

## Planning Sub-Committee B

Wednesday 7 March 2018

6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street,  
London SE1 2QH

### Membership

Councillor Lorraine Lauder MBE (Chair)  
Councillor Maria Linforth-Hall (Vice-Chair)  
Councillor Nick Dolezal  
Councillor Damian O'Brien  
Councillor Sandra Rhule  
Councillor Michael Situ

### Reserves

Councillor Evelyn Akoto  
Councillor James Coldwell  
Councillor Eliza Mann  
Councillor Catherine Rose  
Councillor Helen Dennis

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### 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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**Contact** Beverley Olamijulo on 020 7525 7234 or email [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)

Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 27 February 2018



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## **Planning Sub-Committee B**

Wednesday 7 March 2018  
6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

### **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>1.</b>	<b>INTRODUCTION AND WELCOME</b>	
<b>2.</b>	<b>APOLOGIES</b>	
<b>3.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
<b>4.</b>	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
<b>5.</b>	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
<b>6.</b>	<b>MINUTES</b>	1 - 5
	To approve as a correct record the minutes of the meeting held on 13 December 2017.	
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	6 - 10
<b>7.1</b>	<b>31 - 33 GROVE VALE, LONDON SE22 8EQ</b>	11 - 24

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
7.2.	<b>OLD COLLEGE LAWN TENNIS CLUB, 10 GALLERY ROAD, LONDON SE21 7AB</b>	25 - 35
7.3.	<b>DULWICH SPORTS CLUB. GIANT ARCHES ROAD, LONDON SE24 9HP</b>	36 - 46

### **EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

27 February 2018

## 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 committee.
3. The role of members of the planning 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 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 committee will then debate the application and consider the recommendation.

**Note:** Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning 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 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.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

**Contacts:**     General Enquiries  
                  Planning Section, Chief Executive's Department  
                  Tel: 020 7525 5403

                  Planning Sub-Committee Clerk, Constitutional Team  
                  Finance and Governance  
                  Tel: 020 7525 7420



## Planning Sub-Committee B

Minutes of the Planning Sub-Committee B held on Wednesday 13 December 2017 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

**PRESENT:** Councillor Lorraine Lauder MBE (Chair)  
Councillor Nick Dolezal  
Councillor Darren Merrill  
Councillor Damian O'Brien  
Councillor Sandra Rhule  
Councillor Michael Situ

**OFFICER SUPPORT:** Dipesh Patel (Development Management)  
Michael Glasgow (Development Management)  
Amy Lester (Development Management)  
Martin McKay (Design and Conservation Officer)  
Margaret Foley (Legal Officer)  
Beverley Olamijulo (Constitutional Officer)

### 1. INTRODUCTION AND WELCOME

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

### 2. APOLOGIES

There were apologies for absence from Councillor Maria Linforth-Hall.

### 3. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

### 4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

None were disclosed.

### 5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7.1 – development management items and;
- Members' pack relating to item 7.1.

## 6. MINUTES

### RESOLVED:

That the minutes of the meeting held on 31 October 2017 be approved as a correct record and signed by the chair.

## 7. DEVELOPMENT MANAGEMENT ITEMS

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation, responses, additional information and revisions.

### 7.1 38-44 RYE LANE, LONDON, SE15 5BY

#### Planning application reference number: 16-AP-2051

Report: see pages 10 to 32 of the agenda pack and pages 1 to 2 of the addendum report.

#### PROPOSAL

*Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from three to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage.*

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

Members asked questions of the officers.

The objectors addressed the meeting. The sub-committee asked questions of the objectors.

The applicant and their agent addressed the sub-committee and responded to questions from members.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application. No further questions were asked of officers.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

1. That planning permission be granted subject to the completion of a S106 legal agreement.
2. That in the event that a legal agreement is not signed by 31 March 2018, the director of planning be authorised to refuse planning permission for the reasons set out under paragraph 64.

**7.2 269-275 RYE LANE AND 1A PHILIP WALK, LONDON SE15**

**Planning application reference number: 16-AP-1896**

Report: see pages 33 to 80 of the agenda pack and page 2 of the addendum report.

**PROPOSAL**

*Demolition of existing buildings (general industrial units and a derelict end-of-terrace property) and the redevelopment of the site to provide 1x part 3/ part 5 storey building, 1x part 6/ part 5 storey building and 1x two-storey residential dwelling, comprising a total 29 residential units (12 x 1-bed, 11 x 2-bed and 6 x 3-bed) and 534sqm of flexible commercial floorspace (Class A1/B1), plus associated landscaping, plant, car and cycle parking and refuse storage.*

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

Members asked questions of the officers.

The objectors addressed the meeting. The sub-committee asked questions of the objectors.

The applicants addressed the sub-committee and responded to questions from members.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application and asked further questions of the officers.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

1. That planning permission be granted, subject to conditions and amendments contained in the addendum report subject to the applicant entering into a satisfactory legal agreement.



2. That in the event that a satisfactory legal agreement is not entered into by 31 March 2018 that the director of planning be authorised to refuse planning permission, if appropriate, for the reason set out in paragraph 116 of the report.

The meeting adjourned for a five minute comfort break. The meeting reconvened at 8.00pm.

### **7.3 110 PECKHAM ROAD, LONDON, SE15 5EU**

#### **Planning application reference number: 17-AP-3015**

Report: see pages 81 to 100 of the agenda pack and page 3 of the addendum report.

#### **PROPOSAL**

*Excavation of land to the front of the hotel and the construction of a four-storey subterranean basement extension to provide 33 new hotel rooms, a swimming pool, gymnasium and associated facilities. Together with internal alterations to the existing building to relocate the restaurant/bar to ground floor level and associated landscaping. Net increase of 24 hotel rooms.*

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

Members asked questions of the officers.

There were no objectors present at the meeting.

The applicant and applicant's agent were present to address the sub-committee and responded to questions from members.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

#### **RESOLVED:**

That planning permission be granted, subject to conditions and amendments contained in the addendum report.

### **7.4 SCOTTISH POLITICAL MARTYRS MEMORIAL, NUNHEAD CEMETERY, LINDEN GROVE, LONDON, SE15 3LP**

#### **Planning application reference number: 16-AP-3412**

Report: see pages 101 to 109 of the agenda pack.

**PROPOSAL**

*Refurbishment works to the area around the Scottish Political Martyrs memorial comprising:*

- *Replacement of plinth and granite kerbs around memorial and the retained bench.*
- *Excavation of area either side of the memorial to a depth of 300mm to allow for the new road formation.*
- *Installation of new resin bonded gravel road formation around memorial and associated drainage.*

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

Members asked questions of the officers.

The objectors addressed the meeting. The sub-committee asked questions of the objectors.

The applicant and their agent were not present to address the sub-committee.

There were no supporters of the application present that lived within 100 metres of the development site.

There were no ward councillors present at the meeting.

Members debated the application and asked further questions of the officers.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

That listed building consent be granted subject to conditions.

The meeting ended at 8.45 pm

**CHAIR:**

**DATED:**

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 7 March 2018	<b>Meeting Name:</b> Planning Sub-Committee
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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 Law and Democracy**

12. A resolution to grant planning permission shall mean that the director of planning 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 director of planning 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 director of planning 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 law and democracy, and which is satisfactory to the director of planning. 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 law and democracy. 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	Beverley Olamijulo 020 7525 7234
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 the Planning Department 020 7525 5403

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Chidi Agada, Head of Constitutional Services	
<b>Report Author</b>	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	26 February 2018	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		26 February 2018

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE B**  
**on Wednesday 7 March 2018**

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**Appl. Type** Full Planning Application  
**Site** 31-33 GROVE VALE, LONDON SE22 8EQ

**Reg. No.** 17-AP-4421  
**TP No.** TP/2122-31  
**Ward** South Camberwell  
**Officer** Yvonne Sampoh

**Recommendation** GRANT PERMISSION  
**Proposal**

## ***Item 7.1***

Change of use of the upper floors of The Cherry Tree Public House from ancillary staff accommodation (Class A4 Use) to create a 47 bed bunk house hostel (Sui Generis - Visitor Accommodation) across five rooms.

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**Appl. Type** Full Planning Application  
**Site** OLD COLLEGE LAWN, TENNIS CLUB, 10 GALLERY ROAD, LONDON SE21 7AB

**Reg. No.** 17-AP-4258  
**TP No.** TP/2083-E  
**Ward** Village  
**Officer** Christopher Kirby

**Recommendation** GRANT PERMISSION  
**Proposal**

## ***Item 7.2***

Installation of LED floodlights to courts nos.6 and 7 for use Monday to Saturday 8:00 to 21:00. Extension of use of existing floodlights on courts nos. 4 and 5 on Sunday 8:00 to 20:30.

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**Appl. Type** Full Planning Application  
**Site** DULWICH SPORTS CLUB, GIANT ARCHES ROAD, LONDON SE24 9HP

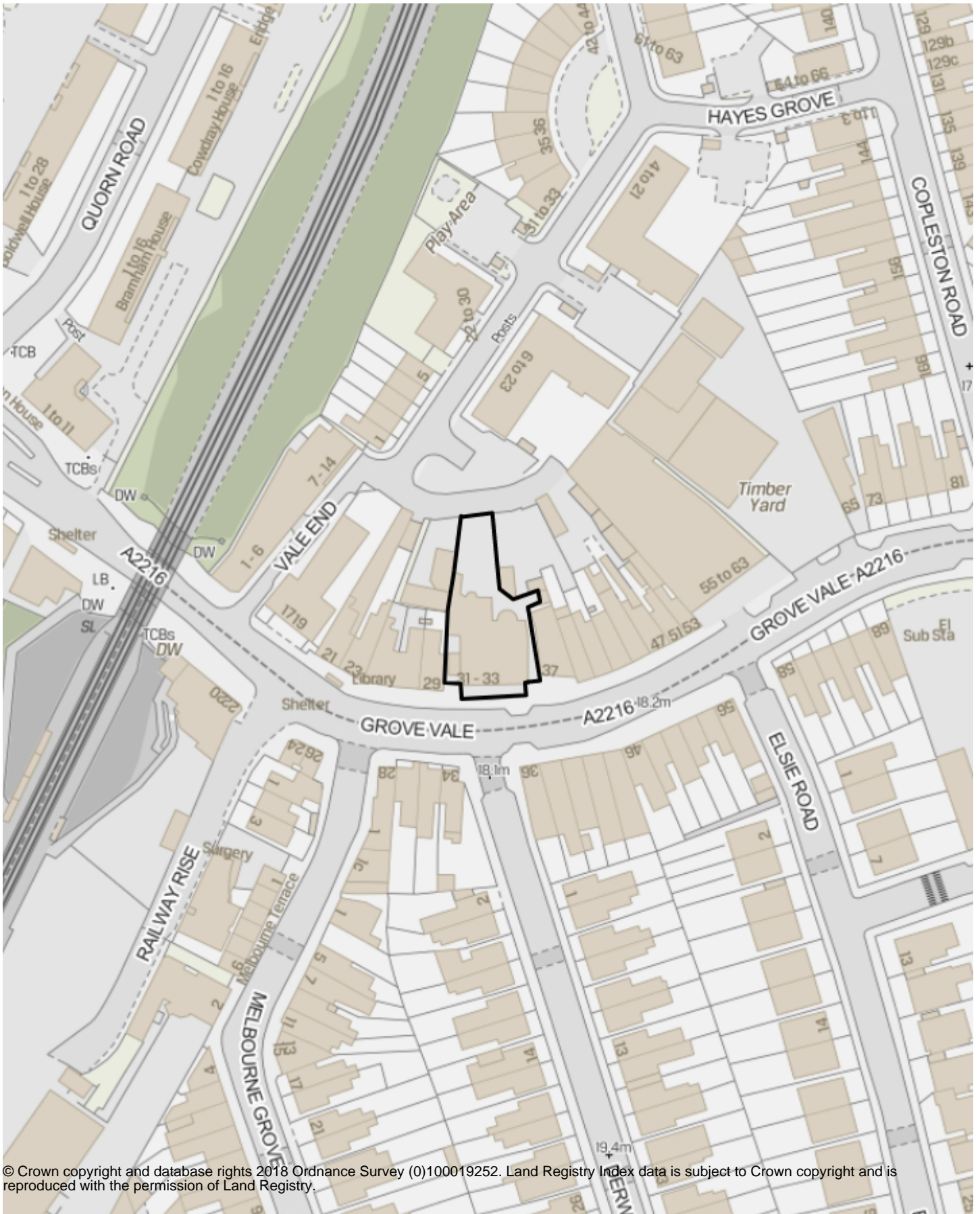
**Reg. No.** 17-AP-3782  
**TP No.** TP/2546-B  
**Ward** Village  
**Officer** Alex Cameron

**Recommendation** GRANT PERMISSION  
**Proposal**

## ***Item 7.3***

Change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting.

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<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 7 March 2018	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/PAP/4421 for: Full Planning Application  <b>Address:</b> 31-33 GROVE VALE, LONDON SE22 8EQ  <b>Proposal:</b> Change of use of the upper floors of The Cherry Tree Public House from ancillary staff accommodation (Class A4 Use) to create a 47 bed bunk house hostel (Sui Generis) across five rooms.		
<b>Ward(s) or groups affected:</b>	South Camberwell		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 24/11/2017		<b>Application Expiry Date</b> 19/01/2018	
<b>Earliest Decision Date</b> 02/02/2018			

## RECOMMENDATION

1. That planning permission be granted, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The site is located to the northern side of Grove Vale Road and is occupied by a detached red brick two storey building with accommodation in the roof. The ground floor comprises a large external seating area to the front with a symmetrical traditional façade with a single access door flanked by additional double doors as well as large glazed panels. Internally, the ground floor forms the main part of the public house with a parlour, bar/snug and garden lounge. There is also a kitchen and associated amenities at ground floor. To the rear, there is a large enclosed beer garden and secret garden area. At the western elevation, there is an external smoking area, whilst to the east, there is a gated side entrance lane providing access to the rear of the property.
3. Externally at the first floor, there are traditional arched sash windows, whilst the second floor traditional dormer sash windows are set within the roof. Internally, the upper floors currently comprise of ancillary accommodation for the Pub, including bedrooms for staff and kitchen/living rooms. These are not separate Class C3 Use dwellings, as they are ancillary to the primary use of the application site and inherently linked to the operation of the Pub. The rooms are accessed both internally and externally via a rear staircase.
4. The immediate surrounding area on Grove Vale is a combination of commercial, retail, restaurants, community facilities and residential and is primarily 2 – 2.5 storey semi-detached and terraced properties. The houses and shop units are mostly traditional in appearance, although there are more modern houses as well. There are a variety of styles present including brick and painted render exterior. The site is not located

within a conservation area, nor is it a listed building.

### **Details of proposal**

5. The proposed development aims to create a bunk house hostel accommodation in the upper floors above The Cherry Tree Pub. The accommodation will provide a total of 47 beds with communal associated facilities and amenities across 5 bedrooms. The pub will be retained on the ground floor and the proposal involves the conversion of the upper floors only and requires no external alterations. In land use terms, this constitutes a change of use from A4 (drinking establishments) to a sui generis use.
6. There will be two entrances available to visitors to the bunkhouse, one through the main entrance to the pub and up the stairs during the operation of the ground floor use and one via the side alley nearest to 37 Grove Vale, where the upper floors can be accessed via the staircase. A covered cycle shelter will also be provided in this location.

### **Planning history**

7. None

### **Planning history of adjoining sites**

8. **Development Management planning application:**  
Application 10-PAP-3741 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Change of use from a Sui-Generis Launderette to Class A1 use Retail Unit and remove existing rear door.  
DEC: GRA

**Development Management planning application:**  
Application 14/PAP/1104 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Erection of single storey side and rear extension to provide additional storage space to A1 (retail) use.  
DEC: GRA

**Development Management planning application:**  
Application 16/PAP/2810 for: Full Planning Permission  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Erection of single storey rear and side extension with part conversion of the rear of the ground floor from A1 to C3 to include 1 studio flat with some internal and external alteration and part demolition.  
DEC:GRA

**Development Management planning application:**  
Application 17/PAP/1340 for: Full Planning Application  
**Address:**  
29 GROVE VALE, LONDON, SE22 8EQ  
**Proposal:**  
Construction of part two, part single storey rear and side ground floor extension

together with L-shaped dormer extension over the main roof and outrigger to facilitate conversion of upper floors into x2 flats  
DEC: GRA

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

9. The main issues to be considered in respect of this application are:
  - a. The principle of the development with respect to land use and its conformity with strategic policies
  - b. The impact on the amenity of occupiers of neighbouring properties
  - c. The quality of accommodation for future occupiers
  - d. The impact on the appearance and character of the building and the streetscape

### **Planning policy**

#### National Planning Policy Framework (the Framework)

10. None considered directly relevant.

#### The London Plan 2016

11. Policy 4.5 London's visitor infrastructure

#### Core Strategy 2011

12. Strategic Policy 12- Design and Conservation  
Strategic Policy 13- High Environmental Standards

#### Southwark Plan 2007 (July) - saved policies

13. The council's cabinet on 19 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.

Policy 1.9 – Change Of Use Within Protected Shopping Frontages

Policy 1.12 – Hotels And Visitor Accommodation

Policy 3.2 – Protection Of Amenity

Policy 3.14 – Designing Out Crime

#### Draft New Southwark Plan - Preferred Option

14. P32: Protected shopping frontages  
P36: Hotel and visitor accommodation

#### Supplementary Planning Documents

15. Dulwich Supplementary Planning Document

### **Principle of development**

16. The proposal seeks to change the ancillary use of the upper floors currently used as accommodation for staff and provide visitor accommodation in the form of a hostel, which is also intended to complement the use of the Public House on the ground floor.
17. Policy 4.5 of the London Plan advises that visitor accommodation which is proposed outside of the CAZ should be in town centres, opportunity areas or intensification areas. It is noted that this development is beyond the CAZ and is not within a defined town centre, opportunity area or intensification area. It is however within a shopping parade which encourages visitors and shoppers with a variety of land uses on ground floor such as commercial, retail, restaurants, community facilities, such as the Grove Vale Library. As a whole these variety of uses all invite daytime and night time visitors, as such it is deemed that the location for the proposal would be appropriate.
18. Policy 1.9 of the saved Southwark Plan acknowledges that visitor accommodation contributes to local job opportunities and prosperity, as well as promoting Southwark as a tourist destination, however this is only supported in areas with good access to public transport, where the scale of the proposal is appropriate to the context and location. This policy also advises that hotels and visitor accommodation will not be permitted where it would result in a loss of existing residential accommodation, or an over dominance of visitor accommodation in the locality.
19. There are no other visitor accommodations in the immediate vicinity of Grove Vale. The nearest visitor accommodations in the borough are The Salvation Army (Grove Hill Road, Camberwell) and The Victoria Inn (Peckham).
20. The proposal also does not result in the loss of A1 (retail) use as it is currently in use as A4 use, as such emerging policy P32 Protect shopping frontages of the New Southwark Plan and Policy 1.9-Change of Use within Protected Shopping Frontages is still complied with. The proposal does not include any external alterations to the building as such this will not affect the character of the protected shopping frontage.
21. P36 of the New Southwark Plan also notes that proposals for hotels and other forms of visitor accommodation must not harm the local character or amenity by the design, scale, function, parking and servicing arrangements. These policy issues are further assessed below.

### **Environmental impact assessment**

22. Not required with the scale and nature of the development proposed.

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

23. Consultation comments have been raised relating to potential noise and disturbance from 47 additional people coming into the area which will exacerbate the already high level noise emanating from the ground floor public house use. It is also noted that concerns have been raised that anti-social behaviour will be increased as result of the additional visitors coming into the area.
24. In order to manage additional noise the agent has proposed the following management practices and restrictions to manage the duration of operation of the change of use:
  - Time of check in from between 11am to 11pm;
  - Time of check out will be open;

- There will be no access to the front and rear gardens between the hours 10pm to 11am
  - There will be a duty manager on site during the night;
  - There will be no access to the pub after hours and it will be fully locked off;
  - In terms of measures to mitigate anti-social behaviour there will be CCTV, usual appropriate signage, staff training and duty manager on site;
  - Food/drink offer will be restricted to the pub and operating hours as there will be no in room catering available.
25. The above measures could form part of a management plan for the operation of the hostel accommodation on the upper floors and officers are satisfied that the measures should reduce the potential for anti-social behaviour as a result of the change of use.
26. Consultation comments have noted concerns related to types of visitors that will be coming into the area on a regular basis as a result of this change of use and the impact of this on the character of a residential area. Concerns are raised that there will be an influx of youth, from pre-wedding events, which will typically affect the residential nature of this area and the amenity of neighbours
27. Although it is important to note that saved Policy 1.9 of the Southwark Plan states that hotel and visitor accommodation is encouraged where the scale of the proposal is appropriate to the context and location and P36 of the new emerging Southwark Plan states that proposals for hotels and other forms of visitor accommodation must not harm the local character or amenity by the design, scale, function, parking and servicing arrangements, it is advised that planning cannot discriminate against certain potential types of clientele. As explained above, it is noted that the proposal is not in a defined town centre, opportunity area, intensification or within the Central Activities Zone, however it is within a shopping parade, which encourages both day and night visitors through the mix of uses on the ground floor. The restrictions on the operation of the hostel should mitigate additional noise arising from the use of the hostel. An assessment of existing noise issues from the ground floor use of the public house is a material consideration for this application.
28. Comments have been received saying that the proposal attempts to provide too many bedspaces across 5 rooms, which is considered overdevelopment and providing poor accommodation for users. These objections also suggest that the due to the high number of visitors using the hostel this will have an impact on the amenity of neighbouring properties as the proposed use will cause additional noise which will impact the neighbours
29. In terms of quality of accommodation, it is noted that although a high number of bedspaces are proposed, it is important to note the proposal is for temporary short stay of tourists/visitors and not permanent living accommodation. The primary function is providing facilities for visitor accommodation on a temporary basis, each bedroom also provides at least 7 sqm per bedspace and in some cases none, which is in line with the minimum standards for a single bedroom for residential permanent accommodation. Although the rooms are not dual aspect it is deemed that for a hostel this is acceptable. As such it is not deemed that quality of accommodation for this proposed hostel is a reason for refusal.
30. In terms of impacts to amenity in terms of noise, it is noted that the residents have indicated that the current use of the A4 use on the ground floor is already raising concern due to current noise levels. The use in relation to arrivals, departures and use of the two rear gardens will be contained within the existing hours of the public house on the ground floor, as no additional noise will be caused outside of these hours, it is only the additional the impact of potentially 47 additional users to the property within the current operation of the ground floor use which would be as a consequence of the

approval of this proposal.

31. Due to the nature of the public house which does not have a cap on the amount of visitors that can attend at anyone time, it is not deemed that the proposed change of use of the upper floors and the potential maximum of 47 additional users this could give rise to would materially aggravate the current noise levels which originate from the ground floor use. Guests would usually enter through the pub with the additional activity expected to be moderate in comparison to the activity of the pub.

#### **Quality of accommodation**

32. There is no guidance relating to the format or quality of hostel accommodation within planning policy. It is noted that the proposal provides the following: at first floor level, 3 bedrooms comprising of 1 x 9 bunk bedspaces and 2 x 12 bunk bedspaces as well as 6 x shower rooms and 5 x WCs. This will mean 33 users of the property on the first floor will share 5 WCs and 6 shower rooms. Second floor (loft space): 2 bedrooms comprising 1 x 8 bunk bedspaces and 1 x 6 bunk bedspaces and also 2 x shower room and 3 x WCs. This will mean 14 users will be sharing 2 shower rooms and 3 WCs. Both floors will have access to a kitchen and communal area. The kitchen will not have cooking equipment other than a microwave as users are expected to consume food obtained either from the public house in the ground floor or outside and bring to the upper floors. The kitchen and communal area is primarily used for reheating food, consuming prepared food or as a communal area.

#### **Transport issues**

34. The hostel would be located within a site which has a Public Transport Accessibility Rating (PTAL) of 4 - good. Both the London Plan and local policies require visitor accommodation to be in areas with good transport links
35. Although this is not the highest PTAL rating it is considered to be sufficient as it is within 55 metres of two bus stops (serving different directions) which cover a number of bus routes heading towards Penge, Tottenham Court Road, Lewisham, Victoria Station, Dulwich, Aldgate, London Bridge, and Liverpool Street, Camberwell and Peckham. The proposal is also within 100m of East Dulwich Station and 1km from Denmark Hill Station.
36. The site also has over 20 cycle stand spaces available in the immediate vicinity along Grove Vale Road.
37. Under London Plan Policy 6.9, a hostel of this nature could be considered to require between 2 and 24 cycle spaces for long stay visitors, depending on whether it is considered to be more akin to hotel use or student accommodation, with a further short stay cycle space. The Agent has agreed to provide 6 covered cycle spaces in the form of a cycle shelter in the rear amenity space, which also functions as a secondary entrance to visitors for the hostel. Having considered the nature of the use where most customers would arrive with luggage do be less likely to cycle and in light of the noted accessibility to other forms of public transport above, it is deemed that this cycle storage proposed is acceptable.
38. The Design and Access Statement also confirms that this is to be a car-free development. Further information has been obtained from the agent to ensure limited impact on the highway from this change of use in terms of car parking or taxi drop offs.
39. The agent has confirmed that guests, when booking accommodation, will be notified that there is no on-site parking available and will be made aware of the public

transport and encourage to visit the property via those methods. The accommodation will be advertised, via the owner's (Redcomb Pub Ltd) website as well as online booking channels. Both of these methods will notify guests of the lack of on-site parking and direct guests to the public transport. All bookings will be managed by the on-site general manager, who will notify guests of the check in/out times.

#### Waste Management

40. The Agent has confirmed that waste management will remain the same for the ground floor use of the public house than for the proposed change of use of the upper floors

#### **Design issues**

41. The proposal does not include any external changes and the quality of accommodation is addressed above.

#### **Conclusion on planning issues**

42. Overall, for the reasons further explored above, it is deemed that management controls and restrictions on the proposed change of use on the upper floors will ensure that the amenity of the neighbouring properties that the character of the function of the area is protected and that impacts to the highway will be kept to a minimum. As such, it is recommended that planning permission is granted.

#### **Community impact statement**

43. 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.

a) The impact on local people is set out above.

#### **Consultations**

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

#### **Consultation replies**

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

#### Summary of consultation responses

46. The main concerns are:
- Increased noise and disturbance which is already an issue from the existing use of the pub on the ground floor, this will be exacerbated by the use of the upper floors as a hostel accommodation introducing 47 bed spaces for visitors.
  - Concerns raised for people coming in and out of the area at different times.
  - Concerns that the nature of the hostel will attract anti-social behaviour.
  - Hostel accommodation is not appropriate in a residential area.
  - Poor quality of accommodation proposed, with 47 bedspaces on two floors, being exploitative and overcrowding.
  - A more traditional bed and breakfast would be appropriate;
  - The proposal is not in keeping with character of the area and will attract a different demographic.

- Additional pressure will be placed on transport.

Metropolitan Police

47. No objection.

Environmental Protection team

48. No objection.

Transport team (Southwark)

49. Request a transport statement detailing how sustainable transport will be encouraged in relation to arrivals and departures. (Details have been provided)

Flood risk and drainage team

50. No objection.

### **Human rights implications**

51. This planning application engages certain human rights under the Human Rights Act 2008 (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.

52. This application has the legitimate aim of providing visitor accommodation. 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.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2122-31 Application file: 17/PAP/4421 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403 Planning enquires email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 4929 Council website: www.southwark.gov.uk

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation



**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Yvonne Sampoh, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	8 February 2018	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	22 February 2018	

## APPENDIX 1

## Consultation undertaken

**Site notice date:** 05/12/2017

**Press notice date:** n/a

**Case officer site visit date:** 12/01/2018

**Neighbour consultation letters sent:** 28/11/2017

**Internal services consulted:**

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]  
Flood and Drainage Team

**Statutory and non-statutory organisations consulted:**

Metropolitan Police Service (Designing out Crime)

**Neighbour and local groups consulted:**

29a Grove Vale London SE22 8EQ	30 Fellbrigg Road London SE22 9HH
39 Grove Vale London SE22 8EQ	158 Grove Lane London SE5 8BP
The Vale 31-33 Grove Vale SE22 8EQ	6 Besant Place SE22 8DA
6 Vale End London SE22 8EG	43 Adys Road Peckham Rye SE15 4DX
29 Grove Vale London SE22 8EQ	30 Derwent Grove London SE22 8EA
37b Grove Vale London SE22 8EQ	26 Derwent Grove East Dulwich SE22 8EA
37a Grove Vale London SE22 8EQ	93 Copleston Road Peckham SE15 4AH
37 Grove Vale London SE22 8EQ	39 Derwent Grove London SE22 8DZ
39a Grove Vale London SE22 8EQ	15 Blackwater St London Se22 8SS
10 Besant Place London SE228DA	111a Grove Vale London Se228en
10 Besant Place London se22 8da	24 Derwent Grove London SE22 8EA
10 Besant Place London SE228DA	16 Derwent Grove London SE22 8EA
32 Grove Vale London SE22 8DY	31 Derwent Grove London SE22 8DZ
24 Derwent Grove London SE22 8EA	43 Grove Vale London SE22 8EQ
Flat 6 15a Grove Vale SE22 8ET	1 15a Grove Vale London SE2 28ET

**Re-consultation:** n/a

**APPENDIX 2****Consultation responses received****Internal services**

None

**Statutory and non-statutory organisations**

Metropolitan Police Service (Designing out Crime)

**Neighbours and local groups**

Flat 6 15a Grove Vale SE22 8ET  
 1 15a Grove Vale London SE2 28ET  
 10 Besant Place London se22 8da  
 10 Besant Place London SE228DA  
 10 Besant Place London SE228DA  
 111a Grove Vale London Se228en  
 15 Blackwater St London Se22 8SS  
 158 Grove Lane London SE5 8BP  
 16 Derwent Grove London SE22 8EA  
 24 Derwent Grove London SE22 8EA  
 24 Derwent Grove London SE22 8EA  
 26 Derwent Grove East Dulwich SE22 8EA  
 30 Derwent Grove London SE22 8EA  
 30 Fellbrigg Road London SE22 9HH  
 31 Derwent Grove London SE22 8DZ  
 32 Grove Vale London SE22 8DY  
 39 Derwent Grove London SE22 8DZ  
 43 Adys Road Peckham Rye SE15 4DX  
 43 Grove Vale London SE22 8EQ  
 6 Besant Place SE22 8DA

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Redcomb Pubs Ltd	<b>Reg. Number</b>	17/AP/4421
<b>Application Type</b>	Full Planning Application	<b>Case</b>	TP/2122-31
<b>Recommendation</b>	Grant permission	<b>Number</b>	

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Change of use of the upper floors of The Cherry Tree Public House from ancillary staff accommodation (Class A4 Use) to create a 47 bed bunk house hostel (Sui Generis - Visitor Accommodation) across five rooms.

**At:** 31-33 GROVE VALE, LONDON SE22 8EQ

**In accordance with application received on 23/11/2017 12:00:46**

**and Applicant's Drawing Nos. 001**

010 - EXISTING FLOOR PLANS

210 - PROPOSED PLANS BUNKHOUSE OPTION REV A

PLANNING STATEMENT

E-MAIL COVERING TRANSPORT STATEMENT AND MAINTENANCE OF THE HOSTEL DATED 07 FEBRUARY 2018

**Subject to the following four 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.

**Pre-commencement condition(s)** - 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 in connection with implementing this permission is commenced.

- 2 Prior to the commencement of the use hereby permitted, an Operational and Service Management Plan detailing how the hostel will be managed in terms of arrivals, departures and mitigating disturbance and how it will be serviced shall be submitted to for approval to the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure protect the amenity of local residents 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.

**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.

- 3 The cycle storage facilities identified on approved plan 210/rev A shall be provided prior to the commencement of the use hereby consented and thereafter shall be retained and the space used for no other purpose and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework 2012, Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

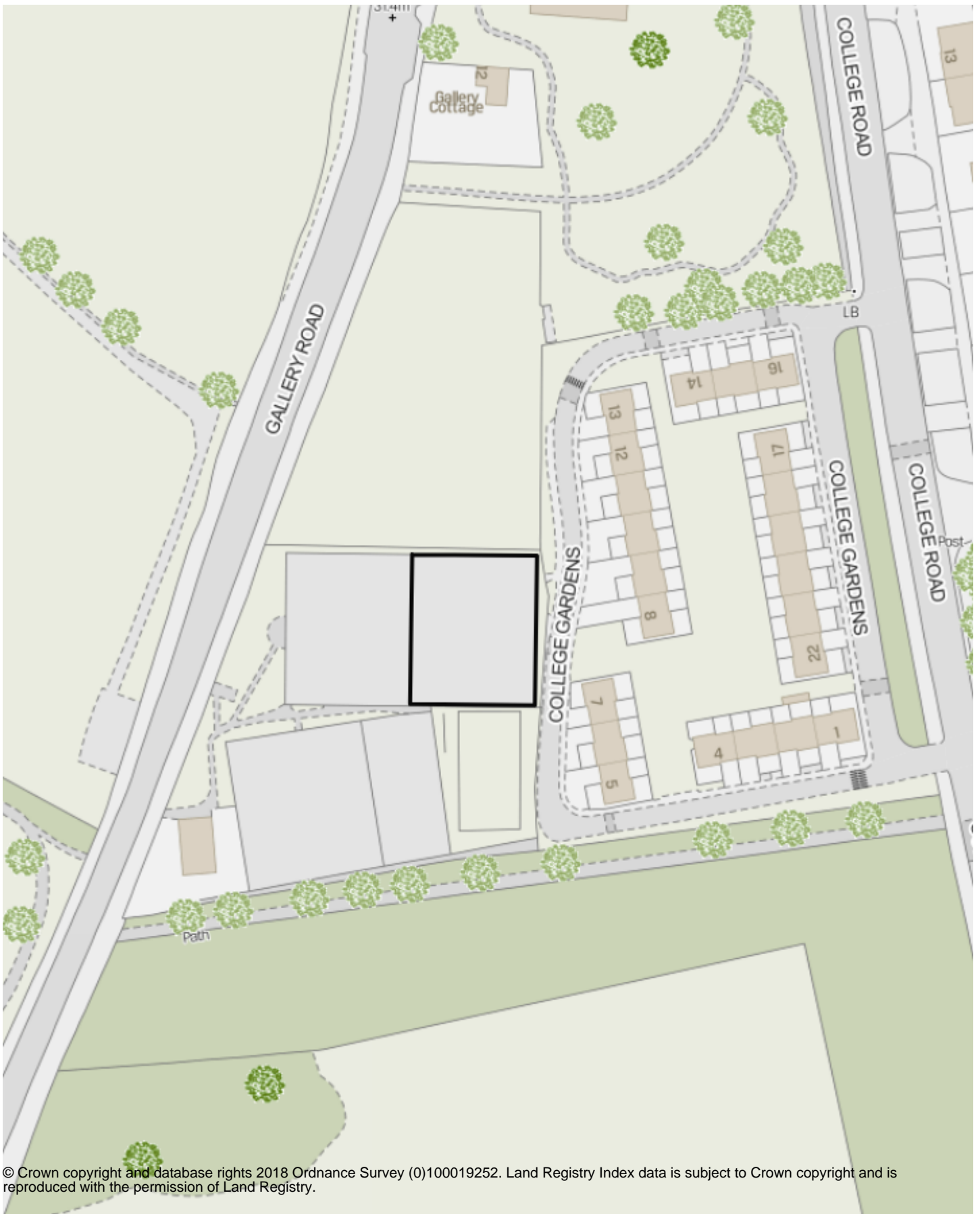
- 4 The two rear garden spaces identified as "main garden" and "secret garden" on approved plan 210/Rev A shall be closed to guests of the hostel between the hours of 10:00 and 23:00 during guests shall not be permitted to use these areas for any purposes, except in the case of emergencies..

Reason

To ensure no loss of amenity to neighbouring residential occupiers, in accordance with the National Planning Policy Framework 2012, saved policy 3.2 Protection of amenity of the Southwark Plan 2007 and strategic policy 13 High environmental standards of the Core Strategy 2011.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.



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22-Feb-2018

Scale = 1 : 1250

<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 7 March 2018	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/4258 for: Full Planning Application  <b>Address:</b> OLD COLLEGE LAWN TENNIS CLUB, 10 GALLERY ROAD, LONDON SE21 7AB  <b>Proposal:</b> Provision of LED floodlighting to courts nos.6 and 7 for use Monday to Saturday 8:00 to 21:00. Extension of use of existing floodlights on courts nos. 4 and 5 on Sunday 8:00 to 20:30.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 11/11/2017		<b>Application Expiry Date</b> 06/01/2018	
<b>Earliest Decision Date</b> 04/12/2017			

## RECOMMENDATION

1. That planning permission is granted, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The site is the Old College Lawn Tennis Grounds, located on the eastern side of Gallery Road. It is located within the Dulwich Village Conservation Area and is designated as Metropolitan Open Land, a green chain park, an air quality management area and the suburban density zone.

### Details of proposal

3. Full planning permission is sought for the installation of LED floodlights for courts 6 and 7; they would be used from Monday to Saturday 08:00 to 21:00. It is also proposed to extend the time that existing floodlights are used on courts 4 and 5 on Sunday 08:00 to 20:00. The scheme has been amended to address concern raised by the council's ecology officer. The proposed operating hours have been reduced from 08:00 to 21:30 Monday to Saturday to 08:00 to 21:00 Monday to Saturday to mitigate the impact on bat commuting.
4. At present the floodlights on courts 1 to 5 and can operate between 08:00 to 21:30, Monday to Saturday and courts 1-3 between 08:00 to 20:30 on Sundays. This is restricted by way of a condition on an earlier planning application permission (reference: 12/AP/1573). The applicant wishes to extend the use of the existing floodlights on courts nos. 4 and 5 to Sunday between 08:00 to 20:30.
5. The floodlights are coin operated and would cut out at the designated times.

**Planning history**

6.

03/AP/1473 Application type: Full Planning Application (FUL) The erection of nine 6.1m high floodlights to serve two tennis courts. Decision date 13/11/2003 16:52:41 Decision: Grant (GRA)
06/AP/0392 Application type: Full Planning Application (FUL) Variation of condition 2 of planning consent 03AP1473 to extend the floodlight time by one hour to 9pm on courts 4 and 5 on Monday to Saturday Decision date 11/09/2006 Decision: Granted (GRA)
09/AP/1372 Application type: Full Planning Application (FUL) To provide floodlighting to Court no.3 with 3no. new lighting posts; repositioning of 3no. existing posts next to Court no2; repositioning of 2no lighting posts to Court no1; relocation of gate and new gate in wire mesh fencing. Decision date 10/09/2009 Decision: Granted (GRA)
11/AP/0815 Application type: Full Planning Application (FUL) Replacement of the existing pair of timber gates for vehicle access with a pair of wrought iron gates for vehicle access and a wrought iron pedestrian access gate. Decision date 09/06/2011 Decision: Granted (GRA)
12/AP/1573 Application type: Full Planning Application (FUL) Relocation of 4 floodlighting posts around tennis courts 4 and 5 and use of floodlighting for courts 1-5 between the hours of 08:00 to 21:30 Monday to Saturday and for courts 1, 2 and 3 between the hours of 08:00 to 20:30 on Sunday. Decision date 23/07/2012 Decision: Granted (GRA)

**Planning history of adjoining sites**

7. None of relevance.

**KEY ISSUES FOR CONSIDERATION****Summary of main issues**

8. The main issues to be considered in respect of this application are:
- a. The principle of development;
  - b. Amenity;
  - c. Design and impact upon the character and appearance of the Dulwich Village Conservation Area;
  - d. Ecology

**Planning policy**National Planning Policy Framework (the Framework)

9. Section 7 - Requiring good design  
Section 9 - Protecting Green Belt land  
Section 12 - Conserving and enhancing the historic environment

The London Plan 2016

Policy 7.17 Metropolitan Open Land



Policy 7.4 - Local Character

Policy 7.6 - Architecture

Core Strategy 2011

10. Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

11. The council's cabinet on 19 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.

Policy 3.2 - Protection of amenity

Policy 3.12 - Quality in design

Policy 3.13 - Urban design

Policy 3.25 - Metropolitan Open Land

Policy 3.28 - Biodiversity

Policy 5.2 - Transport Impacts

Summary of consultation responses

12. A total of 14 responses have been received to the application, one objection and 13 comments in support.
13. The objection raises the following concerns:
  1. The proposed lighting is too close to neighbouring houses and results in light seepage. The glare from the courts is unacceptable.
  2. The noise from the courts at night will disturb use of adjoining properties, particularly in winter months.
  3. The lighting is a further urbanisation of a protected area of Dulwich.
  4. Questions the need for the extension of the courts when the existing courts are not always fully used under floodlight.
14. The objector also noted that the existing lights are regularly left on all night; the timers do not seem to always work so there is no guarantee of the cut off times.
15. The representations in support comment that the proposal would allow further use of the tennis courts for school children and local residents in the evenings. They note that it would promote healthier lifestyle and improve local sports facilities.

### Principle of development

16. The London Plan states that paragraphs 79 - 92 of the Framework apply equally to Metropolitan Open Land. This section of the Framework (Protecting Green Belt Land) details what is and what is not appropriate development on Green Belt and by extension on MOL. The provision of appropriate facilities for outdoor sport is development that is appropriate. This also accords with saved policy 3.28 of the Southwark Plan and Policy 7.17 of the London Plan. The principle of the development is acceptable. The impact on openness, a matter of significance, is considered below.

### Impact on the openness of Metropolitan Open Land

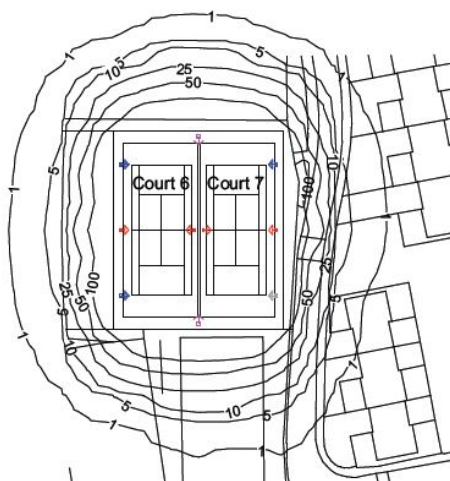
17. The new floodlights would be in an area where there are already floodlights and seen as part of the infrastructure of this part of the site. They would not affect the openness of the MOL.

### Environmental impacts

18. Due to a bat survey not accompanying this application, the ecology officer has requested that the use of the floodlights should be between restricted to 08:00 to 21:00 Monday to Saturday, and 08:00 to 20:30 on Sundays and banks holidays between the dates of 11 May to 8 June and between the dates of 11 to 17 August. A condition has been recommended that would restrict the use of the floodlights to these hours all year.

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

19. Saved policy 3.2 of the Southwark Plan seeks to ensure an adequate standard of amenity for existing and future occupiers.
20. The proposal is for 10 floodlights around courts 6 and 7. Dwellings on College Gardens are approximately 10m from the courts. A light spill diagram (see below) has been provided that shows the spill would be lower than 5 Lux on windows of the nearest dwelling. Guidance from the Institute of Lighting Professionals suggests that the spill should be no more than 10 Lux at the times that the floodlights would operate.



21. Allowing the floodlighting to courts 6-7 to be used from 08:00 to 21:00 on Monday to Saturday is acceptable as is the extension of hours on courts 4 and 5 from 08:00 to 20:30 on Sundays as these hours are already established on the site for courts nos. 1 to 3.

### **Design and impact upon the character and appearance of this part of the Dulwich Village Conservation Area**

22. Saved policy 3.12 of the Southwark Plan requires development to be of a high standard of architectural design and 3.16 require the character and appearance of conservation areas to be preserved or enhanced.
23. The new floodlights within the grounds of an established tennis club and an extension to the hours during which the floodlighting can be used would not be harmful to the visual amenity of the locality; it would preserve the character and appearance of this part of the Dulwich Village Conservation Area. It is noted that the site is reasonably well screened from Gallery Road by mature vegetation.

### **Other matters**

24. 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.
25. The proposal is for the relocation of existing plant and an extension of the hours during which it can be used, and this is not CIL liable.

### **Conclusion on planning issues**

26. The proposed development would be acceptable in principle, would not result in any loss of amenity to neighbouring properties and would preserve the character and appearance of this part of the Dulwich Village Conservation Area. It is therefore recommended that conditional planning permission be granted.

### **Community impact statement**

27. 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.
  - a) The impact on local people is set out above.
  - b) No issues relevant to particular communities/groups likely to be affected by the proposal have been identified.
  - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### **Consultations**

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

### **Consultation replies**

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

### Human rights implications

30. 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.
31. This application has the legitimate aim of providing additional floodlights. 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.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2083-E Application file: 17/AP/4258 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 5410 Council website: www.southwark.gov.uk

### APPENDICES

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

### AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Chris Kirby, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	22 February 2018	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	22 February 2018	

**APPENDIX 1****Consultation undertaken****Site notice date:** 12/12/2017**Press notice date:** 14/12/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 11/12/2017**Internal services consulted:**

Ecology Officer  
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

5 College Gardens London SE21 7BE	12 Gallery Road London SE21 7AD
6 College Gardens London SE21 7BE	18 College Gardens London SE21 7BE
7 College Gardens London SE21 7BE	19 College Gardens London SE21 7BE
4 College Gardens London SE21 7BE	2 College Gardens London SE21 7BE
21 College Gardens London SE21 7BE	17 College Gardens London SE21 7BE
22 College Gardens London SE21 7BE	12 College Gardens London SE21 7BE
3 College Gardens London SE21 7BE	14 College Gardens London SE21 7BE
16 College Gardens London SE21 7BE	15 College Gardens London SE21 7BE
The Old College 16 Gallery Road SE21 7AD	172 Court Lane London SE21 7ED
The Wardens Flat The Old College SE21 7AD	30 Thompson Road East Dulwich SE22 9JR
8 College Gardens London SE21 7BE	Oaks Avenue London SE19 1QX
9 College Gardens London SE21 7BE	2a Panmure Road London SE26 6NA
10 Gallery Road London SE21 7AB	16 Alleyn Road London SE21 8AL
20 College Gardens London SE21 7BE	28 Jennings Road London SE22 9JU
1 College Gardens London SE21 7BE	25 Lescombe Close SE23 2RR
10 College Gardens London SE21 7BE	6 Allison Grove London SE21 7ER
11 College Gardens London SE21 7BE	4 Strathdale Streatham SW16 2HT
Belair Cottage 1 Gallery Road SE21 7AB	210 Camberwell Grove, London London SE58RJ
13 College Gardens London SE21 7BE	97 Court Lane Dulwich SE21 7EF
5 Gallery Road London SE21 7AD	29 Southey Road London SW9 0PD
	35 Shakespeare Road London SE24 0LA

**Re-consultation:** n/a

**APPENDIX 2****Consultation responses received****Internal services**

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

Oaks Avenue London SE19 1QX  
16 Alleyn Road London SE21 8AL  
172 Court Lane London SE21 7ED  
2a Panmure Road London SE26 6NA  
210 Camberwell Grove, London London SE58RJ  
25 Lescombe Close SE23 2RR  
28 Jennings Road London SE22 9JU  
29 Southey Road London SW9 0PD  
30 Thompson Road East Dulwich SE22 9JR  
35 Shakespeare Road London SE24 0LA  
6 Allison Grove London SE21 7ER  
8 College Gardens London SE21 7BE  
97 Court Lane Dulwich SE21 7EF

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Ms Alyson Fox Old College Lawn Tennis & Croquet Club	<b>Reg. Number</b>	17/AP/4258
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2083-E
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Installation of LED floodlights to courts nos.6 and 7 for use Monday to Saturday 8:00 to 21:00. Extension of use of existing floodlights on courts nos. 4 and 5 on Sunday 8:00 to 20:30.

**At:** 10 GALLERY ROAD, LONDON SE21 7AB

**In accordance with application received on 10/11/2017 08:02:42**

**and Applicant's Drawing Nos.** Site Location Plan

B140/L1

B140/E1

B140/P1

B140/EP2

Outdoor Tennis LED lighting Design including drawings:

HLC067 Sheet 1 single luminaire mounting

HLC067 Sheet 1 twin luminaire mounting

Planning Statement

**Subject to the following four conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
B140/P1  
B140/EP2  
HLC067 Sheet 1 single luminaire mounting  
HLC067 Sheet 1 twin luminaire mounting  
  
Reason:  
For the avoidance of doubt and in the interests of proper planning.
- 2 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.

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 3 The lighting should be installed and maintained to ensure that the spill is no more than 10 Lux units on nearby residential windows.  
  
Reason  
In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area and the amenity of residents in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

- 4 The floodlighting shall not be used outside the hours 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays.

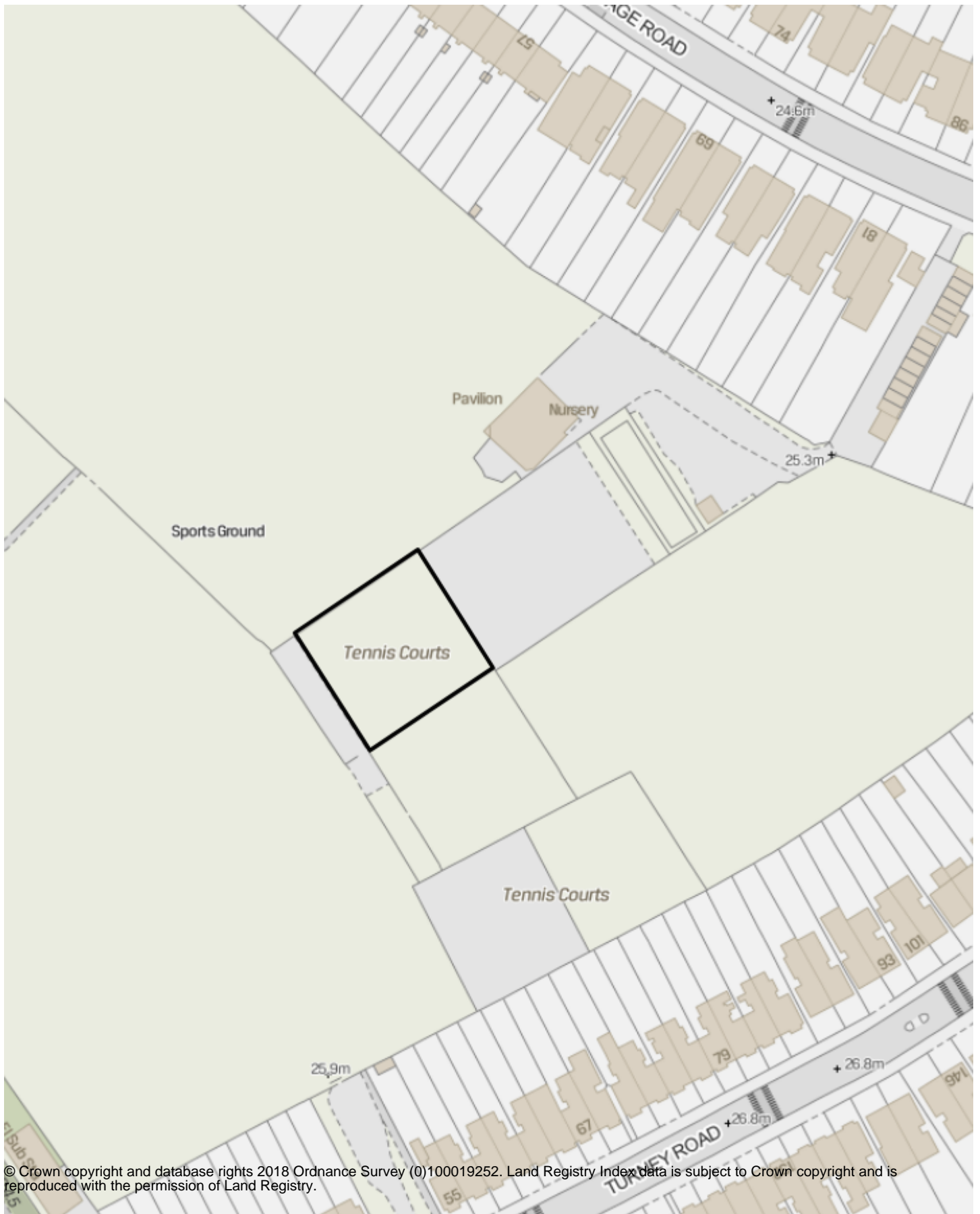
**Reason**

To ensure no loss of amenity to residents of College Gardens by way of light pollution or noise and disturbance, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

**Statement of positive and proactive action in dealing with the application**

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance. The application has been determined within the agreed extended time period.





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22-Feb-2018

Scale = 1 : 1250

<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 7 March 2018	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/3782 for: Full Planning Application  <b>Address:</b> DULWICH SPORTS CLUB, GIANT ARCHES ROAD, LONDON SE24 9HP  <b>Proposal:</b> Change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting.		
<b>Ward(s) or groups affected:</b>	Village		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 11/10/2017		<b>Application Expiry Date</b> 06/12/2017	
<b>Earliest Decision Date</b> 30/11/2017			

## RECOMMENDATION

1. To grant planning permission, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The application site is on the Dulwich Sports Club which is located on grounds at the rear of and accessed from Giant Arches Road. The site comprises playing fields and a pavilion; is used for cricket, football, golf, hockey and tennis.
3. The north-eastern boundary of the site is bound by the rear of properties on Burbage Road, the rear of properties on Turney Road are to the south, an adjacent sports facility / field is to the west, and a railway line and the rear of properties on Stradella Road are to the north-west.
4. The site forms part of an air quality management area, the suburban density zone, the Dulwich Village Conservation Area and Metropolitan Open Land (Burbage Road playing fields).

### Details of proposal

5. The proposal is for the change of surface of two tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting. It is proposed to limit the hours of operation of the floodlights to the following between 08:00 to 21:00. The floodlights would be 6.7m in height.

## Planning history

6.

01/AP/0804 - Planning permission was refused for the erection of floodlights (12 lights on eight, 10m poles) for hard tennis courts adjoining pavilion.

Reasons for refusal:

1. The proposed floodlighting due to its extent and location would, when in use, give rise to visual intrusion at night, detrimental to the amenities of nearby residential occupiers and would be contrary to Policy E.3.1 of the Southwark Unitary Development Plan (UDP).

2. The proposed floodlighting is liable to give rise to increased activity, including vehicular movements, in the vicinity of the tennis courts and ancillary facilities at unsocial hours detrimental to the amenities of nearby residential occupiers and would be contrary to Policy E.3.1 of the Southwark Unitary Development Plan (UDP).

02/AP/1056 - Planning permission was granted for the erection of floodlights to tennis courts on 6.7 metre high columns.

11/AP/1514 Application type: Full Planning Application (FUL)  
Retention of a double garage within the car park area of Edward Alleyn Club .  
Decision date 25/04/2012 Decision: Granted (GRA)

13/EQ/0135 Application type: Pre-Application Enquiry (ENQ)  
Demolition of existing female changing facilities. Construction of new female and disabled changing facilities, viewing deck and indoor squash court. Adjacent to club house. Construction of detached cricket school and changing/teaching facilities.  
Decision date 07/02/2014 Decision: Pre-application enquiry closed (EQ)

## Planning history of adjoining sites

7. None of relevance.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

8. The main issues to be considered in respect of this application are:
- a. The principle of development;
  - b. Amenity;
  - c. Design and impact upon the character and appearance of the Dulwich Village Conservation Area;
  - d. Transport;
  - e. Ecology.

## Planning policy

### National Planning Policy Framework (the Framework)

9.

Section 4 - Promoting sustainable transport  
Section 7 - Requiring good design  
Section 8 - Promoting healthy communities  
Section 9 - Protecting Green Belt land  
Section 11 - Conserving and enhancing the natural environment  
Section 12 - Conserving and enhancing the historic environment

The London Plan 2016

10. Policy 3.19 Sports facilities  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.17 Metropolitan Open Land  
 Policy 7.19 Biodiversity and access to nature

Core Strategy 2011

11. Strategic policy 1 - Sustainable development  
 Strategic policy 2 - Sustainable transport  
 Strategic policy 4 - Places to learn and enjoy  
 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

12. The council's cabinet on 19 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.

2.1- Enhancement of community facilities  
 3.2 - Protection of amenity  
 3.12 - Quality in design  
 3.13 - Urban design  
 3.14 - Designing out crime  
 3.16 - Conservation areas  
 3.28 - Biodiversity  
 5.6 - Car parking

13. The Dulwich Supplementary Planning Document (SPD) 2012 is also a material consideration.

Summary of consultation responsesNeighbour responses

14. One response was received by the Burbage Road Residents' Association in support of the application. They note that the 9pm curfew is positive.

Ecology Officer

15. Requested additional information in relation to bats which has subsequently been provided. Recommends condition on hours of operation.

Urban Forester

16. No objections subject to a tree protection condition.

### Principle of development

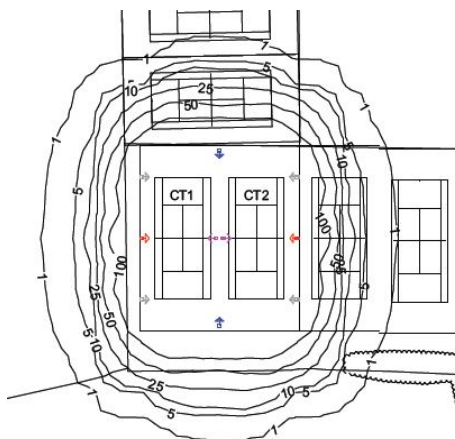
17. The tennis courts are already on site and some of the adjoining courts are flood lit at present. The proposal to resurface and provide floodlighting to two additional tennis courts does not raise any land use issues as the site is used for sports activities. The London Plan states that paragraphs 79-92 of the Framework apply equally to Metropolitan Open Land. This section of the Framework (Protecting Green Belt Land) details what is and what is not appropriate development on Green Belt and by extension on MOL. The provision of appropriate facilities for outdoor sport is development that is appropriate. This also accords with saved policy 3.28 of the Southwark Plan and Policy 7.17 of the London Plan. The principle of the development is acceptable. The impact on openness, a matter of significance, is considered below.

### Impact on the openness of Metropolitan Open Land

18. The resurfacing of the courts would not impact on the openness and with much of the surrounding sports ground consisting of grassed courts/fields; the green character of the site would not be impacted on. With regards to the light poles, the slim nature of the poles and small scale of the lighting would not impact on the openness of MOL, set as they would be against other similar sporting infrastructure.

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

19. The proposed floodlights would be located within the central area of the playing fields and as such would be situated approximately 90m from the rear of the properties along Turney Road and 105m from the rear of the properties along Burbage Road. The illumination would not result in any significant impacts on the surrounding residents as the overspill diagram provided demonstrates. Furthermore, restrictions on hours of use of the floodlights to limit the use to between 08:00 to 21:00 are proposed and 08:00 to 20:30 on Sundays. A light spill diagram (below) provided confirms that there would be no spill on residential windows.



20. With regard to noise and disturbance, it is noted that the club is located at the rear of a number of houses and proposal would allow the courts to be used later into the evenings during darker months. The increase in activity would be small which and unlikely to cause an impact on residents because of their distance.
21. Overall the impact on residents' amenity would be negligible.

### **Transport issues**

22. The site has a low access to public transport with a PTAL of 1-2, however it is within walking distance of Herne Hill and North Dulwich Stations where there is also access to a number of bus services. There is existing parking and cycle storage within the site which have sufficient capacity to accommodate the minor increase in hours of use of the site within the evenings during winter.

### **Design issues and Impact on character and setting of a listed building and/or conservation area**

23. Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design; 3.16 requires developments to preserve or enhance the character or appearance of designated conservation areas.
24. Whilst it is noted that the site is within a conservation area, this status does not necessarily prevent the provision of floodlighting and there are other floodlit sports facilities in the conservation area, including within the site. Given that the lights would only be on during specified hours it is not considered that there would be any harm to the character or appearance of the conservation area, as the site is not widely visible from the public realm.

### **Impact on trees**

25. The proposed floodlights would be situated relatively close to a number of high quality trees, however officers are satisfied that subject to for tree protection measures, the trees would not be harmed.

### **Other matters**

#### Impacts on Ecology

26. The council's ecology officer has reviewed the proposal and noted that the submitted bat survey is acceptable and that no further surveys are required. He also notes that the lighting plan is acceptable as a result of the measures on controlling timings which are included in the proposal.
27. The works relate to land at the centre of the site and there is no anticipated impact to the Site of Importance of Nature Conservation (SINC) running along the railway line to the west of the site.

### **Conclusion on planning issues**

28. The proposed development would not impact on the openness of Metropolitan Open Land and raises no land use issues. Subject to conditions, the proposed development would not result in any significant loss of amenity to neighbouring occupiers. The proposal would preserve the character and appearance of this part of the Dulwich Village Conservation Area and would not impact upon the ecological value of the site nor the adjoining site of nature conservation interest. It is therefore recommended that planning permission be granted.

### **Community impact statement**

29. 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.

- a) The impact on local people is set out above.
- b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### Consultations

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

### Consultation replies

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

### Human rights implications

32. 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.
33. This application has the legitimate aim of providing additional floodlighting. 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.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2546-B Application file: 17/AP/3782 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 5416 Council website: www.southwark.gov.uk

## APPENDICES

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Alex Cameron, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	31 January 2017	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		22 February 2018



**APPENDIX 1****Consultation undertaken****Site notice date:** 07/11/2017**Press notice date:** 26/10/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 25/10/2017**Internal services consulted:**

Ecology Officer  
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

**Statutory and non-statutory organisations consulted:**

n/a

**Neighbour and local groups consulted:**

85 Turney Road London SE21 7JB  
 87 Turney Road London SE21 7JB  
 79 Turney Road London SE21 7JB  
 81 Turney Road London SE21 7JB  
 89 Turney Road London SE21 7JB  
 First Floor Flat 83 Turney Road SE21 7JB  
 Ground Floor Flat 83 Turney Road SE21 7JB  
 67 Turney Road London SE21 7JB  
 91 Turney Road London SE21 7JB  
 93 Turney Road London SE21 7JB  
 61 Turney Road London SE21 7JB

63 Turney Road London SE21 7JB  
 59 Turney Road London SE21 7JB  
 55 Turney Road London SE21 7JB  
 57 Turney Road London SE21 7JB  
 65 Turney Road London SE21 7JB  
 75 Turney Road London SE21 7JB  
 77 Turney Road London SE21 7JB  
 73 Turney Road London SE21 7JB  
 69 Turney Road London SE21 7JB  
 71 Turney Road London SE21 7JB  
 70 Burbage Road London SE24 9HE

**Re-consultation:** n/a**APPENDIX 2****Consultation responses received****Internal services**

None

**Statutory and non-statutory organisations**

None

**Neighbours and local groups**

70 Burbage Road London SE24 9HE

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## RECOMMENDATION

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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.

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<b>Applicant</b>	Mr Dan Miller	<b>Reg. Number</b>	17/AP/3782
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2546-B
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting.

**At:** DULWICH SPORTS CLUB, GIANT ARCHES ROAD, LONDON SE24 9HP

**In accordance with application received on 03/10/2017 08:00:33**

**and Applicant's Drawing Nos.** Design Statement

Arboricultural Impact Assessment

Preliminary Bat Roost Assessment

DSC 001- EXISTING LOCATION PLAN

DSC 002 - PROPOSED LOCATION PLAN

DSC 003 -- PROPOSED SITE PLAN

PHOTOS OF LIGHTING

Dulwich Lawn Tennis Club Outdoor LED Lighting Design which contains drawings:

HLC067 SHEET 1 SINGLE LUMINAIRE MOUNTING

HLC067 SHEET 1 TWIN LUMINAIRE MOUNTING

**Subject to the following four 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:

DSC 002 - PROPOSED LOCATION PLAN

DSC 003 -- PROPOSED SITE PLAN

HLC067 SHEET 1 SINGLE LUMINAIRE MOUNTING

HLC067 SHEET 1 TWIN LUMINAIRE MOUNTING

Reason:

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

**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.

- 3 The floodlighting hereby approved shall be used between 08:00-21:00 Monday to Saturday and 08:00-23:30 on Sundays and Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy

Framework 2012, Strategic policies 11 - Open spaces and wildlife and 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.28 - Biodiversity of The Southwark Plan 2007.

- 4 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason**

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

**PLANNING SUB-COMMITTEE B AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18**

**NOTE:** Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: telephone 020 7525 7234.

Name	No of copies	Name	No of copies
<b>To all Members of the sub-committee</b>			
Councillor Lorraine Lauder, MBE (Chair)	1	Environmental Protection Team	1
Councillor Maria Linforth-Hall (Vice-Chair)	1		
Councillor Nick Dolezal	1	Communications	By email
Councillor Darren Merrill	1	Louise Neilan, media manager	
Councillor Sandra Rhule	1		
<b>(Electronic version only)</b>		<b>Total:</b>	21
Councillor Damian O'Brien			
Councillor Michael Situ		<b>Dated: 1 October 2017</b>	
<b>(Reserves to receive electronic versions only)</b>			
Councillor Evelyn Akoto			
Councillor James Coldwell			
Councillor Helen Dennis			
Councillor Eliza Mann			
Councillor Catherine Rose			
<b>Officers</b>			
Constitutional Officer, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	10		
Jacquelyne Green/Selva Selvaratnam, Hub 2 (5 <sup>th</sup> Floor), Tooley Street	2		
Alex Gillott /Jon Gorst, Legal Services, Hub 2 (2 <sup>nd</sup> Floor), Tooley Street	2		