

**East Malling &  
Larkfield**  
East Malling

**570763 157935 26 July 2013**

**TM/13/02136/FL**

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Proposal: Change of use and laying out of land for use as a Croquet Club, with clubhouse and car park  
Location: Park Farm Bradbourne Lane Ditton Aylesford Kent ME20 6SN  
Applicant: Medway Croquet Club

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**1. Description:**

- 1.1 Full planning permission is sought to use the land to create croquet lawns, clubhouse and associated car park. The development comprises the laying out of 4 lawns, each measuring 32 x 25.6m with some circulation space around and between them. A minimal amount of levelling and grass seeding will be required.
- 1.2 To the east of the lawns it is proposed to construct a small, balconied and timber clad clubhouse measuring 13.3 x 7.6m, incorporating a club room, kitchen, changing rooms and WCs. A small shed would be sited to the north of the club house for equipment storage with a small compound for grass clippings. To the east of the clubhouse a parking area for 10 cars (originally shown as 8 spaces) would be created and finished with grasscrete. The applicants have said that, in the unlikely event that further parking spaces are required, this would take place at Park Farm. Access to the site would only be via Bradbourne Lane.
- 1.3 With regard to the nature of the use, the applicants say that play could take place between 0930 and dusk between April and September with around half a dozen tournaments, generally taking place at weekends. The number of players at the site would vary between 4 and 16. It is stated that the club does not attract spectators or supporters. During the winter one lawn would be used 3 or 4 times a week, depending on the weather.
- 1.4 It is not the intention to rent out facilities for outside events but the applicant Club would expect to continue to provide croquet facilities on a limited number of occasions to smaller clubs and hold recruitment days. It is not proposed to have alcohol or music licences.

**2. Reason for reporting to Committee:**

- 2.1 At the request of Cllrs Gale, Simpson and Woodger in the light of local concern over the potential impact upon neighbours and also the wider locality.

**3. The Site:**

- 3.1 The application relates to an area of land lying within the grounds of Bradbourne House, a Grade I listed building and a designated Historic Park and Garden. The site also falls within a Conservation Area. It is reached via an access road leading

from Bradbourne Lane to Park Farm business units situated to the east of Bradbourne House grounds. The site comprises a flat area of cut grass and is bordered on the north side by established trees and hedging. To the north of the application site is the Bradbourne Fields residential development, also built on land that previously formed part of the Bradbourne House estate. The majority of the application site falls within East Malling Parish with a tiny part of the access road falling within Ditton parish.

#### **4. Planning History:**

TM/13/02260/FL      Under consideration

Siting of portacabins to accommodate 48 seasonal agricultural workers, and change of use and works to Garner Building to accommodate associated facilities

#### **5. Consultees:**

- 5.1 East Malling PC: Comments have been made about the need for and retention of landscape planting. The use of the site and the hours of operation should be limited and there should be no further extension to the clubhouse. In the event that the use ceases the club house should be removed and the site restored. The parking area should be finished with a suitable grass effect material. Any directional signs or adverts should be prevented.
- 5.2 Ditton PC: resolved to raise no objections. Subsequently however they submitted additional comments in support of a resident's concern about safety implications of the additional traffic in Bradbourne Lane and also expressing the view that the Clubs move from their premises seems unnecessary.
- 5.3 EA: Originally objected to the design of the clubhouse in this location within Flood Zone 3a. It was suggested that the design could be altered so that finished floor level is above the 100+ year climate change flood level and the structure allows for the conveyance of flood water. The design has been amended so that the clubhouse is on stilts and the EA agrees this has overcome the problem.
- 5.4 KCC Highways: notes the proposal would make use of the existing established access onto Bradbourne Lane which is adequate to accommodate the traffic generated. There is adequate space within the site clear of the highway for parking to take place. It is considered that the proposal will not lead to any detriment to highway safety or capacity and no objections are raised.

5.5 Private Reps: 47/0X/21R/1S + site and press notices. Twenty one letters of representation have been received raising objections to the proposal and one letter of support. This letter of support identifies that the East Malling Trust wishes to support the local community and considers croquet to be a suitable sport for their environment. In addition to the individual letters a petition containing 55 signatures from those in the area has been received. The issues raised may be summarised as follows:

- Those against the proposal consider it will have a detrimental impact on the character of the site and the natural beauty of the parkland.
- It is considered that there is insufficient space for car parking and that the clubhouse will be visible in the winter months.
- Noise and disturbance will be created by vehicle activity in close proximity to residential properties, leading to loss of privacy.
- Questions have been raised as to whether the club house will be used for late night functions, whether alcohol will be served and if the club house is to be hired out to cover costs.
- It is considered that a balcony is not needed if this is not a spectator sport.
- There is also concern about the impact upon wildlife, smell from the septic tank and the need for access to be from New Road.
- Lastly reference is made to the impact upon on property values, although this is not a planning matter.

## **6. Determining Issues:**

6.1 This application is considered in relation to Core Strategy policies CP1 (sustainability), CP24 (High Quality Environment), CP14 (development in the countryside) and MDE DPD policies SQ1 (development should reflect local distinctiveness), SQ3 (protect the character and setting of Historic Parks and Gardens) and DC5 (Leisure facilities in rural areas). Paragraphs 17, 57, 58, 61, 126 and 141 of the National Planning Policy Framework 2012 are also relevant.

6.2 The main issues to consider are whether the proposal would have any impact on existing residential amenities of those in Whiffen Walk and St Peters Road and if there would be any undue harm to the setting of the Listed Building, the historic parkland or the Conservation Area.

6.3 In support of the application the agent advises that the applicants are an established local organisation, Medway Croquet Club (MCC), who currently operate from Cobdown Sports and Social Club in Ditton. The club draws members

from Ashford to Farningham, Sevenoaks to Sittingbourne. MCC was formed in 1991 and uses 5 lawns and shares the changing rooms/toilets and kitchen facilities at Cobdown. The applicant's agent states that the Cobdown Sports and Social Club lease is due to run out in 2014 and there is no guarantee that it will be renewed and the lawns are no longer of the necessary standard.

- 6.4 The agent states that it has not proved possible for MCC to purchase the land on which the lawns at Cobdown are located. It is considered that there is neither security of tenure nor quality of playing infrastructure and therefore an alternative location needs to be found to secure the future of the club. Over the past year attempts have been made to find an alternative site at Maidstone, Cobham, Headcorn and Ulcombe but none of these locations was acceptable.
- 6.5 Bradbourne House occupies a generally open parkland setting and retains extensive grounds, which are adjacent to the urban areas of Larkfield and Ditton and East Malling village. There are various activities/uses and businesses accommodated within and operating from the site. As a result there are associated vehicle activities/visitors/deliveries etc. The site retains a pleasant open feel but is not remote or cut off from the surrounding residential areas.
- 6.6 Core Strategy policy CP14 concerning development in the countryside is considered to be relevant. This identifies a number of types of development that are found to be acceptable in the countryside and this includes predominantly open recreation uses with associated essential built infrastructure. The proposed use involving a small number of croquet lawns and modestly sized club building would therefore be in accordance with policy CP14.
- 6.7 The proposal to create a site for croquet within the grounds of a Grade I listed building would seem a suitable location in terms of the historic nature of the property. The open recreational activity of croquet has been associated with country houses and is in accordance with the aim of providing leisure opportunities within the Borough. Whilst it will be necessary to provide a small club building this should not detract from the overall character of the Conservation Area or have an undue impact upon the nature of the Historic Park and Garden. The proposal is therefore acceptable in terms of MDE DPD policy DC5.
- 6.8 The associated structures (clubhouse and equipment shed) are modest in size and scale. Details of external finish will need to be agreed, but the style of the clubhouse would resemble that of many small sports pavilions and would be the minimum required to serve that use. It would be sited some distance away from the Listed Building and should not have a harmful effect on its overall character and setting.

- 6.9 The reasons for MCC wishing to re-locate and any problems associated with their current site are a matter between the parties involved and should not be given significant weight in the determination of the application. The proposed location of the club in mid Kent would appear to be central to the MCC members who come from all over the County.
- 6.10 The number of parking places proposed for the club has caused some concern. Although this has been increased from 8 to 10, residents believe there could be a need for overspill parking in the vicinity. The Highways Authority does not object to the volume of traffic to be generated nor any impact on the capacity of Bradbourne Lane. The use of Bradbourne Lane to gain access to the club has been confirmed and can be restricted by a safeguarding condition. There are no objections in highway terms.
- 6.11 The concerns of the neighbours about noise and activity associated with the use have been given very careful consideration. The agent has confirmed that MCC has around 50 members and that the number of players at the site at any one time would be low, typically up to 16 people, some of whom would travel together. The game does not draw a crowd, as in the case of a football or rugby match.
- 6.12 The operation of the site can be restricted in terms of hours of operation, use only for croquet, external lighting and provision of landscaping. These measures should ensure that the development can take place without causing undue harm to existing residential amenities. The applicants have indicated that they do not intend to apply for an alcohol or music licence. Whilst this is a useful indication of the intended nature of the proposed use, the sale and consumption of alcohol are matters that would be covered under a premises licence and not a planning application.
- 6.13 This is a relatively small scale proposal that has caused various concerns amongst local residents. As mentioned above the specific nature of the proposal is such that, in my opinion, it will successfully protect and conserve the character and local distinctiveness of the area including the architectural and historic interest of the listed building and parkland. It is not considered that the level of use of the club, based on the information provided, will significantly alter the prevailing level of tranquillity or harm the Conservation Area. As a result there are no objections in terms of the above identified policy context. It is recommended that planning permission be granted subject to all necessary planning conditions and informatives.

**7. Recommendation:**

- 7.1 **Grant Planning Permission** in accordance with the following submitted details: Proposed Plans and Elevations 3713-GAO1A dated 12.09.2013, Site Layout 3713-GAO2A dated 12.09.2013, Site Plan 3713-GAO3A dated 12.09.2013, Email dated 12.09.2013, Email dated 20.08.2013, Letter dated 19.07.2013, Design and Access Statement dated 19.07.2013, Location Plan 3713-SLP01 dated 19.07.2013, Proposed Plans and Elevations 3713-GA01A rev A dated 12.09.2013, Site Layout 3713-GA02A rev A dated 12.09.2013, Site Layout 3713-GA03A rev A dated 12.09.2013, subject to:

**Conditions / Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until details and samples of all materials to be used externally have been submitted to and approved by the Local Planning Authority and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not harm the character and appearance of the existing building or the visual amenity of the locality and in accordance with the requirements of paragraphs 17, 57, 58 and 61 of the National Planning Policy Framework 2012.

3. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping and boundary treatment. All planting, seeding and turfing comprised in the approved scheme of landscaping shall be implemented during the first planting season following occupation of the buildings or the completion of the development, whichever is the earlier. Any trees or shrubs removed, dying, being seriously damaged or diseased within 10 years of planting shall be replaced in the next planting season with trees or shrubs of similar size and species, unless the Authority gives written consent to any variation. Any boundary fences or walls or similar structures as may be approved shall be erected before first occupation of the building to which they relate.

Reason: Pursuant to Section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality.

4. Access to and from the premises shall be via Bradbourne Lane only.

Reason: In the interests of highway safety and residential amenity.

5. The use shall not be commenced, nor the premises occupied, until the area shown on the submitted layout as vehicle parking space has been provided, surfaced and drained. Thereafter it shall be kept available for such use and no permanent development, whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking or re-enacting that Order) shall be carried out on the land so shown or in such a position as to preclude vehicular access to this reserved parking space.

Reason: Development without provision of adequate accommodation for the parking of vehicles is likely to lead to hazardous on-street parking.

6. The site and club house shall only be used between the hours of 0900 and dusk.

Reason: In the interests of the residential amenities of the occupants of the nearby properties.

7. At no time shall any external lighting be installed without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of the residential amenities of the occupants of the area.

8. The premises hereby approved shall only be used as a croquet club and for no other purpose without the prior consent in writing of the Local Planning Authority.

Reason: In the interests of the residential amenities of the occupants of the area.

9. The building hereby permitted shall be removed and the land restored to its former condition if at any time the use as a croquet club ceases.

Reason: In the interests of the amenities of the area.

### **Informatives**

1. Any alterations to the building must consider the presence of asbestos containing materials and an asbestos survey must be carried out before any works take place. More details can be found at <http://www.hse.gov.uk/asbestos>.
2. You are advised to contact the Food and Safety Team on 01732 876191 to establish whether the club needs to register with the Council.
3. A separate wash hand basin supplied with hot and cold water should be installed in the kitchen in addition to any sinks for washing equipment and/or food items.

Contact: Hilary Johnson