

Item No. 7.1	Classification: Open	Date: 9 February 2015	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Council's own development Application 15/AP/4297 for: Council's Own Development - Reg. 3 Address: PECKHAM RYE PARK, PECKHAM RYE, LONDON SE15 Proposal: Construction of a new car-park facility on the South side of Strakers Road.		
Ward(s) or groups affected:	Peckham Rye		
From:	Director of Planning		
Application Start Date 02/11/2015		Application Expiry Date 28/12/2015	
Earliest Decision Date 09/02/2016			

RECOMMENDATION

1. That planning permission be granted.

BACKGROUND INFORMATION

Site location and description

2. The site is presently grass covered and located on Peckham Rye Common, adjacent to Peckham Rye Park, a Grade II registered Park, which is to the south. It is surrounded by a good mix of mature trees, primarily London Plane and Lime. To the south of Strakers Road it presently has no particular use other than as open space. The River Peck is to the south and site has the following designations:
 - Air Quality Management Area
 - Green Chain Park
 - Metropolitan Open Land (MOL)
 - Peckham and Nunhead Action Area
 - Site of Importance for Nature Conservation.

Details of proposal

3. The proposal is for the creation of a car park on the site capable of accommodating 41 car parking spaces, of which four would be for blue badge holders. The surface of the car park is proposed to be permeable. Vehicular barriers are proposed for the entrance to the car park itself and to its west on Strakers Road. This is the first phase of a wider improvement programme which would enable the existing car park which is to the north of Strakers Road to be redeveloped to a children's playground.
4. **Planning history**

10/AP/2633 Application type: Council's Own Development - Reg. 3 (REG3)

The enlargement of an existing play area with partial closure of Strakers Road, relocation of lamp posts, new railings and gate and new play equipment including water feature.

Decision date 03/03/2011 Decision: Granted (GRA)

12/AP/1635 Application type: Council's Own Development - Reg. 3 (REG3)

Relocation of existing portacabin buildings comprising 3 changing units and 1 storage unit to permanent location within the maintenance yard in Peckham Rye Park.

Decision date 14/09/2012 Decision: Granted (GRA)

Planning history of adjoining sites

5. None of particular relevance to this application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issues to be considered in respect of this application are:
 - a. The principle of the development and its impact on Metropolitan Open Land
 - b. The impact of the development on the Grade II registered Peckham Rye Park
 - c. Impact on amenity for the park and common users
 - d. Environmental impacts.

Planning policy

National Planning Policy Framework (the Framework) 2012

7. This application should be considered against the NPPF as a whole, however the following sections are considered to be particularly relevant:
 - 8 Promoting healthy communities
 - 10 Meeting the challenge of climate change, flooding and coastal change
 - 11 Conserving and enhancing the natural environment
 - 12 Conserving and enhancing the historic environment

London Plan July 2015

8. Policy 3.19 Sports facilities
Policy 5.3 Sustainable design and construction
Policy 5.12 Flood risk management
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.17 Metropolitan open land
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands
Policy 7.30 London's canals and other rivers and waterspaces

Core Strategy 2011

9. Strategic Policy 2- Sustainable Transport
Strategic Policy 11 - Open Spaces and Wildlife

Southwark Plan 2007 (July) - saved policies

10. The council's cabinet on 19 March 2013, as required by paragraph 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. The following saved policies are relevant to this application:

Saved Policy 3.1 Environmental effects
Saved Policy 3.2 Protection of Amenity
Saved Policy 3.9 Water
Saved Policy 3.11 Efficient Use of Land
Saved Policy 3.12 Quality in Design
Saved Policy 3.15 Conservation of the Historic Environment
Saved Policy 3.25 Metropolitan Open land
Saved Policy 3.28- Biodiversity
Saved Policy 5.2 Transport Impacts
Saved Policy 5.6 Car parking

Summary of consultation responses

11. Three comments from members of the public have been received for this application. Concern has been expressed about the proposed material (macadam) for the car park and the selective clearing of vegetation to the River Peck. Comments also recommend more screening for the car park and question whether the site is on Peckham Rye Park or on Peckham Common. The site is on the common. Comments have also been made about plans for a playground on the site of the existing car park to the north of Strakers Road but this is not part of this application, indeed there is no planning application for this playground presently registered.
12. These comments and those from internal and statutory consultees are detailed and addressed below.

Principle of development

13. Peckham Rye Common and Park are afforded a significant degree of protection, being MOL. Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the NPPF on Green Belts apply equally to MOL. Paragraph 89 of the NPPF, while in reference to buildings, states that certain forms of development are not inappropriate on Green Belt as long as they preserve the openness of Green Belt. The list includes appropriate facilities for outdoor sport and recreation as long as it preserves the openness of the Green Belt and does not conflict with the purpose of including land within it.
14. The car park would be for people using the park and common for sport and outdoor recreation so would be appropriate development on MOL. Presently the ground level of the site varies from its highest at the centre, dropping down radially, effectively forming a mound. While vehicles being parked on the site would have some impact on the openness of the land, this would be mitigated by the fact that the ground level would be reduced, a reduction in the height of the mound by up to 2.7m. Additionally,

the fact that the site is surrounded by mature trees would mean that the impact on openness would be very limited. Overall, the openness of the common and park would be maintained. Indeed, only very locally would there be any impact on openness which would be similar to the impact that the existing car park to the north of Strakers Road has.

15. Policy 7.17 'Metropolitan Open Land' of the London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL. Structures to be erected on the site would be limited to low level ones such as the barriers and as referred to above, the openness of the common and park would be maintained.
16. Strategic Policy 11 Open spaces and wildlife of the Core Strategy commits the council to protect open spaces against inappropriate development. It refers to Southwark Plan policies 3.25-3.27 for further information on how such spaces would be protected.
17. Saved policy 3.25 of the Southwark Plan states that there is a general presumption against development on MOL and that planning permission will only be permitted for appropriate development for a number of purposes such as essential facilities for outdoor sport and recreation and importantly, for other uses that preserve the openness of MOL. As referred to above, the proposals would preserve the openness of the common and park. The proposal is therefore considered to be appropriate development on MOL and the principle of the development acceptable in accordance with the policies in the NPPF; London Plan 2011; Core Strategy 2011 and the saved Southwark Plan 2007.

Environmental impact assessment

18. The development proposed is not one that detailed in either Schedule 1 or 2 of the Environmental Impact Regulations 2015 and it does not otherwise qualify as an EIA application; an EIA is not required.

The impact of the development on the Grade II registered Peckham Rye Park

19. The significance of Peckham Rye Park as a heritage asset lies in its historic context and layout, which was created under the guidance of J. J. Sexby, the first chief officer of the London County Council. Notable are its grid-like pattern of compartments and paths that followed the then field boundaries and woodland belts, as are the gardens within it. A considerable amount of the park was reserved for sports, as it is today.
20. Some of the important features of the site are close to the park, such as the River Peck. Visual separation of the site from the park by the trees on its southern boundary would mean that there the impact, if any, would be very limited. The barriers that are proposed are clearly more functional than aesthetic, however their design is appropriate to the use of the site as a car park and indeed necessary for security and management. No harm would be caused to the registered park and its setting would be preserved.
21. Some respondents to the consultation have suggested that screening should be increased. A balance needs to be struck between screening the site from the rest of the open space and a desire for natural surveillance for the car park which the proposal would achieve. Concern has also been expressed about the use of macadam for the surface and why concrete webbing has not been proposed.

Macadam as a material for the surface has the benefit of requiring little maintenance and is a cost effective solution; the permeable material proposed and a recommended condition (see below) would ensure that surface water run off from this material would not be adversely affected.

Impact on amenity for the park and common users

22. Presently an underused area of grassland amenity, the impact of the car park on the users of the common and park would be limited. While not part of this application, the proposed car park would accommodate parking that would be displaced by the creation of a playground on the site of the existing car park, to the north of Strakers Road. Some disruption would occur during construction but this would be temporary.

Environmental impacts

23. The development would involve work close to large London Plane trees. No trees would need to be felled but to ensure that the movement of material and other work within root protection zones would not cause harm to the trees, it is recommended that a condition is imposed requiring an arboricultural method statement to be submitted (detailing how trees would be protected) before the commencement of works.
24. A new area of hard surfacing on the site has the potential to affect surface water drainage, including drainage into the nearby River Peck. While a permeable surface is proposed, It is important that the development does not increase run off and a condition is thus recommended requiring a drainage strategy to be submitted for approval prior to the commencement of works. Clearance of some vegetation near the river does not require planning permission, and would be undertaken outside of the bird nesting season as required by the Wildlife and Conservation Act 1981. The council's ecologist has no objection to the application and is satisfied with these controls.
25. Testing of the soil within the site identified some contamination. Much of this material would be removed from the site by the proposed levelling of the ground and the proposed car park surface would provide an effective barrier, preventing any remaining contamination from affecting users of the park. A remediation strategy is nonetheless required and can be secured through condition.

Transport issues

26. A total of 41 new parking spaces on the common would be an increase in parking that would not normally meet policies aimed at increasing sustainable modes of transport. However, this application is essentially enabling development to allow the redevelopment of the existing car park which has 53 parking spaces. There would ultimately be a reduction of 12 parking spaces which would encourage people to access the site by more sustainable modes and is compliant with sustainable transport policies. To ensure that both car parks are not used simultaneously and to avoid an increase in car parking on the common, it is recommended that a condition be imposed prohibiting the use of the proposed car park until the existing car park closes.

Other matters

27. Some respondents have highlighted that the plans do not show the barriers that are proposed. They are shown in the design and access statement and the architect is preparing a drawing that will be reported to members in an addendum report.

Conclusion on planning issues

28. The development is appropriate development to facilitate outdoor sport and recreation, and it would also maintain the openness of the MOL. Although not part of this application, it would facilitate the redevelopment of the present car park to the north of Strakers Road to a play area. The impact on Peckham Common and Peckham Rye Park would be limited; the site would be well screened by the mature trees surrounding it while the potential for surface water impacts and contamination impacts can be mitigated through condition. It is therefore recommended that planning permission be granted.

Community impact statement

29. 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.

Consultations

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

Consultation replies

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

Human rights implications

32. 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.
33. This application has the legitimate aim of providing a car 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/2614-A Application file: 15/AP/4297 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 1778 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendations

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Dipesh Patel, Team Leader - Major Applications	
Version	Final	
Dated	25 January 2016	
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		27 January 2016

APPENDIX 1

Consultation undertaken

Site notice date: 18/11/2015

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: 24/11/2015

Internal services consulted:

Ecology Officer
Flood and Drainage Team

Statutory and non-statutory organisations consulted:

Garden History Society

Neighbour and local groups consulted:

140 Peckham Rye SE22 9QH
Strakers Road Peckham Rye Common SE15 3UA

32 Tresco Road London SE15 3PX
140 Peckham Rye London SE22 9QH

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

140 Peckham Rye SE22 9QH
140 Peckham Rye London SE22 9QH
32 Tresco Road London SE15 3PX