

Planning Sub-Committee A

Wednesday 13 November 2013

7.00 pm

Room G02, 160 Tooley Street, London SE1 2QH

Membership

Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel
Oyewole
Councillor Michael Situ

Reserves

Councillor James Barber
Councillor Denise Capstick
Councillor Barrie Hargrove
Councillor Martin Seaton
Councillor Andy Simmons

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

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Contact

Gerald Gohler, Constitutional Officer, Tel: 020 7525 7420 or email: gerald.gohler@southwark.gov.uk .

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 5 November 2013



Planning Sub-Committee A

Wednesday 13 November 2013
7.00 pm
Room G02, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 5
	To approve the minutes of the meeting held on 1 October 2013 as a correct record of the meeting and signed by the chair.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
	7.1. HOMESTALL ROAD PLAYING FIELDS, HOMESTALL ROAD, LONDON SE22	11 - 23



PLANNING SUB-COMMITTEE

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the sub-committee.
3. Your role as a member of the planning sub-committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the sub-committee (if they are present and wish to speak) for **not more than 3 minutes each**.

(a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.

(b) The applicant or applicant's agent.

(c) One representative for any supporters (who live within 100 metres of the development site).

(d) Ward councillor (spokesperson) from where the proposal is located.

(e) The members of the sub-committee will then debate the application and consider the recommendation.

Note: Members of the sub-committee may question those who speak only on matters relevant to the roles and functions of the planning sub-committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the sub-committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.

Note: Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report.

6. This is a council committee meeting, which is open to the public and there should be no interruptions from the audience.

7. No smoking is allowed at council committees and no recording is permitted without the consent of the meeting on the night, or consent in advance from the chair.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: The Head of Development Management
Chief Executive's Department
Tel: 020 7525 5437; or

Planning Sub-Committee Clerk, Constitutional Team
Corporate Strategy Division
Tel: 020 7525 7420



PLANNING SUB-COMMITTEE A

MINUTES of the Planning Sub-Committee A held on Tuesday 1 October 2013 at 7.00pm at Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Althea Smith (Chair)
Councillor Adele Morris (Vice-Chair)
Councillor Nick Dolezal
Councillor Paul Kyriacou
Councillor Eliza Mann
Councillor The Right Revd Emmanuel Oyewole
Councillor Michael Situ

OTHER MEMBERS PRESENT: Councillor Ian Wingfield

OFFICER SUPPORT: Rob Bristow (Development Control Group Manager)
Michael Tsoukaris (Group Manager Design & Conservation)
Rachel McKoy (Senior Lawyer)
Sonia Watson (Development Control Team Leader)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

There were none.

3. CONFIRMATION OF VOTING MEMBERS

The members of the committee present were confirmed as the voting members.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair drew councillors' attention to the fact that an addendum report had been circulated, and that item 7.1 had been withdrawn by officers.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 23 July 2013 be approved as a correct record and signed by the chair

7. DEVELOPMENT MANAGEMENT ITEMS

7.1 DULWICH SPORTS GROUND, 102-106 TURNEY ROAD, LONDON SE21 7JH

Planning application reference number 13/AP/1732

Report: See pages 14 to 32 of the agenda pack.

PROPOSAL

Erection of a single storey timber clad building adjacent to the clubhouse, to be used as a children's day nursery (D1) Monday-Friday, to provide evening and weekend sports teaching facilities (D2).

This item was withdrawn by officers.

7.2 15 EVESHAM WALK, LONDON SE5 8SJ

Planning application reference number 13/AP/2335

Report: See pages 33 to 44 of the agenda pack.

PROPOSAL

Erection of a single-storey rear extension to provide additional residential floorspace;

installation of a flank wall window at ground floor level.

The sub-committee heard an introduction to the report from a planning officer, and asked questions of the planning officer.

Members heard a representation from a spokesperson for the objectors to the application, and asked questions.

The applicants made representations to the sub-committee and answered members' questions.

There were no supporters living within 100 metres of the development site, who wished to speak.

Councillor Ian Wingfield spoke in his capacity as a ward member. Members of the committee asked questions of Councillor Wingfield.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning application 13/AP/2335 be granted as set out in the report and addendum report, and that an informative be added informing the applicant that if the dwelling was ever to be split into separate apartments, planning permission would be required.

7.3 109 KINGLAKE STREET, LONDON SE17 2RD

Planning application reference number 13/AP/0979

Report: See pages 45 to 59 of the agenda pack.

PROPOSAL

Construction of an extension at third floor level and first/second floor level extensions: providing additional residential accommodation to existing residential units and creation of a new self contained studio residential unit in the new third floor, with associated elevational alterations.

The sub-committee heard an introduction to the report from a planning officer.

There were no objectors to the application, who wished to speak.

The applicant did not wish to address the meeting.

There were no supporters living within 100 metres of the development site or ward councillors, who wished to speak.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application 13/AP/0979 be granted, as set out in the report and addendum report.

**7.4 THE LODGE, OLD COLLEGE GATE, COLLEGE ROAD, LONDON SE21 7BQ
(PLANNING CONSENT)**

NOTE: The chair informed the meeting that item 7.4 and 7.5 would be heard together.

Planning application reference number 13/AP/1087

Report: See pages 60 to 71 of the agenda pack.

PROPOSAL

Replacement of existing garage type shed with enlarged timber log structure, replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

The sub-committee heard an introduction to the report from a planning officer, and asked questions of the planning officer.

There were no objectors to the application, who wished to speak.

The applicant's agent made representations to the committee, and answered questions by councillors.

There were no supporters living within 100 metres of the development site or ward councillors, who wished to speak.

Members debated the application and asked questions of the officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That planning permission for application 13/AP/1087 be granted, as set out in the report.

7.5 THE LODGE, OLD COLLEGE GATE, COLLEGE ROAD, LONDON SE21 7BQ (LISTED BUILDING CONSENT)

NOTE: This item was heard together with item 7.4.

Planning application reference number 13/AP/1088

Report: See pages 72 to 81 of the agenda pack.

PROPOSAL

Replacement of existing garage type shed with enlarged timber log structure replacement of smaller garden shed with new shed, remove existing vehicular and pedestrian gates to be replaced with new pedestrian gates and fencing.

A motion to grant listed building consent was moved, seconded, put to the vote and declared to be carried.

RESOLVED:

That listed building consent for application 13/AP/1088 be granted, as set out in the report.

Meeting ended at 8.00 pm

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 1 October 2013	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Legal Services

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of legal services, and which is satisfactory to the head of development management. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Gary Rice 020 7525 5437

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Ian Millichap, Constitutional Manager	
Report Author	Kenny Uzodike, Assistant Constitutional Officer Jonathan Gorst, Head of Regeneration & Development Team	
Version	Final	
Dated	6 November 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Legal Services	Yes	Yes
Head of Development Management	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		6 November 2012

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A**on Wednesday 13 November 2013**

Appl. Type Council's Own Development - Reg. 3
Site HOMESTALL ROAD PLAYING FIELDS, HOMESTALL ROAD, LONDON SE22

Reg. No. 13-AP-1700

TP No. TP/2613-A

Ward Peckham Rye

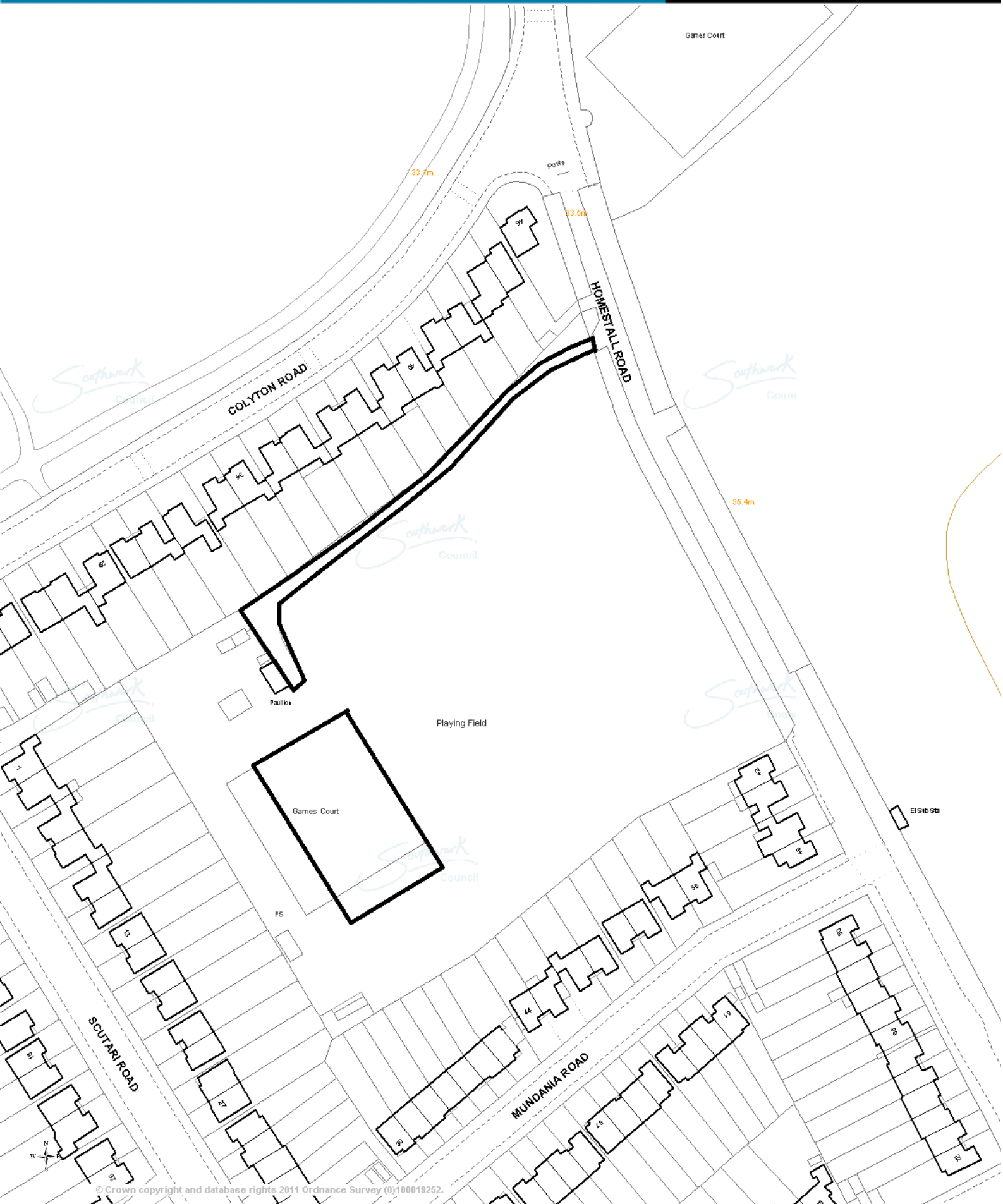
Officer Neil Loubser

Recommendation GRANT PERMISSION

Item 7.1**Proposal**

Construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting.

Date 1/11/2013



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Item No. 7.1	Classification: OPEN	Date: 13 November 2013	Meeting Name: Planning Sub Committee A
Report title:	Development Management planning application: Council's own development Application 13/AP/1700 for: Council's Own Development - Reg. 3 Address: HOMESTALL ROAD PLAYING FIELDS, HOMESTALL ROAD, LONDON SE22 Proposal: Construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date 11/09/2013		Application Expiry Date 06/11/2013	
Earliest Decision Date 12/10/2013			

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

Site location and description

- 2 The application site is located within Homestall Road Sports Ground which is to the south-western side of Homestall Road. The area of the proposed development is a sport facility catering for football development aimed at Under 15's in the Peckham Rye Area.
- 3 The site is located within a Green Chain Park, Air Quality Management Area, Suburban Density Zone-Middle, Metropolitan Open Land (MOL) and Peckham and Nunhead Action Area as identified by the Development Plan. The site is not located within the setting of any conservation area or listed building.

Details of proposal

- 4 Planning permission is sought for the construction of an artificial turf pitch measuring 45.75m x 27.45m on an old tennis court facility at Homestall Playing Fields. The tennis court area is immediately adjacent to a recently renovated natural turf facility comprising of three pitches. The proposed facility will include green powder-coated Weldmesh sports fencing 3m in height complete with goal recess and gates erected on the boundary of the proposed pitch with 4 x 10m high galvanised columns at each pitch corner with low-glare metal halide floodlights to minimise obtrusive light located outside the fence. The columns would carry each one floodlight to illuminate the pitch. The application has been amended since the original submission which sought hours of operation from 09:00 to 21:00. The revised proposal reduced the hours of operation to: Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to

14:30.

Planning history

- 5 No relevant planning history on application site.

Planning history of adjoining sites

- 6 None considered to be directly relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 7 The main issues to be considered in respect of this application are:

a] the appropriateness of the proposed use as part of the wider Homestall Road Playing Ground environment, including compatibility with the designation as Metropolitan Open Land; and

b] the impact on the amenity of nearby residents, particularly in terms of light pollution, noise and disturbance.

Planning policy

Core Strategy 2011

- 8 Strategic policy 1 - Sustainable development
Strategic policy 11 - Open spaces and wildlife
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 9 The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.
- 10 Policy 2.1 - Enhancement of Community Facilities;
Policy 3.1 – Environmental effects;
Policy 3.2 – Protection of amenity;
Policy 3.12 – Quality in design;
Policy 3.14 - Designing Out Crime;
Policy 3.25 – Metropolitan Open Land;
Policy 3.28 – Biodiversity;
Policy 5.3 - Walking and Cycling;

London Plan 2011

- 11 Policy 3.2 - Improving health and addressing health inequalities;
Policy 7.17 - Metropolitan Open Land;
Policy 7.21 - Trees and Woodlands.

National Planning Policy Framework (NPPF)

- 12 Chapter 7: Requiring good design
Chapter 9: Protecting Green Belt Land
Chapter 12: Conserving and enhancing the historic environment

Principle of development

- 13 The principal land use consideration here is that the proposal sits within Metropolitan Open Land (MOL). There is a general presumption against inappropriate development in MOL. Part 9 of the NPPF sets out the uses of land which are deemed to be appropriate in the Green Belt, which applies also to MOL. London Plan policy 7.17 and saved Southwark Plan policy 3.25 both apply to MOL.
- 14 Saved Policy 3.25 stipulates that the following uses are appropriate in MOL:
- 15 i. Agriculture or forestry, or
ii. Essential facilities for outdoor recreation or outdoor sport, for cemeteries, and for other uses of land which preserve the openness of MOL and do not conflict with the purposes of including land within MOL, or
iii. Extension of or alteration to an existing dwelling, provided that it does not result in disproportionate additions over and above the size of the original dwelling; or
iv. Replacement of an existing dwelling, provided that the new dwelling is not materially larger than the dwelling it replaces.
- 16 The reasons for the policy are to:
- protect open space to provide a clear break in the urban fabric and contributing to the character of London;
 - Protecting open space to serve the needs of Londoners outside their local area;
 - Protecting open space that contains a feature of landscape or nature conservation of national or regional significance.
- 17 The construction of an artificial turf pitch, ancillary floodlights and 3m security fence falls with the definition of appropriate development as the site is already in recreational/sports use with an old tennis court and 3 recently renovated natural turf football pitches, and the new facilities are considered to constitute essential facilities for outdoor recreation/sport. Furthermore, notwithstanding the initial decision to advertise this application as a Departure to Development Plan policy in respect of MOL, officers have now carefully considered the nature of the development proposed and are satisfied that it will maintain the openness of the MOL and therefore is 'appropriate development' in this respect also. Accordingly the proposal is not now considered to be a Departure from MOL Policy.
- 18 In terms of other considerations, the artificial turf pitch would provide a facility catering for football development aimed at Under 15's in the Peckham Rye Area. The Council's Sports Development Plan recognises that this part of Southwark contains young people with low levels of physical activity. The facility should encourage wider use, whilst the coaching and competitive opportunities would maintain the challenge for football development. The facility would therefore support the corporate objective of improving the health and fitness of the Southwark population, and meet the requirements of Core Strategy policy SP 4 which supports uses which encourage physical activity.
- 19 **Environmental impact assessment**
- 20 No Environmental Impact Assessment was submitted with the application. Although

the site area exceeds the threshold of 0.5 ha for 'Schedule 2' development, the predicted impacts are not of more than local significance, and are compatible with the location within a metropolitan park. As such, an Environmental Impact Assessment was not required.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 21 The nearest residential dwellings are located at Scutari Road which backs onto the Homestall Road Sports Ground. The proposed football pitch is approximately 36m from the rear of the residential properties. The proposal is to construct an artificial turf pitch measuring 45.75m x 27.45m on an old tennis court facility at Homestall Playing Fields. Furthermore to erect a Green powder-coated Weldmesh sports fencing 3m in height with 4 x 10m high galvanised columns at each pitch corner with low-glare metal halide floodlights to minimise obtrusive light located outside the fence. The lockable gates would prevent people entering the football pitch outside of the proposed hours of. Therefore the proposal will be conditioned that the football pitch may not be used outside the hours of:
Monday to Friday 09:00 to 19:00;
Saturday 9:00 to 13:30; and
Sunday 10:00 to 14:30.

- 22 In terms of impacts on amenity, it is considered that the hours of operating the facility, which already exists as a tennis court, are sufficient to ensure any noise arising will be limited primarily to 'day time' hours and noise at sensitive times early in the morning or late at night will be avoided. In respect of the light emitted from the floodlights, the Council's Environmental Protection Team have advised that the light spill will be sufficiently contained such that neighbouring properties will not be unreasonably affected.

Transport

- 23 As this site is already in recreational use with an old tennis court and 3 recently renovated natural turf football pitches it is not anticipated that there would be any harm caused to the function or safety of the transportation network. Any increase in visitors to the site would not be such as to warrant refusal.

Design issues

- 24 Overall the design is typical of a sports facility and raises no concerns regarding the appearance of the site or local area, and would therefore be in accordance with the relevant policies of the Southwark Plan and the Core Strategy. There will only be 4 floodlight columns which will be slim in appearance.

Impact on character and setting of a listed building and/or conservation area

- 25 The proposal site is not situated within a conservation area or near a listed building.

Impact on trees

- 26 None envisaged

Safety and Security

- 27 It is proposed to construct a 3m height green powder-coated Weldmesh sports fencing to four sides with two lockable gates at the proposed football pitch which would improve security at the proposal site. The lockable gates would prevent people

entering the football pitch outside the hours of Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to 14:30.

- 28 Overall, the proposal is considered to promote the safety and security of present and future users of this facility, while not compromising that of nearby residents in the area.

Planning obligations (S.106 undertaking or agreement)

- 29 The proposal raises no S106 issues.

Sustainable development implications

- 30 The proposal will provide enhanced recreation/sports facility in a sustainable location with public transport access nearby.

Other matters

- 31 Advice has been taken from the Council's Ecology Officer who has advised that the floodlights will not affect commuting bats. A condition is recommended to secure suitable planting adjacent to the site in relation to landscaping.

- 32 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. In this instance as the proposal does not create new floor space CIL is not payable.

- 33 Objections raised during the consultation period has been addressed in the following way:

1. Noise and disturbance

Application has been conditioned that the use hereby permitted for sports and recreational purposes shall not be carried on outside of the hours Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to 14:30, and the floodlights shall not be used outside of these hours.

2. Light pollution

Application has been conditioned that the floodlights may not be used outside of the hours Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to 14:30.

3. Parking

As this site is already in recreational use with an old tennis court and 3 recently renovated natural turf football pitches it is not anticipated that there would be any harm caused to the function or safety of the transportation network.

4. Security and privacy

It is proposed to construct a 3m height green powder-coated Weldmesh sports fencing to four sides with two lockable gates at the proposed football pitch which would improve security at the proposal site. The lockable gates would prevent people entering the football pitch outside the hours of Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to 14:30.

5. Rubbish

As this site is already in recreational use with a tennis court and 3 recently renovated natural turf football pitches it is not anticipated that waste will materially increase as a result of these works.

6. Nature conservation

Advice has been taken from the Council's Ecology Officer who has advised that the floodlights will not affect commuting bats. A condition is recommended to secure suitable planting adjacent to the site in relation to landscaping.

- 34 Other concerns raised by residents was dealt with by the Council, elected representatives (such as local Councillors) and the Olympic Legacy Fund during the procurement process

Conclusion on planning issues

- 35 Overall, for the reasons explored above, it is considered that the proposal constitutes appropriate development in MOL enhancing the sports and recreation facilities already available at the site. It would contribute positively to the character and appearance of the area, and respect the amenities of neighbours. It is therefore considered that subject to the imposition of suitable conditions that the development would be in accordance with the relevant policies of the Development Plan and should be granted.

Community impact statement

- 36 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- 37 a) The impact on local people is set out above.

Consultations

- 38 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 39 Details of consultation responses received are set out in Appendix 2.

Human rights implications

- 40 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 41 This application has the legitimate aim of providing ancillary sports and recreation facilities. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 42 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2613-A Application file: 13/AP/1700 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5452 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Neil Loubser, Planning Officer	
Version	Final	
Dated	29 October 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		1 November 2013

Consultation undertaken

- 43 **Site notice date:** 18-09-2013
- 44 **Press notice date:** 19-09-2013
- 45 **Case officer site visit date:** 18-09-2013
- 46 **Neighbour consultation letters sent:** 16-09-2013

Internal services consulted:

- 47 Environmental Protection Officer
Ecology Officer

Statutory and non-statutory organisations consulted:

- 48 None

Neighbours and local groups consulted:

- 49 44 COLYTON ROAD LONDON SE22 0NP
43 COLYTON ROAD LONDON SE22 0NP
42 COLYTON ROAD LONDON SE22 0NP
45 COLYTON ROAD LONDON SE22 0NP
34 MUNDANIA ROAD LONDON SE22 0NW
32 MUNDANIA ROAD LONDON SE22 0NW
30 MUNDANIA ROAD LONDON SE22 0NW
41 COLYTON ROAD LONDON SE22 0NP
36 COLYTON ROAD LONDON SE22 0NP
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39 COLYTON ROAD LONDON SE22 0NP
38 COLYTON ROAD LONDON SE22 0NP
36 MUNDANIA ROAD LONDON SE22 0NW
58 MUNDANIA ROAD LONDON SE22 0NW
56 MUNDANIA ROAD LONDON SE22 0NW
54 MUNDANIA ROAD LONDON SE22 0NW
42 HOMESTALL ROAD LONDON SE22 0SB
48 HOMESTALL ROAD LONDON SE22 0SB
46 HOMESTALL ROAD LONDON SE22 0SB
44 HOMESTALL ROAD LONDON SE22 0SB
52 MUNDANIA ROAD LONDON SE22 0NW
42 MUNDANIA ROAD LONDON SE22 0NW
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48 MUNDANIA ROAD LONDON SE22 0NW
46 MUNDANIA ROAD LONDON SE22 0NW
33 COLYTON ROAD LONDON SE22 0NP
27 SCUTARI ROAD LONDON SE22 0NN
25 SCUTARI ROAD LONDON SE22 0NN
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28 COLYTON ROAD LONDON SE22 0NP
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25 COLYTON ROAD LONDON SE22 0NP
5 SCUTARI ROAD LONDON SE22 0NN
39 SCUTARI ROAD LONDON SE22 0NN
37 SCUTARI ROAD LONDON SE22 0NN
7 SCUTARI ROAD LONDON SE22 0NN
24 COLYTON ROAD LONDON SE22 0NP
23 COLYTON ROAD LONDON SE22 0NP
9 SCUTARI ROAD LONDON SE22 0NN
54 Mundania Road London SE22 9NW

Re-consultation:

50 N/A

Consultation responses received

Internal services

- 51 Environmental Protection Officer - No objections
Ecology Officer - No objections

Statutory and non-statutory organisations

- 52 N/A

Neighbours and local groups

- 53 2 Letters of support received from unknown addresses, and 3 letters received from residents living at 42, 46 and 54 Homestall Road raising the following objections:

7. Noise and disturbance

Many residents have concerns about the level of noise disturbance experienced from the current levels of play. This include shouting, swearing, whistles, kicking of the ball, ball impact noise on fencing and crowd noise every Saturday and Sunday, some evenings and some day times all through the year.

8. Light pollution

One of the attractions of this area is the lack of intrusive external lighting which allows for huge enjoyment of the dark night sky and sunsets. The introduction of floodlights would extend the time of play and therefore result in increased noise levels. It would also result in light pollution impeding residents' views of the evening and night sky and intruding into houses through our large rear windows. Additionally it would disturb those sleeping in rooms with windows overlooking the field (all the surrounding houses) and particularly of course the large number with loft rooms.

9. Parking

Increased play would increase the need for parking which is already inadequate around the field and Peckham Park. Those using the field currently park on Homestall Road which is not adopted or surfaced.

10. Security and privacy

We are very concerned about the security risks which would result from the gates being open after dark and access being afforded to the rears of the surrounding properties (three sides of the field). This would make them more exposed and vulnerable to break ins and nuisances.

11. Rubbish

Currently rubbish is not cleared or swept by Southwark Council when it spills out of the gates on to Homestall Road as it is not an adopted road. It gathers on the wooded footpath which residents have to clear. This is only likely to increase, becoming a greater risk and nuisance for residents in particular and also players.

12. Nature conservation

This is an area with an abundance of wildlife as it is very open, green and full of trees. Currently there are herons and great spotted woodpeckers as well as numerous other birds, bats and foxes in the area which would all be adversely affected by increased noise and floodlighting as this would disrupt their habitat and habits.

- 54 These raised issues have been addressed in the body of this report.

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Mr T. Clee Southwark Council	Reg. Number	13/AP/1700
Application Type	Council's Own Development - Reg. 3	Case Number	TP/2613-A
Recommendation	Grant permission		

Draft of Decision Notice

Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:

Construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting.

At: HOMESTALL ROAD PLAYING FIELDS, HOMESTALL ROAD, LONDON SE22

In accordance with application received on 30/05/2013 08:01:52

and Applicant's Drawing Nos. Site Map; Drawing annotated Additional Turf Pitch Layout; tgms0550.6-2; Drawing annotated Fencing Plan; 2013-FSQ001-01 rev. 0; Specification Reference: TGMS0550.6 dated 3th January 2013; Proposed Floodlighting Design

Subject to the following five conditions:

Time limit for implementing this permission and the approved plans

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

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: Drawing annotated Additional Turf Pitch Layout; tgms0550.6-2; Drawing annotated Fencing Plan; 2013-FSQ001-01 rev. 0; Specification Reference: TGMS0550.6 dated 3th January 2013; Proposed Floodlighting Design

Reason:

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

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 3 Before any above grade work hereby authorised begins, details of planting around the facility hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting shall be carried out in the first planting season following completion of building works and any trees or shrubs that are found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife and Strategic Policy 12 Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design in the Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 4 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 5 The use hereby permitted for sports and recreational purposes shall not be carried on outside of the hours Monday to Friday 09:00 to 19:00; Saturday 9:00 to 13:30; and Sunday 10:00 to 14:30, and the floodlights shall not be used outside of these hours.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and offers a pre planning application advice service. The proposal complies with the policies and guidance. The local planning authority delivered the decision in a timely manner.

—

PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2013-14

NOTE: Original held by Constitutional Team (Community Councils) all amendments/queries to Gerald Gohler Tel: 020 7525 7420

Name	No of copies	Name	No of copies
To all Members of the sub-committee			
Councillor Althea Smith (Chair)	1	Environment & Leisure	
Councillor Adele Morris (Vice-Chair)	1	Environmental Protection Team	1
Councillor Nick Dolezal	1		
Councillor Paul Kyriacou	1		
Councillor Eliza Mann	1	Communications	
Councillor The Right Revd Emmanuel Oyewole	1	Robin Campbell	1
Councillor Michael Situ	1		
		Total:	35
(Reserves)		Dated: 3 June 2013	
Councillor James Barber	1		
Councillor Denise Capstick	1		
Councillor Barrie Hargrove	1		
Councillor Martin Seaton	1		
Councillor Andy Simmons	1		
External			
Libraries	1		
Officers			
Constitutional Officer (Community Councils) Hub 4 (2 nd Floor), Tooley St.	15		
Claire Cook Planning, Hub 2 (5 th Floor) Tooley St.	4		
Rachel McKoy, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		