

Item No. 7.3	Classification: OPEN	Date: 21 October 2015	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 15/AP/3435 for: Full Planning Permission Address: HARRIS GIRLS ACADEMY EAST DULWICH, HOMESTALL ROAD, LONDON SE22 0NR Proposal: Erection of a canopy to create a covered external space within the sports block courtyard and a canopy over the first floor mezzanine terrace.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 08/09/2015		Application Expiry Date 03/11/2015	
Earliest Decision Date 09/10/2015			

RECOMMENDATION

1. That members grant full planning permission.

BACKGROUND INFORMATION

2. This application is reported to plans sub committee as it concerns development on Metropolitan Open Land (MOL).

Site location and description

3. The application relates to the Harris Girl's Academy East Dulwich. The school is accessed from Homestall Road which borders the south of Peckham Rye Park. The application relates to the sports block which is a free standing building that fronts onto Homestall Road and extends in a south easterly direction towards the rear teaching block.
4. The school lies within the following planning designations;
 - Green Chain Parks
 - Air Quality Management Area
 - Metropolitan Open Land
 - Peckham and Nunhead Action Area

Details of proposal

5. Permission is sought to install two steel framed poly carbonate canopies, they would be located within a three sided courtyard which is split by a mezzanine level. The ground level canopy would cover (144 sq metres). A smaller canopy covering is proposed for the external mezzanine overlooking the ground floor courtyard space (44 sq m).

6. The spaces would still remain external but would be useable during inclement weather.

Planning history

7. 97/CO/1167 Application type: Council's Own Development - Reg. 3 (REG3)
Details of reserved matters (elevations, landscaping and foundation design) for outline planning permission 16.4.97 for new sports hall, teaching block & associated facilities. (Not including details of the dining block).
Decision date 15/10/1997 Decision: Grant (GRA)
8. 97/CO/1414 Application type: Council's Own Development - Reg. 3 (REG3)
Removal of existing closeboard fence to be replaced with a traditional type railing to match existing on top of low brick wall with piers every 10 metres
Decision date 12/12/1997 Decision: Grant (GRA)
9. 99/CO/0894 Application type: Council's Own Development - Reg. 3 (REG3)
Construction of two-storey dining hall and teaching block and link bridge between it and an existing two-storey building (full planning application pursuant to an outline planning permission granted on 16.4.97).
Decision date 14/10/1999 Decision: Grant (GRA)
10. 99/AP/1821 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of landscaping, floodlighting and the car park, as required by conditions 4, 6, 8 and 9 of planning permission dated 16/4/97 (LBS Reg. No. 9700182) for the construction of a new sports hall, teaching block and dining hall.
Decision date 03/03/2000 Decision: Grant (GRA)
11. 05/CO/0108 Application type: Council's Own Development - Reg. 3 (REG3)
External alterations including replacement powder coated aluminium windows and erection of a 3 storey extension to provide an entrance lobby, lift shaft, storerooms and wc's to the science block.
Decision date 12/01/2006 Decision: Grant (GRA)
12. 07/AP/0204 Application type: Screening Opinion (EIA) (SCR)
Request for an Environmental Impact Assessment Screening Opinion for the proposed education development currently defined as:
Creation of a 6th form area
Creation of a permanent area for inclusion and SEN unit
Refurbishment works to Gibbs House and New House
Upgrade works to the assembly hall including the removal of stage and replacement of partitioning doors
Refurbishment works to swimming pool
Upgrade works to design and technology blocks

Decision date 09/02/2007 Decision: Screening Opinion - EIA Regs (SCR)
13. 07/AP/2948 Application type: Full Planning Permission (FUL)
Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 01/05/2008 Decision: Granted with Legal Agreement (GWLA)
14. 08/AP/1318 Application type: S.73 Vary/remove conds/minor alterations (VAR)

Variation of Condition 12 of Planning Permission 07-AP-2948 dated 1 May 2008 to read:

"Prior to commencement of the development a further bat survey, including a minimum of three activity surveys as recommended in the Bat Survey Report shall be undertaken. The findings of the survey and any recommendations shall be submitted to the Local Planning Authority for approval in writing. Should the survey encounter bats, a strategy shall be agreed in writing with the Local Planning Authority in consultation with Natural England as to the most appropriate method for dealing with the protected bats.

Reason:

To ensure the proposal protects biodiversity in accordance with Policy 3.28 of the Southwark Plan."

Decision date 02/07/2008 Decision: Granted (GRA)

15. 09/AP/0803 Application type: Full Planning Permission (FUL)
Erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan).
Decision date 10/06/2009 Decision: Granted for Limited Period (GFLP)
16. 09/AP/0905 Application type: Approval of Details - Article 30 DMPO (AOD)
Details for the refuse storage, including recycable material as required by Condition 4 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 15/06/2009 Decision: Granted (GRA)
17. 09/AP/0904 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the new facilities to provided for the secure storage of a minimum of 27 cycles as required by Condition 3 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/06/2009 Decision: Granted (GRA)
18. 09/AP/1016 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a further bat survey, including a minimum of three activity surveys as required by Condition 12 of planning permission dated 01/06/08 - LBS Registration 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/06/2009 Decision: Granted (GRA)
19. 09/AP/0775 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the surface drainage works as required by condition 18 of planning permission dated 1/05/2008 LBS.REG.NO. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom

buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 29/06/2009 Decision: Granted (GRA)

20. 09/AP/0907 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of planting including native planting and landscaping treatment, including surfacing materials of any parking, access, or pathways required by Condition 9 of planning permission dated 01/05/08 - LBS Registration No 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 21/07/2009 Decision: Granted (GRA)
21. 09/AP/0768 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the external facing materials, including doors and windows and details of the proposed bat bricks, swift bricks and house martin nests as required by condition 2 of planning permission dated 1/05/2008 for erection of a new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House blocks and provision of a new refuse bin store to replace existing.
Decision date 24/07/2009 Decision: Granted (GRA)
22. 09/AP/1312 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of the means by which the existing trees are to be protected from damage from the formation of the concrete paths as required by Condition 2 of planning permission dated 10/06/09 - LBS Registration No 09-AP-0803 for erection of a two storey building to provide school accommodation for temporary two year period (Class D1). (This application represents a Departure from the Development Plan).
Decision date 14/08/2009 Decision: Granted (GRA)
23. 09/AP/1550 Application type: S.73 Vary/remove conds/minor alterations (VAR)
Variation of condition 3 of planning permission dated 9.6.09 (ref: 09-AP-0803 for the erection of a two storey building to provide school accommodation for temporary two year period) to allow the colour of the building to be white, blue and pale grey.
Decision date 01/09/2009 Decision: Granted (GRA)
24. 09/AP/2470 Application type: Approval of Details - Article 30 DMPO (AOD)
Partial approval for details of an independently verified BREEM EcoHomes report as required by Condition 8 of planning permission dated 01/05/08 (LBS Registration No 07-AP-2948) for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 22/02/2010 Decision: Granted (GRA)
25. 09/AP/0771 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a protection plan and a method statement detailing the extent of protective works and fencing around the stream and pond as required by condition 15 of planning permission dated 01/05/2008 LBS.REG.NO:07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin

store to replace existing
Decision date 25/02/2010 Decision: Granted (GRA)

26. 09/AP/0448 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of energy assessment as required by condition 17 of planning permission dated 01/05/2008 LBS.REG.No:07-AP-2948 for erection of a 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing new House classroom and gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 25/02/2010 Decision: Granted (GRA)
27. 10/AP/0869 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of facing bricks as required by condition 2 of planning application 07AP2948 dated 01/05/2008 for Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 23/06/2010 Decision: Granted (GRA)
28. 10/AP/2892 Application type: Approval of Details - Article 30 DMPO (AOD)
Details for a report detailing steps to minimise the developments future users exposure to air pollution as required by condition 6 of planning application 07-AP-2948: Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.
Decision date 17/12/2010 Decision: Granted (GRA)
29. 10/AP/3277 Application type: Advertisement Consent (ADV)
New signage:
- 3 x Flags
 - 1 x Acrylic Menu sign
 - 2 x replacements signs mounted on posts
 - 2 x Signs mounted on brick piers
 - 1 x Built up sign tray on building
 - 2 x Signs within quadrangle
 - 1 x Monolith sign
 - 1 x large etched sign
 - 5 x small etched signs
- Decision date 20/01/2011 Decision: Granted (GRA)
30. 10/AP/3725 Application type: Full Planning Permission (FUL)
Widening of site entrance gates.
Decision date 23/03/2011 Decision: Granted (GRA)
31. 11/AP/3440 Application type: Variation: non-material changes (VNMC)
Non-Material Amendment to condition 5 (noise) of planning permission 07-AP-2948 (dated 1.5.2008) to delete the requirement for a further noise report to be submitted within one month of the installation of the plant and equipment.
Decision date 07/11/2011 Decision: Agreed - for app types VLA & VNMC (AGR)
32. 12/AP/0054 Application type: Approval of Details - Article 30 DMPO (AOD)

Details of a Post Construction BREEAM certificate as required by Condition 8 of planning permission dated 01/05/2008 LBS Reg.No.07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing.

Decision date 10/02/2012 Decision: Granted (GRA)

33. 12/AP/0406 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of a management plan for the biomass boiler as required by Condition 16 of planning permission 07-AP-2948 for: (Erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and Gibbs House classroom blocks and provision of new refuse bin store to replace existing)
Decision date 30/01/2013 Decision: Granted (GRA)
34. 09/AP/0447 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of ground investigation as required by condition 7 of planning permission dated 01/05/2008 LBS.REG.No. 07-AP-2948 for erection of new 3 storey classroom block and demolition of existing swimming pool, CDT classroom block, part of the New House classroom block and 2 temporary pre-fabricated classroom buildings. Addition of 6 car parking spaces, refurbishment of existing New House classroom and gibbs House classroom blocks and provision of new refuse bin store to relpace existing
Decision date 04/02/2013 Decision: Granted (GRA)
35. 13/AP/0571 Application type: Full Planning Permission (FUL)
Single storey extension to the existing Science Block to form new entrance lobby, exhibition space/meeting room. Works include the installation of wall lights/and vents, and a new brick wall.
Decision date 29/05/2013 Decision: Granted (GRA)
36. 14/AP/1655 Application type: Full Planning Permission (FUL)
Provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
Decision date 24/07/2014 Decision: Granted for Limited Period (GFLP)
37. 14/AP/3309 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Landscaping and Restoration required by Condition 6 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
Decision date 04/11/2014 Decision: Refused (REF)
Reason(s) for refusal:
38. 14/AP/3308 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Secure and covered storage of cycles/scooters required by Condition 5 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including

outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).

Decision date 12/11/2014 Decision: Granted (GRA)

39. 14/AP/3315 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Landscaping as required by Condition 3 of planning application dated 15/11/2013 [LBS ref no.13AP1700] of construction of a 45.75 x 27.45 m (50 x 30 yard) artificial turf pitch, with associated fencing and floodlighting.
Decision date 12/11/2014 Decision: Granted (GRA)
40. 14/AP/3181 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Site investigation and Risk Assessment as required by condition 3 of planning application dated 24/07/2014 for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007)
Decision date 12/11/2014 Decision: Granted (GRA)
41. 14/AP/3307 Application type: Approval of Details - Article 30 DMPO (AOD)
Details of Arboricultural survey, Protection plan and Method statement required by Condition 4 of planning permission dated 24/07/2014[LBS ref no. 14AP1655] for provision of 2 single storey temporary modular buildings and 1 administrative block for education use as associated Primary School (Class D1) until 30th September 2016. Including outdoor play space and minor external works. (This application represents a Departure from the Southwark Core Strategy 2011 and Saved Southwark Plan Policies 2007).
Decision date 13/11/2014 Decision: Granted (GRA)

Planning history of adjoining sites

42. None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

43. The main issues to be considered in respect of this application are:
- a) impact upon amenity
 - b) design and appearance
 - c) impact upon MOL

Planning policy

44. National Planning Policy Framework (the Framework) 2012
Chapter 8. Promoting healthy communities
Chapter 9 Protecting green belt land
Chapter 11 Conserving and enhancing the natural environment
45. London Plan 2015 consolidated with alterations since 2011
3.18 Education facilities

7.17 Metropolitan Open Land

46. Core Strategy 2011

SP4 Places to learn and enjoy
SP11 Open Spaces and wildlife
SP12 Design and conservation
SP13 High environmental standards

Southwark Plan 2007 (July) - saved policies

47. 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.

3.2 Protection of amenity
3.12 Quality in design
3.25 Metropolitan open land

Principle of development

48. The site falls within an area of protected open space designated as Metropolitan Open Land. Saved Policy 3.25 of the Southwark Plan asserts that there is a general presumption against inappropriate development on Metropolitan Open Land (MOL). This policy is reinforced by Policy 7.17 of the London Plan and the NPPF Section 9, which confers the same protection on MOL as greenbelt land.
49. In view of the importance of retaining the open character of MOL, any development should be concentrated on the existing building footprint. In this instance the area of land affected is within the grounds of the main school buildings, furthermore the proposal is for new canopy structures to allow more use of these open courtyard spaces. It is therefore not considered that the proposal would conflict with the objectives of protecting MOL land. The canopies are situated within the existing envelope of buildings on the site and therefore the openness of the MOL would be preserved.

Environmental impact assessment

50. Not required.

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

51. Saved policy 3.2 seeks to ensure new development would adversely impact upon the amenity of nearby occupiers.
52. By virtue of the development being set in between existing buildings away from all site boundaries the scheme would not impact upon neighbouring properties in terms of daylight and sunlight, outlook and privacy. No conflict with policy identified.
53. Visual amenity
The site is not visible from the public highway or from any adjoining properties and in

this respect would not result in any harm.

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

54. None identified.

Transport issues

55. None identified.

Design issues

56. Saved policies 3.12 and 3.13 seek to ensure development is of a good standard. The design of the canopies would compliment the existing school building and canopies, and would not any create adverse impacts to nearby residential dwellings. No conflict with policy identified.

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

57. The building is not listed and the scheme is not within conservation area.

Impact on trees

58. No trees would be affected by this proposal.

Planning obligations (S.106 undertaking or agreement)

59. The proposal would not create any new floorspace and as an educational use would not attract CIL.

Sustainable development implications

60. The proposal would make more use of these small external areas, allowing for its use throughout the year, for external recreation use such as table tennis.

Other matters

61. None arising.

Conclusion on planning issues

62. Planning permission is sought for the erection of two canopies to cover an existing external courtyard. The structures are not considered to conflict with the policies to protect MOL and would benefit the school by increasing the use of these external spaces. The design of the canopies are complimentary to the existing school buildings and their location well within the site would protect the amenities of local residents. It is therefore recommended that planning permission be granted.

Community impact statement

63. 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 and no adverse impact on any groups with the protected characteristics identified above is expected.

Consultations

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

Consultation replies

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

Summary of consultation responses

66. None received.

Human rights implications

67. 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.

68. This application has the legitimate aim of providing external canopies. 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/2613-A Application file: 15/AP/3435 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 5434 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	Sonia Watson, Team Leader Majors	
Version	Final	
Dated	7 October 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic director, finance and governance	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and modernisation	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		9 October 2015

APPENDIX 1

Consultation undertaken

Site notice date: 16/09/2015

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None