, trees and gardens. Access to the estate is limited exclusively for residents and visitors to the private tennis and golf/country club.

32. The area has experienced a lot of changes through both replacement dwellings and householder alterations and extensions which resulted in a current mix of architectural styles displaying innovative architecture and creative design solutions. Some of the older houses within this area are statutorily listed, and others are of historic and architectural interest. These are located sufficient distances away from the application site.

33. An existing tennis court is to be removed along with some surrounding vegetation to make way for the padel courts and the grounds keepers outbuilding. The new padel courts and grounds keepers outbuilding would be of considerable height and mass. However, it is considered it can be accepted in this location given that

the works would be contained within the existing private club and are of scale and design necessary for their purposes. The height is required for the use of the courts and cannot therefore be lowered and, removing the roof would make the courts less useable especially during colder months. Whilst large and utilitarian in design, the proposal is in keeping with the character and use of the site and, in this instance, is not considered to cause harm. Given the proposed location and screening combined with the purpose of the buildings, the character of the area would be preserved. Further details of materials can be secured by an appropriately worded condition.

34. The Council's Design and Conservation Officer has reviewed the proposal and concluded that it would be acceptable in heritage and design terms. As such, the proposal is not considered to appear unduly prominent or incongruous to the detriment of the character of the area.
35. The development, given that it would be screened from the wider surrounding area, would not result in detrimental impact on Strategic View 5 – The Valley of the River Mole from the Ledges at Esher.

### **Impact on the amenities of neighbouring properties**

36. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development including mitigating and reducing to a minimum potential adverse impacts resulting from noise from new development and avoiding noise giving rise to significant adverse impacts on health and the quality of life, and limiting the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
37. Policy DM2 (e) requires all new development to protect the amenity of adjoining and potential occupiers and users. It requires development proposals to offer an appropriate outlook and provide adequate daylight, sunlight and privacy. Furthermore, paragraph 4.60 of the Design and Character SPD states that a useful tool to assess the effect of new development on neighbours' amenity and to influence the siting of new buildings is to apply the '45 degree rule' which outlines that an acceptable relationship between buildings is achieved when new single storey development positioned further than 8 metres from the existing dwelling and the two storey element further than 15 metres when located within a 90 degree arc from the edges of main windows to habitable rooms.
38. Policy DM5 states that all development that may result in noise or odour emissions or light pollution will be expected to incorporate appropriate attenuation measures to mitigate the effect on existing and future residents.
39. There are residential properties to the north, north-east, east, south-east and south of the application site. The closest one is Beaumont Lodge situated to the south of the site. The proposed padel courts would be located approximately 20m from the side boundary of this neighbouring property and about 38m from its

closest building. The Granary is located approximately 130m to the south-east from the location of the proposed development. Tudor Cottage is located approximately 65m to the north-east from the location of the proposed development. Markinch and Kingswood are located approximately 70m and 100m to the north from the location of the proposed development.

40. Given the sufficient separation distances and mature vegetation offering screening, the proposed development is not considered to result in loss of light, overbearing impact or loss of privacy in relation to the occupants of the aforementioned properties.
41. The application is supported by a Noise Impact Assessment prepared by Hepworth Acoustics ref.P22-158-R03v2, which together with the proposal has been reviewed by the Council's Environmental Health Officer (Noise & Pollution).
42. The padel tennis courts would form part of St Georges Tennis Club which is situated within a residential area. Padel Tennis is a court sport that is inherently noisier than tennis due to the shorter court size and the type of racquet used. The racquets used are flat with no strings therefore creates more impact where the ball hits the racquet.
43. In the UK, the only guidance available for padel tennis is through the LTA (Lawn Tennis Association) which advises that if a residential property is within 30m of a court, sound attenuation must be sought.
44. The report has measured the existing ambient noise levels in the vicinity of the proposed development both during the daytime and the evening periods. As there are not any padel courts present, noise measurements were taken from a doubles padel tennis match played at another club (Roehampton). A further noise survey was taken of a doubles tennis match at St George's Hill. A comparison led to the padel tennis at 15m being 10dB higher than and occurs at a higher frequency range. The assessment took this information and used modelling to establish what the noise levels are at various receptors, taking into account the attenuation of sound over distance, ground reflections, reflections off buildings and acoustic screening provided by existing and proposed buildings. The modelling is based with all three proposed new padel courts being used for high intensity matches simultaneously.
45. Table 3 of the report shows the results at both ground floor and first floor without acoustic screening of the padel courts. Whilst not relatively high in comparison to the existing noise levels, a 4.2m acoustic screening is recommended to ensure noise levels would be below the existing background noise levels.
46. Section 4.7 of the Recommendations details the acoustic screening. The report concludes that, providing these requirements are met, then the noise levels at the boundary of the nearby properties are unlikely to have an adverse noise impact on occupiers of the dwellings, even if all three courts used simultaneously.
47. The Council's EHO Officer has no raised objection subject to conditions requiring the development to be carried out in accordance with the submitted Noise Impact

Assessment and the submission of post-completion testing results, details of external lighting scheme as well as restricting hours of use. Further details of acoustic fence can also be conditioned. These conditions are considered relevant to the development and necessary to protect residential amenities of the neighbouring properties.

48. Since the proposed facilities are intended to serve existing members, the coming and goings associated with the proposed use are not considered to be materially more harmful than the existing situation on the site.
49. Subject to the above conditions, the proposed development would not result in detrimental impact on residential amenities of the neighbouring properties.

### **Impact on safety, highway and parking**

50. Policy DM7 of the Development Management Plan 2015 states that developments should have an adequate access that is safe and convenient for pedestrians, cyclists and motorists and that parking provision should be appropriate to the development and not result in an increase in on-street parking stress.
51. The Council's Parking Guidance requires four car parking spaces per tennis court or individual assessment/justification. In this case one tennis court would be removed and three padel courts added. This translates as an additional requirement of either 8 car parking spaces or individual assessment/justification.
52. Surrey County Council's Vehicular, Cycle and Electric Vehicle Parking Guidance sets out that for non-residential development, an additional 5% of total parking spaces should be allocated for disabled users or a minimum of 1 space per 750 square metres (whichever is the greater) to meet demand.
53. The Council's cycle store guidance for assemble and leisure uses requires an individual assessment.
54. The Council's Parking Guidance requires an individual assessment/justification for health clubs/leisure centres. In terms of EV chargers for commercial developments, the guidance requires 5% of all car parking spaces to be fitted with a trickle charging points.
55. The application is supported by a Transport Statement, which sets out that the wider site provides 129 hard surfaced parking bays along with 86 non tarmac overflow spaces. This is complemented by 7 disabled parking spaces, making the total parking provision 222 spaces. No changes are proposed to the existing main parking areas.
56. The construction of a fitness centre proposed under 2023/0697 (currently under consideration with no decision made) would change the total car parking provision for the entirety of St George's Hill Lawn Tennis Club to 220 car parking spaces (including 9 disabled parking bays).

57. A car park occupancy survey was carried out that concluded that even during peak times a quarter of the total car parking provision was unoccupied.
58. The Transport Statement also considers that the two existing EV charging bays meet the current demand for member and staff top up charges. Given that no changes are proposed to existing car parks and there are existing tennis courts in the site, this provision is considered to be sufficient for the proposed development.
59. The Transport Statement concludes that the site is not expected to receive any increase in car or other trips and that there would be sufficient parking on the site to accommodate the proposed development, as the new padel courts are proposed to be constructed for the benefit of existing members. An online booking system is also used to balance user demand throughout the opening hours of the courts. The typical member duration of stay of 1.5/2 hours is not expected to change as a result of the proposals.
60. The site is proposed to be serviced as per the existing arrangement for the tennis club. The new padel courts would not have a regular need for deliveries/maintenance and would typically be managed by the wider site management staff that are already present at the tennis club. The proposed groundskeeper's building is not expected to give rise to any additional demand for deliveries or waste/recycling than the current usage of facilities currently on the application site and in the clubhouse that the proposal would replace.
61. The proposals seek to make use of the existing cycle parking provided at the Site. The current provision is as follows:
- 8 spaces in the form of Sheffield stands;
  - 12 spaces in the form of two-tier cycle racks.
62. Current usage of the cycle parking on-site is low with some use by staff and limited usage by members.
63. Surrey County Council (SCC) in their role as a county Highway Authority have been consulted on the application. SCC have undertaken an assessment in terms of the likely net additional traffic generation, access arrangements and parking provision and are satisfied that the application would not have a material impact on the safety and operation of the adjoining public highway. The development is unlikely to result in a significant increase in vehicular traffic. The site has EV charging points and cycle parking. Therefore, SCC raise no objection to the development.
64. Given the above, the proposed redevelopment of the site is considered to be acceptable in respect of traffic generation, highways safety matters and car parking provision in accordance with Policies CS25 and DM7.

### **Impact on flood risk and SuDS**

65. Paragraph 159 of the NPPF 2023 sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from

areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. It then continues at para 167 that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.

66. Para 169 sets out that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- e) take account of advice from the lead local flood authority;
  - f) have appropriate proposed minimum operational standards;
  - g) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and
  - h) where possible, provide multifunctional benefits.
67. Policy CS26 of the Core Strategy 2011 and the Flood Risk SPD 2016 echo these requirements.
68. The application site is located within Flood Zone 1. A small part of the area where the proposal would be located fall within the medium risk of surface water flooding. The central/southwest area of the site may have the potential to undergo groundwater flooding, both below ground and at surface level.
69. The application is supported by a Drainage Strategy & Flood Risk Assessment. Surrey County Council (SCC) in their capacity as a Local Lead Flood Authority have been consulted on the application. They have reviewed the originally submitted document and raised an objection to the proposed development. Following the receipt of the revised Drainage Strategy & Flood Risk Assessment, SCC raised no objection to the development subject to relevant conditions. These are considered relevant and necessary.
70. Subject to the recommended conditions, the development would be safe for its lifetime without increasing flood risk on the site or elsewhere.

### **Impact on trees**

71. Policy DM6 states that development proposals should be designed to include an integral scheme of landscape, tree retention protection and planting. Furthermore, DM6 seeks to result in no loss of, or damage to, trees and hedgerows that are, or are capable of, making a significant contribution to the character or amenity of the area, whilst development should adequately protect existing trees including their root systems prior to, during and after the construction process.
72. The site does not contain TPO trees, is not within a conservation area nor is it designated as Ancient Woodland. However, it contains a number of mature trees that make positive contribution to the visual amenity of the area. In addition, there is a TPO tree in the rear garden of Beaumont lodge.

73. The application is supported by an Arboricultural Report. The Council's Tree Officer has reviewed the submitted information and raised no objection to the development proposal subject to appropriate conditions securing tree protection measures and tree retention. These are considered relevant to and necessary for the development.
74. The proposal subject to the above conditions would therefore comply with Policy CS14 of the Core Strategy 2011, Policy DM6 of the Development Management Plan 2015 and the NPPF 2023.

### **Impact on ecology and biodiversity**

75. Policy CS15 seeks to ensure that new development does not result in a net loss of biodiversity and where feasible contributes to a net gain through the incorporation of biodiversity features. Policy DM21 states that all new development will be expected to preserve, manage and where possible enhance existing habitats, protected species and biodiversity features.
76. The application is supported by an Ecological Appraisal Report. The survey found the buildings and trees on site to have negligible potential to house roosting bats and recommended that no further surveys are required. No badgers or great crested newts were recorded on the site.
77. Surrey Wildlife Trust (SWT) have initially advised that the external lighting scheme appears to be in line with the relevant legislation and recommendations in that it proposes low level bollards and downfacing lighting but asked the applicant's ecologist to confirm this. The applicant's ecologist has confirmed that the lighting scheme proposed is considered to be 'bat sensitive' in that it employs low level and directional lighting advising that upward and rear should be baffled/limited to avoid any spill into the woodland areas to the east and south. SWT have then confirmed that they are satisfied with the proposed external lighting scheme. Further details of external lighting scheme can also be secured by an appropriately worded condition.
78. SWT have also recommended the Council to require the development to proceed only in strict accordance with the precautionary method of working outlined in the report and the applicant to submit a Biodiversity Enhancements and Mitigation Plan prior to commencement of the development. These can be secured by appropriately worded conditions. The applicant is advised to refer to the recently published DM Advice Note on Supporting biodiversity and encouraging nature in development. SWT have also provided general recommendations, which can be communicated to the applicant by way of an informative.
79. Surrey Bat Group (SBG) have reviewed the submitted documents and proposal and raised no objection to it advising that their comments for application 2023/0697 can also be applied to this development.
80. On this basis, no harm to protected species would be caused by the proposal and biodiversity enhancement would also be secured.

## **Archaeological implications**

81. The site is over 0.4ha in area and lies in an area of archaeological potential, particularly for, but not limited to, Medieval remains. Policy DM12 of the Development Management Plan 2015 states that development proposals should take account of the likelihood of heritage assets with archaeological significance being present on the site and assess the significance of such assets and enhance understanding of their value.
82. The application is supported by a Heritage Statement that identifies that the site lies in an area with a high overall archaeological potential, with a possibility that features, deposits and finds dating from the prehistoric onwards could survive in the areas affected by development groundworks. The recommendations of the assessment are that appropriate mitigation of the negative effects of the development on any remains that might be present, could be effectively managed through a programme of archaeological investigation in advance of the development groundworks.
83. The SCC Archaeological Officer has reviewed the submitted document and raised no objection to the development advising that field evaluation through trial trenching would represent an appropriate initial phase of work in order to determine the archaeological potential and levels of previous truncation and the need for any further phases of work. This can be secured by an appropriately worded condition.

## **Matters raised in representations**

84. Most of the matters raised in representations have been addressed in the report above.
85. Each application is considered on its own merits.
86. The site does not contain TPO trees, is not within a conservation area nor is it designated as Ancient Woodland. Therefore, if any trees or shrubs have been removed, they would have not needed consent from the Council.
87. The woodland outside the red line plan to the east and north-east of the site is not proposed to be altered or removed.
88. Loss of a view or impact on property values are not planning but civil matters.
89. The site is within SSSI Impact Risk Zones 3 and 4 that do not apply to this type of development.

## **Conclusion**

90. On the basis of the above, and in light of any other material considerations, the proposal is considered to be in accordance with the development plan. Accordingly, the recommendation is to grant permission.



## **The proposed development does not require a CIL payment**

### **Recommendation: Grant Planning Permission**

#### **Conditions/Reasons**

- 1 Time limit (full application)  
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
  
Reason: To comply with Section 51 of Part 4 of the Planning and Compulsory Purchase Act 2004.
- 2 List of approved plans  
The development hereby permitted shall be carried out in strict accordance with the following list of approved plans: 16365 - DB3 - S01 - ZZ - DR - A - 90005 Rev P02, 16365 - DB3 - S01 - ZZ - DR - A - 90200 Rev PO4, 16365 - DB3 - S01 - XX - DR - A - 90201 Rev PO2, 16365 - DB3 - S01 - XX - DR - A - 20100 Rev PO4, - DB3 - S01 - XX - DR - A - 20101 Rev PO4 received on 21/03/23; 3836-SHA-XX-XX-DR-E-0001 S2 Rev P1 received on 28/03/2023; 23 2308 TPP 001 Rev 1 received on 13/04/23.  
  
Reason: To ensure that the development is carried out in a satisfactory manner.
- 3 Materials samples  
No development above slab level shall take place until samples of the materials to be used on the external faces and roof of the building have been submitted to and approved in writing by the borough council. Development shall be carried out in accordance with the approved details.  
  
Reason: To ensure that a satisfactory external appearance is achieved of the development in accordance with policy DM2 of the Elmbridge Development Management Plan.
- 4 Archaeology - scheme of working  
No development, other than demolition to ground level, shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work, to be conducted in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.  
  
Reason: The site lies in an area of archaeological potential, particularly for, but not limited to, Medieval remains. The potential impacts of the development can be mitigated through a programme of archaeological work in accordance with policy DM12 of the Elmbridge Development Management Plan.
- 5 SuDS - Detailed layout  
The development hereby permitted shall not commence until details of the design of a surface water drainage scheme have been submitted to and approved in writing by the planning authority. The design must satisfy the

SuDS Hierarchy and be compliant with the national NonStatutory Technical Standards for SuDS, NPPF and Ministerial Statement on SuDS. The required drainage details shall include:

a) Evidence that the proposed final solution will effectively manage the 1 in 30 (+35% allowance for climate change) & 1 in 100 (+40% allowance for climate change) storm events during all stages of the development. If infiltration is deemed unfeasible, associated discharge rates and storage volumes shall be provided using a maximum discharge rate of 0.8l/s.

b) Detailed drainage design drawings and calculations to include: a finalised drainage layout detailing the location of drainage elements, pipe diameters, levels, and long and cross sections of each element including details of any flow restrictions and maintenance/risk reducing features (silt traps, inspection chambers etc.). Confirmation is required of a 1m unsaturated zone from the base of any proposed soakaway to the seasonal high groundwater level and confirmation of half-drain times.

c) A plan showing exceedance flows (i.e. during rainfall greater than design events or during blockage) and how property on and off site will be protected from increased flood risk.

d) Details of drainage management responsibilities and maintenance regimes for the drainage system.

e) Details of how the drainage system will be protected during construction and how runoff (including any pollutants) from the development site will be managed before the drainage system is operational.

Reason: It is considered necessary for this to be a pre-commencement condition to ensure that the construction works do not compromise the functioning of the agreed Sustainable Drainage System in accordance with the national tech

Reason: It is considered necessary for this to be a pre-commencement condition to ensure that the design fully meets the requirements of the national SuDS technical standards and to comply with policy CS26 of the Elmbridge Core Strategy, Flood Risk Supplementary Planning Document and the National Planning Policy Framework.

## 6 SuDS verification report

Prior to the first occupation of the development, a verification report carried out by a qualified drainage engineer must be submitted to and approved by the Local Planning Authority. This must demonstrate that the surface water drainage system has been constructed as per the agreed scheme (or detail any minor variations), provide the details of any management company and state the national grid reference of any key drainage elements (surface water attenuation devices/areas, flow restriction devices and outfalls), and confirm any defects have been rectified.

Reason: To ensure the Drainage System is designed to the national technical standards for SuDS and to comply with policy CS26 of the Elmbridge Core Strategy, Flood Risk Supplementary Planning Document and the National Planning Policy Framework.

Reason: To ensure the Sustainable Drainage System is built in accordance with the approved details and to comply with policy CS26 of the Elmbridge Core Strategy, Flood Risk Supplementary Planning Document and the National Planning Policy Framework.

7 Biodiversity mitigation

The development shall be carried out in accordance with the conclusions and recommendations set out in the Ecological Appraisal Report prepared by Wychwood Environmental Ltd dated September 2022.

Reason: In the interest of preserving and enhancing protected species and biodiversity in compliance with policy DM21 of the Elmbridge Development Management Plan and the National Planning Policy Framework.

8 Biodiversity Enhancements and Mitigation Plan (BEMP)

The development hereby permitted shall not commence until a Biodiversity Enhancements and Mitigation Plan has been submitted to and approved in writing by the local planning authority. The agreed details shall be installed on the site prior to the first use of the development and retained and maintained in perpetuity.

Reason: In the interest of preserving and enhancing protected species and biodiversity in compliance with policy DM21 of the Elmbridge Development Management Plan and the National Planning Policy Framework. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

9 Tree Pre-commencement Meeting

No development including groundworks and demolition shall take place and no equipment, machinery or materials shall be brought onto the site for the purposes of the development until a pre-commencement meeting has been held on site and attended by a suitable qualified arboriculturist, representative from the Local Planning Authority and the site manager/foreman. The site visit is required to ensure operatives are aware of the agreed working procedures and the precise position of the approved tree protection measures or/and that all tree protection measures have been installed in accordance with the approved tree protection plan(s) Arb Consultancy Ltd St George's Hill Lawn Tennis Club, St George's Hill, Weybridge, KT13 0LL Tree Protection Plan Drawing number 23 2308 TPP 001 Date 10/03/2023. To arrange a pre-commencement meeting please email [tplan@elmbridge.gov.uk](mailto:tplan@elmbridge.gov.uk) with the application reference and contact details.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14 of the Councils Core Strategy 2011, and DM6 of the Councils Development Management Plan 2015. This is required to be a pre-commencement condition as the details go to the heart of the planning permission.

- 10 Tree Protection Measures (With Pre-Commencement Meeting)  
After the agreed tree protection measures have been installed in accordance with the approved plans, all tree protection measures shall be maintained for the course of the development works. The development thereafter shall be implemented in strict accordance with the approved details and method statements contained in Arb Consultancy Ltd Arboricultural Planning Report for Site 2 PADEL COURTS St. George's Hill Lawn Tennis Club St. George's Hill Weybridge Report Ref. 23 2308.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14 of the Councils Core Strategy 2011, and DM6 of the Councils Development Management Plan 2015.

- 11 Tree Retention  
All existing trees, hedges or hedgerows inside the identified site boundary shall be retained, unless shown on the approved drawings as being removed and the paragraph below shall have effect until the expiration of 5 years from the first occupation of the proposed development.  
No retained tree, hedge or hedgerow shall be cut down, uprooted or destroyed, other than in accordance with the approved plans and particulars. If any retained tree, hedge or hedgerow is removed, uprooted or destroyed or dies, another tree, hedge or hedgerow of similar size and species shall be planted at the same place, in the next available planting season or sooner.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to section 197 of the Town and Country Planning Act 1990, and in accordance with policies CS14, CS15, of the Councils Core Strategy 2011 and DM6 of the Councils Development Management Plan 2015.

Reason: To protect and enhance the appearance and character of the site and locality, reduce the risk to protected and retained trees in accordance with the approved details pursuant to Section 197 of the Town and Country Planning Act 1990 (as amended), and in accordance with policies CS14, CS15, DM6 of the Elmbridge Core Strategy and Elmbridge Development Management Plan.

- 12 Acoustic fence  
No development above slab level shall commence until details of an acoustic fence have been submitted to and approved in writing by the local planning authority. The agreed details shall be installed on the site prior to the first use of the development and retained and maintained in perpetuity.  
Reason: To avoid adverse impacts on health and quality of life from artificial lighting in accordance with paragraph 185 of the National Planning Policy Framework and the Noise Policy Statement for England.

- 13 Hours of use  
The use hereby permitted shall not be open outside the following times:

Monday - Friday

7:00 - 22:00

Saturday/Sunday & Bank Holiday

7:30 - 21:30

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 185 of the National Planning Policy Framework and the Noise Policy Statement for England.

14 External artificial Light

Prior to the first use of the development hereby permitted, a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage, intended hours and days in use shall be submitted to and approved in writing by the local planning authority.

Any such external lighting as approved shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: To avoid adverse impacts on health and quality of life from artificial lighting in accordance with paragraph 185 of the National Planning Policy Framework and the Noise Policy Statement for England. In the interest of preserving and enhancing protected species and biodiversity in compliance with policy DM21 of the Elmbridge Development Management Plan and the National Planning Policy Framework.

15 Noise Impact Assessment

Prior to first use of the development hereby permitted, the scheme, Assessment of Noise Impact from New Padel Courts at St George's Hill Tennis Club Report No: P22-158-R03v2 dated July 2022 conducted by Hepworth Acoustics, approved by the Local Planning Authority and its mitigation measures shall be fully implemented in accordance with the approved details. The works and scheme shall thereafter be retained, in accordance with the approved details for the life time of the development.

Before first occupation, post-completion testing shall be carried out to ensure that the sound insulation values have been achieved. This shall be carried out by a suitably qualified person and the results of the assessment shall be submitted to and approved in writing, by the Local Planning Authority.

Reason: To avoid adverse impacts on health and quality of life from noise in accordance with paragraph 185 of the National Planning Policy Framework and the Noise Policy Statement for England.

## **Informatives**

- 1      Construction phase only - Noise and Pollution  
To control noise and pollution during the construction phase where sensitive premises are nearby it is advised that:
  - (a)      Work which is audible beyond the site boundary should only be carried out between the following hours:  
Monday to Friday 08:00 hrs to 18:00 hrs  
Saturday 08:00 hrs to 13:00 hrs  
and not at all on Sundays or Bank Holidays.
  - (b)      The quietest available items of plant and machinery should be used on site. Where permanently sited equipment such as generators are necessary, they should be enclosed to reduce noise levels.
  - (c)      Deliveries and collections should only be received within the hours detailed above.
  - (d)      Adequate steps should be taken to prevent dust causing nuisance beyond the site boundary. These could include the use of hoses to damp down stockpiles of materials which are likely to generate airborne dust, to damp down during stone/slab cutting; and the use of bowsers and wheel washes.
  - (e)      There should be no burning on site that causes nuisance to local residents.
  - (f)      Only minimal security lighting shall be used outside the hours stated above.
  
- 2      SuDS  
If proposed site works affect an Ordinary Watercourse, Surrey County Council as the Lead Local Flood Authority should be contacted to obtain prior written Consent. More details are available on their website.  
  
If proposed works result in infiltration of surface water to ground within a Source Protection Zone the Environment Agency will require proof of surface water treatment to achieve water quality standards. Sub ground structures should be designed so they do not have an adverse effect on groundwater.  
  
If there are any further queries please contact the Flood Risk, Planning, and Consenting Team via [SUDS@surreycc.gov.uk](mailto:SUDS@surreycc.gov.uk). Please use their reference number in any future correspondence.
  
- 3      Ecology  
Your attention is drawn to the general recommendations set out by Surrey Wildlife Trust in their consultation response published on the Council's website.