

Item No. 6.2	Classification: OPEN	Date: 2 June 2015	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 15/AP/0790 for: Full Planning Permission Address: HERNE HILL VELODROME, 104 BURBAGE ROAD, LONDON, SE24 9HD Proposal: Demolition of existing pavilion building and spectator seating areas, and erection of proposed two-storey height pavilion building with spectator seating, erection of new gazebo -pavilion tent to provide external cover, rationalisation of existing shipping containers and provision of new cycle and car parking spaces.		
Ward(s) or groups affected:	Village		
From:	Head of Development Management		
Application Start Date 19/03/2015		Application Expiry Date 14/05/2015	
Earliest Decision Date 09/05/2015			

RECOMMENDATION

- 1 That the application is considered by the Planning Committee as it is for development on Metropolitan Open Land (MOL); and that planning permission is granted subject to condition.

BACKGROUND INFORMATION

- 2 The application has been advertised as a departure from the Development Plan as it includes the provision of a new covered area that, on the basis of the originally submitted application, was not clearly promoted as being essential and ancillary to the use of the land for outdoor recreation as a velodrome.

Site location and description

- 3 The site is accessed via a narrow road from Burbage Road. The Here Hill Velodrome (HHV) is a cycling facility comprising a 450m long purpose built cycle racing track with terraced spectator stands and a pavilion containing a clubhouse, changing rooms, WCs and store rooms. There is also a sports pitch in the centre of the oval-shaped track, an 'off-road' mountain bike trail within the site, cycle storage and ancillary office buildings adjacent to the pavilion.
- 4 The Velodrome was originally constructed in 1891 and was used as an Olympic Venue in both the 1908 and 1948 London Olympics often attracting crowds of up to 10 000. The track fell into disrepair and the pavilion was eventually closed to public access in 2005. It was originally owned by the National Cycling Union before ownership by Greater London Council and Southwark Council. The site is now voluntarily run by the Velo Club Londres while the current applicants Herne Hill Velodrome Trust are responsible for securing the future of the velodrome and improving participation in cycling amongst the wider community. This is the third

planning application as part of a programme of works to upgrade the facilities at the Herne Hill Velodrome with the other two applications relating to the upgrade of the track and installation of lighting (see planning history below).

- 5 The 9-acre site is bounded to south, southwest and southeast by residential properties in Burbage Road and by a railway viaduct, which separates it from other residential properties in Half Moon Lane to the northwest and in Village Way to the north. The eastern perimeter of the site adjoins sports grounds including tennis courts and bowling green, beyond which are properties in Dulwich Village. Pedestrian and vehicular access is via a single entry point in the southeastern corner of the site, between residential properties in Burbage Road.
- 6 The site is designated Metropolitan Open Lane (MOL) providing outdoor recreation/sport and nature conservation use. It also lies within the Dulwich Village Conservation Area and is within a designated Site of Importance for Nature Conservation (SINC).

Details of proposal

- 7 The proposed development includes the demolition of the existing pavilion, three out of five existing seating areas and removal of 5 smaller buildings around the site. The proposals also involve the erection of a replacement pavilion with external seating, internal changing rooms, board room and meeting room, the re-location and re-ordering of the existing containers and the erection of a fixed canopy roof over the space between the re-organised containers.
- 8 The applicants are Herne Hill Velodrome Trust who took over the management of the development of Herne Hill Velodrome in 2011. The Trust is a registered charity entirely reliant on volunteer funding and support from individuals, companies and funding bodies.

Planning history

- | | |
|---|--|
| 9 | 12/AP/3196. Application type: Full Planning Permission
construction of a 250m flat junior track in the centre of the main velodrome track and an associated multi-use games area with fencing.
Decision Dated 31/01/2013 Decision: Granted (GRA) |
| | 12/AP3195. Application type: Full Planning Permission
Installation of track lighting along the perimeter of the main velodrome track.
Decision Date 31/01/2013 Decision: Granted (GRA) |
| | 07/AP/2528 Application type: Full Planning Permission (FUL)
Removal of existing works-shop/shed and replacement with a single-storey, timber framed garden building for use in association with the main dwelling
Decision date 17/12/2007 Decision: Granted (GRA) |

Planning history of adjoining sites

- 10 No relevant applications

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 11 The main issues to be considered in respect of this application are:

- a) the impact of the development upon the MOL;
- b) the impact of the development upon the residential amenity of neighbouring dwellings;
- c) whether the proposed development will have an acceptable transport impact;
- d) whether the proposed development is of an acceptable design that will preserve or enhance the character of the Dulwich Village Conservation Area;
- e) the impact of the development on neighbouring trees;
- f) the implications for nature conservation;
- g) the impact of the development on Sustainable Development; and
- h) any other matters

Planning policy

- 12 The planning application is considered against the development plan and other material matters, of which the following policies are of particular relevance to the proposal:

National Planning Policy Framework (the Framework)

Achieving Sustainable Development

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

London Plan July 2015

- 3.19 Sports facilities
- 7.8 Heritage assets and archaeology
- 7.17 Metropolitan Open Land

Core Strategy 2011

- SP1 Sustainable development
- SP2 Sustainable transport
- 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 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- 2.2 Provision of new Community Facilities
- 3.2 Protection of amenity
- 3.4 Energy efficiency
- 3.12 Quality of design
- 3.16 Conservation Areas
- 3.25 Metropolitan open land
- 3.28 Biodiversity

- 5.2 Transport impacts
- 5.3 Walking and cycling
- 5.6 Car parking

Principle of development

- 13 The proposed development will result in the provision of replacement buildings and a new covered area to support the continued use of the site as a cycling velodrome. London Plan policy 3.19 states that development proposals that enhance or increase the provision of sports and recreation facilities should be supported. However, it also states that where sports facility developments are proposed on existing open space, they will need to be considered in light of policies protecting open space as well as the borough own assessment of needs and opportunity for both sports facilities and for green multifunctional open space.
- 14 London Plan policy 7.17 states that the development of land within Metropolitan Open Land (MOL) is acceptable where it provides essential ancillary facilities for an appropriate use and where it maintains the openness of MOL. Development which does not fully comply with this will only be allowed in exceptional circumstances. MOL also has the same level of protections as land designated as Green Belt. The NPPF para 89 states that the construction of new building should be regarded as inappropriate in Green Belt. However exceptions apply including *the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.* Therefore the tests as to whether the development is acceptable in principle is:
- a) whether the use of the land is appropriate;
 - b) whether the proposed facilities are ancillary and essential to the use of the land as a cycle track; and
 - c) whether the proposed development preserves the openness of the Metropolitan Open Land.
- a) *whether the use of the land is appropriate*
- 15 The use of the site as an outdoor cycle track with supporting facilities is a long established use with the velodrome having been opened in 1891. The site was used as a venue in the 1948 London Olympics and is one of the few remaining venues from those games. The site has been in continuous use as a velodrome since it was founded and provides a facility for the local community, schools, charities and more professional cycling groups and events. This is considered to an outdoor sport and recreation use which is listed as an appropriate use within the Green Belt in paragraph 89 of the NPPF 2012.
- b) *whether the proposed facilities are ancillary and essential to the use of the land as a cycle track*
- 16 The proposed replacement pavilion will contain changing rooms, medical room, toilets, baby changing facilities and administration room on the ground floor and a club room, meeting room kitchen on the floor above. There will also be external seating and a viewing terrace overlooking the track. These facilities are all considered to be ancillary and essential to the use of the site as a velodrome.
- 17 To the north east of the proposed pavilion the 32 existing shipping containers will be arranged to create a courtyard area which will be covered by a canopy. During the course of the current application officers have requested additional information regarding how this space would be used and why it is essential for the operation of the velodrome. The applicant have provided additional information regarding the used of the containers and the covered space around them. The containers are existing

and are situated in a haphazard around the rear of the pavilion. These are considered to be immune from enforcement action as statements from the current owner and aerial photographs from 2003 show that they have been on the site for more than 10 years. The containers are used to store bikes to be used on the track. Each container can store approximately 40 standard adult bikes with helmets or 70 children's' bikes. On the site visit access was provided to a number of the containers to demonstrate that they were used to their fullest extent to provide storage.

- 18 The containers are existing and are situated in a haphazard manner around the rear of the pavilion. These are considered to be immune from enforcement action as statements from the current owner and aerial photographs from 2003 show that they have been on the site for more than 10 years. The containers are used to store bikes to be used on the track. Each container can store approximately 40 standard adult bikes with helmets or 70 children's' bikes. On the site visit access was provided to a number of the containers to demonstrate that they were used to their fullest extent to provide storage.
- 19 This level of storage is considered to be ancillary and essential to the use of the site as a velodrome. The bikes that can be used on track are specialist bikes which are not permitted on normal roads due to their lack of brakes. The bikes are of different sizes and styles depending on the users and therefore a full range of bikes are made available for the different grounds which use the facility. The applicants have provided in a schedule of for the velodrome over the summer months to provide an indication of the level of usage.
- 20 The range of different users include primary and secondary schools, *Wheels for Wellbeing* disabled cycling charities, after school clubs, race training, university groups as well as club or private hire. This level of usage and the range of different users requires a significant area of storage particularly for the range of bikes required for different disabled users.
- 21 The covered area is required to sustain year round use of the facility. This will provide a sheltered area where the school groups and disabled groups can be fitted out for bikes and equipment before commencing with their cycling session. In addition to this the covered area provides a space where bikes can be maintained and where riders can wait for particularly bad periods of weather to pass.
- 22 It is therefore considered that the proposed facilities in the pavilion and the covered storage area are considered to be ancillary and essential to the operation of the velodrome as an inclusive sports venue for both the local and the wider cycling community.

c) whether the proposed construction preserves the openness of the Metropolitan Open Land

- 23 The proposed development involves the demolition and removal of existing pavilion, three seating areas and ancillary structures to the rear of the pavilion. The removal of these structures will increase the openness of the site particularly to the south east of the site.
- 24 The proposed pavilion at a maximum height of 8.2m is 0.1m higher than the existing pavilion and has the same length, however the width of the structure has been reduced and is set further away from the boundary with the neighbouring cricket pitch. As such the proposed pavilion preserves the openness of the Metropolitan Lane.
- 25 To the north east of the pavilion the shipping containers are proposed to be re-arranged to shift them away from the boundaries of the site and to create a more ordered layout with a central courtyard type area. This will be covered with a canopy

to provide waiting areas and fitting areas that are covered to protect users waiting to go onto the track. The requirement for the covered areas is set out in paragraphs 13-18.

- 26 The canopy proposed to cover the area outside of the shipping containers has an undulating shape with a maximum height of 4.8m at the three peaks and sloping down to a maximum height of 3m at the eaves level. The canopy is situated to the north east of the pavilion and is partially screened by mature trees which cover the boundaries to the north and east. The applicants also note that the proposed development will reduce the total volume of existing development from 4150m³ to 3920m³ and the total area of coverage will only increase slightly from 1245m² to 1280m². The development will also be consolidated in the north east corner of the site.
- 27 It is considered that on balance the overall reduction in the total volume of the development and the consolidation of the building on site in the north east part of the site will preserve the openness of the MOL.
- 28 Therefore in principle it has been demonstrated that the use of the velodrome is an appropriate use within MOL and that the proposed development is essential and ancillary to that use while preserving the openness of the MOL. In addition to this the replacement facilities will serve enhance the accessibility of an existing community facility.

Environmental impact assessment

- 29 A request for a Screening Opinion to determine whether an Environment Impact Assessment was required for the development was made on 08/05/2014. A decision notice was issued on 07/07/2014 which concluded that taking into account the intensity, magnitude, and duration of all likely impacts, through demolition, construction and operational phases, along with the cumulative effect with other developments, the proposals were not considered to result in significant environmental impacts for the purposes of the EIA regulations and would not require the preparation of an Environmental Impact Assessment.

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

- 30 Planning policy 3.2 of Southwark Plan seeks to protect the amenity of neighbouring residents. The proposed built form of the development is situated away from the nearest residential dwellings on Village Way such that it will not have an impact on their amenity in terms of daylight, sunlight, outlook and privacy. It is noted, as set out in paragraphs above, that the canopy will be partially visible from one neighbouring garden, however it will be largely screened by existing mature landscaping and the proposal additional climbing plants proposed to cover the containers will ensure that there is no detrimental visual impact as a result of the proposed development.
- 31 The proposed alterations are required to sustain the existing use on site and are not required to allow for a significant increase in activities/visitors on the site. Thus there will be no increase in noise and disturbance for the neighbouring residents in terms of the operation of the velodrome.
- 32 To further address concerns of local residents the applicants, in conjunction with the local Residents Association have prepared a code of conduct, which they have agreed can form part of the approved documents. The key points of this document are:

- Commitment for use of the site for cycling and cycling related activities with an emphasis on youth and accessibility for all;
- Hours of Use with activities not commencing until 8.30am weekdays and Saturdays and 9am on Sundays and finishing no later than 9pm with aim to have the site cleared and gates closed by 9.30pm.
- Maximum number of major cycling events typically limited to 5/6 per year and no more than 10. With temporary events licenses being notified to residents as and when they are granted
- All visitors to the site will be encourage to travel by sustainable forms of transport
- Limitations on the use of derney bikes, PA system and other forms of noise generating activities.
- Track lighting to be turned off by 9pm
- Security arrangements and contact details for the Herne Hill Velodrome Trust and a contact on the Local Residents Association for residents with concerns.

These measures will provide additional assurance that the amenity of neighbouring residents will be protected.

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

33 None anticipated.

Transport and highways issues

34 The application is accompanied by a Transport Assessment to assess the transport implications associated with the proposed development in line with policies 5.2 and 5.6 of Saved Southwark Plan. Policy 5.2 seeks to ensure that development has an acceptable impact on local highway conditions, pedestrian safety and local air quality.

35 The Transport Statement sets out that there is no anticipated increase in cycling provision as result of the proposed as it concludes that the proposed facilities will provide essentially the same facilities for cyclists that were formerly provided within the existing pavilion and ancillary structures. The number of users of the facility is limited by the size of the track, which is not changing; while there will be a reduction in the capacity of the venue for spectators. The statement confirms that most users of the site arrive by bike or on foot and that this is facilitated by the extensive provision of storage facilities for the track bikes in the shipping containers.

36 The applicants have included a management statement and a code of conduct with the application. There is a commitment to control vehicular access to the site and users are encourages to walk to the venue or use mini buses capable of accessing the site. The applicants have confirmed that they are satisfied for this to be part of the approved documents.

37 The velodrome currently benefits from use of the site without the imposition of any conditions or restrictions. The proposed development, replacing and modernising existing facilities, is unlikely to result in a very significant increase in activity on a day to day basis. The proposal will not result in an increase in area for spectators and is therefore unlikely to lead to an increase in visitors associated with the 5-6 racing events that normally take place throughout the year. As such, the proposed development is not considered to result in significant impacts on local highway conditions and safety.

Design issues

Demolition of existing buildings

- 38 Saved Policy 3.16 of the Soutwark Plan requires that within Conservation Areas, there will be a general presumption in favour of retaining buildings that contribute positively to the character or appearance of the Conservation Area. Planning permission will not be granted for proposals that involve the demolition or substantial demolition of a building that contributes positively to the character or appearance of the Conservation Area, unless it can be demonstrated that:
- i. The costs of repairs and maintenance would not be justified, when assessed against the importance of the building and the value derived from its continued use, providing that the building has not been deliberately neglected;
 - ii. Real efforts have been made to continue the current use for the building or find a viable alternative use;
 - iii. There will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition; and
 - iv. The replacement development will preserve or enhance the character or appearance of the conservation area and has been granted planning permission.

Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

i. Repairs and maintenance

- 39 The existing pavilion to be demolished is a timber structure which dates back to the 1890s. It is of no significant architectural value but its historic value in terms of its contribution towards the operation of the velodrome is recognised. The pavilion has been closed to the public since storm damage in the winter of 2004/2005 rendered it unsafe for use by the public. It is accepted that the existing pavilion is not in any condition for re-use and that due to the age of the structure refurbishment is likely to be costly.

ii. Continue the current use

- 40 The applicants have continued to operate the velodrome for both community events and competitions over the past decade despite the closure of the pavilion. They have had to use temporary cabins for toilets, changing rooms and administration. The provision of the replacement structure will allow for the removal of these temporary structures. Given that the use of the land is as a velodrome and that any development has to be essential and ancillary to this use there is unlikely to be a viable alternative use for the existing building.

iii. Community benefits

- 41 The benefits of the replacement building to the local community are set out in the paragraphs relating to the principle of the development.

iv. Openness

- 42 The replacement development is of a scale and design that will preserve the character and appearance of the Conservation Area and enhance the historic use of the site as a velodrome.

43 It should be noted that the heritage significance of the building is not predicated on its appearance or architecture, but rather on historical association, it is considered that, in principle it could be demolished without causing harm to the conservation area (subject to the replacement continuing the current use of the site and being of a greater architectural quality and functional value). As set out in the report below, the proposed replacement pavilion, is not intrusive in the local area and is of a simple yet elegant design. The demolition of the existing pavilion is therefore considered to be acceptable on this basis, resulting in less than substantial harm to the significance of the heritage asset. Taking into consideration the substantial public benefits arising from the proposed enhancement to the existing community facility, the demolition of the existing pavilion to be replaced by that proposed is considered to comply with saved Policy 3.16 of the Southwark Plan and paragraph 134 of the NPPF.

44 The club room and grandstand are worth recording due to the historical significance of the site. It is therefore recommended that a programme of archaeological building recording is undertaken, which can be secured by a condition.

45 There are five other structures that will be demolished as part of the proposed works. These include three seating areas to the side of the pavilion and two temporary buildings to the rear which currently provide space for toilets, changing rooms and administration. These buildings have no heritage significance and they will be replaced within the new pavilion.

Design of New Development

46 The NPPF stresses the importance of good design and states in paragraph 56 that: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Policy SP12 of the Core strategy states that *“Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.”* Saved Policy 3.13 asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.

47 The proposals involve the demolition of the existing pavilion and the construction of a replacement. The replacement building is a two-storey building with an external spectators stand facing west towards the track. The replacement pavilion will have a maximum height of 8.2m above external ground level which is 0.1m above the height of the existing pavilion. In terms of height, scale, massing and site layout, the new pavilion would broadly sit within the parameters established by the existing building. Its footprint would actually be smaller than that of the existing pavilion.

48 The ground floor north, east and south elevations will be finished in brick. At the first floor level the flank walls are clad in timber boards with the south elevation featuring non-illuminated lettering *Herne Hill Velodrome and symbol*. The curved roof which wraps round the east elevation to first floor level is proposed to be constructed in timber but clad on the roof and east elevation in standing seam metal panels. The seating area is of pre-cast concrete and will be covered by the curved oversailing roof. There are existing non-structural columns from the existing pavilion which will be reused on the proposed pavilion as a feature which references the historic context of the use and buildings on site. Composite timber and aluminium framed windows are proposed for the windows at the first floor level. The proposed pavilion is considered to be of a scale and design appropriate to its context.

49 The proposed canopy to the north east of the pavilion will be a tensile structure to provide shelter for users of the track. The canopy will be supported by three central

columns and the re-organised containers at the perimeter. The material would be white PVC-coated, polyester fabric similar to that which has been used at other sporting venues such as the Lord's Cricket Ground and National Tennis Centre in Roehampton.

- 50 When viewed from south and west of the site the canopy will be largely screened by the pavilion, existing stands and some soft landscaping. To the north of the site adjacent to the boundary with the rear gardens of dwelling houses on Village Way the containers will be moved further from the boundary and the canopy will be mainly screened by the existing trees. To the east is the Kings College Sports Ground and again the proposed canopy will largely be screened by the mature trees adjacent to the boundary of the site.
- 51 The proposed canopy will be partially visible from the north and the east but this is not considered to have such an impact that it would fail to preserve the openness of the MOL while the development is considered to be a small scale development require to support the existing outdoor open space use. The canopy will appear more prominent when viewed from east of the site as noted above it will be largely screened from view and not visible from any of the surrounding streets. It is considered that the public benefit this cover brings to the operation of the facility is considered to significantly outweigh any negative impact from its design.
- 52 The proposed replacement buildings are considered to be of an acceptable design and appearance which will preserve the historic use of the site as a velodrome. They will also preserve the character and appearance of the Dulwich Conservation Area.

Impact on trees

- 53 An arboricultural survey has been submitted with the application. This has assessed the implications of the proposed development on trees. It notes that the alterations to accommodate the re-organised shipping containers and to provide a cycle wash will involve a cutting into the existing embankment to the north of the pavilion. This will involve the removal of seven self seeded category c trees. These trees have no public amenity value and their loss is not considered to affect the character and appearance of the area.
- 54 There are other more mature trees around the site boundaries. Robust protective fencing, appropriate to the site circumstances and scale of works, installed prior to any demolition works commencing will ensure that the retained trees are not adversely affected by the proposals. A condition is recommended requiring the provision of protective fencing during construction.

Biodiversity

- 55 Biodiversity is an important consideration for all planning applications on a Site of Nature Conservation, and applicants are encouraged to include features which enhance biodiversity. The proposed works will not result in the loss of any habitat as a result of the development being largely over previously developed land. A habitat and bat survey has been submitted with the application details and this found that there was no evidence of bats within the existing building. There is evidence that bats use the proposed tree line as a feeding route and as such conditions will be attached to ensure that any new lighting does not illuminate the tree line and require the installation of bat boxes on the existing mature oak trees to improve biodiversity. The applicants have agreed to such a condition. The proposed development is considered to have an acceptable impact on biodiversity.

Sustainable development implications

- 56 The proposed development will enhance the facilities on site to allow a more efficient use of the site as a velodrome, particularly over the Winter months. This proposal is considered to be sustainable development as it preserves the significance of a heritage asset, provides a social use accessible to local residents, community groups and the wider cycling community appropriate to the site MOL designation. In addition to this the proposed buildings will be built to a higher environmental standard with an aspiration to achieve a BREEAM 'excellent' rating in accordance with Southwark Core Strategy policy SP13.
- 57 The application is accompanied by a report on Low and Zero Carbon Technologies for the development. The report concludes that the specification of the proposed building as set out in the submission documents will ensure that the building will be as efficient as possible and accord with the relevant building regulations. It also recommends that solar panels would provide the most appropriate means of on-site renewable energy provision. The application details have shown that the proposed solar panels are provided on the roof of the shipping containers.
- 58 The proposed development meets the criteria of sustainable development as set out in the NPPF 2012.

Other planning issues

Community Infrastructure Levy

- 59 Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
- 60 In Southwark, the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to £27,736. Southwark CIL is not applicable for this proposed development as a community use.

Conclusion on planning issues

- 61 The level of development proposed, replacing existing facilities in need of modernisation, is considered to facilitate the wider use of the facility, provide improved access to cycling and contribute to the long term existence of the velodrome. The scale and level of development is considered to support national, regional and local policy and guidance for the development and promotion of sport whilst not resulting in harmful impacts upon the surrounding area.
- 62 The site is located within the MOL. Whilst the development will result in the provision of a new covered canopy area between the reorganised storage containers, it is considered that this area is essential and ancillary to the operation of the facility and the increase in development arising from this aspect of the scheme is balanced by the demolition of buildings and structures elsewhere in the site, along with the overall consolidation of the development within the site. The replacement pavilion will be of a similar size to the existing. The proposed development is concluded to be appropriate within the MOL, providing essential and ancillary replacement facilities for the outdoor use and would preserve the openness of the MOL.
- 63 The proposed development is not considered to be of a form or intensity to

significantly impact on the amenity of neighbouring residents or local highway conditions noting that the applicant has worked with residents to address local concerns as reflected in the code of conduct and management strategy for the site. There are no other planning issues arising which would result in material harm to the site or its surroundings. The proposed development is considered to be acceptable for the reasons set out above. Accordingly approval is recommended subject to the conditions set out below.

Community impact statement

64 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

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

Consultations

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

Consultation replies

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

Summary of consultation responses

67 One letter has been received from the Burbage road Resident's Association. They support the proposal in principle but have asked for consideration to be given to the following matters:

- Proposed demolition, construction works and traffic movements
- Details of proposed soft landscaping and trees on MOL
- Presence of Japanese Knotweed
- Number of events
- Impact of lighting and PA tannoy on amenity of neighbouring residents
- Security in terms of provision of gate over access road
- Traffic Safety Measures

The applicants have responded in detail to this and the response has been forwarded to the Residents Association. Conditions will be attached to secure soft landscaping. The applicants have confirmed that they will continue to engage with local residents to resolve any issues relating to the long term management of the site.

Sport England

Raise no objection to the proposals.

Ecology Officer

The Council's ecologist has confirmed that the development does not negatively impact on wildlife habitat.

Human rights implications

68 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.

- 69 This application has the legitimate aim of providing new facilities to support the Velodrome. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 70 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2074-C Application file: 15/AP/0790 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 3920 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Robin Sedgwick, Planning Officer	
Version	Final	
Dated	21 May 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	Yes	Yes
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		21 May 2015

Consultation undertaken

Site notice date: 09/04/2015

Press notice date: 16/04/2015

Case officer site visit date: 21/04/2015

Neighbour consultation letters sent: 25/03/2015

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:

70 Burbage Road London SE24 9HE	78 Burbage Road London SE24 9HE
68 Burbage Road London SE24 9HE	100 Burbage Road London SE24 9HE
66 Burbage Road London SE24 9HE	12 Village Way London SE21 7AN
74 Burbage Road London SE24 9HE	11 Village Way London SE21 7AN
84 Burbage Road London SE24 9HE	10 Village Way London SE21 7AN
82 Burbage Road London SE24 9HE	106 Burbage Road London SE24 9HD
76 Burbage Road London SE24 9HE	6 Roseway London SE21 7JT
62 Burbage Road London SE24 9HE	5 Roseway London SE21 7JT
52 Burbage Road London SE24 9HE	108 Burbage Road London SE24 9HD
50 Burbage Road London SE24 9HE	114-116 Burbage Road London SE24 9HD
118 Burbage Road London SE24 9HD	112 Burbage Road London SE24 9HD
54 Burbage Road London SE24 9HE	110 Burbage Road London SE24 9HD
60 Burbage Road London SE24 9HE	4 Roseway London SE21 7JT
58 Burbage Road London SE24 9HE	157 Turney Road London SE21 7JU
56 Burbage Road London SE24 9HE	155 Turney Road London SE21 7JU
80b Burbage Road London SE24 9HE	153 Turney Road London SE21 7JU
80a Burbage Road London SE24 9HE	159 Turney Road London SE21 7JU
102b Burbage Road London SE24 9HE	3 Roseway London SE21 7JT
Herne Hill Stadium 104 Burbage Road SE24 9HE	2 Roseway London SE21 7JT
First Floor And Second Floor Flat 64 Burbage Road SE24 9HE	1 Roseway London SE21 7JT
48 Burbage Road London SE24 9HE	25 Kingsthorpe Road London SE26 4PG
102a Burbage Road London SE24 9HE	Po Box 27845 London SE24 9XA
90 Burbage Road London SE24 9HE	
88 Burbage Road London SE24 9HE	
86 Burbage Road London SE24 9HE	
92 Burbage Road London SE24 9HE	
98 Burbage Road London SE24 9HE	
96 Burbage Road London SE24 9HE	
94 Burbage Road London SE24 9HE	
16 Village Way London SE21 7AN	
15 Village Way London SE21 7AN	
14 Village Way London SE21 7AN	
17 Village Way London SE21 7AN	
151 Turney Road London SE21 7JU	
9 Village Way London SE21 7AN	
18 Village Way London SE21 7AN	
13 Village Way London SE21 7AN	
72 Burbage Road London SE24 9HE	
	19 Tylney Avenue London SE19 1LN
	67 Burbage Road London SE24 9HB
	82 Florida Road Thornton Heath CR7 8EW
	National Cycling Centre Stuart Street M11 4DQ
	By Email
	Dulwich Village London SE21 7AL
	336 Brixton Road London SW9 7AA
	Rosendale Road London SE21 8LR
	6 Penderry Rise Catford SE6 1HA
	By Email
	C/O 61a Burns House Doddington Grove SE17 3SX
	C/O Email X

Re-consultation: n/a

Consultation responses received

Internal services

Ecology Officer

Statutory and non-statutory organisations

Sport England

Neighbours and local groups

None