

Item No. 7.3	Classification: Open	Date: 26 March 2018	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/3720 for: Full Planning Application Address: MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON SE21 7EX Proposal: Demolition of existing cricket pavilion and replacement with new pavilion		
Ward(s) or groups affected:	College		
From:	Director of Planning		
Application Start Date 11/01/2018		Application Expiry Date 08/03/2018	
Earliest Decision Date 17/02/2018			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The applications are to be considered by members as it represents development on Metropolitan Open Lland (MOL)
3. Streatham and Marlborough Cricket Club is located at the eastern end of Dulwich Common, at the junction with Lordship Lane. The site is generally open land with two principle buildings within the curtilage. It is bounded by the A205 to the north, Dulwich and Sydenham Hill Golf Club to the south, Camber Lawn Tennis Club to the west and Cox's Walk to the east. Beyond Cox's Walk there a number of post-war and new build dwellings bordering Lordship Lane, and to the south west of the site there is a single detached dwelling.
4. Buildings on site currently include single storey storerooms and a single storey cricket pavilion which appears to have been built prior to 1948, situated to the west of the site, and a further building to the east. The proposal details the demolition of existing Cricket Pavilion and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club.
5. The site has the following designations:
 - Dulwich Common Sports Ground and Cricket Club
 - Cox's Walk Green Chain Parks
 - Dulwich Wood Conservation Area
 - Suburban Density Zone-South

Details of proposal

6. The proposed pavilion will be approximately 30m in width, 13.7m long and 3.6m in height. The pavilion will have a total floor area of 349sqm. The materials proposed consist of yellow brick, timber cladding, grey roof tiles with a firestone rubber flat roof element. All windows and doors proposed consist of dark grey double glazed aluminium.
7. The existing pavilion is in poor condition with a floorspace of 411 square metres. The new pavilion will be a modern construction with a reduced floorspace of 62sqm. The proposed replacement pavilion would be of a more functional and useable design for the purposes of sports, improving the sports facilities within the site.

Planning history

8.

05/AP/0195 Application type: Conservation Area Consent (CAC) Demolition of four concrete garages. Decision date 19/04/2005 Decision: Grant (GRA)
05/AP/0743 Application type: Full Planning Application (FUL) Erection of a single storey extension to south elevation and a two storey extension to main building; demolish existing garages and stores, erect new garages and stores and score box to east of site. Decision date 27/06/2005 Decision: Grant (GRA)
13/AP/1451 Application type: Full Planning Application (FUL) Demolition of existing Cricket Pavilion and removal of three trees and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club Decision date 27/02/2014 Decision: Granted (GRA)
17/AP/2515. MARLBOROUGH CRICKET CLUB, DULWICH COMMON, LONDON, SE21 7EX. Description: Retrospective erection of demountable 6.9m high netting along boundary between Streatham and Marlborough Cricket Club and Camber Lawn Tennis club. Pending

Planning history of adjoining sites

9.

11/AP/0106. ADDRESS: CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON, SE21 7EX. DESCRIPTION: Installation of floodlighting to the north tennis court (6 columns of 6.7m high). Granted
13/AP/3002. ADDRESS: CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON, SE21 7EX. DESCRIPTION: Erection of a new clubhouse on former site DECISION: Granted

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. 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 amenity of nearby residents
 - c. Impact on ecology
 - d. Works to trees

e. Design of the proposal

Planning policy

National Planning Policy Framework (the Framework)

11. 7. Requiring good design
9. Protecting Green Belt land
11. Conserving and enhancing the natural environment

The London Plan 2016

12. Policy 7.4 Local character
Policy 7.6 Architecture
Policy 7.17 Metropolitan open land
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

Core Strategy 2011

13. Strategic Policy 11 - Open Spaces and Wildlife
Strategic Policy 13 - High Environmental Standards

Southwark Plan 2007 (July) - saved policies

14. 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 3.25 Metropolitan Open Land
Policy 3.28 Biodiversity

Dulwich Supplementary Planning Document (SPD) 2013

Consultation Responses

15. No public comments were received regarding this application. Consultee responses are addressed within the report.

Principle of development

16. The sports fields are afforded a significant degree of protection, being located within metropolitan open land (MOL). Paragraph 7.56 of the London Plan states that paragraphs 79-92 of the Framework on green belt apply equally to MOL. Although with particular reference to buildings, the Framework does say that the provision of appropriate facilities for ancillary facilities are acceptable as long as it preserves the openness of the space. The pavilion being in the same location as the existing one and 62sqm smaller would maintain/enhance the openness of the metropolitan open land.

17. Policy 7.17 metropolitan open land of the London Plan states that the strongest protection should be given to London's MOL and that inappropriate development should be refused except in very special circumstances. Further it advises that ancillary facilities for appropriate uses would only be acceptable where they maintain the openness of the MOL. The same requirement for the preservation of openness of MOL is referred to in saved policy 3.25 of the Southwark Plan which additionally states that planning permission will only be granted for appropriate development on MOL, including ancillary sports facilities.
18. There is no objection to the principle of the development which seeks to replace an existing cricket pavilion for use ancillary to the cricket ground. This development supports the outdoor sports use of the land and the development therefore complies with MOL policy. The pavilion is smaller than the existing and therefore considered not to be harmful to the openness of the MOL beyond that already existing. Further, it is not considered that this will have any significant effects on local biodiversity.

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

19. Given the proposed building's location within the sports field and the fact that it is set some way back from the surrounding neighbouring properties, it is not considered that there would be any material impact in terms of loss of outlook, overshadowing or sense of enclosure as a result of the proposal.
20. There are a number of windows and doors proposed however the closest residential property is 30m away and then not within the proximity by 120m. It is therefore not considered that the proposal would lead to a material loss of privacy by way of overlooking to any neighbouring occupiers in this regard. Vegetation also limits views of the pavilion.
21. The pavilion has an existing license to operate as an events space into the night/early morning. As noted, the structure would be situated some distance from nearby residential units and the buildings primary function is to operate as a cricket pavilion which would not result in any harm on nearby amenity. There have been no objections regarding the impact of the existing use of the pavilion for events.
22. Any issues around noise nuisance can be dealt with by other legislation and it is not considered necessary or reasonable to introduce prohibitive conditions on a use that has operated for a significant number of years.
23. Subject to these conditions, to any permission granted, it is not considered that the proposed new pavilion would result in any significant impacts on amenity that would warrant refusal of permission and would thus be in accordance with saved policy 3.2 of the Southwark Plan 2007.

Transport issues

24. The proposed development does not raise any significant traffic issues as it will not increase the useable accommodation within the site. There is a reduction within the footprint of the building itself, which would limit the capacity currently existing. The use of the site remains the same and it is not likely to attract additional vehicular movements that would result in any likely traffic implications. One additional disabled parking is provided, this would not materially impact on transport matters.

Design issues and the impact on the character and setting conservation area

25. The building is located within a playing field and there are no buildings within close

proximity. The proposed building has been sited on a similar footing to the existing building reducing its impact on the open nature of the MOL. It is designed as a low level, flat roofed structure, which is clad in timber and has brick on the bottom proportion to reduce its dominance. This allows it to sit comfortably on the site.

26. By removing the existing building which is in a poor state of repair and constructing a new modern building of character, it would visually improve the site and cause no harm to the character of the surrounding area. The proposed building would be of a more functional and useable design for the purposes of a sports pavilion, improving the sports facilities within the site.
27. The proposed use of the timber cladding, brick and roofing materials is considered acceptable. These materials would blend with the surrounding back drop and reduce any potential impact on the heritage asset of the Dulwich Wood Conservation Area.
28. For these reasons, it is considered appropriate in the local context having minimal impact on the open nature of the MOL and will preserve the character and appearance of this section of the surrounding Conservation Area. As such it would accord with saved policies 3.12, 3.13 and 3.16 of the Southwark Plan and Strategic Policy 12 - Design and conservation of the Core Strategy.

Impact on trees

29. There are a number of trees close to the area which is proposed for the new club house/pavilion. Four trees situated within proximity would require being removed.
30. The applicant has submitted a tree survey which notes that two of these trees (Goat Willow and Ash trees) are of a poor quality/condition and as such the loss of these trees would not significantly impact on the amenity of the site or surrounding area. However, one large weeping willow is required to be removed which has been identified as a high quality specimen which adds significant amenity value to the area and thus its loss would affect the surrounding area.
31. However, weeping willow trees are very fast growing and a mature specimen for replanting would grow quickly and help add to the visual amenity of the area. As such, a condition is proposed to secure a replanting scheme that secures the equivalent stem girth lost. It is considered the amenity of the area is retained.
32. Further, no details of specific landscaping are provided and as such it is also recommended that this is secured by way of condition.
33. The remaining trees retained would have protection of the roots by way of at least 2.1m high fencing which will ensure that no significant harm will be caused to these remaining trees.

Planning obligations (CIL)

34. The proposal would not attract SCIL or MCIL.

Sustainable development implications

35. Given the nature of the area birds and bats are likely to be present. To support wildlife in MOL a condition is attached requiring bird/bat nest to be provided.

Conclusion on planning issues

36. The proposal offers a replacement pavilion associated to the existing cricket ground. It

would be smaller than the existing building and uses timber which helps it blend into the natural surrounding. Given the proposed use and scope of development it is considered acceptable within MOL. Subject to conditions the proposal is recommended for approval.

Community impact statement

37. 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

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

Consultation replies

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

Summary of consultation responses

40. Ecology: No objections - conditions
 Flood Team: No Comments
 Environmental Protection: No Comments

Human rights implications

41. 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.
42. This application has the legitimate aim of providing a new club house. 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/2082-R	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 17/AP/3720		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 4004
		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	Craig Newton, Planning Officer	
Version	Final	
Dated	28 February 2018	
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		13 March 2018

APPENDIX 1

Consultation undertaken

Site notice date: 18/01/2018

Press notice date: 25/01/2018

Case officer site visit date: 19/01/2018

Neighbour consultation letters sent: 18/01/2018

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

5 St Peters Vicarage 522a Lordship Lane SE22 8LD	1 Highwood Close London SE22 8NH
4 St Peters Vicarage 522a Lordship Lane SE22 8LD	8 Ashdown Court Highwood Close SE22 8NP
3 St Peters Vicarage 522a Lordship Lane SE22 8LD	7 Ashdown Court Highwood Close SE22 8NP
8 St Peters Vicarage 522a Lordship Lane SE22 8LD	6 Ashdown Court Highwood Close SE22 8NP
7 St Peters Vicarage 522a Lordship Lane SE22 8LD	11 Ashdown Court Highwood Close SE22 8NP
6 St Peters Vicarage 522a Lordship Lane SE22 8LD	10 Ashdown Court Highwood Close SE22 8NP
2 St Peters Vicarage 522a Lordship Lane SE22 8LD	9 Ashdown Court Highwood Close SE22 8NP
4 Highwood Close London SE22 8NH	5 Ashdown Court Highwood Close SE22 8NP
3 Highwood Close London SE22 8NH	1 Ashdown Court Highwood Close SE22 8NP
2 Highwood Close London SE22 8NH	St Peters Vicarage 522a Lordship Lane SE22 8LD
1 St Peters Vicarage 522a Lordship Lane SE22 8LD	4 Ashdown Court Highwood Close SE22 8NP
5 Highwood Close London SE22 8NH	3 Ashdown Court Highwood Close SE22 8NP
18 St Peters Vicarage 522a Lordship Lane SE22 8LD	2 Ashdown Court Highwood Close SE22 8NP
17 St Peters Vicarage 522a Lordship Lane SE22 8LD	6 Savernake Court Highwood Close SE22 8NQ
16 St Peters Vicarage 522a Lordship Lane SE22 8LD	5 Savernake Court Highwood Close SE22 8NQ
Camber Lawn Tennis Club Dulwich Common SE21 7EX	4 Savernake Court Highwood Close SE22 8NQ
Marlborough Cricket Club Dulwich Common SE21 7EX	9 Savernake Court Highwood Close SE22 8NQ
Grove House Dulwich Common SE21 7EZ	8 Savernake Court Highwood Close SE22 8NQ
15 St Peters Vicarage 522a Lordship Lane SE22 8LD	7 Savernake Court Highwood Close SE22 8NQ
11 St Peters Vicarage 522a Lordship Lane SE22 8LD	3 Savernake Court Highwood Close SE22 8NQ
10 St Peters Vicarage 522a Lordship Lane SE22 8LD	14 Ashdown Court Highwood Close SE22 8NP
9 St Peters Vicarage 522a Lordship Lane SE22 8LD	13 Ashdown Court Highwood Close SE22 8NP
14 St Peters Vicarage 522a Lordship Lane SE22 8LD	12 Ashdown Court Highwood Close SE22 8NP
13 St Peters Vicarage 522a Lordship Lane SE22 8LD	2 Savernake Court Highwood Close SE22 8NQ
12 St Peters Vicarage 522a Lordship Lane SE22 8LD	1 Savernake Court Highwood Close SE22 8NQ

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None