

Item No. 7.2	Classification: OPEN	Date: 11 June 2013	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Council's own development Application 13/AP/0520 for: Council's Own Development - Reg. 3 Address: PEDESTRIAN ENTRANCE WAY, THURLOW PARK ROAD, BELAIR PARK, GALLERY ROAD, LONDON, SE21 7AB Proposal: Installation of a decorative archway onto existing posts to the pedestrian entranceway to Belair Park including amendments to gate design and removal of signage.		
Ward(s) or groups affected:	Village		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 21/03/2013		Application Expiry Date 16/05/2013	
Earliest Decision Date 04/05/2013			

RECOMMENDATION

- 1 Grant detailed planning permission, subject to conditions.

BACKGROUND INFORMATION

- 2 To consider the above application, which is reported to the sub-committee as it affects Metropolitan Open Land (MOL).

Site location and description

- 3 The site is the gated public entrance to Belair Park, located on Thurlow Road. Belair Park is designated as Metropolitan Open Land and the site is located within the Dulwich Village Conservation Area.

Details of proposal

- 4 Permission is sought for the installation of a decorative archway on top of the existing gate posts to the pedestrian entranceway to Belair Park. Also included are amendments to the gate design to remove the metal spikes and removal/relocation of 'Green Link' signage. The maximum height of the arch is 3.13m.

The decorative arch would be made of metal, be black and grey/silver in colour, and includes 'Belair Park' lettering together with various animal and plant motifs.

The existing Green Link sign, which is currently pole mounted, would be attached to the existing fencing.

Planning history

- 5 None of relevance.

Planning history of adjoining sites

- 6 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 7 The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies and the National Planning Policy Framework;
 - b) The impact on the visual and leisure amenity of the open space;
 - d) The impact on Belair Park which is Metropolitan Open Land and the wider Dulwich Village Conservation Area;
 - e) All other relevant material planning considerations.

Planning policy

- 8 Core Strategy 2011

SP4 - Places for learning, enjoyment and healthy lifestyles
SP11 - Open spaces and wildlife
SP12 - Design and conservation
SP13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

2.1 - Enhancement of community facilities
3.2 - Protection of amenity
3.11 – Efficient use of land
3.12 - Quality in design
3.13 - Urban design
3.15 Conservation of the Historic Environment
3.16 - Conservation areas
3.18 - Setting of listed buildings, conservation areas and world heritage sites
3.25 Metropolitan open land

National Planning Policy Framework (NPPF)

- 8). Promoting healthy communities.

- 11). Conserving and enhancing the natural environment.
- 12). Conserving and enhancing the historic environment.

Principle of development

- 9 The site is located within Metropolitan Open Land. The principal policy with regards to this land is saved policy 3.25 (Metropolitan Open Land), which states:

There is a general presumption against inappropriate development on Metropolitan Open Land. Within Metropolitan Open Land (MOL), planning permission will only be permitted for appropriate development which is considered to be 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.

The works are minor in nature and will not harm the openness of the MOL. The more prominent gate would waymark the entrance to the open space, and is therefore considered to enhance its use for outdoor recreation. The other minor amendments to the entrance and signage are considered to have minimal impacts on the open space.

As such, the proposal is considered to comply with MOL policy.

Environmental impact assessment

- 10 Not required for an application of this nature. No significant environmental impacts would arise.

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

- 11 Saved policy 3.2 Protection of Amenity, of The Southwark Plan and SP13 - High Environmental Standards of The Core Strategy seek to protect residents from harmful impacts, such as loss of outlook and noise, arising from development.

The residential properties situated closest to the application site are located on the opposite side of Thurlow Road. This is a substantial distance away from the application site and given the minor nature of the proposal it is not considered that there will be any adverse impact on either visual or residential amenity.

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

- 12 The proposal will not result in a conflict of use detrimental to amenity. The neighbouring uses of the application site are Metropolitan Open Land, and as this proposal is ancillary to the use of the park as open space, no impacts are expected.

Transport issues

- 13 The proposal raises no transport or traffic issues and access to the park will remain as

existing.

Design issues

- 14 The proposed decorative arch is considered acceptable and will improve the visual amenity of the existing entrance. The design has been developed in consultation with Friends of Belair Park, and includes plants, birds and insects found within the open space.

The materials are durable, and the colour is appropriate. The height of the arch is not considered to be overly prominent, and will be lower than the adjacent tennis court fencing.

Overall, the arch will be an attractive feature in the street and is appropriate for its context.

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

- 15 The entrance improvements are minor in nature and are considered to improve the appearance of the entrance. The proposal is not considered to have any adverse impact on the Dulwich Village Conservation Area.

Impact on trees

- 16 No impact.

Planning obligations (S.106 undertaking or agreement)

- 17 Not required for an application of this nature.

Sustainable development implications

- 18 The proposal raises no sustainable development implications.

Other matters

- 19 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.

This proposal is exempt from CIL as the works do not create a development that people would normally go to.

Conclusion on planning issues

- 20 The proposed development is considered acceptable in terms of visual and residential amenity and has no adverse impacts on either the Metropolitan Open Land or the Dulwich Village Conservation Area. The proposal complies with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and The National Planning Policy Framework 2012. As such it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

- 21 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) There are no issues relevant to particular communities/groups.
- c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

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

Summary of consultation responses

Design and Conservation - No objection

Parks and Open Spaces - Support.

Human rights implications

- 24 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.

This application has the legitimate aim of providing an improved entrance gate to Belair Park. 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-B Application file: 13/AP/0520 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 5365 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	Terence McLellan, Senior Planning Officer	
Version	Final	
Dated	16 May 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of 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		30 May 2013

Consultation undertaken

Site notice date: 10/04/2013

Press notice date: 11/04/2013

Case officer site visit date: 10/04/2013

Neighbour consultation letters sent: 10/04/2013

Internal services consulted:

Design and Conservation
Parks and Open Spaces
Public Realm

Statutory and non-statutory organisations consulted:

No consultations required.

Neighbours and local groups consulted:

10/04/2013	134A THURLOW PARK ROAD LONDON SE21 8HN
10/04/2013	SHOP ADJACENT TO WEST DULWICH RAILWAY STATION THURLOW PARK ROAD LONDON SE21 8HN
10/04/2013	BEAUBERRY HOUSE GALLERY ROAD LONDON SE21 7AB
10/04/2013	138 THURLOW PARK ROAD LONDON SE21 8HN
10/04/2013	BELAIR HOUSE APARTMENTS GALLERY ROAD LONDON SE21 7AB
10/04/2013	136 THURLOW PARK ROAD LONDON SE21 8HN
10/04/2013	BELAIR RECREATION ROOMS BELAIR PARK GALLERY ROAD LONDON SE21 7AB

Re-consultation:

Re-consultation not required.

Consultation responses received

Internal services

Design and Conservation – No objection.

Parks and Open Spaces – No objection.

Statutory and non-statutory organisations

Note: the applicant's design and access statement indicates that Friends of Belair Park have been involved in the development of this scheme.

Neighbours and local groups

No response to date.