

<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 4 October 2016	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 15/AP/5049 for: Council's Own Development - Reg. 3  <b>Address:</b> SOUTHWARK PARK SPORTS CENTRE, HAWKSTONE ROAD, LONDON SE16 2PE  <b>Proposal:</b> Refurbishment of the existing athletics centre pavilion building including new landscaping.		
<b>Ward(s) or groups affected:</b>	Rotherhithe		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 08/07/2016		<b>Application Expiry Date</b> 02/09/2016	
<b>Earliest Decision Date</b> 14/09/2016			

## RECOMMENDATION

1. That the application is to be determined by members as it represents development affecting Metropolitan Open Land (MOL); the recommendation is to grant planning permission subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The application relates to an existing single storey athletics centre pavilion building with a low pitched tiled roof situated on the southeast corner of Southwark Park. The park itself is a Grade II Listed Historic Park and was one of the earliest parks opened by the Metropolitan Board of Works in 1869, it includes London's first public memorial to a working class person, Mr Jabez West who was a member of the local Temperance Society. A major refurbishment was undertaken in 2001 with funding from the Heritage Lottery Fund which included the installation of a bandstand. The site is not within a conservation area or within the vicinity of any other listed buildings or structures.
3. The athletic centre pavilion building at present is in a poor condition and in need of a major refurbishment to bring it back in to full operational order. The building features a number of free weights and resistance weight rooms with changing facilities and sections of the building closed off.
4. The building currently occupies a footprint of approximately 800sqm arranged over two wings. The north wing is arranged with an east-west ridge, the south has a north-south ridge. Accommodation is arranged at ground floor level only. Each wing has a central corridor, with other corridors and rooms arranged either side. Each main roof has a deep central flat roof arranged over the corridor. The corridor walls (brick work) extend to support vertical fenestrations (roof lights) which provide light to the rooms either side of the corridor.

5. The grounds surrounding the building are enclosed by mesh panel perimeter fencing to most sides, with trees and dense vegetation to the length that runs parallel to Hawkstone Road.
6. The application site is located within Site of importance for nature conservation, air quality management area, Suburban Density Zone – North, Metropolitan Open Land, Canada Water Action Area and listed park.

**Details of proposal**

7. The application is for refurbishment of the existing athletics centre pavilion building including new external landscaping. The proposal would involve removal of majority of internal walls of the building and reconfiguration of its internal space. However, externally it would upgrade window and door openings (involving mainly new or altered window and door apertures and in some instances windows will be blocked up). The new landscaping area immediately surrounding the building would include relocation of some trees, new hardstanding and soft landscaping (i.e. with plants, vegetation and street furniture). The proposal is to improve the physical condition of the pavilion building, improve facilities for its end users (including inclusive access to all) and to open up its immediate surrounding area.
8. The proposed refurbishment of windows and door aperture (including installation of double glazed aluminium doors and windows) would improve light in to the pavilion building and views out on to the athletics track. It would also provide improved gym, changing facilities and toilets for male, female and disabled users. The proposal would also give consideration to remediate ground conditions and structural defects. It is suggested that the internal space have been designed using guidance from CABE and Sport England.
9. The proposed building will be finished with current cleaned and additional brick work that would closely match with the existing. Further to this, a grey powdered coated aluminium finish will be used to existing and new additional windows and doors apertures.
10. It is envisaged that the proposed improved pavilion building would result in an increased participation in sports throughout the area and improve wellbeing of the people.

**11. Planning history**

The application site has a long planning history. However, the following is considered to be most relevant to the proposal:

<p>13/EQ/0248 Application type: Pre-Application Enquiry (ENQ) - Reinstatement of the athletics facilities at Southwark Park to include 6 lane athletics track, long/triple jump, throwing cage, javelin runway, pole vault, high jump, replacement of internal area from derelict artificial grass patch to a natural grass pitch. No works to buildings proposed Decision date 07/03/2014 Decision: Pre-application enquiry closed (EQ)</p>
<p>14/AP/2455 Application type: Full Planning Permission (FUL) - Reconstruction and layout changes of synthetic athletics track, conversion of synthetic turf football/hockey pitch to natural grass, installation of a hammer and discuss cage and the relocation and installation of the following athletic facilities:</p> <p>shot put circle pole vault runway</p>

long/triple jump runway and pit  
high jump fan and  
javelin runway

Additional works include landscaping to facilitate the changes and the movement north of the fence at the southern boundary. Decision date 10/09/2014 Decision: Granted (GRA)

Withdrawn planning application received 21/01/2009 (08/CO/0117) for the Refurbishment of existing track and artificial turf infield, 3 new five-a-side/multi use game areas. Demolition of existing sports and changing room pavilion (780sqm), erection of new single storey sports and changing room pavilion (1125sqm) on same site. Altered pedestrian access from the public highway and alterations to the existing off street parking area, provision of cycle parking and 1 new minibus drop off space.

### **Planning history of adjoining sites**

12. None of relevance to this application.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

13. 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 listed Southwark Park
  - c) The impact of the development on the amenity of local residents
  - d) The impact of the development on park users

#### **Planning policy**

14. National Planning Policy Framework (the Framework)  
Section 7 - Requiring good design  
Section 8 - Promoting healthy communities  
Section 11 - Conserving and enhancing the natural environment  
Section 12 - Conserving and enhancing the historic environment
15. The London Plan 2016  
Policy 3.19 Sports facilities  
Policy 5.4 - Retrofitting  
Policy 6.9 - Cycling  
Policy 6.10 - Walking  
Policy 7.2 - An inclusive environment  
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
16. Core Strategy 2011  
Strategic Targets Policy 2 - Improving places  
Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport

Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles  
Strategic Policy 11 - Open spaces and nature conservation  
Strategic Policy 12 - Design and conservation  
Strategic Policy 13 - High environmental standards

17. Southwark Plan 2007 (July) - saved policies

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.

Policy 3.1 Environmental effects

Policy 3.2 - Protection of amenity

Policy 3.11 - Efficient use of land

Policy 3.12 - Quality in design

Policy 3.15 - Conservation of the historic environment

Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage

Policy 3.25 - Metropolitan open land (MOL)

Policy 3.28 - Biodiversity

Policy 5.2 - Transport impacts

Policy 5.3 - Walking and cycling

**Principle of development**

18. Southwark Park and the sports centre are afforded a significant degree of protection in planning terms, being MOL. Paragraph 7.56 of The London Plan March 2016 states that paragraphs 79-92 of the National Planning Policy Framework on green belts apply equally to MOL. Paragraph 89 of the framework states that the construction of new buildings should be regarded as inappropriate on green belt apart from certain exceptions. One of these is for 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."*

19. While this provision is for buildings, it provides an indication of the type of facility that may be considered to be suitable on green belt and similarly MOL.
20. 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.
21. The proposed development would be limited to existing small scale structures (i.e. existing pavilion building) which would facilitate outdoor sport (i.e. athletics track) that is encouraged on MOL. Furthermore, the proposed pavilion building would improve the existing facilities and allow views of the athletics tracks and therefore would not materially impact on openness.
22. 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.

23. Policy 3.25 Metropolitan Open Lane 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.
24. The proposal to refurbish the existing dilapidated Southwark Park Athletics Centre Pavilion building and new landscaping of the area immediately surrounding the pavilion building is considered to be appropriate development on MOL because it meets the exception tests for the type of development detailed above, including the impact on openness of MOL (which is considered in detail below). The principle of the development is acceptable in accordance with the policies in the National Planning Policy Framework 2012; The London Plan March 2016; Core Strategy 2011 and the saved Southwark Plan 2007.

### **Environmental impact assessment**

25. The proposal is not EA development as defined in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as it is not for a new athletic centre new pavilion building but for works to an existing facility. Its impact would not be of more than local significance, and the impacts of the development would not give rise to significant environmental impacts.

### **Design and the impact of the development on the Grade II listed Southwark Park and its openness**

26. The proposal is for the retention, refurbishment and upgrade of the existing sports pavilion building at the Athletics Track in the Grade II Registered (Listed) Southwark Park.
27. The building itself was constructed in the 1980s and is not listed nor curtilage listed but it falls within the curtilage of the Registered park. The nearest designated heritage assets are the Grade II Listed former Clare College Mission Church located around 150m to the east in the park, and Swedish Seamen's Mission on Lower Road - around 250m away.
28. The main proposed changes involve the enlargement of existing high level slot windows into larger openings by lowering the cills of a number of windows which face onto the park. In these enlarged openings, the proposal is to install new aluminium window framed double-glazed windows.
29. The proposed enlargement of the openings is acceptable and the improvements to the building will significantly improve its accessibility and use. These improvements are considered to contribute positively to the enjoyment of the facilities in the park. The choice of aluminium for the windows is considered acceptable and will not cause harm to the registered Southwark Park or its setting. The building is not a prominent feature of the landscape as it is well screened from the former cricket oval sited behind a high fence. Its location relative to the modern athletics track and its sufficient separation from the Bridle Path, the lake and the Bandstand at the core of the historic park, mean that it will preserve and enhance the historic park and its setting.

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

30. The existing pavilion building is located within Southwark Park towards Hawkstone Road Gate. It has sports facilities on the north, car park and Hawkstone Road gate on

the south, Park Lodge on the east and children's play area on the west side. Further south lies Hawkstone Road with residential properties on the opposite side of the park and towards the west side of Hawkstone Road gate. The proposed internal alterations to the pavilion building would not be visible from the Southwark Park and any of the nearby residential properties in Hawkstone Road. However, external alterations to the building involving increase in windows and door apertures and installation of new aluminium framed double glazed windows and doors and new landscaping would be visible from the park but not from nearby residential properties. This is because the pavilion building is single storey building, located significant distance from residential properties and would be well screened by surrounding trees. It is therefore not considered to have any adverse impact on the amenities of the occupiers of nearby residential properties.

31. The pavilion building in its present form is in a poor state of repair and does not providing modern facilities for its end users. The proposal would bring added benefits in that it would improve the physical structure and appearance of the building; provide improved modern facilities for all its end users (such as provide more natural light into the building, provide better view of the athletic tracks, improved changing and WC facilities for male, female and disabled users) and it would be accessible to all. This would encourage more use of the building by people throughout the area and would improve their physical health and wellbeing.

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

32. The existing athletic centre pavilion building has been in existence in the Southwark Park for a number of years and has been well used until it went in to dilapidated state in the last few years. The use of the proposed refurbished building is therefore not considered to be adversely affected by its adjoining and nearby uses.

#### **Transport issues**

33. The application site is well served by public transport. Also Southwark Park has large car park to the south of the pavilion building close to the main entrance. This car park serves both the park and the athletics centre and has six disabled parking bays. The proposal would make no further provision for any car parking. However, the proposed site plan (drawing no: 15/024/A/003B) indicates bicycle storage for 20 bikes in an area to the west of the pavilion building and this level of cycle parking is considered to be sufficient.
34. It is noted that the proposal would refurbish the existing pavilion building that has been in use until recent years when the building fell in to poor state of repair. It is assumed that the upgrading of the pavilion building is likely to attract more or less similar number of people when it was originally in use and therefore is not considered to give rise to any significant transport issues.

#### **The impact of the development on park users**

35. Works proposed are limited to the pavilion building and would not significantly affect the use of the park. There would be some limited disturbance during the construction but this would be limited to access and egress from Hawkstone Road. Importantly, the development would result in enhanced ancillary sporting facilities for users of the park contributing towards encouraging and building healthy communities.

#### **Biodiversity**

36. Saved policy 3.28 (Biodiversity) of the Southwark Plan states that development will not

be permitted which would damage the nature conservation value of sites of importance for nature conservation (SINC), and where, exceptionally, such developments are permitted, the Council will seek mitigation and/or compensation for the damage to biodiversity.

37. The submitted surveys are considered acceptable and no further surveys are required. The development will result in clearing areas of planted shrubs and some trees. However, the works should be undertaken outside bird nesting season, (March - August). The area is very shaded at present so new Mediterranean style planting may not do well here. It is therefore recommended the proposed planting should be reviewed to include shade tolerant plants and inclusion of 30% native species would be welcome.
38. Also bird boxes could be installed in the trees to mitigate loss of shrub nesting opportunities. A condition PC39 with 4 nest boxes is therefore recommended.

### **Impact on trees**

39. The application building is located within Southwark Park which is a Grade II listed historic park and therefore the site supports a relatively high number of trees growing mainly as specimen trees within island plots in the car park area and in the parkland. There are also concentrations of shrubs and occasional individual trees growing around the periphery of the pavilion and some of these are likely to be affected by the proposal. As a result, tree survey and arboricultural impact assessment is submitted.
40. The submitted information suggest that the proposed sports centre would result in the removal of 7C category young to semi-mature hawthorn, birch, cherry and sycamore trees. Although these do not constitute a constraint to development due to their size, age or condition, mitigation is required in order for there to be no net loss of canopy cover. This equates to 223cm stem girth, or 14 standard sized nursery stock tree.
41. Therefore planting and landscape conditions would be recommended to ensure suitable replacement trees including protection measures.

### **Planning obligations (S.106 undertaking or agreement)**

42. Planning obligations are sought to mitigate specified negative impacts of development which is in other respects acceptable. As there are no negative impacts to be mitigated and given the small scale nature of the proposal, there is no requirement to secure any planning obligations. The works themselves would provide significant enhancements to community facilities resulting in benefits for the local area, wider community and borough.
43. There is no proposed change of use or any increase in floorspace. As such, the scheme would not attract a payment under CIL.

### **Conclusion on planning issues**

44. The development proposed would improve and enhance presently degraded ancillary athletic facilities at the site. Available for use by groups (including schools) and individuals, it would provide considerable community benefits for the borough. Some works to trees of limited amenity value are proposed and can be mitigated through replacement planting. Impacts on the openness of the MOL would be acceptable and disturbance to local residents would be limited.

## **Community impact statement**

45. 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**

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

## **Consultation replies**

47. None.

48. Ecology officer comments:

The surveys are fine and no further surveys are required.

The development will result in clearing areas of planted shrubs and some trees.

The works should be undertaken outside bird nesting season (March - August).

The area is very shaded at present so new Mediterranean style planting may not do well here. I would recommend reviewing the planting to include shade tolerant plants. Inclusion of 30% native species would be welcome.

Also bird boxes could be installed in the trees to mitigate loss of shrub nesting opportunities.

Condition PC39 with 4 nest boxes is recommended.

49. Design and conservation team comments:

The proposal is for the retention, refurbishment and upgrade of the existing sports pavilion at the Athletics Track in the Grade II Registered (Listed) Southwark Park.

The building itself was constructed in the 1980s and is not listed nor curtilage listed but it falls within the curtilage of the Registered park. The nearest designated heritage assets are the Grade II Listed Former Clare College mission church located around 150m to the east in the park, and Swedish Seamen's Mission on Lower Road - around 250m away.

The main proposed changes involve the enlargement of existing high level slot windows into larger openings by lowering the cills of a number of windows which face onto the park. In these enlarged openings, the proposal is to install new uPVC window framed double-glazed windows.

The proposed enlargement of the openings is acceptable and the improvements to the building will significantly improve its accessibility and use. These improvements are considered to contribute positively to the enjoyment of the facilities in the park. The choice of uPVC for the windows is considered acceptable and will not cause harm to the Registered Southwark Park or its setting. The building is not a prominent feature of the landscape. It is well screened from the former cricket oval sited behind a high



fence. Its location relative to the modern athletics track and its sufficient separation from the Bridle Path, the lake and the bandstand at the core of the historic park, mean that it will preserve and enhance to the historic park and its setting.

Accordingly Officers are satisfied to support a recommendation in this case.

50. Urban forester comments:

The proposed sports centre results in the removal of 7C category young to semi-mature hawthorn, birch, cherry and sycamore trees.

Although these do not constitute a constraint to development due to their size, age or condition, mitigation is required in order for there to be no net loss of canopy cover.

This equates to 223cm stem girth, or 14 standard sized nursery stock trees.

Please see recommended condition wording including protection measures. If insufficient space is available to enable this on site then a payment of £7,000 should be provided for planting within the vicinity.

**Human rights implications**

51. 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.

52. This application has the legitimate aim of providing improvements to an existing athletic centre pavilion building. 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/139-G Application file: 15/AP/5049 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403 Planning enquires email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 0207 525 0585 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

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

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Mumtaz Shaikh, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	16 September 2016	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
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
<b>Date final report sent to Constitutional Team</b>		20 September 2016

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 22/08/2016

**Press notice date:** 28/01/2016

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** n/a

**Internal services consulted:**

Ecology Officer  
Public Realm Comments on Developments Where Trees are Affected

**Statutory and non-statutory organisations consulted:**

Garden History Society

**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