

Item No. 7.3	Classification: Open	Date: 7 March 2018	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 17/AP/3782 for: Full Planning Application Address: DULWICH SPORTS CLUB, GIANT ARCHES ROAD, LONDON SE24 9HP Proposal: Change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting.		
Ward(s) or groups affected:	Village		
From:	Director of Planning		
Application Start Date 11/10/2017		Application Expiry Date 06/12/2017	
Earliest Decision Date 30/11/2017			

RECOMMENDATION

1. To grant planning permission, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site is on the Dulwich Sports Club which is located on grounds at the rear of and accessed from Giant Arches Road. The site comprises playing fields and a pavilion; is used for cricket, football, golf, hockey and tennis.
3. The north-eastern boundary of the site is bound by the rear of properties on Burbage Road, the rear of properties on Turney Road are to the south, an adjacent sports facility / field is to the west, and a railway line and the rear of properties on Stradella Road are to the north-west.
4. The site forms part of an air quality management area, the suburban density zone, the Dulwich Village Conservation Area and Metropolitan Open Land (Burbage Road playing fields).

Details of proposal

5. The proposal is for the change of surface of two tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting. It is proposed to limit the hours of operation of the floodlights to the following between 08:00 to 21:00. The floodlights would be 6.7m in height.

Planning history

6.

01/AP/0804 - Planning permission was refused for the erection of floodlights (12 lights on eight, 10m poles) for hard tennis courts adjoining pavilion.

Reasons for refusal:

1. The proposed floodlighting due to its extent and location would, when in use, give rise to visual intrusion at night, detrimental to the amenities of nearby residential occupiers and would be contrary to Policy E.3.1 of the Southwark Unitary Development Plan (UDP).

2. The proposed floodlighting is liable to give rise to increased activity, including vehicular movements, in the vicinity of the tennis courts and ancillary facilities at unsocial hours detrimental to the amenities of nearby residential occupiers and would be contrary to Policy E.3.1 of the Southwark Unitary Development Plan (UDP).

02/AP/1056 - Planning permission was granted for the erection of floodlights to tennis courts on 6.7 metre high columns.

11/AP/1514 Application type: Full Planning Application (FUL)
Retention of a double garage within the car park area of Edward Alleyn Club .
Decision date 25/04/2012 Decision: Granted (GRA)

13/EQ/0135 Application type: Pre-Application Enquiry (ENQ)
Demolition of existing female changing facilities. Construction of new female and disabled changing facilities, viewing deck and indoor squash court. Adjacent to club house. Construction of detached cricket school and changing/teaching facilities.
Decision date 07/02/2014 Decision: Pre-application enquiry closed (EQ)

Planning history of adjoining sites

7. None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

8. The main issues to be considered in respect of this application are:
- The principle of development;
 - Amenity;
 - Design and impact upon the character and appearance of the Dulwich Village Conservation Area;
 - Transport;
 - Ecology.

Planning policy

National Planning Policy Framework (the Framework)

9.

Section 4 - Promoting sustainable transport

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 9 - Protecting Green Belt land

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

The London Plan 2016

10. Policy 3.19 Sports facilities
Policy 7.8 Heritage assets and archaeology
Policy 7.17 Metropolitan Open Land
Policy 7.19 Biodiversity and access to nature

Core Strategy 2011

11. Strategic policy 1 - Sustainable development
Strategic policy 2 - Sustainable transport
Strategic policy 4 - Places to learn and enjoy
Strategic policy 11 - Open spaces and wildlife
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

12. 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.

2.1- Enhancement of community facilities
3.2 - Protection of amenity
3.12 - Quality in design
3.13 - Urban design
3.14 - Designing out crime
3.16 - Conservation areas
3.28 - Biodiversity
5.6 - Car parking

13. The Dulwich Supplementary Planning Document (SPD) 2012 is also a material consideration.

Summary of consultation responses

Neighbour responses

14. One response was received by the Burbage Road Residents' Association in support of the application. They note that the 9pm curfew is positive.

Ecology Officer

15. Requested additional information in relation to bats which has subsequently been provided. Recommends condition on hours of operation.

Urban Forester

16. No objections subject to a tree protection condition.

Principle of development

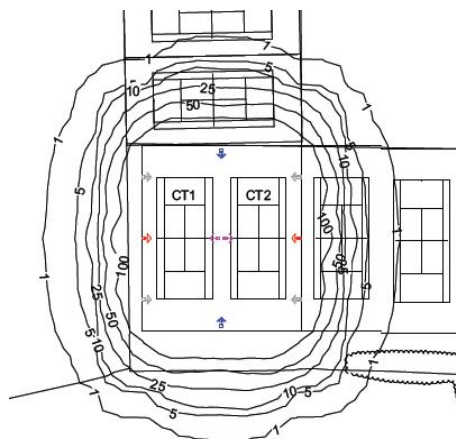
17. The tennis courts are already on site and some of the adjoining courts are flood lit at present. The proposal to resurface and provide floodlighting to two additional tennis courts does not raise any land use issues as the site is used for sports activities. The London Plan states that paragraphs 79-92 of the Framework apply equally to Metropolitan Open Land. This section of the Framework (Protecting Green Belt Land) details what is and what is not appropriate development on Green Belt and by extension on MOL. The provision of appropriate facilities for outdoor sport is development that is appropriate. This also accords with saved policy 3.28 of the Southwark Plan and Policy 7.17 of the London Plan. The principle of the development is acceptable. The impact on openness, a matter of significance, is considered below.

Impact on the openness of Metropolitan Open Land

18. The resurfacing of the courts would not impact on the openness and with much of the surrounding sports ground consisting of grassed courts/fields; the green character of the site would not be impacted on. With regards to the light poles, the slim nature of the poles and small scale of the lighting would not impact on the openness of MOL, set as they would be against other similar sporting infrastructure.

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

19. The proposed floodlights would be located within the central area of the playing fields and as such would be situated approximately 90m from the rear of the properties along Turney Road and 105m from the rear of the properties along Burbage Road. The illumination would not result in any significant impacts on the surrounding residents as the overspill diagram provided demonstrates. Furthermore, restrictions on hours of use of the floodlights to limit the use to between 08:00 to 21:00 are proposed and 08:00 to 20:30 on Sundays. A light spill diagram (below) provided confirms that there would be no spill on residential windows.



20. With regard to noise and disturbance, it is noted that the club is located at the rear of a number of houses and proposal would allow the courts to be used later into the evenings during darker months. The increase in activity would be small which and unlikely to cause an impact on residents because of their distance.
21. Overall the impact on residents' amenity would be negligible.

Transport issues

22. The site has a low access to public transport with a PTAL of 1-2, however it is within walking distance of Herne Hill and North Dulwich Stations where there is also access to a number of bus services. There is existing parking and cycle storage within the site which have sufficient capacity to accommodate the minor increase in hours of use of the site within the evenings during winter.

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

23. Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design; 3.16 requires developments to preserve or enhance the character or appearance of designated conservation areas.
24. Whilst it is noted that the site is within a conservation area, this status does not necessarily prevent the provision of floodlighting and there are other floodlit sports facilities in the conservation area, including within the site. Given that the lights would only be on during specified hours it is not considered that there would be any harm to the character or appearance of the conservation area, as the site is not widely visible from the public realm.

Impact on trees

25. The proposed floodlights would be situated relatively close to a number of high quality trees, however officers are satisfied that subject to for tree protection measures, the trees would not be harmed.

Other matters

Impacts on Ecology

26. The council's ecology officer has reviewed the proposal and noted that the submitted bat survey is acceptable and that no further surveys are required. He also notes that the lighting plan is acceptable as a result of the measures on controlling timings which are included in the proposal.
27. The works relate to land at the centre of the site and there is no anticipated impact to the Site of Importance of Nature Conservation (SINC) running along the railway line to the west of the site.

Conclusion on planning issues

28. The proposed development would not impact on the openness of Metropolitan Open Land and raises no land use issues. Subject to conditions, the proposed development would not result in any significant loss of amenity to neighbouring occupiers. The proposal would preserve the character and appearance of this part of the Dulwich Village Conservation Area and would not impact upon the ecological value of the site nor the adjoining site of nature conservation interest. 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.

- a) The impact on local people is set out above.
- b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
- c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

- 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 additional floodlighting. 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/2546-B Application file: 17/AP/3782 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5416 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Alex Cameron, Team Leader		
Version	Final		
Dated	31 January 2017		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Social Regeneration	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		22 February 2018	

APPENDIX 1

Consultation undertaken

Site notice date: 07/11/2017

Press notice date: 26/10/2017

Case officer site visit date: n/a

Neighbour consultation letters sent: 25/10/2017

Internal services consulted:

Ecology Officer
Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

85 Turney Road London SE21 7JB
87 Turney Road London SE21 7JB
79 Turney Road London SE21 7JB
81 Turney Road London SE21 7JB
89 Turney Road London SE21 7JB
First Floor Flat 83 Turney Road SE21 7JB
Ground Floor Flat 83 Turney Road SE21 7JB
67 Turney Road London SE21 7JB
91 Turney Road London SE21 7JB
93 Turney Road London SE21 7JB
61 Turney Road London SE21 7JB

63 Turney Road London SE21 7JB
59 Turney Road London SE21 7JB
55 Turney Road London SE21 7JB
57 Turney Road London SE21 7JB
65 Turney Road London SE21 7JB
75 Turney Road London SE21 7JB
77 Turney Road London SE21 7JB
73 Turney Road London SE21 7JB
69 Turney Road London SE21 7JB
71 Turney Road London SE21 7JB
70 Burbage Road London SE24 9HE

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

70 Burbage Road London SE24 9HE