

Planning Sub-Committee A

Monday 29 April 2019

6.30 pm

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

Membership

Councillor Lorraine Lauder MBE (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Richard Leeming
Councillor David Noakes
Councillor Sandra Rhule
Councillor Martin Seaton
Councillor Michael Situ

Reserves

Councillor Karl Eastham
Councillor Eleanor Kerlake
Councillor Sarah King
Councillor Graham Neale
Councillor Kath Whittam

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Chief Executive
Date: 16 April 2019



Planning Sub-Committee A

Monday 29 April 2019
6.30 pm

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

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 4
	To approve as a correct record the minutes of the meeting held on 30 January 2019.	
7.	DEVELOPMENT MANAGEMENT ITEMS	5 - 9
	7.1. LONDON BOROUGH OF SOUTHWARK SPORTS CLUB, DULWICH COMMON, LONDON SE21 7EU	10 - 23

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.”

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**.

- | |
|---|
| <ol style="list-style-type: none">(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 A

MINUTES of the Planning Sub-Committee A held on Wednesday 30 January 2019 at 6.30pm at Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Lorraine Lauder MBE (Chair)
 Councillor Jane Salmon (Vice-Chair)
 Councillor Richard Leeming
 Councillor David Noakes
 Councillor Sandra Rhule
 Councillor Martin Seaton
 Councillor Michael Situ

OTHER MEMBERS PRESENT: Councillor William Hougbo
 Councillor Damian O'Brien

OFFICER SUPPORT: Dipesh Patel (Development Management)
 Margaret Foley (Legal Officer)
 Craig Newton (Development Management)
 Tom Weaver (Development Management)
 Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for lateness from Councillor Michael Situ.

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

The following members of the sub-committee declared an interest in item:

7.2 Dulwich Picture Gallery, Gallery Road, London SE21 7AD

Councillor Richard Leeming, non-pecuniary, as the application site is in his ward, but added that he approached the application with an open mind.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair asked the clerk to give notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 – development management items
- Members' pack.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on the 20 November 2018 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

RESOLVED:

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.

ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during this 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 2-3 BLACK SWAN YARD, BERMONDSEY STREET, LONDON SE1 3XW

Planning application reference: 18/AP/3338

Report: see pages 10 to 24 of the agenda pack and pages 1, 2 and 4 to 8 of the

addendum report.

PROPOSAL

Change of use from B1 to Mixed Use (part B1 and part A3), involving the extension of the first floor mezzanine to provide an additional 43sqm of Class B1 Office space, and change of use of part of the ground floor from B1 Office space to provide 43sqm of Class A3 Cafe/Restaurant use. Together with associated plant installation with flues to the roof.

The sub-committee heard the officer's introduction to the report and addendum report. Councillors asked questions of the officer.

Two representatives of the objectors addressed the meeting and answered questions from the sub-committee.

The applicant and their agent addressed the sub-committee, and answered questions posed by the sub-committee.

There were no supporters who lived within 100 metres of the development site wishing to speak.

Councillors William Hougbo and Damian O'Brien addressed the sub-committee in their capacity as ward councillors. Members of the sub-committee asked questions of Councillors Hougbo and O'Brien.

The sub-committee put further questions to officers and discussed the application.

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

RESOLVED:

That planning application 18/AP/3338 be granted with conditions as set out in the report and addendum report, including the corrected additional condition, which is to read: "The A3 floorspace shown on drawing No.100 shall be provided as shown and there shall be no extension or enlargement of the A3 floorspace."

The meeting adjourned for a break from 7.44pm to 7.49pm. Councillor Michael Situ joined the meeting after the break.

7.2 DULWICH PICTURE GALLERY, GALLERY ROAD, LONDON SE21 7AD

Planning application reference: 18/AP/3490

Report: see pages 25 to 43 of the agenda pack and pages 2 and 3 of the addendum report.

PROPOSAL

Construction of a temporary pavilion building for summer period up to the end of September 2019 to provide ancillary exhibition and gallery facilities comprising an

accessible, raised gantry walkway at approximately 2.1m high within a timber cube structure measuring approximately 10m high, 11m wide and 11m deep, to be accessible during standard gallery opening hours (09:00 - 18:00) and for occasional events up to 22:00.

The sub-committee heard the officer's introduction to the report and addendum report. Councillors asked questions of the officer.

There were no objectors present who wished to speak.

The applicant and their agent addressed the sub-committee, and answered questions posed by the sub-committee.

There were no supporters who lived with 100 metres of the development site or ward councillors who wished to speak.

The sub-committee discussed the application.

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

RESOLVED:

That planning application 18/AP/3490 be granted with conditions as set out in the report and addendum report.

The meeting ended at 8.05 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 29 April 2019	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F of Southwark Council's constitution 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 development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the head of development management is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of legal services, and which is satisfactory to the head of development management. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

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

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

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

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

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

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	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 or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	12 April 2019	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		12 April 2019

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Monday 29 April 2019

Appl. Type Full Planning Application

Site LONDON BOROUGH OF SOUTHWARK SPORTS CLUB, DULWICH COMMON,
LONDON SE21 7EU

Reg. No. 18-AP-1204

TP No. TP/2082-J

Ward Dulwich Village

Officer Glenn Ruane

Recommendation GRANT PERMISSION

Proposal

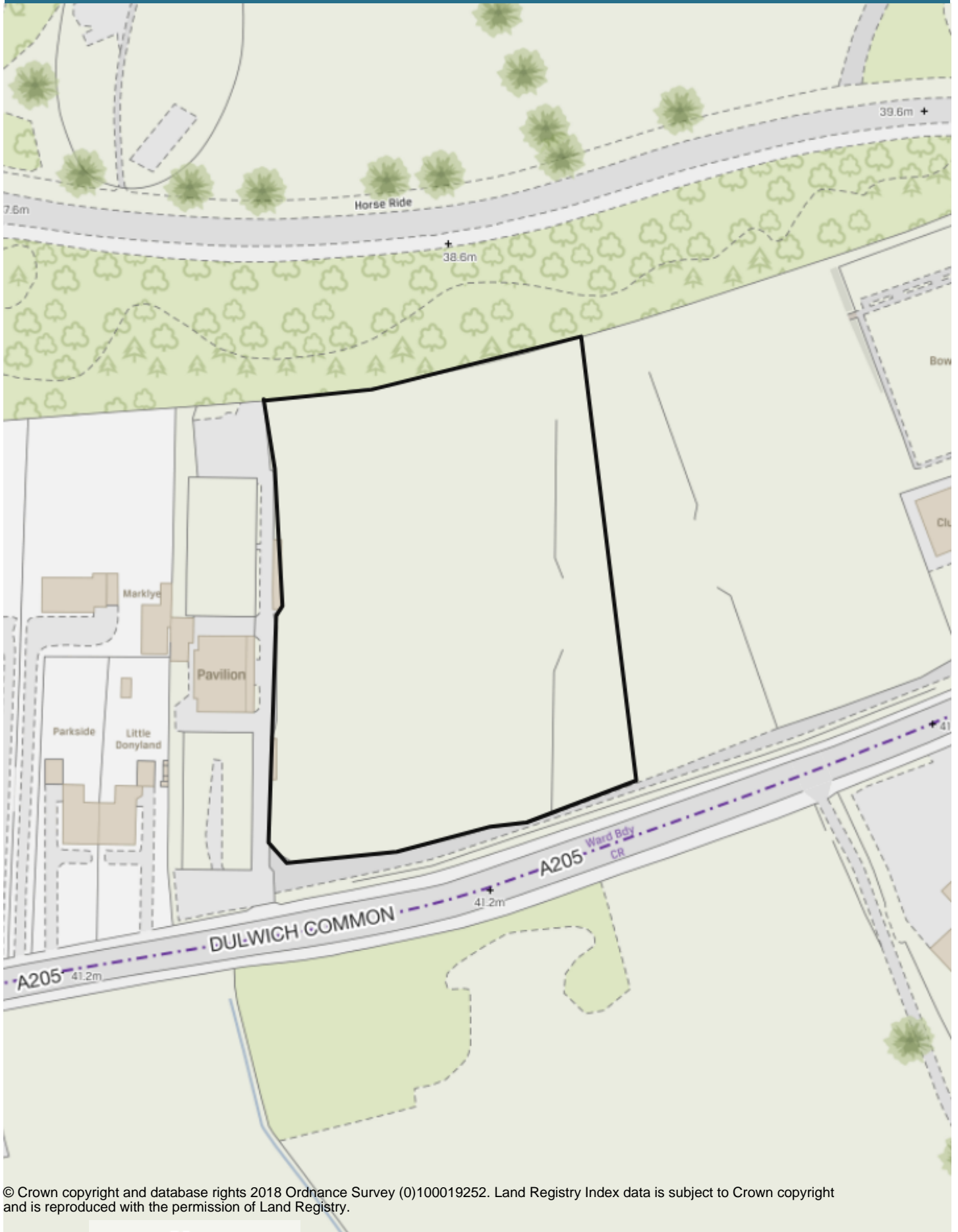
Installation of a floodlighting system for the pitch area to include 6 x 15 metre galvanised steel columns (with relevant concrete block foundations), each column to be mounted with two floodlights, installation of an electrical junction box fabricated from galvanised steel with and associated underground cabling ducts. Hours of operation to be 12:00-22:00 Monday to Saturday, 11:00-22:00 Saturday to Sunday and Bank Holidays.

Item 7.1

Agenda Item 7.1



London Borough of Southwark Sports Club, Dulwich Common, SE21 7EU



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50 m

Scale = 1250

12-Apr-2019

Item No. 7.1	Classification: Open	Date: 29 April 2019	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 18/AP/1204 for: Full Planning Application Address: LONDON BOROUGH OF SOUTHWARK SPORTS CLUB, DULWICH COMMON, LONDON SE21 7EU Proposal: Installation of a floodlighting system for the pitch area to include 6 x 15 metre galvanised steel columns (with relevant concrete block foundations), each column to be mounted with two floodlights, installation of an electrical junction box fabricated from galvanised steel with and associated underground cabling ducts. Hours of operation to be 12:00-22:00 Monday to Saturday, 11:00-22:00 Saturday to Sunday and Bank Holidays.		
Ward(s) or groups affected:	Dulwich Village		
From:	Director of Planning		
Application Start Date 17/04/2018		Application Expiry Date 12/06/2018	
Earliest Decision Date 01/06/2018			

RECOMMENDATION

1. It is recommended that planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The site is an area of metropolitan open land currently in use as a sports pitch on the Northern side of Dulwich Common. The site is located within:
 - Air Quality Management Area
 - Dulwich Wood Conservation Area
 - Metropolitan Open Land.
3. At present there are no restrictions on hours of use of the sports pitch.
4. The site is bound by:
 - Metropolitan Open Land to the North
 - Metropolitan Open Land to the East currently in use as a sports pitch
 - Dulwich Common to the South
 - Sports Pavilion and associated car parking to the West.
5. The surrounding area is a mixture of open space, sports facilities and residential properties, the nearest of which are approximately 25m due west of the sports pitch.

Details of proposal

6. The application calls for the installation of six flood lights around the perimeter of the existing pitch, within the boundary of the proposal site. This application has been made by Peckham Town Football Club in order to improve the playing and training facilities of the site and improve grassroots football.

The height of the proposed flood lights is 15 metres.

The proposed illumination level is 200 cd/m².

7. The proposed hours of use are be:
- Monday-Friday: 10:00 - 22:00
 - Saturday: 11:00 - 22:00
 - Sunday and bank holidays: 11:00 - 22:00.
8. The proposal would also incorporate the planting of three new trees to the northern side of the site. These would be:
- 2 x yew trees
 - 1 x Scots pine tree

Planning history

- | | |
|----|--|
| 9. | <p>09/CO/0010 Application type: Full Application (FUL)
Construction of a single storey building for Class D2 use (Assembly and Leisure), specifically the rebuilding of the previously removed fire damaged single storey sports pavilion, to be located at the same site.</p> <p>Decision date 11/06/2009 Decision: Granted (GRA)</p> |
| | <p>12/AP/1254 Application type: Variation: non-material changes (VNMC)
Non-material amendment to permission reference: 09-CO-0010 dated 11/06/2009 (for 'Construction of single storey building for Class D2 use (Assembly and Leisure), specifically the rebuilding of the previously removed fire damaged single storey sports pavilion, to be located at the same site) comprising:</p> <p>changing the security protection for the main entrance door on the north-east elevation from an approved roller shutter to plain steel door set.</p> <p>Decision date 29/05/2012 Decision: Agreed - for app types VLA & VNMC (AGR)</p> |
| | <p>19/AP/0538 Application type: Full application (FUL)
Retention of 2 x external spectator stands with associated fixtures and fittings as shown on scaled plans submitted with this application.</p> <p>Decision date: Ongoing/Not yet determined</p> |

Planning history of adjoining sites

10. None of relevance to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. The main issues to be considered in respect of this application are:
- a) Principle of development
 - b) Impact of proposed development on amenity of adjoining occupiers and surrounding area
 - c) Design issues
 - d) Impact on character and setting of a listed building and/or conservation area
 - e) Transport issues
 - f) Impact on trees
 - g) Ecology issues
 - h) Community benefits
 - i) Other matters.

Adopted planning policy

National Planning Policy Framework (NPPF)

12. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
13. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Chapter 2	Achieving sustainable development
Chapter 8	Promoting healthy and safe communities
Chapter 11	Making effective use of land
Chapter 12	Achieving well-designed places
Chapter 13	Protecting Green Belt Land
Chapter 15	Conserving and enhancing the natural environment
Chapter 16	Conserving and enhancing the historic environment

London Plan 2016

14. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
- | | |
|-------------|---|
| Policy 3.19 | Sports facilities |
| Policy 7.8 | Heritage assets and archaeology |
| Policy 7.15 | Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes |
| Policy 7.17 | Metropolitan open land |
| Policy 7.19 | Biodiversity and access to nature. |

Core Strategy 2011

15. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the

borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

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 (saved policies)

16. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

3.2	Protection of amenity
3.12	Quality in design
3.13	Urban design
3.14	Designing out crime
3.16	Conservation areas
3.25	Metropolitan open land
3.28	Biodiversity
5.6	Car parking

Dulwich Supplementary Planning Document 2013

Summary of consultation responses

17. This application has received a total of 38 comments, which include 29 in support and nine objections. Sport England has been consulted as part of this application and has not commented.
18. Comments in objection have raised the following points, which have been addressed in the associated paragraphs:
- Light pollution
 - Noise
 - Hours of use
 - Increased usage of the pitch
 - Inappropriate use of Metropolitan Open Land
 - Impact on bats
 - Impact on the Dulwich Wood Conservation Area
 - Increased car parking demand
 - Security concerns
 - Privacy concerns.

Principle of development

19. Policy 7.17 of the London Plan requires:

The strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the

same level of protection as in the Green Belt. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

This policy goes on to establish *"open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London"* as one of the criteria for boroughs to meet when designating MOL.

20. Furthermore, saved policy 3.25 of the Southwark Plan 2007 states development within metropolitan open land will only be permitted for the following purposes:
- i. Agriculture and forestry; or*
 - ii. Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or*
 - iii. Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or*
 - iv. Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.*
21. It is the proposed floodlights would enhance the appropriate use of the site as a sports ground, by allowing for later use, particularly in darker winter months. In addition, the extended opening hours would make use of the sports ground available to a wider section of the community, which is welcomed. This would also comply with Policy 7.17 of the London Plan as outlined above, and improve the overall quality and accessibility of MOL which is welcomed by the Mayor under paragraph 7.56 of the London Plan.
22. In addition, Policy 7.17 of the London Plan gives the same level of protection to MOL as that given to the Green Belt. Under the National Planning Policy Framework 2019 policy 145, part B, exceptions to new developments within the Green Belt include *"the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it"*.
23. The proposed floodlighting is considered an appropriate facility in support of outdoor sports and leisure, and the relative scale and placement of the proposed lighting is not deemed to harm the overall openness of the MOL, while improving overall access. In addition the hours of use are deemed appropriate.
24. In summary, the proposal is deemed to enhance the appropriate use of the MOL without harming the overall openness. It is considered the proposed floodlights would enhance the appropriate use of the site as a sports ground, by allowing for later use, particularly in darker winter months. In addition, the extended opening hours would make use of the sports ground available to a wider section of the community, which is welcomed. Thus, the principle of the proposal is acceptable.

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

Light spill

25. The proposed lighting would be focused downwards and towards the pitch. The light spill survey supplied by the applicant has indicated the proposed lighting would not spill over into nearby residential properties. The technical lighting assessment shows

that the two lux isoline of light spill would not encroach into the gardens of the homes to the west. The Institute of Lighting Professionals' guidance note on the reduction of obtrusive light suggests that for suburban areas, light intrusion into windows should be no more than ten and two lux for pre and post curfew respectively. While the council has not defined curfew hours, it is clear that the spill, if any, would comply with the guidance and not cause harm to these neighbours.

26. The council's environmental protection team have reviewed the lighting statement and associated plans as part of this application and deemed these to be acceptable.

Noise

27. In the event Peckham Town Football Club is promoted in the near future, in part as a result of the proposed flood lights, the overall usage of the pitch is not envisaged to increase significantly. The estimated amount of additional home league games across the season (i.e. August to early May) would be up to four. The proportion of cup games is unlikely to see a significant increase, outside of a long cup run or where a series of Saturday games are lost due to poor weather conditions (both situations which might occur whether or not permission for this proposal is granted). The proposed hours of use are considered reasonable. The slight increase in use of the sports ground would not lead to an unacceptable increase in noise and impact on the amenity of nearby residential occupiers.

Loss of outlook

28. The proposed floodlights are narrow, with a significant amount of space between each. This, in combination with the distance between the proposal site and the nearby residential units would mean there would not be an unacceptable impact on outlook.

Privacy

29. Similarly to light spill, as the proposed lighting would be downward facing with little spill over towards nearby residential properties therefore it would not expand views towards these properties. Therefore, there would be no impact on privacy.

Design issues

30. The proposed floodlights are of a modest and unobtrusive design, in-keeping with the use of the site.

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

31. As above, the proposal is of a good and unobtrusive design which is suitable in the context of the site as a sports pitch. Thus it would conserve the character of the Dulwich Wood conservation area. Furthermore, the proposed trees are considered suitable within the setting of the conservation area and are welcomed.

Transport impacts

32. As stated above, the overall usage of the sports ground would not see a significant increase should the proposal proceed. Therefore, the overall strain on parking is unlikely to see a significant increase compared to current use, due to the number of games played remaining broadly similar, albeit with a modest increase in mid week and summer games.
33. Additional training sessions which would be enabled by the proposed floodlighting would not place a significant further strain on the local transport network above that of

the current number of players attending training at present.

34. Primary access to the site is via the A205, a major road, as such the negligible impact on the transport network from the use described above would be accommodated by this road.

Impact on trees

35. As above, the proposed trees are suitable additions to the existing tree line and are welcomed.

Ecology issues

36. The applicant has submitted a bat survey as part of this application, which has noted a bat roost adjacent to the northern edge of the site during a study conducted between July to September 2018. The study goes on to note migration of a number of bats around the application site, primarily towards the northern treeline. The earliest sighting occurred at 7.51pm, with the latest at 10.40pm. The study has suggested a light curfew outside of exception circumstances between 1 April and 30 September to accommodate peak bat activity. The study goes on to note that the lighting should go on no later than 10.00pm, which the proposal would be compliant with. The council's ecology officer has reviewed this survey is acceptable.
37. It is noted that previous permissions relating to flood lighting had imposed earlier lighting curfews (see application ref: 16/AP/1342). However, given that the likelihood of regular night time use during the Summer for football games is low; and the proposal has incorporated shading mechanisms on the floodlights to mitigate light spill; and new screening trees to the north and such a condition is not deemed necessary in this instance which the council's ecology officer has agreed.

Community benefits

38. As previously stated, the proposal would allow for greater use and access of the facilities to the benefit of players, supporters, and the wider community in enjoyment of the grounds. Furthermore, comments in support of this application have noted the role of Peckham Town Football Club within the community and the enjoyment which an increase in use of the pitch would bring.

Other matters

39. The council's environmental protection team have reviewed the lighting statement and associated plans as part of this application, and deemed these to be acceptable.
40. An objection has raised the issue of security from the increase use and footfall around the pitch. As noted under transport, the overall increase in use (and by extension footfall) would be modest, therefore there would not be a security risk. Furthermore, the proposed lighting would improve visibility and security in the area around the pitch.

Conclusion on planning issues

41. The proposal would improve the usability of the existing sports ground throughout the year. This would encourage suitable use of existing metropolitan open land, and encourage healthy, active lifestyles. Furthermore, the proposal would preserve the Dulwich Wood conservation area, without causing harm to the amenity or nearby occupiers, or the nearby bat nest. Finally, the proposal would not negatively impact existing transportation networks. In light of the above, the proposal should be granted planning permission.

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

44. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
 - c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
45. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
46. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
47. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Human rights implications

48. 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.
49. This application has the legitimate aim of providing facilities to enhance the use of metropolitan open land. 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/2082-J Application file: 18/AP/1204 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5840 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Glenn Ruane, Graduate Planner	
Version	Final	
Dated	10 April 2019	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		12 April 2019

APPENDIX 1**Consultation undertaken****Site notice date:** 09/05/2018**Press notice date:** 26/04/2018**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 03/05/2018**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

Sport England

Neighbour and local groups consulted:

Marklye Dulwich Common SE21 7EU	8 Elsie Road East Dulwich SE22 8DX
London Borough Of Southwark Sports Club Dulwich Common SE21 7EU	26c Heverham Road SE18 1BT
Dulwich Riding School Dulwich Common SE21 7EX	Marklye Dulwich Common SE21 7EU
Little Donyland Dulwich Common SE21 7EU	Richmond Lodge Dulwich Common SE21 7EU
Parkside Dulwich Common SE21 7EU	Flat 4 145 Denmark Road London SE5 9LW
6 Almond Close London SE15 4UH	82b Wellington Road BR5 4AQ
35 Cambria Road London SE5 9AS	84 Langham Road London N15 3LX
1 Mount Adon Park London SE22 9DS	42 Dernier Road Tonbridge TN10 3EW
65 Avenue Gardens London	43 Carden Road Nunhead SE15 3UB
94 Cotswold Way Worcester Park KT48LN	45 Roxburgh Road West Norwood SE27 0LE
45 Roxburgh Road London	51 Harlescott Road London SE15 3DA
160a Park View Road Welling DA16 1ST	30 Lacon Road London SE21 8EZ
18a Crebor St London SE22 0HF	20 Oaksford Avenue London SE26 6AR
34 Garfield Street Kettering NN15 6BU	10 Bassano Street London SE22 8RU
1 Windmill Close Beatrice Road SE1 5BJ	42 Aylesbury Road Walworth SE17 2EH
82a Burrows Road London	30 Chesterfield Grove London SE22 8RW
53 Monson Road London SE14 5EQ	Mount Pleasant Sandy Lane BH31 6BZ
1a Anderton Close Champion Hill SE5 8BU	54 Burford Road London SE6 4DB
51 Friern Road London SE22 0AU	25 Kingsthorpe Road Sydenham SE26 4PG
19 Leyborne Park Kew Gardens TW9 3HB	Little Donyland Dulwich Common SE21 7EU
55 Dysart Avenue Kingston Upon Thames KT2 5RA	Parkside Dulwich Common SE21 7EU

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Email representation
 Email representation
 Email representation
 Flat 4 145 Denmark Road London SE5 9LW
 Little Donyland Dulwich Common SE21 7EU
 Little Donyland Dulwich Common SE21 7EU
 Marklye Dulwich Common SE21 7EU
 Mount Pleasant Sandy Lane BH31 6BZ
 Parkside Dulwich Common SE21 7EU
 Richmond Lodge Dulwich Common SE21 7EU
 1 Mount Adon Park London SE22 9DS
 1 Windmill Close Beatrice Road SE1 5BJ
 1a Anderton Close Champion Hill SE5 8BU
 10 Bassano Street London SE22 8RU
 160a Park View Road Welling DA16 1ST
 18a Crebor St London SE22 0HF
 19 Leyborne Park Kew Gardens TW9 3HB
 20 Oaksford Avenue London SE266AR
 25 Kingsthorpe Road Sydenham SE26 4PG
 26c Heverham Road SE18 1BT
 30 Chesterfield Grove London SE22 8RW
 30 Lacon Road London SE218EZ
 30 Lacon Road London SE218EZ
 34 Garfield Street Kettering NN15 6BU
 35 Cambria Road London SE5 9AS
 42 Aylesbury Road Walworth SE17 2EH
 42 Dernier Road Tonbridge TN10 3EW
 43 Carden Road Nunhead SE15 3UB
 45 Roxburgh Road West Norwood SE27 0LE
 51 Friern Road London SE22 0AU
 51 Harlescott Road London SE15 3DA
 53 Monson Road London SE14 5EQ
 54 Burford Road London SE6 4DB
 55 Dysart Avenue Kingston Upon Thames KT2 5RA
 6 Almond Close London SE15 4UH
 8 Elsie Road East Dulwich SE22 8DX
 8 Elsie Road East Dulwich SE22 8DX
 82b Wellington Road BR5 4AQ
 84 Langham Road London N15 3LX
 94 Cotswold Way Worcester Park KT48LN

RECOMMENDATION

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

Applicant	Peckham Town Football Club	Reg. Number	18/AP/1204
Application Type	Full Planning Application	Case	TP/2082-J
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Installation of a floodlighting system for the pitch area to include 6 x 15 metre galvanised steel columns (with relevant concrete block foundations), each column to be mounted with two floodlights, installation of an electrical junction box fabricated from galvanised steel with and associated underground cabling ducts. Hours of operation to be 12:00-22:00 Monday to Saturday, 11:00-22:00 Saturday to Sunday and Bank Holidays.

At: LONDON BOROUGH OF SOUTHWARK SPORTS CLUB, DULWICH COMMON, LONDON SE21 7EU

In accordance with application received on 16/04/2018 16:00:17

and Applicant's Drawing Nos. SITE LOCATION PLAN - PARKSIDE, DULWICH COMMON, LONDON, SE21 7EU
E-01-01 PECKHAM TOWN F.C. PITCH LAYOUT
C201/22/1/3UK STANDARD HL250H RANGE OF COLUMN FOUNDATIONS. (MASS CONCRETE UK TNSSTALLATION ONLY)
UKS16133/5 EXTERNAL FLOODLIGHTING
CCL 10211 REV 2 PROPOSED TREE PLANTING PLAN
BAT ASSESSMENT
EXTERNAL SPORT PLATING FIELD LIGHTING DESIGN ASSESSMENT STATEMENT
HERITAGE STATEMENT

Subject to the following five 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:

E-01-01 PECKHAM TOWN F.C. PITCH LAYOUT
C201/22/1/3UK STANDARD HL250H RANGE OF COLUMN FOUNDATIONS. (MASS CONCRETE UK TNSSTALLATION ONLY)

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.

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.

- 3 Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of ten years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2019 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.

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

- 4 The floodlights hereby approved shall not be used after 22:00 on any day and the lighting spill from them shall be no more than 2 lux on any neighbouring property.

Reason

To protect the amenity of neighbours in accordance with the National Planning Policy Framework 2019, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

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

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

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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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2018-19

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

Name	No of copies	Name	No of copies
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Councillor Lorraine Lauder MBE (Chair)	1	Environment & Social Regeneration	1
Councillor David Noakes	1	Environmental Protection Team	
Councillor Sandra Rhule	1		
(Members of the sub-committee receiving electronic copies only)			
Councillor Jane Salmon (Vice-Chair)		Communications	By
Councillor Richard Leeming		Louise Neilan, media manager	email
Councillor Martin Seaton		Total:	14
Councillor Michael Situ		Dated: 12 December 2018	
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Councillor Karl Eastham			
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Councillor Sarah King			
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Officers			
Constitutional Officer, Hub 2 (2 nd Floor), Tooley St.	6		
Jacqui Green/Selva Selvaratnam, Hub 2 (5 th Floor) Tooley St.	3		
Margaret Foley, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		