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Item No. 7.2	Classification: Open	Date: 16 March 2021	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 20/AP/2795 for: Full Planning Application Address: DULWICH COLLEGE, DULWICH COMMON, LONDON Proposal: Extension and replacement of Junior and Lower School buildings, landscaping, tree works and new boundary treatment.		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of planning		
Application Start Date	29.09.2020	PPA Expiry Date	
Earliest Decision Date			

RECOMMENDATION

1. That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement.
2. In the event that the requirements of paragraph 1 above are not met by 3 September 2020, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 87.

EXECUTIVE SUMMARY

3. This application is for decision by the planning sub-committee as it is an application on Metropolitan Open Land (MOL).
4. The proposed extensions to the Lower School and Junior School would increase the footprint of both school buildings by 25%, from 1,742sqm to 2,175sqm. Although the gross internal floor space of the buildings on the site would increase there would not be an increase in student numbers.
5. The new single storey school hall of the Junior School would facilitate music performances and rehearsal, exams and assemblies and would be available for use by the wider community.
6. The proposal does not meet criteria for being appropriate development on MOL however its impact on the openness of MOL is not significant. There would be a benefit regarding the improvement of educational facilities and the proposals considered to be acceptable, on balance.

Site location and description

7. The site is part of Dulwich College, measures 7,000sqm and comprises Junior and Lower School buildings with an existing gross internal floorspace of 1,893sqm. It is bounded to the north and west by other Dulwich College buildings and playing fields and to the east by College Road. The 1930s boarding school buildings and the recently completed laboratory building are directly to the west. Hunts Slip Road is to the south.
8. The site is 180m south of the Grade II* listed Dulwich College main building. Other listed buildings/ structures within the campus include: entrance gates and piers (Grade II), war memorial (Grade II), The Old Library (Grade II). Numbers 1-6, 9 and 10 Pond Cottages are 200m to the north east. The site is also situated at the southern end of the Dulwich Village Conservation Area. The development site is not in the settings of these listed buildings/structures
9. The site comprises six buildings and surrounding hardstanding and landscaping with a number of large mature trees, some of which are subject to a Tree Protection Order.
10. The Junior School building was constructed in 1993 and comprises a two storey building on the southern part of the site and the two storey western wing of an L-shaped building immediately to the north.
11. The Lower School comprises the main two storey wing and single storey element of the aforementioned L-shaped building and two single storey prefabricated portakabin buildings (constructed in 1998) with flat roofs comprising a library and ICT building. The main building was constructed in 1948 and extended in 1957 and is a two storey steel/concrete framed building clad in red brick with painted concrete bands providing a horizontal emphasis. The windows to the north elevation are original single glazed Crittall style metal windows. On the south elevation the original windows have been replaced with double glazed uPVC type windows.
12. The playground area to the north of the main building of the Lower School is currently hard surfacing with four pat-ball courts and benches.

Details of proposal

13. Lower School:
It is proposed to replace the existing single storey prefabricated library/ICT building with a new three storey library/ICT building and two additional classrooms
14. It is proposed to replace the part single, part two storey wing of the Lower School with a two storey purpose built administration and wellbeing building and a double height entrance
15. The existing footprint measures approximately 1,742m² and the proposed development would extend the footprint by or 433m² to a total of 2,175m². No increase in student numbers is proposed
16. It is also proposed to extend and over clad the original Lower School building by constructing a two storey extension to the north elevation of the main

building. It would provide improved circulation space and the proposed building fabric and solar shading would thermally enhance the south elevation to reduce summer overheating. The existing materials comprise brick and render and the proposed materials would be pre-cast concrete, brick and render. A mix of grey and buff bricks are proposed. The existing roof is a flat asphalt covering and the proposed roof would comprise a membrane flat roof system with stone chipping and ballast. The existing windows comprise steel framed crittal type and double glazed UPVC. The proposed windows would comprise timber and aluminium framed double/triple glazed windows. The existing doors comprise timber and double glazed UPVC. The proposed doors would comprise timber and aluminium double/triple glazing.

17. Junior School:
It is proposed to construct a new single storey school hall to the east of the two storey western wing of the school. The new hall would have a 'lantern' roof form and would be a flexible space that would facilitate music performances and rehearsal, exams and assemblies.
18. Although the gross internal floor space of the buildings on the site would increase from 1,893sqm to 2,970sqm the proposed development would not increase the student numbers
19. Part of the existing boundary treatment comprising timber close boarded fencing to a height of 2m would be replaced by painted steel railings to match the existing boundary treatment on College Road.
20. Landscaping proposals include the improvement of the play space, a new amphitheatre, refurbishing the allotment, tree and general planting and the replacement of the existing vehicle access and hardstanding comprising black/grey tarmac with Dutch clay pavers and resin bonded gravel. It is proposed to remove seven trees and one tree group. New trees would be planted as mitigation.
21. Various wall mounted lighting fixtures would be replaced by low level lighting to illuminate pedestrian routes and entrances. Pedestrian routes would have light from lighting to bollards, handrails, benches, window reveals, the amphitheatre, trees and building graze lights at the top of some buildings.
22. A total of six new cycle spaces would be provided next to a new refuse store on the northern part of the site. The new refuse store would be large enough to accommodate the existing Euro bins.
23. A separate planning application is expected for temporary classrooms during the construction of the proposed development.

Amendments to the application

24. It was initially proposed to remove the Horse Chestnut tree (T20) on College Road, but it would now be retained.

Consultation responses from members of the public and local groups

25. None received.

Planning history of the site, and adjoining or nearby sites.

26. 19/EQ/0391, Pre application advice for the refurbishment and enhancement of existing Junior and Lower School buildings at Dulwich College. The proposals include the replacement of the existing library/ICT buildings with new library/ICT building and two additional classrooms, new wellbeing and Lower School admin building and a new Junior School Hall. The original Lower School building will be overclad to provide improved circulation space to the north and add solar shading to the south. Externally the landscape will be enhanced to create improved play space with extensive planting
27. 12/AP/3691, Demolition of existing college science building and erection of a New part 2, part 3-storey science building and associated landscaping (Use Class D)
Approved by Planning Sub-Committee B in February 2013

KEY ISSUES FOR CONSIDERATION

Summary of main issues

28. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use;
 - Design and heritage
 - Impact of proposed development on amenity of adjoining occupiers
 - Transport and highways, including servicing, car parking and cycle parking
 - Energy and sustainability, including carbon emission reduction
 - Ecology and biodiversity
 - Planning obligations (S.106 undertaking or agreement)
29. These matters are discussed in detail in the 'Assessment' section of this report

Legal context

30. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
31. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the

overall assessment at the end of the report.

Planning policy

32. The statutory development plans for the Borough comprise the London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2019) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix xx. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.
33. The site is located within:
- Flood Zone 1 (low risk)
 - A Critical Drainage Area
 - Metropolitan Open Land
 - Dulwich Village Conservation Area
 - Group Tree Protection Order (TPO) zone.

ASSESSMENT

Principle of the proposed development in terms of land use

34. The proposal would create additional educational establishment floor space. In terms of land use saved policy 2.3 [Enhancement of Educational Establishments] of the Southwark Plan 2007, states:
- ‘Planning permission for a change of use from D class educational establishments will not be granted unless:
- i) Similar or enhanced provision within the catchment area is secured; and
 - ii) Opportunities are taken wherever possible to ensure that provision is made to enable the facility to be used by all members of the community.’ The proposal would increase the educational floor space from 1,893sqm to 2,970sqm. There would not be a net increase in pupil numbers as much of the space would be used to enhance ancillary facilities, such as the library and the new hall. The development would enable community use of this ancillary space by way of a community use agreement. As an application for a temporary building would ensure there would be minimal interruption to teaching on-site. Hence, the proposal would comply with saved policy 2.3.
35. The proposal is also located within metropolitan open land (MOL) and Saved policy 3.25 [Metropolitan Open Land (MOL)] states:
36. There is a general presumption against inappropriate development on metropolitan open land. Within metropolitan open land, planning permission will only be permitted for appropriate development which is considered to be for the following purposes:

- i) Agriculture and forestry; or
 - ii) Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
 - iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
 - iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.
37. Both the London Plan and the Framework provide a high degree of protection on MOL and Green Belt respectively. The London Plan directs that Green Belt Policies apply to MOL and says proposals that would harm MOL should be refused. The Framework says inappropriate development is by definition harmful to Green Belt (and in this case MOL) and should not be approved except in very special circumstances. It does on to say that very special circumstances will not exist unless the harm from inappropriateness and other harm is clearly outweighed by other considerations.
38. The proposal does not to comply with any of the exemptions for development within MOL as per saved policy 3.25. The proposal would replace elements of an existing building, and would increase the footprint by 25%. The harm to the MOL, other than from the proposal's inappropriateness is limited to the impact on the openness of the MOL and the loss of trees. These harms are not considered to be significant and explained in detail below. In summary however, the impact on the openness is limited and mainly on views of the campus from College Road, while the loss of trees would be mitigated by replacement planting.
39. This harm can then be weighed against the benefit of enhanced educational facilities for which there is support in local and national policy and the access that would be provided to the community for the new facilities. This comprises the very special circumstances. It should be noted that development of a similar scale has been approved relatively recently and under the same development plan policies such as in 2013 (12/AP/3691) for two and three storey science block set further back into the campus.

Impact on the Openness of Metropolitan Open Land

40. Most of the development proposed is set well within the contemporary campus where there are a number of buildings and would be read against this background. While the footprint of the buildings on site would increase, this would have limited impact on the openness of the MOL here, where the openness is low.
41. The main impact on openness would be from the building that would replace

the library on College Road. The existing building is single storey and would be replaced by a three storey building. This part of the campus is relatively open because the library is a single storey coupled with the set back of buildings; it is this openness that would be reduced. The new building would be read as part of the campus and seen in this context, next to Ivyholme and the Blew House. The impact on openness from would be noticeable from some public viewpoints on College Road; a harm that would outweighed by the benefit of enhanced educational facilities on site and the access to these facilities by other members of the public.

Environmental impact assessment

42. The scale of development would not trigger the need for an environmental impact assessment.

Landscaping and trees

43. The Horse Chestnut tree (T20) on College Road would be retained, but some pruning would be required to clear the proposed new building. In total, seven trees and one group are proposed to be removed. Of the seven individual specimens, four are category U (trees not expected to live for more than 10 years) and three are category C (low quality) while the group is three Ash stems of category C.
44. New tree planting is proposed to mitigate the loss and would include semi-mature trees, 5-6m n height and 30-35cm in girth.
45. Two Ash trees, T3 and T18 which were pollarded and removed respectively without TPO consent will also require mitigation. The total worth of the trees that have been removed and are proposed for removal is £31,180. Discussions are still taking place about replacement planting, much of which can take place on site. The final replacement planting and financial contribution for tree loss will be reported in an addendum.
46. The landscaping enhancements such as the play space, amphitheatre, refurbished allotment, tree and general planting and the replacement vehicle access and hardstanding would improve the overall site appearance and layout. The proposed planting would not affect traffic flows and would solely be located along pedestrian routes, which would be enhanced by the lighting improvements.
47. The rationalised circulation space and lift in the west wing would ensure that both the Junior and Lower School would be accessible to all. The new two storey library/ICT building would have a lift and a new primary stair with lift provision would ensure that the upper floors of the Lower School and The Junior School would be accessible to all users. All the buildings would also feature level thresholds throughout and would be fully compliant with current DDA (Part M) requirements.
Community access to new facilities.
48. The applicant has committed to providing access to the new facilities for members of the local community. This includes the use of the library space,

wellbeing hub, the hall and arts wing of the junior school and music rooms. The applicant plans to consult regarding access and management. These public benefits will be secured through a legal agreement in the form of a community access management plan.

Community access to new facilities

49. The applicant has committed to providing access to some of the new facilities for the community. They would provide access to the library space, wellbeing hub, the hall and arts wing of the junior school and music rooms. It is proposed that this be secured through a legal agreement in the form of a community access and management plan that would need to be approved before the first occupation of the development.

Design and heritage considerations

50. During the pre-application enquiry officers raised a query whether the original Lower School building may be subject to curtilage listing. The heritage statement contains evidence that it is likely that the Lower School building was completed post 1st July 1948, the date in the Planning (Listed Building and Conservation Areas) Act 1990, and thus is not curtilage listed.
51. It is proposed to demolish the single storey library/ICT building, comprising single storey portacabin type structures constructed in 1998. It was intended as a temporary building with a 5 year lifespan.
52. It is also proposed to demolish part of the main Lower School building. The original part of the two storey main Lower School building is of medium to low quality architecture and has a single storey extension.
53. The substantial demolition works would need to meet the tests set out in Chapter 16 of the NPPF and local plan policy. The NPPF requires Local Planning Authorities to consider whether a proposal would result in harm to the significance of a heritage asset and to decide whether that harm would be 'substantial' or 'less than substantial'. Paragraphs 195 and 196 of the NPPF also require Local Planning Authorities to weigh that harm against the public benefits of the development proposed, including securing the optimal viable use of the heritage asset.
54. Any harm should require clear and convincing justification and can arise from the loss of historic fabric or features of significance as well as impact on the setting of a heritage asset. In accordance with paragraph 194 of the NPPF, both 'substantial' or 'less than substantial', any harm should be avoided and should be justified for unlisted buildings within a conservation area, exceptional in the case of Grade II listed buildings and wholly exceptional in the case of assets of highest significance.
55. The loss of the library/ICT building would be acceptable as it is in a poor condition and is incongruous in the street seen along College Road, detracting from the appearance of the surrounding area.
56. Although it has some interest in the simplicity of the horizontal banding and

Crittall windows, found commonly during this time, overall the main Lower School building is not of sufficient quality to insist on its retention. Similarly for the Lower School 1950s extension is of low architecture quality.

57. The impact of the demolition of these unlisted buildings would be 'less than substantial' to the significance of the heritage assets.
58. Although the Lower School is not curtilage listed it does have value as a campus building in the surrounding context within the conservation area. The Lower School building is some distance from the principle listed buildings (Barry Building) which are grade II* in an area of the campus that was developed in the latter half of the 20th century.
59. The original part of the Lower School building is of medium to low quality architecture, but it has some interest in the simplicity of the horizontal banding and Crittall windows, found commonly during this time. Overall it is not of sufficient quality (and has been altered) to insist on its retention. Similarly for the Lower School extension, the quality of architecture is low, being a simple utilitarian design of the 1950s.
60. The proposed development would be a noticeable change in the campus including from public viewpoints of the college from College Road. The new boundary treatment comprising painted steel railings would be acceptable as it would match the existing boundary treatment on College Road.
61. The Lower and Junior School buildings make a neutral contribution to the conservation area. Architecturally, the buildings consist predominantly of red brick, a characteristic that is present within the Dulwich Village Conservation Area sub 1. However, they do not actively contribute to the conservation area and are not of a significant age or characteristic of the wider area. The temporary portakabin structure attached to the Lower School further reduces the neutral contribution as it is out of keeping with the conservation area.
62. There would however be a limited impact on the conservation area as the proposed development would be viewed in the context of other campus buildings, and separately from the listed Barry Building, which would remain a focus of the campus. The proposed architectural changes, including additional height and changes in materials would be high quality. Overall it would complement the significance of the listed Barry Building by respecting it in terms of materials, height and scale. The proposed development would successfully modernise and unify buildings, at both the Lower and Junior School, which currently lacks flair and character.
63. The proposed landscaping would enhance and improve the existing landscaping around the buildings.
64. For the purposes of the decision maker's duty under section 72(1) of the 1990 Town and Country Planning Act as is the case with s.66(1) of the same act as it relates to listed buildings. Paragraph 196 of the NPPF is not engaged (because no harm would be caused to the designated heritage asset as a result of the proposed development).

65. It is recommended that permission be subject to conditions requiring samples of external facing materials and sections of fenestration.

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

66. The site is not in close proximity to or in direct view of any neighbouring residential properties and would not lead to a loss of privacy or feeling of enclosure.
67. The daylight and sunlight report assessed the Engineer's Cottage and playground of the Lower School. The impact on the daylight and sunlight to all habitable rooms of the Engineer's Cottage would be compliant with the levels recommended within the BRE Guidelines. The three windows analysed would retain in excess of 33% VSC, exceeding the 27% VSC target value.
68. The BRE Guidelines recommend that an outdoor amenity space receive at least 2 hours of sunlight on March 21st to at least 50% of its area in the proposed situation or retains at least 80% of its former value with the proposal in place. The playground would receive at least 2 hours of sunlight to 59% of its area.
69. All of the design recommendations within the Acoustic Report and Noise Impact Assessment reports have been adopted within the designs. The opening hours of the schools would not change and would be between 07:00 and 23:30 Monday to Friday, 08:00 to 23:30 Saturday, Sunday and Bank Holidays.
70. The proposal would be delivered in two phases and it is recommended that permission be subject to a Construction Management condition to ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance.

Transport and highways

71. There are no proposed variations to the access/transport arrangements associated with the proposal. The access to the College campus would remain as existing and there are no proposed alterations to the parking provisions. Furthermore, the proposal does not involve the increase in student numbers to the campus as it is solely related to the enhancement of the existing provisions. On this basis the access and transport arrangements will be unaltered from the existing.
72. The existing campus wide cycle, refuse and recycling plan would remain in place with the only amendment that the existing Euro bins would be housed in a new refuse store. The provision of three new cycle stands that would supplement the existing 106 cycle stands on the larger school site would be acceptable.

Environmental matters

Construction management

73. It is recommended that permission be subject to a condition in this regard.

Flood risk

74. This site is in Flood Zone 1, so it is at low risk from fluvial and costal flooding but, but is at high risk of surface water flooding, being in a critical drainage zone. The proposed drainage strategy sufficiently addresses potential surface water flooding through adequate drainage arrangements and exceedance pathways, such as the permeable pathway along the northern boundary.
75. The Flood Risk Management Team expects development to limit surface water discharges to greenfield runoff rates, which would be 1.8 L/S in this case. The proposed discharges rate, of 5 L/S, would exceed the greenfield runoff rate and it is recommended that this be secured trough a condition requiring full details of the proposed surface water drainage system, since the proposals relate to partial redevelopment of an existing school.
76. The provision of large areas of permeable paving and new soft landscaping would improve storm water attenuation.

Land contamination

77. The Environmental Protection Team recommended that permission be granted subject to condition relating to land contamination condition.

Ecology

78. Proposed wildlife planting, a biodiverse green roof, a sustainable urban drainage system and bird and invertebrate nesting, roosting and sheltering opportunities would enhance the biodiversity value of the site. The landscaping and lighting strategy would be acceptable as it would not have an adverse impact on local fauna.
79. The ecology officer has no objection and recommend that permission be granted subject to conditions relating to photovoltaic cells; bat tubes and boxes; Swift Bricks and soft landscaping, green roofs, nesting boxes and trees.

Energy and sustainability

80. The proposed development is a mix of new build and refurbishment of existing buildings and a BREEAM Very Good level can be achieved.
81. The new buildings would use modern energy efficient construction and energy efficient services.
82. Deciduous trees would allow sun to warm Lower School buildings in winter while providing solar shading in summer. Vertical screening on the south façade of the Lower School would provide further solar shading.

Planning obligations (S.106 agreement)

83. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:

- necessary to make the development acceptable in planning terms
- directly related to the development and
- fairly and reasonably related in scale and kind to the development.

84. Following the adoption of Southwark's Community Infrastructure Levy (CIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by CIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

85.

Planning Obligation	Mitigation	Applicant Position
Community access and management plan to secure access to: <ul style="list-style-type: none">• Library space• Wellbeing hub• Junior Hall• New arts wing	To mitigate the inappropriate development on MOL	Agreed
The total CAVAT calculation to be confirmed	Loss of trees	Agreed

86. In the event that an agreement has not been completed by 3 September 2021, the committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

87. In the absence of a signed S106 legal agreement there is no mechanism in place to mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Saved Policy 2.5 Planning Obligations of the Southwark Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011) Policy 8.2 Planning Obligations of the London Plan (2016) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and borough community infrastructure levy (CIL)

88. Based on the floor areas provided in the agent's CIL Form1 dated 25-Sep-20, the gross amount of CIL is approximately £20,871.96 of Mayoral CIL as £0/sqm of borough CIL for education use. The £0/sqm MCIL rate is only for schools

provided under the Education Acts, and not independent schools. Nevertheless, as a charity the school can claimed CIL charitable relief once planning consent is granted. It should be noted that this is an estimate, and the floor areas will be checked when related CIL assumption of liability form is submitted after planning approval has been obtained.

Other matters

89. None

Community involvement and engagement

90. In December 2018 the applicant held interactive briefings and design workshops with staff and students from the Junior and Lower Schools.
91. Due to the Covid19 pandemic it was not possible to hold any public consultation events. Individual letters were issued to local residents providing them with overview information on the proposals. Letters were sent on 29 September 2020 to The Dulwich Society and residential properties at 1 to 11 Pond Cottages, 51, 53 and 75 (Tollgate Cottage) College Road, 1 to 18 Tollgate Drive and Grange Cottage and The Grange on Grange Lane.

Consultation responses from members of the public and local groups

92. None.

Consultation responses from external and statutory consultees

Thames Water

93. No objection.

Consultation responses from internal consultees

Transport Policy

94. No objection.

Environmental Protection Team

95. No objection.

Urban Forester

96. No objection.

Flood Risk Management and Surface Water Flooding

97. No objection.

Community impact and equalities assessment

98. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
99. The council has given due regards to the above needs and rights where relevant or engaged throughout the course of determining this application.
100. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
 1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
 2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
101. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
102. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

Human rights implications

103. 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.
104. This application has the legitimate aim of extending an educational facility. 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.

Positive and proactive statement

105. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
106. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	N/A

CONCLUSION

107. The proposal would be acceptable in principle. Pupils would benefit from enhanced facilities, such as the library and the new hall. Although the proposal would be contrary to saved policy 3.25 the harm to the Metropolitan Open Land is considered to be small and would be offset by the enhancement of the educational facilities and the provision of access to the enhance facilities to the wider community.
108. The site is not in close proximity to or in direct view of any neighbouring residential properties and would not be detrimental to the amenity of neighbouring properties.
109. The impact of the demolition of the buildings would be 'less than substantial' to the significance of the heritage assets. The scale and massing of the proposal would not be harmful to the listed building and the character and appearance of the conservation area would be preserved.
110. The proposed landscaping would enhance and improve the existing landscaping around the buildings. The proposed tree planting to mitigate the loss of trees would be acceptable subject to an appropriate CAVAT payment.
111. It is therefore recommended that planning permission be granted, subject to conditions, the timely completion of a S106 Agreement and referral to the Mayor of London.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2084-C Application file: 20/AP/2795 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: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Andre Verster, Team Leader		
Version	Final		
Dated	2 February 2021		
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 Leisure		No	No
Strategic Director of Housing and Modernisation		No	No
Director of Regeneration		No	No
Date final report sent to Constitutional Team			26 February 2021

APPENDIX 1

Recommendation

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr Simon Yiend Dulwich College - Chief Operating Officer	Reg. Number	20/AP/2795
Application Type	Major application	Case Number	2084-C
Recommendation			

Draft of Decision Notice

Planning permission is **GRANTED** for the following development:

Extension and replacement of Junior and Lower School buildings, landscaping, tree works and new boundary treatment.

Dulwich College Dulwich Common London Southwark

In accordance with application received on 28 September 2020 and Applicant's Drawing Nos.:

Proposed Plans

Plans - Proposed P113 - PROPOSED CLASSROOM SECTION D-DD received 28/09/2020

Plans - Proposed P112 - PROPOSED JS HALL SECTION C-CC received 28/09/2020

Plans - Proposed P111 - PROPOSED WELLBEING SECTION B-BB received 28/09/2020

Elevations - Proposed P109 - PROPOSED JUNIOR SCHOOL ELEVATIONS received 28/09/2020

Elevations - Proposed P108 - PROPOSED LOWER SCHOOL ELEVATIONS received 28/09/2020

Elevations - Proposed P107 - PROPOSED LOWER SCHOOL ELEVATIONS received 28/09/2020

Plans - Proposed P105 - PROPOSED ROOF PLAN received 28/09/2020

Floor Plans - Proposed P104 - PROPOSED SECOND FLOOR PLAN received 28/09/2020

Floor Plans - Proposed P103 - PROPOSED FIRST FLOOR PLAN received 28/09/2020

Floor Plans - Proposed P102 - PROPOSED GROUND FLOOR PLAN received 28/09/2020

Plans - Proposed P114 - PROPOSED ACCESS DIAGRAM received 28/09/2020

Plans - Proposed P110 - PROPOSED LS LIBRARY SECTION A-AA received 28/09/2020

Plans - Proposed P106 - PROPOSED LOWER SCHOOL ELEVATIONS received

28/09/2020

Plans - Proposed P101 - PROPOSED SITE PLAN received 28/09/2020

Elevations - Proposed P010 - PROPOSED COLLEGE ROAD ELEVATION received 28/09/2020

Other Documents

Design and access statement DESIGN AND ACCESS STATEMENT received 28/09/2020

Energy statement ENERGY STATEMENT received 28/09/2020

Heritage statement HERITAGE STATEMENT received 28/09/2020

Landscaping and open space statement LANDSCAPING STATEMENT received 28/09/2020

Transport assessment/statement TRANSPORT ASSESSMENT received 28/09/2020

Arboricultural statement ARBORICULTURAL IMPACT ASSESSMENT received 18/12/2020

Document STAGE 3 ACOUSTICS REPORT received 28/09/2020

Bat Survey BAT SURVEY received 28/09/2020

Sustainability statement BREEAM REVIEW received 28/09/2020

Document STRUCTURAL ENGINEERING REPORT - STAGE 3 received 28/09/2020

Noise impact assessment NOISE IMPACT ASSESSMENT received 28/09/2020

Document STATEMENT OF COMMUNITY INVOLVEMENT received 28/09/2020

Document EXTERNAL LIGHTING ASSESSMENT received 28/09/2020

Flood risk assessment FLOOD RISK ASSESSMENT AND DRAINAGE STATEMENT received 28/09/2020

Ecology assessment/Nature conservation PRELIMINARY ECOLOGICAL APPRAISAL received 28/09/2020

Daylight/Sunlight assessment DAYLIGHT/SUNLIGHT REPORT received 28/09/2020

Conditions:

Permission is subject to the following Approved Plans Condition:

1. The development shall be carried out in accordance with the following approved plans:

Plans - Proposed P113 - PROPOSED CLASSROOM SECTION D-DD received 28/09/2020

Plans - Proposed P112 - PROPOSED JS HALL SECTION C-CC received 28/09/2020

Plans - Proposed P111 - PROPOSED WELLBEING SECTION B-BB received 28/09/2020

Elevations - Proposed P109 - PROPOSED JUNIOR SCHOOL ELEVATIONS received 28/09/2020

Elevations - Proposed P108 - PROPOSED LOWER SCHOOL ELEVATIONS received 28/09/2020

Elevations - Proposed P107 - PROPOSED LOWER SCHOOL ELEVATIONS received 28/09/2020

Plans - Proposed P105 - PROPOSED ROOF PLAN received 28/09/2020

Floor Plans - Proposed P104 - PROPOSED SECOND FLOOR PLAN received 28/09/2020

Floor Plans - Proposed P103 - PROPOSED FIRST FLOOR PLAN received 28/09/2020

Floor Plans - Proposed P102 - PROPOSED GROUND FLOOR PLAN received 28/09/2020
Plans - Proposed P114 - PROPOSED ACCESS DIAGRAM received 28/09/2020
Plans - Proposed P110 - PROPOSED LS LIBRARY SECTION A-AA received 28/09/2020
Plans - Proposed P106 - PROPOSED LOWER SCHOOL ELEVATIONS received 28/09/2020
Plans - Proposed P101 - PROPOSED SITE PLAN received 28/09/2020
Elevations - Proposed P010 - PROPOSED COLLEGE ROAD ELEVATION received 28/09/2020

Time limit for implementing this permission and the approved plans

2. The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

Permission is subject to the following Pre-Commencements Condition(s)

3. Sustainable Drainage Systems (SuDS)

No works (excluding demolition and site clearance) shall commence until full details of the proposed surface water drainage system incorporating the Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, dimensions, depth and location of attenuation units and flow control devices. The specific SuDS type, arrangement and material should be given in line with the proposed strategy dependant on any necessary site investigations. The strategy should achieve a reduction in surface water runoff rates as detailed in the "Flood Risk Assessment and Drainage Statement" prepared by Infrastruct CS Ltd (ref: 3697-DULC-ICS-XX-RP-C-001-Rev A dated September 2020). The applicant must confirm that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017) and Policy 5.13 of the London Plan (2015).

4. Details of bird and/or bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 18 Swift bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

5. Details of bat tubes and mixed boxes (for the trees) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 6 bat tubes and 3 mixed boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The bat tubes and mixed boxes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The bat tubes and mixed boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

6. Construction Environmental Management Plan (CEMP)

No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust

control measures, emission reduction measures, location of specific activities on site, etc.;

- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London

To follow current best construction practice, including the following:-

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>
- Section 61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise',
- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration'
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework 2019.

7. Tree Protection Measures

Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

ABOVE GRADE WORKS

8. ECOLOGICAL MANAGEMENT PLAN

Before any above grade work hereby authorised begins, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority.

The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

Soft landscaping,
Green roofs,
Nest boxes and
Trees.

Reason:

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is an mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan.

9. GREEN ROOFS FOR BIODIVERSITY

Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:

- * biodiversity based with extensive substrate base (depth 80-150mm);
- * laid out in accordance with agreed plans; and
- * planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies 2.18 (Green Infrastructure: the Multifunctional Network of Green and Open Spaces), 5.3 (Sustainable Design and Construction), 5.10 (Urban Greening) and 5.11 (Green Roofs and Development Site Environs) of the London Plan 2016; Strategic Policy 11 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

10. BREEAM REPORT AND POST CONSTRUCTION REVIEW

(a) Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category,

overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

(b) Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2019, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

SPECIAL CONDITION

11. CONTAMINATION

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019."

COMPLIANCE CONDITIONS

12. TREES

1 Development will be permitted if trees are planted as part of landscaping and public realm schemes, commensurate to the scale and type of development, and the character of the neighbourhood.

2 Development must retain and protect significant existing trees including:

- i. Trees designated with Tree Protection Orders (TPOs); and
- ii. Trees that have a high amenity value; and
- iii. Trees within Conservation Areas or the setting or curtilage of listed buildings; and
- iv. Veteran, ancient and notable trees.

3 Development must retain and enhance the borough's trees and canopy cover.

4 Where trees are removed to facilitate development, they should be replaced by new trees which result in no net loss of amenity, taking into account canopy cover as measured by stem girth; either

- i. Within the development whereby valuation may be calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology or other assessment; or
- ii. If this is not possible, outside the development. In this case a financial contribution must be provided to improve borough tree planting located according to 'right tree right place' principles. The financial contribution will include ongoing maintenance costs where trees are planted in the public realm.

5 Tree planting should be adaptable to climate change while supporting native species. The selection and position of trees should improve air quality and they should have a long life and high biodiversity and amenity value.

6 Retained trees must be protected during the construction process in line with British Standard BS5837'Trees in relation to Design, Demolition and Construction'.

7 In exceptional circumstances removal of trees protected by TPO or conservation area status will be permitted where sufficient evidence has been provided to justify their loss. Replacement planting will be expected where removal is agreed. The replacement of TPO trees must take into account the loss of canopy cover as measured by stem girth and biodiversity value.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area and so that the Council may be satisfied that the proposed tree replacement scheme is in accordance with The National Planning Policy Framework 2018 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

13. PROVISION OF REFUSE STORAGE

Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the dwellings/premises.

The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with: the National Planning Policy Framework 2019; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 3.7 (Waste Reduction) of The Southwark Plan 2007

14. PROVISION OF CYCLE STORAGE

Before the first occupation of the building/extension, the cycle storage facilities as shown on the drawings hereby approved shall be provided and made available to the users of the development.

Thereafter, such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with: the National Planning Policy Framework 2019; Strategic Policy 2 (Sustainable Transport) of the Core Strategy, and; Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan 2007.

Planning policy

Adopted planning policy

National Planning Policy Framework (NPPF)

The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

Paragraph 212 states that the policies in the framework are material considerations which should be taken into account in dealing with applications.

Chapter 2 Achieving sustainable development
Chapter 8 Promoting healthy and safe communities
Chapter 12 Achieving well-designed places
Chapter 15 Conserving and enhancing the natural environment

London Plan 2016

The London Plan is the regional planning framework and was adopted in 2016.

The relevant policies of the London Plan 2016 are:

Policy 2.18 Green infrastructure: the multifunctional network of green and open spaces
Policy 5.3 Sustainable design and construction
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.13 Sustainable drainage
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.17 Metropolitan open land
Policy 7.18 Protecting open space and addressing deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodland.

Core Strategy 2011

The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the core strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the core strategy 2011 are:

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 wildlife
Strategic Policy 12 Design and conservation
Strategic Policy 13 High environmental standards.

Southwark Plan 2007 (saved policies)

In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework.

Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

Policy 2.3 Enhancement of Educational Establishments

Policy 3.2 Protection of amenity

Policy 3.3 Sustainability

Policy 3.4 Energy Efficiency

Policy 3.7 Waste Reduction

Policy 5.3 Walking and Cycling

Policy 3.12 Quality in design

Policy 3.13 Urban design

Policy 3.16 Conservation areas

Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites

Policy 3.25 Metropolitan open land (MOL)

Policy 3.28 Biodiversity

APPENDIX 3

Relevant planning history

Reference and Proposal	Status
17/EQ/0122 Restoration and refurbishment of internal areas of centre block (all floors) and south block (ground floor) of the Dulwich College Charles JR Barry buildings.	Pre-Application Enquiry Closed 10/04/2017

Consultation undertaken

Site notice date: n/a.

Press notice date: 15/10/2020

Case officer site visit date: n/a

Neighbour consultation letters sent: 29/10/2020

Internal services consulted

Design and Conservation Team [Formal]

Ecology

Transport Policy

Urban Forester

Environmental Protection

Flood Risk Management & Urban Drainage

Statutory and non-statutory organisations

Thames Water

Neighbour and local groups consulted:

16 Tollgate Drive London Southwark
4 Pond Cottages College Road London
5 Tollgate Drive London Southwark
5 Pond Cottages College Road London
9 Tollgate Drive London Southwark
The Grange Grange Lane London
13 Tollgate Drive London Southwark
1 Pond Cottages College Road London
Dulwich College Preparatory School
Sports Ground Grange Lane London
14 Tollgate Drive London Southwark
Toll Gate College Road London
10 Pond Cottages College Road London
7 Pond Cottages College Road London
Grange Cottage Grange Lane London
2 Tollgate Drive London Southwark
53 College Road London Southwark
6 Tollgate Drive London Southwark
8 Tollgate Drive London Southwark
7 Tollgate Drive London Southwark
4 Tollgate Drive London Southwark
3 Tollgate Drive London Southwark
18 Tollgate Drive London Southwark
17 Tollgate Drive London Southwark

15 Tollgate Drive London Southwark
12 Tollgate Drive London Southwark
11 Tollgate Drive London Southwark
10 Tollgate Drive London Southwark
1 Tollgate Drive London Southwark
51 College Road London Southwark
75 College Road London Southwark
9 Pond Cottages College Road London
8 Pond Cottages College Road London
6 Pond Cottages College Road London
3 Pond Cottages College Road London
Grange House Grange Lane London

Re-consultation:

Consultation responses received

Internal services

Design and Conservation Team [Formal]
Ecology
Transport Policy
Urban Forester
Environmental Protection
Flood Risk Management & Urban Drainage

Statutory and non-statutory organisations

Thames Water

Neighbour and local groups consulted: