

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB-COMMITTEE	Date 13 June 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	The Pavilion Hyde Park , 1 Serpentine Road, London, W2 2UH		
Proposal	Construction of a side extension to the sports pavilion and associated alterations including new doors, serving hatch, and ramped access to front and rear elevations.		
Agent	Mig Architecture & Interiors		
On behalf of	Will To Win Ltd		
Registered Number	16/11998/FULL	Date amended/ completed	26 January 2017
Date Application Received	19 December 2016		
Historic Building Grade	Hyde Park is a grade I Registered Park and Garden		
Conservation Area	Royal Parks		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Hyde Park Pavilion is located at the southern end of the park near the junction of South Carriage Drive and West Carriage Drive.

Planning permission is sought for the construction of a side extension to the west side of the sports pavilion and associated alterations including new doors, serving hatch, and ramped access to front and rear elevations.

The key issues are:

- * The impact of the proposals on Hyde Park as a Grade I Registered Park and Garden, a Site of Metropolitan Importance for Nature Conservation and Metropolitan Open Land.
- * The impact on the visual amenity of Hyde Park and the Royal Parks Conservation Area.

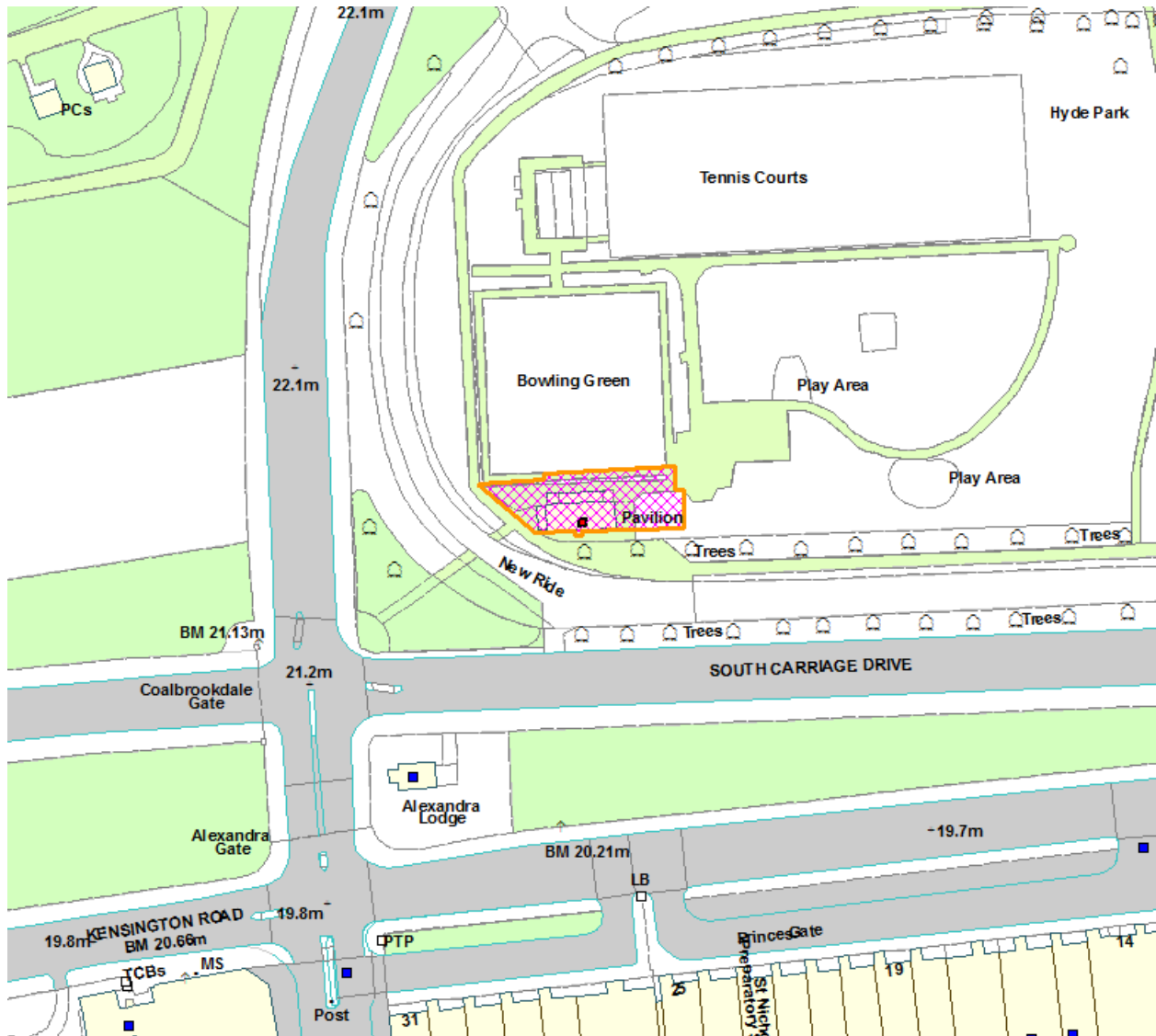
The current building functions as a sports pavilion and supports the tennis courts, bowls and other sporting activities in the park. It contains a small cafe; a reception and office space for the sports facility management company (Will To Win); and shower and toilet facilities.

The purpose of the extension and alterations is to provide improved cafe and catering facilities,

improved access, and generally providing more space within the pavilion to cater for the growing number of users.

The improvement and upgrading of the sports pavilion will provide a better environment for its users, and will continue to support the linked outdoor recreational and sporting activities, which contribute to improving the health and wellbeing of Westminster residents and other visitors who use the facilities. For the reasons set out in the report, the proposals are considered acceptable and in accordance with the relevant UDP, City Plan and London Plan policies, subject to appropriate conditions.

3. LOCATION PLAN



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4. PHOTOGRAPHS



The Pavilion Hyde Park



Internal view of Cafe/ Seating Area inside Pavilion



Tennis Courts

5. CONSULTATIONS

THE ROYAL PARKS:
Support the proposal.

HISTORIC ENGLAND:
No comment.

KNIGHTSBRIDGE ASSOCIATION:
Concerned that the Pavilion might become a major food and beverage outlet; the Pavilion should remain ancillary to the sports club and operate with conditions controlling opening hours; there should be no evening events.

FRIENDS OF HYDE PARK & KENSINGTON GARDENS:
Support the proposal.

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM:
Any response received to be reported verbally.

THE GARDENS TRUST:
Any response received to be reported verbally.

LONDON BAT SOCIETY:
Any response received to be reported verbally.

ARBORICULTURAL MANAGER:
No objection subject to a tree protection condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 1
Total No. of replies: 11
No. of objections: 4
No. in support: 7

Objections received on some or all of the following grounds:

- Food and beverage offering should remain low key and ancillary to the tennis/sports club
- Improved café facilities will have a detrimental impact on the park as a result of increased activity and litter
- Improvements will degrade facilities available to tennis players because they will have to share facilities with other consumers/ non-tennis players;

Support for the proposals on some or all of the following grounds:

- The improved facilities will provide a more welcoming, comfortable and enjoyable space for the increasing number of people who use the sports facilities and nearby playgrounds.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Hyde Park is a Grade I Registered Park and Garden, a Site of Metropolitan Importance for Nature Conservation and designated Metropolitan Open Land. The site also falls within the Royal Parks Conservation Area.

Hyde Park Pavilion is located at the southern end of the park near the junction of South Carriage Drive and West Carriage Drive. The sports pavilion supports the following sports activities within the wider site:

- i. 6 tennis courts
- ii. 1 bowling green
- iii. 2 mini tennis courts
- iv. Infants play area
- v. Junior playground
- vi. Senior playground
- vii. 9 hole putting green

6.2 Recent Relevant History

Works are currently taking place on site to improve and upgrade the existing sports facilities following the granting of planning permission on 11 April 2017 for the conversion of two mini tennis courts and one tennis court into one paddle tennis court and one multi use games area; extension of the tennis courts area to provide one additional tennis court adjacent to tennis Court 6; installation of 10m high floodlights; and renewal of the courts surface and fencing (16/11997/FULL). The new floodlights will enable the sports facilities to be used all year round until 9.30pm weekdays and 9.00pm on weekends.

Permission was granted on 28 March 2012 for the construction of a side extension to the sports pavilion; enclosing of the existing terrace to the rear and creation of a new external terrace area to the rear (12/00532/FULL). This permission has been implemented.

7. THE PROPOSAL

Planning permission is sought for the construction of a side extension (48 sqm) to the west side of the sports pavilion and associated alterations including new doors, serving hatch, and ramped access to front and rear elevations.

The sports pavilion and facilities are managed by the applicant, Will to Win Ltd, who aims to improve and upgrade the existing sports pavilion to cater for an increasing number of users. The extensions and alterations would provide improved cafe and catering facilities, improved access, and generally providing more space within the pavilion.

Table 1. Existing and proposed floorspace

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Sports Pavilion	181	229	+48

The opening hours of the sports pavilion will remain as existing: 7am – 10pm.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The site is located on Metropolitan Open Land (MOL) and within Hyde Park. Any new buildings on MOL need to be carefully assessed against UDP Policy ENV 14 and Policy 7.17 of the London Plan. In addition Policy S11 of the City Plan seeks to protect the Royal Parks from inappropriate development and activity.

Policy ENV 14 indicates that development will be granted if it is essential and ancillary to maintaining or enhancing the land as valuable open space and where there is no adverse impact. The London Plan indicates that essential ancillary features for appropriate uses will only be acceptable where they maintain the openness of MOL. The supporting text goes on that appropriate development should be limited to small scale structures to support outdoor open spaces uses and minimise any adverse impact on openness.

Policy S11 states that development will only be allowed where it's essential and ancillary to maintaining and enhancing the value of the park as open space and does not harm its character or tranquillity.

Given that this area of Hyde Park is characterised by sports facilities, playgrounds and adjacent roads rather than open parkland, and given that the application is for a modest extension to an existing building which supports the use of outdoor recreational activity, the proposal is considered to be acceptable in land use terms.

The existing building has been used as a sports pavilion with cafe, office, and changing facilities, serving not only users of the sports facilities, but also and tourists for the past 20 years. The proposal would provide improved cafe and catering facilities to cater for an increasing demand by users. It is not considered that the small increase in floorspace (48sqm) will result in an undesirable intensification of the use of the sports pavilion. The existing kitchen which currently consists of an oven, 2 x griddle machines, 2 x fridges, microwave, sink, and dish washer will be re-arranged. There is no requirement for additional plant.

Objections have been received on grounds that the proposals will effectively change the use of the sports pavilion and into a pub. The applicant confirms that the sports pavilion will continue to operate as existing. Furthermore, the applicant confirms that they do not intend to operate as a pub and this is reflected in their alcohol licence, which only allows alcohol to be served with a meal. Any other use of the building aside from a sports pavilion with cafe, office, and changing facilities would require planning permission.

8.2 Townscape and Design

The key considerations are the impact upon the appearance of the existing building, the character and appearance of the Conservation Area and Hyde Park, a grade I listed Registered Park and Garden.

The existing pavilion building is a timber clad, single storey structure with a tiled pitched roof. An extension to the east side was recently constructed following permission granted in 2012. The current proposal seeks to construct a similar extension to the west side of the sports pavilion. In design terms, the latest extension and alterations to the pavilion are considered to be appropriate both in scale and form and would not detract from the character and appearance of the conservation area and registered park.

8.3 Residential Amenity

The nearest residential properties, are located approximately 150m away on the opposite side of Kensington Road. It is not anticipated that the proposals would give rise to any adverse impact on residential amenity.

8.4 Transportation/Parking

It is expected that most users of the sports pavilion and its facilities are local to the area and likely walk to the site.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The proposals would improve access to the pavilion and its toilets with new ramps providing level access from the front and rear.

8.7 Other UDP/Westminster Policy Considerations

Trees

The applicants have submitted an arboricultural report which demonstrates that construction work can be carried out without causing any harm to the adjacent Plane trees. The Arboricultural Manager has raised no objection but recommends a condition is attached requiring full details of tree protection measures.

8.8 London Plan

The site is located on Metropolitan Open Land (MOL) and therefore Policy 7.17 of the London Plan which seeks to protect the openness of MOL is relevant.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Environmental Impact Assessment

An environmental impact assessment is not applicable for a development of this size.

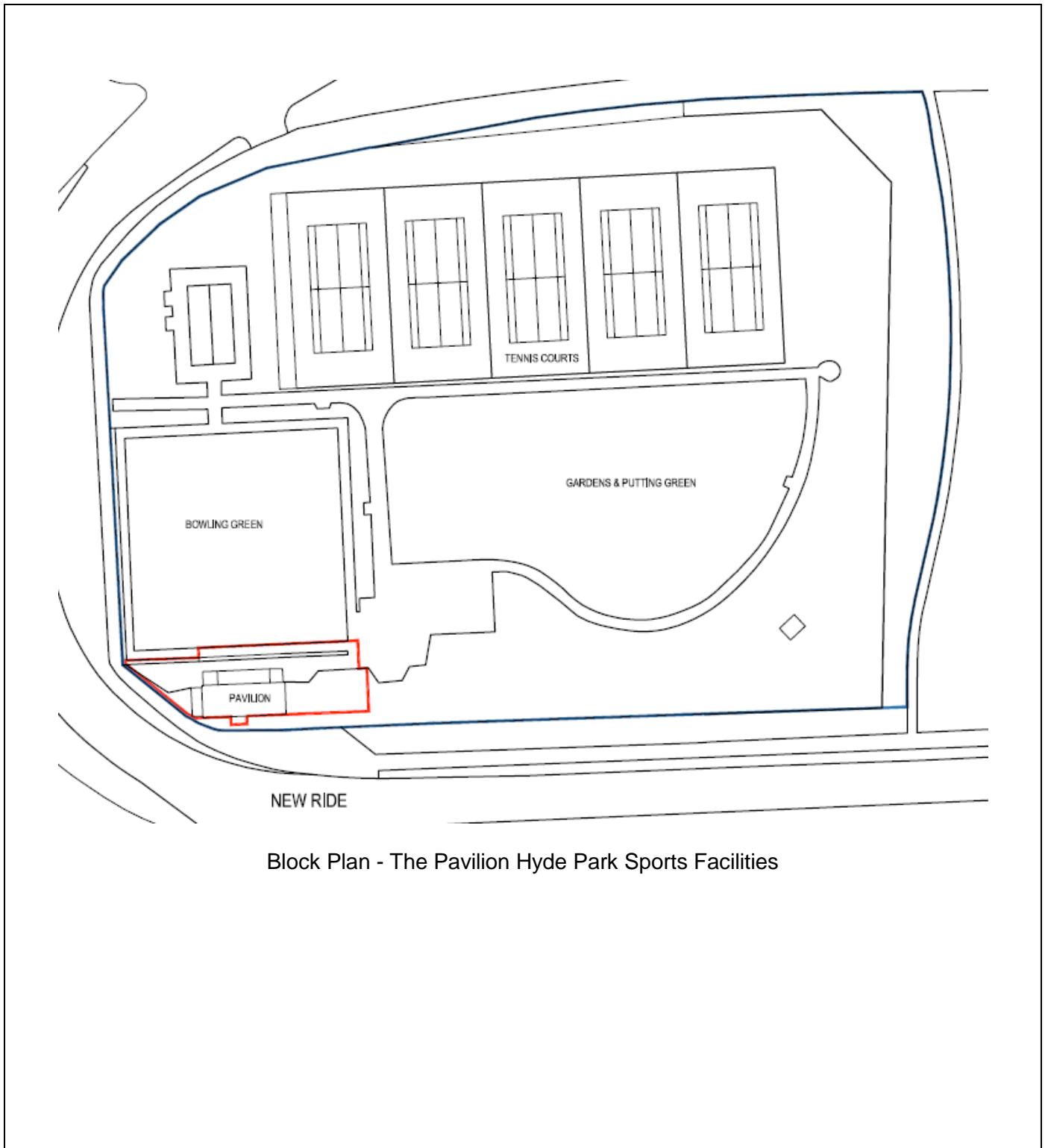
9. BACKGROUND PAPERS

1. Application form
2. Response from Knightsbridge Association dated 13 February 2017
3. Response from Arboricultural Manger dated 6 March 2017
4. Response from Historic England (Listed Builds/Con Areas), dated 31 January 2017
5. Letter from Royal Parks dated 15 December 2016
6. Letter from Friends of Hyde Park and Kensington Gardens dated 30 November 2016
7. Letter from occupier of Albert Court, Kensington Gore, London dated 30 January 2017
8. Letter from occupier of 199 Knightsbridge, London dated 3 February 2017
9. Letter from occupier of 190 Ladbrooke Grove, London dated 18 February 2017
10. Letter from occupier of 23 Porchester Gra, London dated 18 February 2017
11. Letter from occupier of 19 Oak Tree Gardens, Grove Park, dated 22 February 2017
12. Letter from occupier of 42a Byegrove Road, London, dated 22 February 2017
13. Letter from occupier of 1 Keble Street, London, dated 22 February 2017
14. Letters from occupiers of 40 Mornington Road, London, dated 22 & 24 February 2017
15. Letter from occupier of 15 Suffolk Road, London, dated 22 February 2017
16. Letter from occupier of 81 Princes Plain, Bromley, dated 23 February 2017

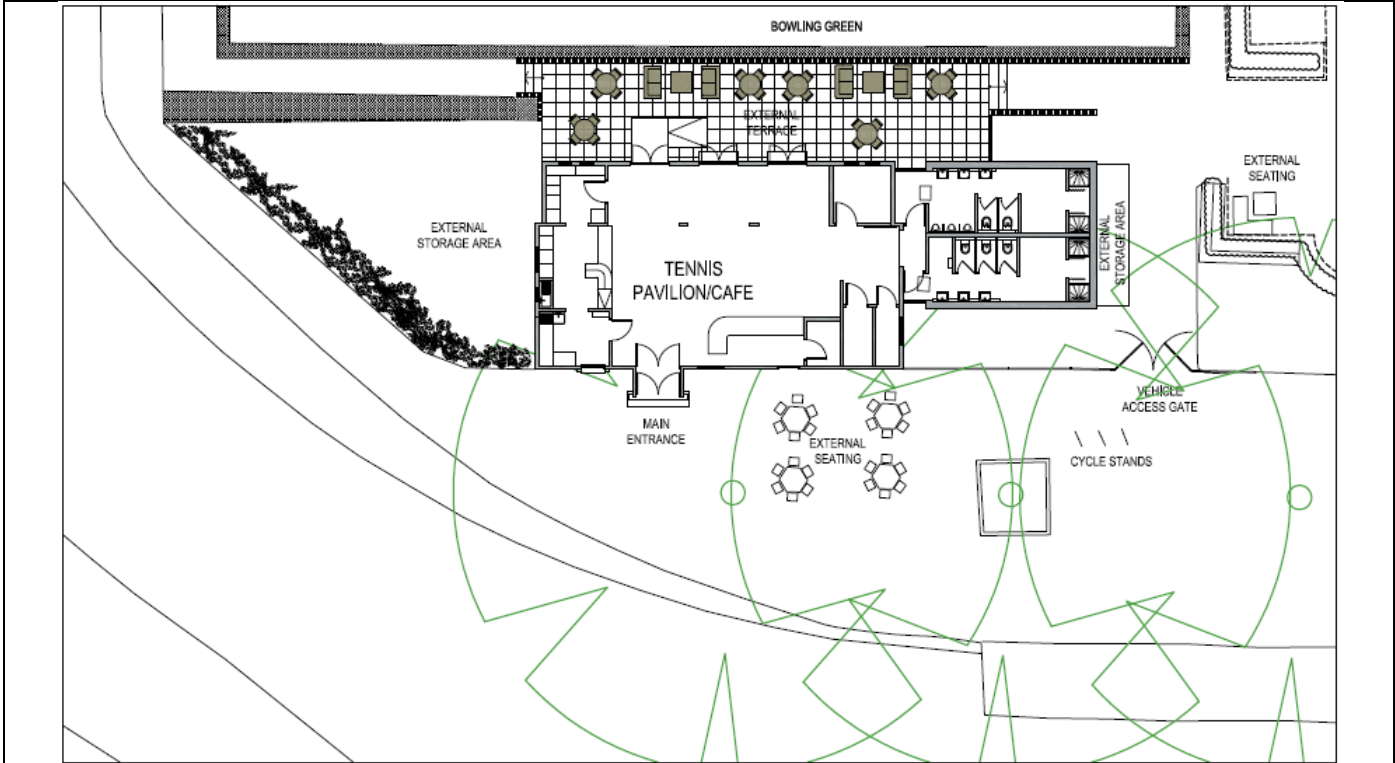
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: AMANDA JACKSON BY EMAIL AT ajackson@westminster.gov.uk

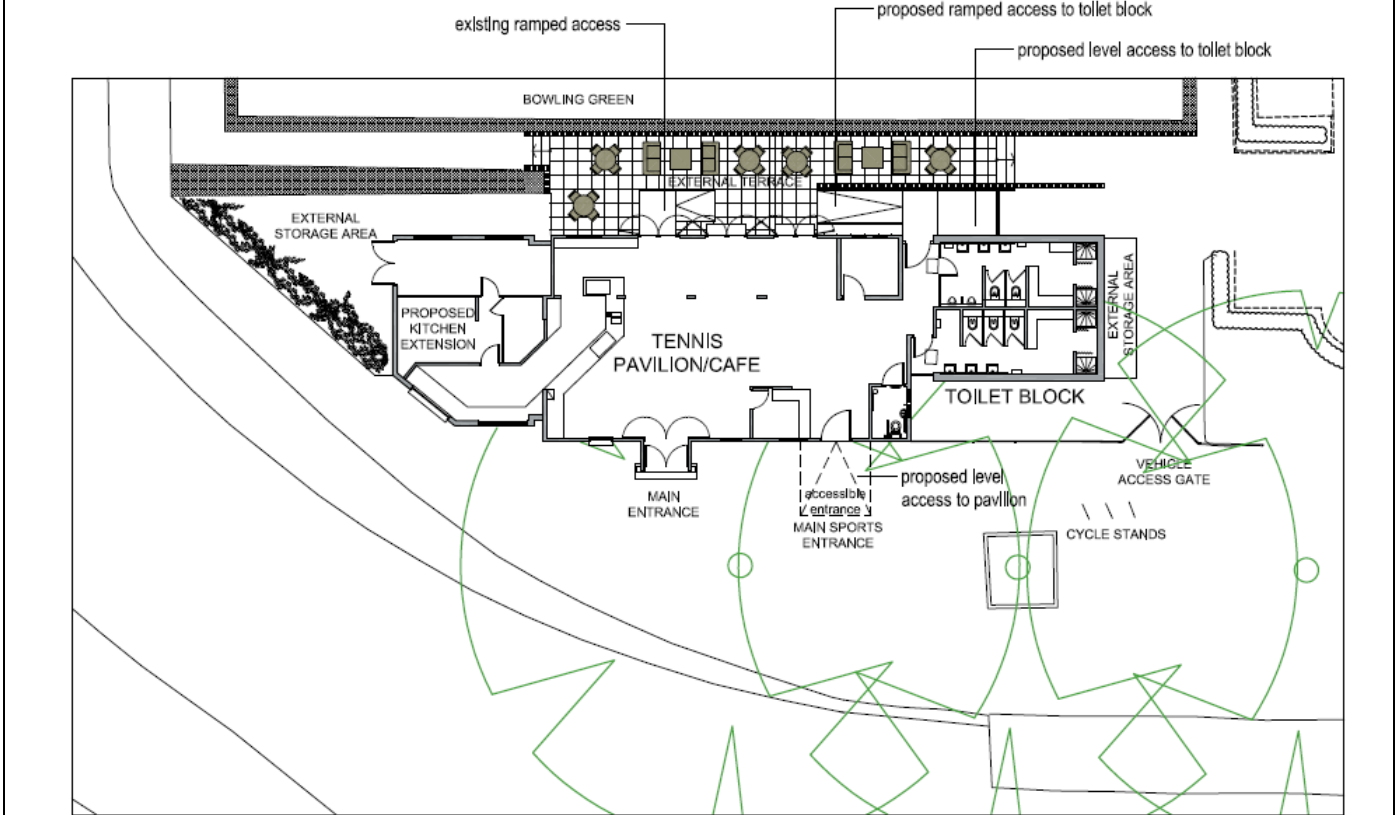
10. KEY DRAWINGS



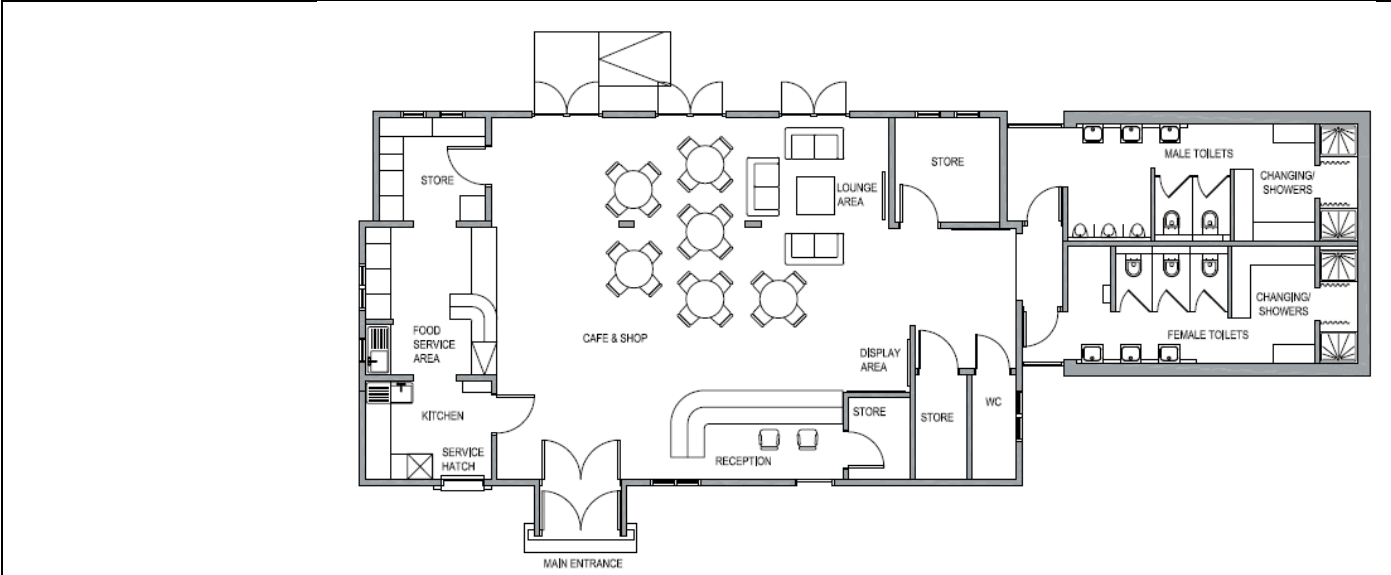
Block Plan - The Pavilion Hyde Park Sports Facilities



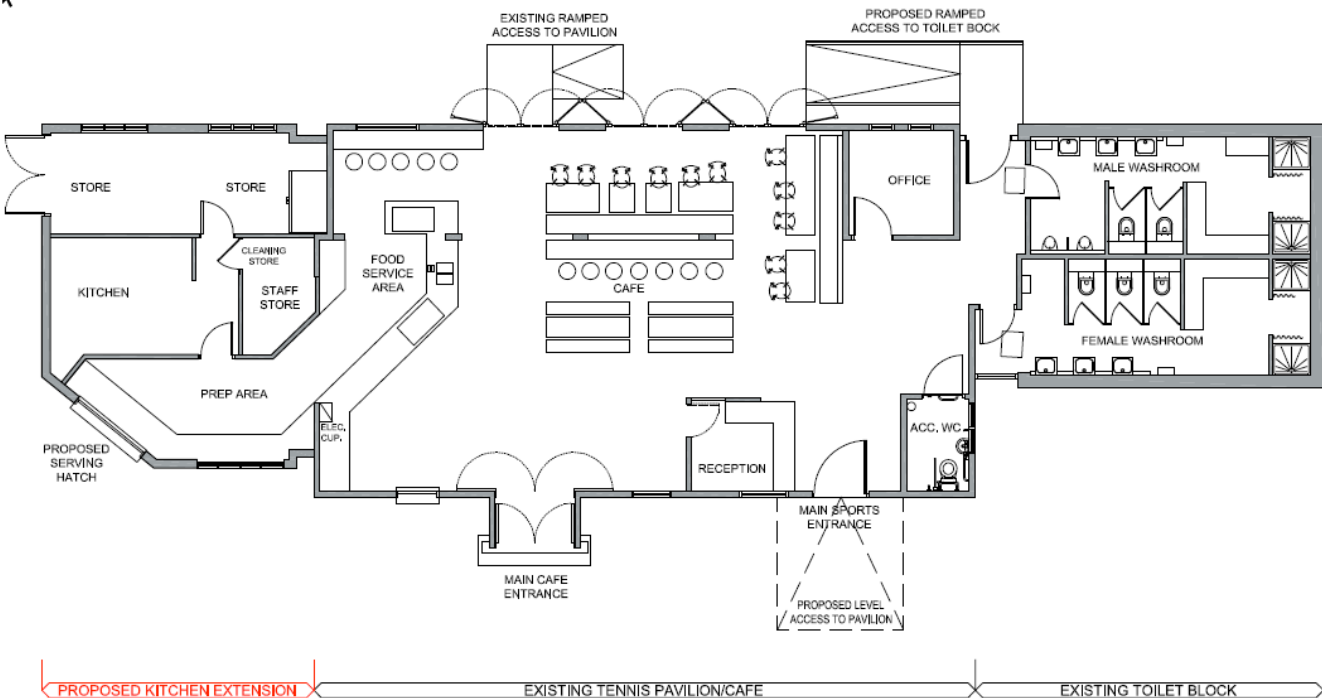
Existing Site Plan



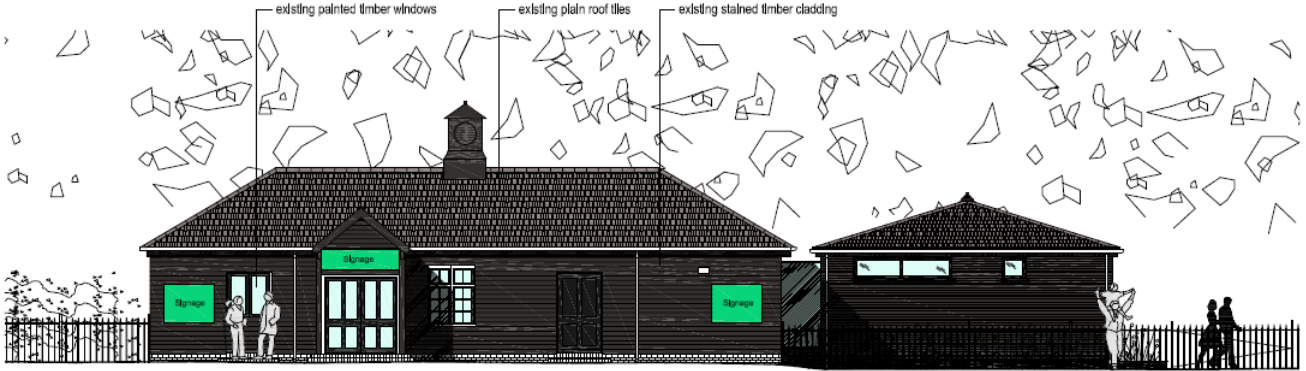
Proposed Site Plan



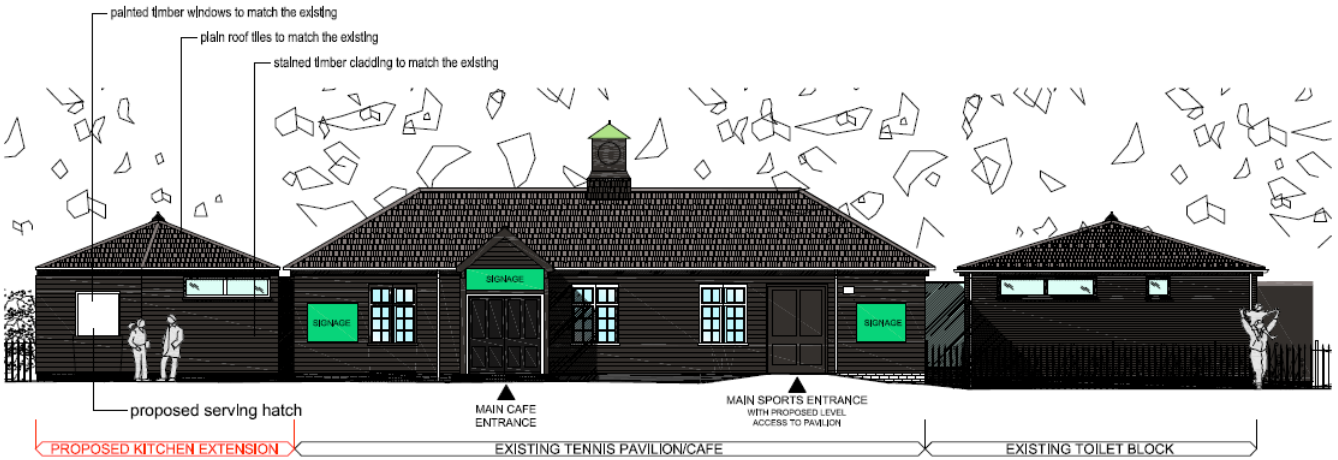
Existing Floor Plan



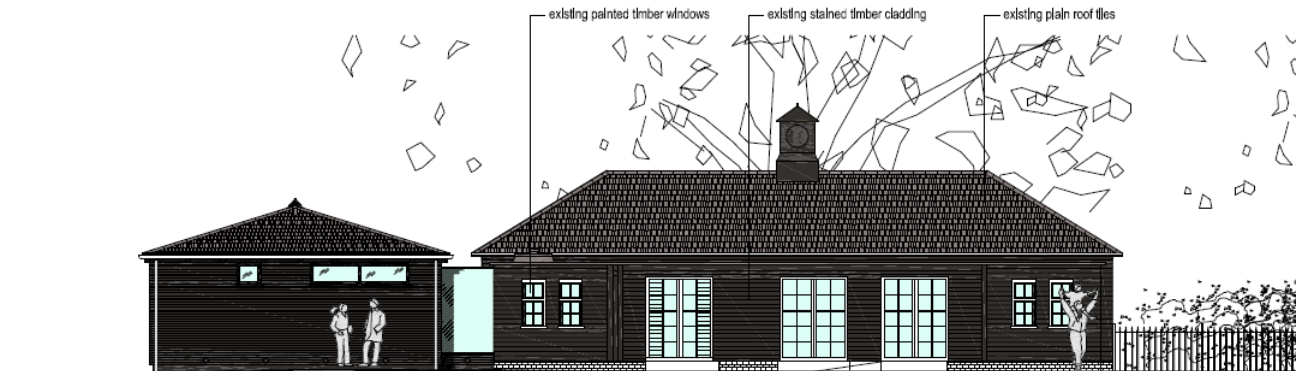
Proposed Floor Plan



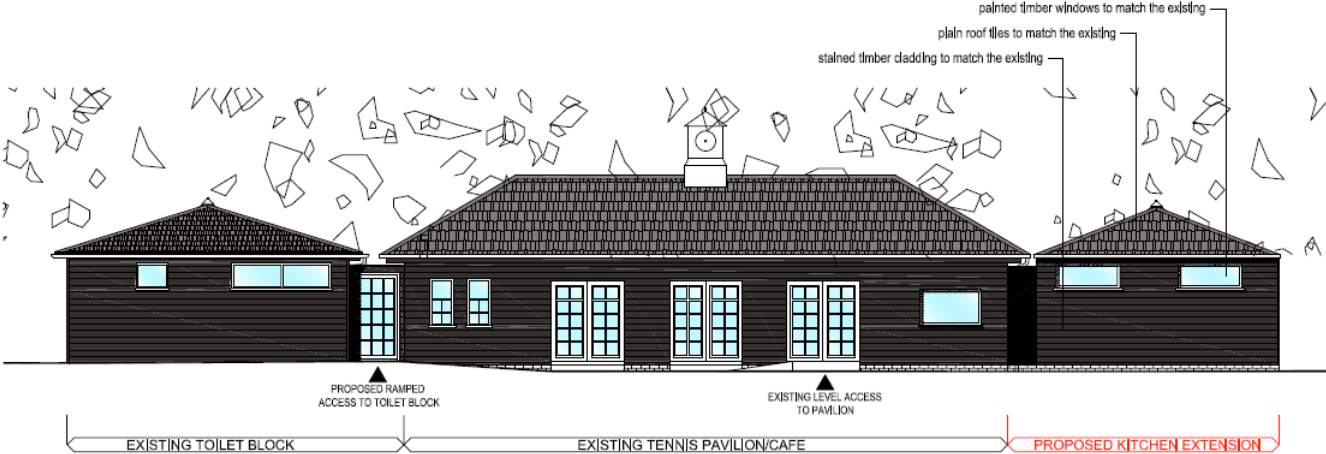
Existing Front Elevation A



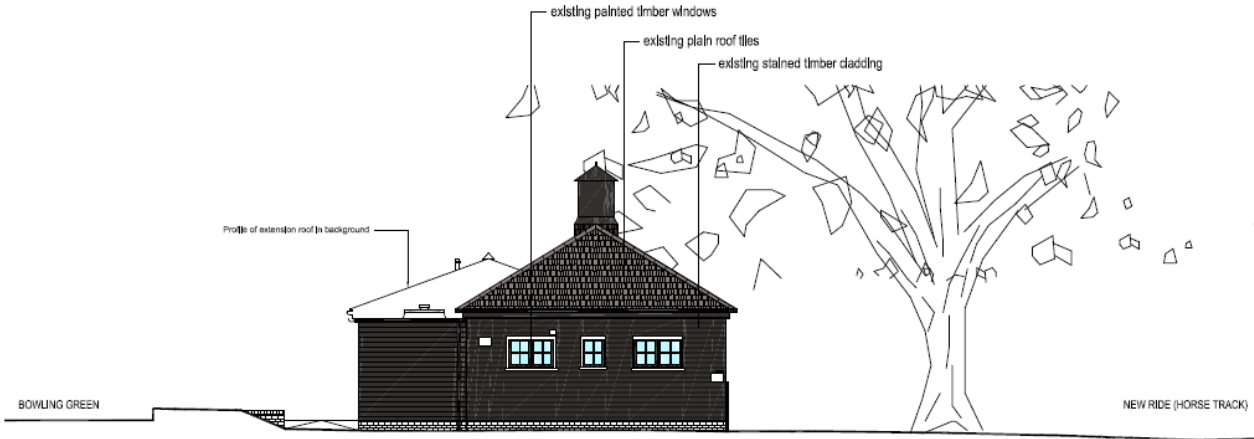
Proposed Front Elevation A



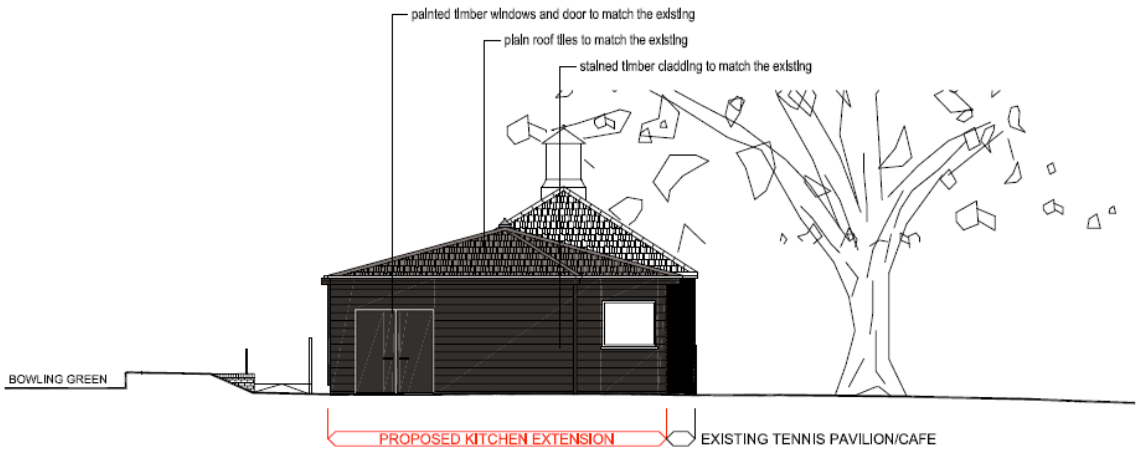
Existing Rear Elevation C



Proposed Rear Elevation C



Existing Side Elevation B



Proposed Side Elevation B

DRAFT DECISION LETTER

- Address:** The Pavilion Hyde Park , 1 Serpentine Road, London, W2 2UH
- Proposal:** Construction of a side extension to the sports pavilion and associated alterations including new doors, serving hatch, and ramped access to front and rear elevations.
- Reference:** 16/11998/FULL
- Plan Nos:** Site Location Plan; HYD12-010-001A, HYD12-010-011C, HYD12-010-101C, HYD12-010-102C, HYD12-037-001, HYD12-037-011E, HYD12-037-101D, HYD12-037-102D; Planning Statement dated December 2016; Design and Access Statement dated December 2016; Arboricultural Report dated November 2016.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on

the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Royal Parks Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

4 Pre Commencement Condition.

(a) Notwithstanding the detail provided in the tree report you must provide for our approval an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The site monitoring system should involve arboricultural supervision at critical periods and also periodic inspections to ensure that tree protection systems are installed, maintained and any procedures followed. You must not start work until we have approved what you have sent us.

(b) You must then carry out the arboricultural site supervision and development according to this approved scheme. You must produce written site supervision reports as detailed in part a) after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. You must send copies of each written site supervision record to us within five days of the site visit. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included.

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

- 5** You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the Pavilion. You must not use the waste store for any other purpose. (C14CD)

Reason

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

Informative(s):

- 1** In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which

is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.