

Item No. 6.3	Classification: OPEN	Date: 22 January 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 12/AP/2999 for: Full Planning Permission Address: DULWICH AND SYDENHAM HILL GOLF CLUB, GRANGE LANE, LONDON, SE21 7LH Proposal: Retention of raised height of the existing fencing to 10m high on the north eastern boundary adjacent to the Pynners sports club.		
Ward(s) or groups affected:	College		
From:	The Head of Development Management		
Application Start Date 30 October 2012		Application Expiry Date 25 December 2012	

RECOMMENDATION

- 1 Grant planning permission.

BACKGROUND INFORMATION

- 2 This application is being reported to Sub-Committee as it is located on Metropolitan Open Land.

Site location and description

- 3 The application site is the Dulwich and Sydenham Hill golf course which consists of a large open area with associated ancillary buildings within the site. The specific location of the development is along the north eastern boundary of the site adjacent to the Pynners sports club.
- 4 The surrounding area consists of similar open space sports and recreational facilities with the only buildings within the vicinity consisting of the adjacent Pynners sports club.
- 5 There are no listed buildings within the site and there are none within the immediate vicinity. The site is located within the Dulwich Wood conservation area and is a designated Site of Importance for Nature Conservation (SINC).

Details of proposal

- 6 The proposal seeks to retain a raised height of the existing fencing to 10m high on the north eastern boundary adjacent to the Pynners sports club. The height is necessary to stop golf balls flying over the fence.

Planning history

- 7 12/AP/3776 - A planning application has been submitted for the replacement of existing defective irrigation water storage tank with a tank of a larger size and

capacity, however at the time of writing this had not been determined.

- 8 11/AP/0136 - Planning permission was granted for a proposed timber framed single storey plant room to house automatic irrigation equipment for the golf course - 22/03/11.
- 9 08/AP/2609: Permission granted for demolition of existing and construction of a new plant room within grounds of Dulwich and Sydenham Hill golf course. This was constructed but there have been problems and it is now structurally failing.
- 10 03/AP/2364 - Planning permission was granted for the erection of single storey front extension, including ramp for disabled access - 01/03/2004.
- 11 9601114 - Planning permission was granted for the extension to balcony, extension to ground floor, new entrance canopy, two external staircases and the use of first floor flat as part of the club house and associated elevational alterations and enlarged terrace area -10/01/1997.
- 12 9600978 - Conservation area consent was granted for the demolition of the existing balcony, canopy, external staircase and other minor structures - 28/11/1996.

Planning history of adjoining sites

- 13 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 14 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

- 15 3.2 'Protection of Amenity'
3.12 'Quality in Design'
3.13 'Urban Design'
3.16 'Conservation Areas'
3.25 'Metropolitan Open Land'
3.28 'Biodiversity'

- 16 Supplementary Planning Documents

None relevant.

- 17 For 12 months from 27 March 2012 weight can continue to be given to relevant local planning policies adopted in accordance with the Planning and Compulsory Purchase Act 2004, and those in the London Plan, in making decisions on planning applications even if there is a limited degree of conflict with the National Planning Policy Framework (NPPF). The weight given to the saved policies of the Southwark Plan should be according to their degree of consistency with policies in the NPPF.

National Planning Policy Framework (NPPF)

- 18 The NPPF came into effect on 27 March 2012 and is a material planning consideration. The following part is most relevant.

- 19 7. 'Requiring good design'
11. Conserving the natural environment
12. Conserving the historic environment

Principle of development

- 20 The application site is situated within Metropolitan Open Land and part (ii) saved policy 3.25 of the Southwark plan states that development will be allowed for:
- 21 *(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;*
- 22 There is no objection to the principle of the development which seeks to raise the height of the existing fencing to 10m high on the north eastern boundary adjacent to the Pynners sports club as this is to prevent golf balls flying to adjoining land. The fence therefore supports the outdoor sports use of the land and the development complies with MOL policy. Whilst high, the fence is transparent, with limited solid struts. It is not considered that this is harmful to the openness of MOL.
- 23 Given the limited length of the high fence, it is not considered that this will have any significant effects on local biodiversity.

Environmental impact assessment

- 24 N/A

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

- 25 The adjoining site in use is a sports club and there are no residential uses within the immediate vicinity. As such, the fencing, due to its location that is a significant distance away from any nearby residential uses, and the open nature of the design, would not impact on the amenity of adjoining occupiers.
- 26 The fencing style subject to this application is one that is typically found within sites of a similar use and it is considered that it will not significantly impact on the visual amenity and open character of the area. Although the proposed fencing is higher than the existing, the open nature of the fencing helps to ensure that it would not appear as a dominant or obtrusive feature in the area.
- 27 In terms of health and safety, the applicants state that the fencing is required to restrict uncontrolled golf balls from the third tee of the golf course flying into the neighbouring site. Prior to the installation, safety issues had been raised by the users of the neighbouring site. It is considered that the additional fencing height at this point will sufficiently overcome these safety concerns and as such no issues are raised on this ground.
- 28 As such, the proposal will not result in a detrimental impact on the amenity and the use of the surrounding area to an extent to warrant refusal and thus complies with Saved Policy 3.2 of the Southwark Plan 2007.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 29 The use of the application site will not be altered and as a result no material impact will be had.

Traffic issues

- 30 The proposed fencing will not have any impact on the operation of any of the nearby footpaths or public highways and as such no issues are raised in this regard.

Design issues

- 31 Overall, the design, use of materials and appearance of the proposed development is considered acceptable, and would not have a detrimental impact on the character or appearance of the area. It is of a common design for sites used as golf courses and situated a substantial distance from any public vantage points.

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

- 32 The application site is located within the Dulwich Wood conservation area. The area of higher fencing has no harmful impact on the character, which is of large open spaces where a variety of boundaries are commonplace.

Impact on trees

- 33 The development will not result in any impacts on any trees.

Planning obligations (S.106 undertaking or agreement)

- 34 Not required for an application of this nature.

Sustainable development implications

- 35 None expected as a result of the development

Other matters

- 36 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.
- 37 The proposed development would not be CIL liable as the proposal does not create a building that people would go to.

Conclusion on planning issues

- 38 The proposal does not result in any adverse impacts in terms of design, heritage or loss of amenity and would improve the safety and security within the site. It is also considered that it will not result in any significant impacts on the open nature of the Metropolitan Open Land, or the SINC, and as such it is recommended that planning permission is granted.

Community impact statement

- 39 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

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

Consultation replies

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

42 Summary of consultation responses

None received.

Human rights implications

43 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.

44 This application has the legitimate aim of providing a new boundary fence in order to reduce the amount of stray golf balls flying into the neighbouring site and thus improve safety. 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/2568-D Application file: 12/AP/2999 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

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Alex Cameron, Planning Officer	
Version	Final	
Dated	18 December 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		10 January 2013

Consultation undertaken

Site notice date: 27/11/2012

Press notice date: 15/11/12

Case officer site visit date: 27/11/12

Neighbour consultation letters sent: 13/11/12

Internal services consulted:

N/A.

Statutory and non-statutory organisations consulted:

N/A.

Neighbours and local groups consulted:

PYNNERS CLOSE SPORTS GROUND DULWICH COMMON LONDON SE21 7EY

FLAT ABOVE PAVILION OLD ALLEYNIA'S SPORTS GROUND DULWICH COMMON LONDON SE21 7HA

OLD ALLEYNIA'S SPORTS GROUND DULWICH COMMON LONDON SE21 7HA

Re-consultation:

N/A.

Consultation responses received

Internal services

N/A.

Statutory and non-statutory organisations

N/A.

Neighbours and local groups

None received.