

Item No. 7.6	Classification: OPEN	Date: 11 February 2014	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/1951 for: Full Planning Permission Address: LAND TO THE SOUTH EAST OF PECKARMANS WOOD, SYDENHAM HILL WOODS, SE26 8SB Proposal: Replacement of two existing shipping containers and replacement with two shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) on same footing, with no change of use, to be used for tool and equipment storage.		
Ward(s) or groups affected:	College		
From:	Head of Development Management		
Application Start Date 25/11/2013		Application Expiry Date 20/01/2014	
Earliest Decision Date 05/01/2014			

RECOMMENDATION

- 1 That Members grant planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application is referred to Members for decision as it involves Metropolitan Open Land (MOL).

Site location and description

- 3 The application site is located at the eastern end of Peckarmans Wood (the road) and is actually located within an enclosed area of Sydenham Hill wood itself. There are some existing shipping containers used for storage which are proposed to be replaced.
- 4 There are no listed buildings within the area and the site is not within the Dulwich Wood conservation area. The site is also listed as a site of importance of nature conservation and is located within Metropolitan Open Land.

Details of proposal

- 5 The proposal details the replacement of two shipping containers measuring 3m(l) x2.4(w) x 2.6m (h) and 6.1m(l) x2.4(w) x 2.6m (h) with similar containers on the on same footing, with no change of use to be used for the storage of tools and equipment. The proposed containers will be the same sizes as the existing. The current containers have been in-situ for over ten years.

Planning history

- 6 None relevant.

- 7 **Planning history of adjoining sites**
None relevant.

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 the development
 - b) The design issues and the impact on the Dulwich Wood conservation area
 - c) the impact of the proposal on Metropolitan Open Land and the SINC
 - d) the impact on amenity of any nearby residents
 - e) the impact on trees

Planning policy

- 9 National Planning Policy Framework (NPPF)
The NPPF came into effect on 27 March 2012 and is a material planning consideration. The following part is most relevant.
- 10 7. 'Requiring good design'
11. Conserving the natural environment
12. Conserving the historic environment
- 11 London Plan 2011
Policy 2.18 - Green infrastructure: the network of open and green spaces
Policy 7.17 - Metropolitan Open Land
Policy 7.21 - Trees and woodlands
- 12 Core Strategy 2011
Strategic Policy 11 – Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High Environmental Standards
- 13 Southwark Plan 2007 (July) - saved policies
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.
- 14 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'

- 15 Supplementary Planning Documents
None relevant.

Principle of development

- 16 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:

i. Agriculture and forestry;

- 17 There is no objection to the principle of the development which seeks to replace the existing shipping containers used for ancillary storage of the materials for the London Wildlife Trust. This development supports the forestry use of the land and the development therefore complies with MOL policy. Whilst the storage units are relatively large, it is not considered that this is harmful to the openness of MOL given the period of time the existing containers have been in-situ.

- 18 Further, it is not considered that this will have any significant effects on local biodiversity.

Environmental impact assessment

- 19 Not required for an application of this nature. No significant environmental effects would arise.

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

- 20 The site subject to the application is situated within the woods itself and is approximately 30m away from the closest residential property which is to the west of the site. Whilst there are some windows on the storage containers, the distance and nature of their use would not impact on the amenity of adjoining occupiers in terms of overlooking or noise.

- 21 As such, the proposal will not result in a detrimental impact on amenity and therefore complies with saved policy 3.2 of the Southwark Plan 2007.

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

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

Transport issues

- 23 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

- 24 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. The existing containers are metal and have a very utilitarian appearance and the proposed container would essentially be a like for like change of this.

- 25 The containers are situated a significant distance from any public vantage points and is screened by substantial vegetation and thus will not be readily visible for local neighbours or users of the woodland.

- 26 Given the isolated location, it is considered that the proposed replacement containers and their materials would not detract from the character and appearance of the Dulwich Wood conservation area. The structures will not be readily visible within the

open space and would not appear as a dominant or obtrusive feature in the area and as such, the proposal accords with saved policies 3.12, 3.13 and 3.16 of the Southwark Plan 2007.

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

- 27 The application site is located within the Dulwich Wood conservation area however for the abovementioned reasons, no impacts are expected as a result of the proposal.

Impact on trees

- 28 The proposed containers are located within a wooded area and will be situated, potentially on top of some tree roots. However, as there are existing containers within the same location, it is not considered that any additional issues will arise from their replacement. No excavation works are proposed as part of the installation.
- 29 Further, given the role of the applicant (London Wildlife Trust) as a body with an inherent interest in nature conservation, it is considered that the users of the containers will have the necessary experience to ensure that no damage would be caused to any nearby trees. Further, no concerns are raised by the council's ecology officer or urban forester on this matter.
- 30 As such, it is considered that any impacts on any trees can be mitigated and as such the application accords with Saved Policy 3.28 Biodiversity.

Planning obligations (S.106 undertaking or agreement)

- 31 Not required for an application of this nature.

Sustainable development implications

- 32 None expected as a result of the development.

Other matters

- 33 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.
- 34 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

- 35 The proposal does not result in any adverse impacts in terms of design, heritage or loss of amenity.
- 36 The proposal will not result in any significant impacts on trees and 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.
- 37 The proposal thus accords with the relevant Saved Policies of the Southwark Plan, core strategy and NPPF and as such it is recommended that planning permission is granted.

Community impact statement

- 38 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

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

Consultation replies

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

- 41 Summary of consultation responses

No neighbour consultee responses received. No objections raised by the council's ecology officer or urban forester.

Human rights implications

- 42 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.
- 43 This application has the legitimate aim of providing replace existing storage containers. 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/2345 - J Application file: 13/AP/1951 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, Senior Planner Fast Track and Validation Team		
Version	Final		
Dated	20 January 2014		
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 of Environment and Leisure	No	No	
Strategic Director of Housing and Community Services	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		30 January 2014	

APPENDIX 1

Consultation undertaken

Site notice date: 13/12/2013

Press notice date: 28/11/2013

Case officer site visit date: 13/12/2013

Neighbour consultation letters sent: 26/11/2013

Internal services consulted:

Urban Forester

Ecology Officer

Statutory and non-statutory organisations consulted:

None consulted.

Neighbours and local groups consulted:

53 CRESCENT WOOD ROAD LONDON SE26 6SA

55 CRESCENT WOOD ROAD LONDON SE26 6SA

44 PECKARMANS WOOD LONDON SE26 6RZ

51 CRESCENT WOOD ROAD LONDON SE26 6SA

57 CRESCENT WOOD ROAD LONDON SE26 6SA

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59 CRESCENT WOOD ROAD LONDON SE26 6SA

63 CRESCENT WOOD ROAD LONDON SE26 6SA

37 PECKARMANS WOOD LONDON SE26 6RY

38 PECKARMANS WOOD LONDON SE26 6RY

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36 PECKARMANS WOOD LONDON SE26 6RY

39 PECKARMANS WOOD LONDON SE26 6RY

42 PECKARMANS WOOD LONDON SE26 6RY

43 PECKARMANS WOOD LONDON SE26 6RZ

40 PECKARMANS WOOD LONDON SE26 6RY

41 PECKARMANS WOOD LONDON SE26 6RY

Re-consultation:

N/A.

APPENDIX 2

Consultation responses received

Internal services

Ecology Officer - Fully support the replacement of the containers and this is a like for like replacement so that the disturbance will be minimal.

Urban Forester - No concerns and confirmed that an arb report necessary here given the applicants inherent interest in protecting the site.

Statutory and non-statutory organisations

None consulted.

Neighbours and local groups

None received.