

Planning Sub-Committee A

Wednesday 15 March 2023

6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Supplemental Agenda No. 2

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Webpage: www.southwark.gov.uk

Date: 15 March 2023

Item No: 7.1	Classification: Open	Date: 15 March 2023	Meeting Name: Planning Sub Committee A
Report title:		Late observations and further information	
Wards or groups affected:		North Walworth	
From:		Director of Planning and Growth	

PURPOSE

1. To advise members of a correction in the report that must be taken in to account in reaching the stated recommendation.

RECOMMENDATION

2. That members note and consider the correction in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Correction to the main report in respect of the following item on the main agenda:

ITEM 7.1: 22/AP/2455 - Victory Community Park, Munton Road, London SE17

Decision by sub-committee

4. Update paragraph 53 that removal of 16 young trees, instead of 17, and 1 semi-mature Category 'C' tree (T61) will be the final proposal, following the design amendments to the entrances.
5. Remove 'prior to the new development being first brought into use' for Condition 4 – implementation of ecological enhancement measures to reflect the seasonal landscaping and planting arrangements.
6. Summary of an objection letter received on 14 March 2023:
 - Safety issues associated with sports activities on the levelled up MUGA combined with lower fencing, in light of heavy traffic surrounding the park
 - The safety issues, especially for young people and children using the park, are to weigh in whilst considering the equality implications of the levelling up, which is not found to be necessary in NPPF
 - Potential anti-social behaviour problem at night arising from lower fencing

- Carbon implications of levelling up MUGA and ecological impacts on the adjoining landscaping
 - Cycling within the park will undermine the use of the park already constrained by insufficient size
7. Correction to paragraph 30 that the development plan comprises London Plan 2021 and Southwark Plan 2022. It replaces London Plan 2016, the Core Strategy (2011) and the saved Southwark Plan 2007 which have been superseded.
8. A new paragraph is introduced after Paragraph 76 that reads as follows:
- The development is considered to improve accessibility for users of protected characteristics including age and disability (wheelchair users and people with mobility issues) through levelling up of MUGA and improved connectivity with the surrounding areas. Users of protected characteristics, attributed to age and race (Schoolchildren, Black, Asian and ethnic minority populations), are identified to be potentially affected by the proposal arising from the loss of the existing informal skateboarding facility and the path connecting the entrance of Victory Place. These considerations have resulted in changes to the proposal including the reintroduction of the Victory Place entrance and solicits assurance from the applicant that the park would not be exclusively used by any interest groups and the loss of the skateboarding use will be compensated for by the Burgess Park's skate bowl project as part of the East Walworth's Green Link. On balance, it was ensured during the determination process that the equality effects on the identified users of protected characteristics are either properly mitigated and enhanced.

Conclusion of the Director of Planning and Growth

9. Having taken into account the information set out above. The recommendation remains that planning permission should be granted subject to appropriately worded conditions.

REASON FOR URGENCY

10. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

REASON FOR LATENESS

11. The new information and corrections to the main reports and recommendations have been noted and/or received since the committee agenda was printed. They all relate to items on the agenda and members should be aware of the comments made.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403

Welcome to Southwark Planning Sub-Committee A

MAIN ITEMS OF BUSINESS

15 MARCH 2023

Item 7.1 - 22/AP/2455

Victory Community Park, Munton
Road, London, SE17



Councillor Kath Whittam (Chair)



Councillor Jane Salmon (Vice Chair)



Councillor John Batteson



Councillor Nastasha Ennin



Councillor Ketzia Harper



Councillor Adam Hood



Councillor Richard Livingstone



Reserves

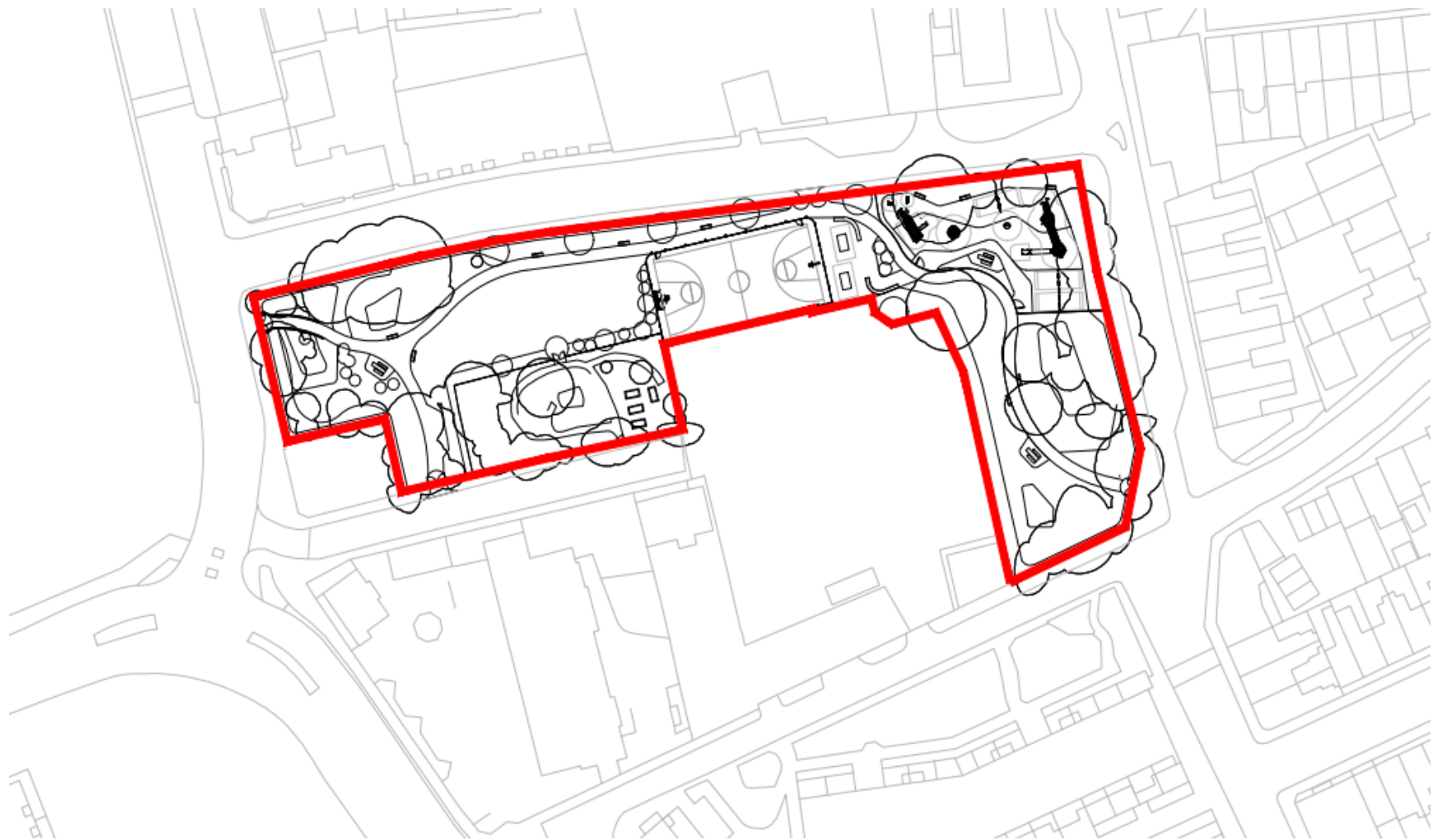
- Councillor Maggie Browning
- Councillor Gavin Edwards
- Councillor Jason Ochere
- Councillor Chloe Tomlinson
- Councillor Victor Chamberlain

ITEM 7.1- 22/AP/2455

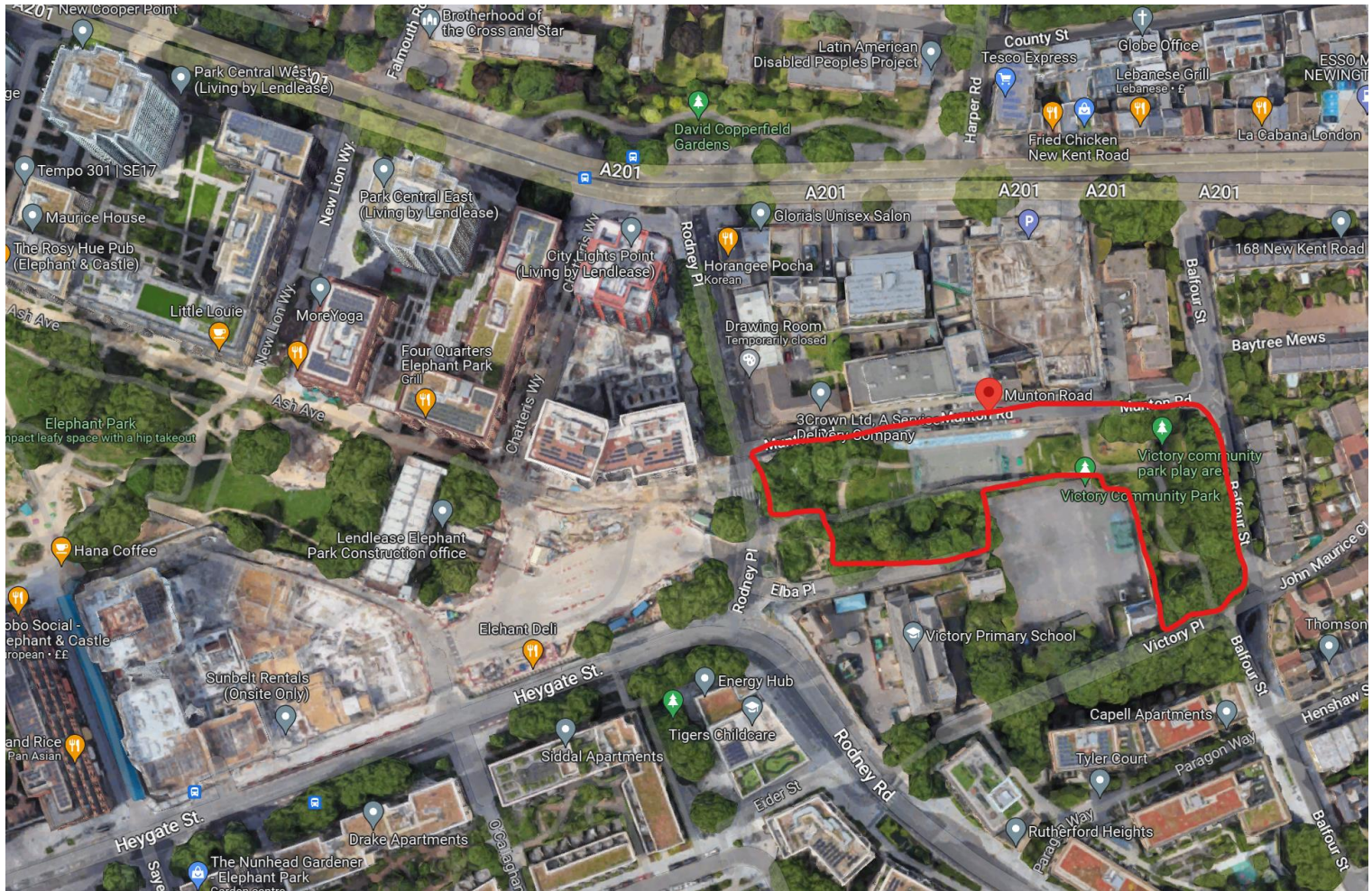
Victory Community Park, Muntun Road, London, SE17

The regeneration of Victory Community Park (adjacent to grade II listed building Elephant House) to include the relocation and in-filling of a MUGA, creation of a new leisure area, improvement and expansion of the existing playground, soft and hard landscaping and improved entrance access to align with the future raised table crossing point leading to Elephant Park to the west.

SITE LOCATION PLAN



AERIAL VIEW



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Existing plan



∞



Above: Google street view (2012)

Right: the connecting bridge was demolished due to structural issues (Aug 2022)



PROPOSAL

Planning consent is sought for the regeneration of Victory Community Park (adjacent to grade II listed building Elephant House) to:

- include the relocation and levelling of the MUGA
- creation of a new leisure area
- improvement and expansion of the existing playground
- soft and hard landscaping
- improved entrance access to align with the future raised table crossing point leading to Elephant Park to the west

Proposed plan



turkington martin

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E: studio@turkingtonmartin.com

Client: Southwark Council
Project Title: Victory Community Park

REVISED	DATE	BY	DESCRIPTION
1	10/01/2023	AM	Issue for consultation
2	10/01/2023	AM	Issue for consultation
3	10/01/2023	AM	Issue for consultation
4	10/01/2023	AM	Issue for consultation
5	10/01/2023	AM	Issue for consultation
6	10/01/2023	AM	Issue for consultation
7	10/01/2023	AM	Issue for consultation
8	10/01/2023	AM	Issue for consultation
9	10/01/2023	AM	Issue for consultation
10	10/01/2023	AM	Issue for consultation
11	10/01/2023	AM	Issue for consultation
12	10/01/2023	AM	Issue for consultation

Public consultation responses

Consultation Responses received by 1 Nov 2022
(39 addresses consulted and site notices around the park)

No of comments: 27

Objection: 23

Neutral: 0

Support: 3

*including letter and survey conducted by Friends of Victory Park

Support (3)

- The infilling of the MUGA improves safety and reduces anti-social behaviour
- Preserve the character and appearance of the Conservation Area and the setting of Elephant House
- Better connection from Elephant and Castle through Elephant Park and Victory Park
- Essential characteristics of the park as a public area of open space remain unchanged
- Derelict pedestrian bridge will be restored for accessibility
- Proposed fencing height is appropriate as seen in other parks across the Borough

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Objections (23)

- Poor consultation during design conceptualisation and planning process
- Impacts on the character of the Conservation Area

- Design and layout:
- Rearrangement of entrances and routes
 - involves removal of mature trees, which are natural habitats for wildlife species as recognised by SINC designation
 - Removal of Munton Road entrance leading to Elba Place impedes pedestrian movement to Victory Place especially for schoolchildren and parents going to Victory Primary School
 - Compromise park users' safety by streamlining the paths through the park
 - New Balfour Street/Victory Place entrance raises highway safety concerns

- Boundary treatment:
 - Lower fencing, together with the in-filling of the MUGA, encourages unauthorised access and anti-social behaviour at night
 - Proposed spikey bush along fencing presents danger to users

- Changes to MUGA:
 - Raising up the level of the MUGA is incompatible with activities of the adjacent lawn area
 - The loss of x1 football goal post and an informal skateboarding facilities for the local young community, especially from the BAME background, resulting from the filling in and reconfiguration of the MUGA
 - The in-fill of the MUGA is contrary to the Council's climate emergency strategy by unnecessarily increasing the carbon footprint
 - Local needs are ignored by serving as a borough wide sports facility

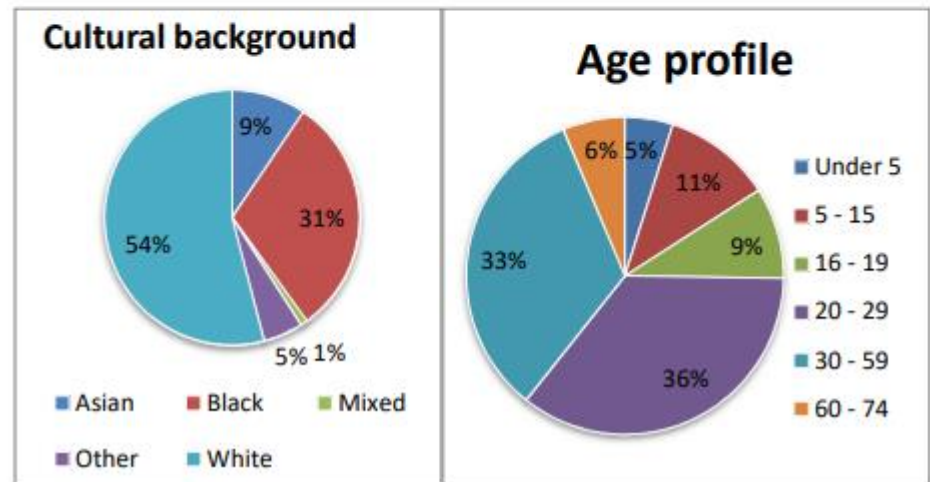
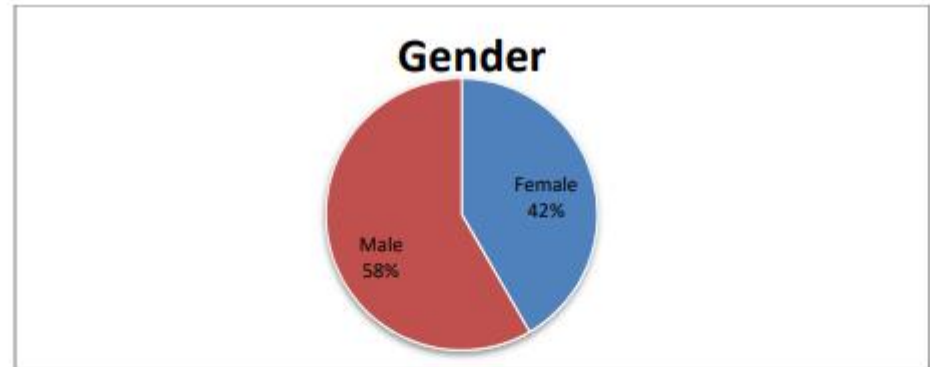
Project background

1. Cabinet Report (2004)
 - Part of 'Elephant and Castle Open Spaces' to be regenerated and enhanced in terms of infrastructure and linkage with other green spaces

Project background

2. Park survey (September 2019)

- Underused by measure of number of visits
- Over half of visits used the park as a route to further destinations
- Potential restoration of connection between the east and west of the park resulted from the demolished pedestrian bridge to the south of the sunken MUGA
- Compares relatively accurately against the local population with East Walworth ward profile



Project background

3. Equalities Impact Assessment

- Adopted design (for planning consent) provides level access throughout the park and fills in the sunken MUGA to the ground level represents the best accessibility option
- Regard should be given to accessibility for wheelchair users and those with mobility disabilities and visual impairments

Project background

Public consultation undertaken by the applicant at pre-planning stage
(13 January 2020 – 27 September 2021)

Consultation	Views to be solicited on	Format
First	Design and direction of the project	Online survey and two public drop-in sessions
Second	Three design options	Online survey and public online meeting
Third (additional)	Adopted design option (for planning consent)	Public drop-in meeting at the park, online survey and a paper survey available upon request

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Applicant's response to the comments made on 11 Nov 2022

Further amendments as follows:

- The new MUGA will have football goal posts and basketball hoops on both ends, with possibility being explored of a third basketball hoop on the half way line facing the Victory Place Primary School;
- Rodney Place entrance will be kept in approximately the same location, the two trees initially planned to be felled will be retained;
- An entrance will be added to Munton Place near Rodney Place

Following these changes, a park visit was carried out with Friends of Victory Park on 9 November 2022 (minutes made by the group is available on the public register).

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Permitted development rights

- The majority of the proposal falls within the remit of permitted development by local authorities and benefits from a fallback position pursuant to Class A, Part 2, Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015 (as amended), including reconfiguration of pedestrian routes, re-landscaping and re-provision of play areas.
- These elements either meet the definition of equipment on land not exceeding 4m in height (Aa) or infrastructure required in connection with the operation of the park (Ab) as set out in the legislation.
- The elements of levelling of the MUGA (engineering over and under land) and boundary fencing higher than 1m next to a highway are considered to fall outside of the scope for permitted development and require planning permission.
- In the interests of clarity and cohesiveness for the proposal, all elements will be reviewed in the subsequent parts of the presentation.

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Policy designations

1. Borough Open Land (Small Local Park)
2. East Walworth's Green Link
3. Elephant and Castle Opportunity Area
4. Site of Importance for Nature Conservation (Victory Park and Elba Place Nature Garden)
5. Flood Zone 3

Planning assessment: principle of development

- Designated as Borough Open Land
- Filling in of MUGA and reconfiguration of entrances would positively contribute to the accessibility and preserve open character of the park
- Removal of hoarding with the demolished pedestrian bridge would bring the area back into use and mark significant improvement to the green and open character of the public park
- No additional buildings are proposed, therefore not considered to detract from the openness of BoL nor conflict with its function
- Complies with Policy 57: Open Space of Southwark Plan



existing pedestrian bridge (right)
demolished due to structural issues
since August 2022

Planning assessment: Heritage considerations

- Located within Yates and Victory Conservation Area and in proximity to listed building e.g. Grade II listed Elephant House at 4 Victory Place and a few notable positive contributors to the Conservation Area e.g. Nos. 67-83 Balfour Street, No. 5a Elba Place and Victory Place Primary School
- Recognised in the Conservation Area Appraisal as a contemporary open space in the 20th century to provide a green and open setting for the Conservation Area
- The alterations would be similar to the existing in terms of facilities provided and the open and green character
- No objections from Design and Conservation Officer

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Planning assessment: Equality and safety issues of design and layout

Issue	Appraisal
<p>Loss of informal skateboarding use and existing sport facilities after the filling in of the sunken MUGA</p>	<p>overcome by the strengthened connectivity with Burgess Park (part of East Walworth's Green Link), which is currently planned for a skate bowl facility</p> <p>In line with principle of inclusive design and improve the accessibility for all users with positive equality implications</p> <p>No loss to existing sports facility including basketball hoops and football pitches, but additional offers including x2 table tennis tables and potential netball markings to the MUGA</p> <p>The refurbished park would remain open to all users and the local community. It would not be exclusively used by any interest groups.</p> <p>Levelled MUGA would be in public views at the street level, encouraging passive surveillance and reducing anti-social behaviour</p>
<p>Safety concerns from lower fencing height</p>	<p>New fencing at 1.4m, supported by defensive planting, would encourage passive surveillance from the surrounding properties and reduce anti-social behaviour. It was supported by Designing Crime Out Officer of Metropolitan Police Service at the design stage</p>
<p>New entrances and routes are impeding pedestrian movement</p>	<p>Reconfigured entrances would be largely similar to the existing in terms of location and pedestrian desire lines</p>

Planning assessment: Trees

- Removal of 16 young trees and 1 Category 'C' semi-mature tree (T61), all to be replaced with trees of similar girth
- Two Category 'C' trees (T38 and T41) would no longer be removed due to changed entrance on Rodney Place
- No objection from Urban Forestry and Street Arboricultural Team, subject to conditions

Planning assessment: Amenity of adjoining occupiers

- No new building would be proposed and due to the preserved open character, therefore no greater harm to what is existing by way of noise disturbance and overlooking
- No lighting would be proposed at night as the park would be locked at night in response to public consultation

Planning assessment: Ecology

- In SINC designation ((Victory Park and Elba Place Nature Garden)
- A preliminary ecological appraisal dated November 2021 was submitted to
 - establish the ecological value of the application site
 - set out protection measures for sensitive ecological receptors and enhancement recommendations to deliver measurable biodiversity gains
- Supported by Ecology Team for the biodiversity net gain with a number of ecological features such as native hedging and wildflower turf
- A planning condition will be required for the recommended measures

Planning assessment: Others

1. Transport

- Not foreseen to add greater pressure to the highway network due to similar activities and uses as existing
- Encourage active travel and improve accessibility

2. Flood risks

- Located in Flood zone 3, indicating a high probability of flooding
- However it is a 'water compatible development'
- Flood risk assessment informs the area has a low flood risk from fluvial sources due to the flood defences
- A surface water strategy based on SuDs principles to attenuate surface water runoff from the raised MUGA pitch

3. Fire safety

- Reasonable exemption statement as no new building is proposed but rather an assembly point for the surrounding properties

Planning assessment: Others

1. Sustainability implications

- Whilst in-filling of the sunken MUGA would have resources implications, it is balanced with multiple environmental merits such as improved connectivity for active travel, net biodiversity gains and sustainable water resources management through SuDS principles.
- On balance, it is considered to deliver substantial environmental benefits.

Summary of conditions

Conditions	
1.	Detailed Arboricultural Method Statement
2.	Part 2: the completed schedule of site supervision and monitoring of protection measures
3.	Recommended mitigation and enhancement ecological measures
4.	Detailed drawings of a hard and soft landscaping scheme

Recommendation

It is recommended that planning permission is granted, subject to conditions.