

Walworth Community Council

Planning

Thursday 12 April 2012
7.00 pm

Thurlow Lodge Community Hall, 1 Thurlow Street, London SE17 2US

Membership

Councillor Martin Seaton (Chair)
Councillor Darren Merrill (Vice-Chair)
Councillor Catherine Bowman
Councillor Neil Coyle
Councillor Patrick Diamond
Councillor Dan Garfield
Councillor Lorraine Lauder MBE
Councillor Abdul Mohamed
Councillor Helen Morrissey

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Acting Chief Executive

Date: Monday 2 April 2012



Order of Business

Item No.	Title
1.	INTRODUCTION AND WELCOME
2.	APOLOGIES

Item No.	Title	Time
3.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.	
4.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
5.	MINUTES (Pages 3 - 5)	
	To confirm as a correct record the minutes of the meeting held on 21 March 2012.	
6.	DEVELOPMENT MANAGEMENT (Pages 6 - 11)	
	6.1. BALL COURT, BRONTI CLOSE, LONDON SE17 2HD (Pages 12 - 22)	

Date: Monday 2 April 2012

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Gerald Gohler, Constitutional Officer, Tel: 020 7525 7420
or email: gerald.gohler@southwark.gov.uk
Website: www.southwark.gov.uk

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BABYSITTING/CARERS' ALLOWANCES

If you are a resident of the borough and have paid someone to look after your children or an elderly or disabled dependant, so that you can attend this meeting, you may claim an allowance from the council. Please collect a claim form from the Constitutional Officer at the meeting.

DEPUTATIONS

Deputations provide the opportunity for a group of people who are resident or working in the borough to make a formal representation of their views at the meeting. Deputations have to be regarding an issue within the direct responsibility of the Council. For further information on deputations, please contact the Constitutional Officer.

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Planning at Community Council Meetings

This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors - if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located.

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes have elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council.

Members of the committee will then debate the application and consider the recommendation.

Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

The arrangements at the meeting may be varied at the discretion of the Chair.

Walworth Community Council

Language Needs

If you would like information on the Community Councils translated into your language please telephone 020 7525 7385 or visit the officers at 160 Tooley Street, London SE1 2TZ

Spanish:

Necesidades de Idioma

Si usted desea información sobre los Municipios de la Comunidad traducida a su idioma por favor llame al 020 7525 7385 o visite a los oficiales de 160 Tooley Street, Londres SE1 2TZ

Somali:

U-Baahnaanshaha Luqadda

Haddii aad u baahan tahay macluumaadka ku saabsan Guddiyada Beelaha oo lagu tarjumay luqaddaada fadlan soo wac khadka taleefoonka 020 7525 7385 ama booqasho ugu tag hawladeennada ku sugan 160 Tooley Street, London SE1 2TZ

French:

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Bengali:

ভাষার প্রয়োজন

আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7385 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

Yoruba:

Awon Kosemani Fun Ede

Bi o ba nfe àlàyé kíkún l'ori awon Igbimò ti Àwùjò ti a yi pada si ede abíní re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7385 tabi ki o yo ju si awon òṣiṣẹ ni ojúlẹ 160 Tooley Street , London SE1 2TZ .

Igbo:

Asusu

I choo imata gbasara Council na asusu gi ikpoo ha n'okara igwe 020 7525 7385 ma obu igaa hu ndi oru ha na 160 Tooley Street, London SE1 2TZ

Krio:

Na oose language you want

If you lek for sabi all tin but Community Council na you yone language, do ya telephone 020 7525 7385 or you kin go talk to dee officesr dem na 160 Tooley Treet, London SE1 2TZ.

Twi:

Kasaa ohohia,

se wopese wo hu nsem fa Community Councils ho a, sesa saakasa yie ko wo kuro kasa mu. wo be tumi afre saa ahoma torofo yie 020 7525 7385 anase ko sra inpanyinfo wo 160 Tooley Street, London SE1 2Tz.



WALWORTH COMMUNITY COUNCIL - Planning -

MINUTES of the Walworth Community Council held on Wednesday 21 March 2012 at 7.00 pm at InSpire at St Peter's, Liverpool Grove, London SE17 2HH

PRESENT: Councillor Martin Seaton (Chair)
Councillor Patrick Diamond
Councillor Dan Garfield
Councillor Lorraine Lauder MBE
Councillor Helen Morrissey

OFFICER Becky Baker (Planning Officer)
SUPPORT: Sadia Hussain (Planning Lawyer)
Alan Blisset (Principal Environmental Protection Officer)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

There were apologies for absence from Councillors Darren Merrill (Vice-chair), Catherine Bowman, Neil Coyle and Abdul Mohamed.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 6.1 - 181 – 183 Walworth Road, London, SE17 1RW

5. MINUTES

RESOLVED:

That the minutes of the meetings held on 27 July 2011 and 16 February 2012 be agreed as correct records of the meetings, and be signed by the chair.

6. DEVELOPMENT MANAGEMENT

6.1 181-183 WALWORTH ROAD, LONDON SE17 1RW

Report: See pages 13 to 28

PROPOSAL:

Change of use of existing retail premises [Use Class A1] to a restaurant/takeaway [Use Classes A3/A5] together with the installation of a ventilation ducting above the roof of the property on the northern side of the property, insertion of fire exit door in roller shutter at the rear and replacement of front double entrance doors.

The planning officer introduced the report, and drew councillors' attention to the addendum. Councillors asked questions of the planning officer, and the environmental protection officer.

The objector spoke against the application. Councillors asked questions of the objectors.

The applicant's agent spoke in favour of the application. Members asked questions of the applicant's agent.

There were no local supporters living within 100 metres of the site, and no ward councillors wishing to speak.

Members discussed the application.

RESOLVED:

That planning application number 11-AP-3121 be granted subject to the conditions set out in the report and the addendum, and:

- Amended conditions 9 and 11, which are to refer to both the storing and the collection of waste, and which, in addition, is to stipulate that there should be no storing of or collection of waste from the premises on Walworth Road

- An amended reason for condition 3, which is to be broadened to refer to “the operation of the premises”, rather than just to the ventilation.

The meeting ended at 8.20 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 12 April 2012	Meeting Name: Walworth Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Deputy Chief Executive	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

- 4 The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H of the Southwark Council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
10. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community impact statement

14. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the development & building control manager shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
16. A resolution to grant planning permission subject to legal agreement shall mean that the development & building control manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Strategic Director of Communities, Law & Governance, and which is satisfactory to the development & building control manager. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Strategic Director of Communities, Law & Governance. The planning permission will not be issued

unless such an agreement is completed.

17. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
18. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
19. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests. From 6 April 2010 the Community Infrastructure Levy regulations (CIL) have given these policy tests legal force.

Regulation 122 provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make to the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related to the scale and kind to the development."

20. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
21. The National Planning Policy Framework (NPPF) is intended to bring together Planning Policy Statements, Planning Policy Guidance Notes and some Circulars into a single consolidated document. It is a consultation document and therefore may be subject to potential amendment. It is capable of being a material consideration, although the weight to be given to it is a matter for the decision-maker. The current Planning Policy Statements, Guidance notes and Circulars remain in place until cancelled.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1 2TZ	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	7 February 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Deputy Chief Executive	No	No
Head of Development Management	No	No

ITEMS ON AGENDA OF THE WALWORTH CC
on Thursday 12 April 2012

Appl. Type Council's Own Development - Reg. 3
Site BALL COURT, BRONTI CLOSE, LONDON SE17 2HD

Reg. No. 11-AP-3960

TP No. TP/H1031

Ward Faraday

Officer Susannah Pettit

Recommendation GRANT PERMISSION

Item 6.1

Proposal

Re-surfacing of existing playground surface, installation of new perimeter fencing to a height of 2.8 metres and installation of two recessed goal and basketball hoops.



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Item No. 6.1	Classification: OPEN	Date: 12 April 2012	Meeting Name: Walworth Community Council
Report title:	Development Management planning application: Council's own development Application 11-AP-3960 for: Council's Own Development - Reg. 3 Address: BALL COURT, BRONTI CLOSE, LONDON SE17 2HD Proposal: Re-surfacing of existing playground surface, installation of new perimeter fencing to a height of 2.8 metres and installation of two recessed goal and basketball hoops.		
Ward(s) or groups affected:	Faraday		
From:	Head of Development Management		
Application Start Date 17 January 2012		Application Expiry Date 13 March 2012	

RECOMMENDATION

- 1 Grant Planning Permission.

BACKGROUND INFORMATION

Site location and description

- 2 Bronti Close ball court is located to the south of East Street market. Rear of properties facing both East Street and Walworth Road face onto the ball court, and the south and east perimeters of the court are overlooked by residential blocks, Ringsfield House and James Stroud House (6 and 5 storeys respectively).
- 3 The ball court is enclosed by a low wall of 0.9m in height, with a chain link fence on top which brings the total height to 2.7m. The court is accessed from its south eastern corner and the eastern elevation is flanked by the rear walls of garages relating to Ringsfield House.
- 4 The ball court is not currently in a good condition and appears underused and ill-maintained with weeds growing through the tarmac and parts of the chain link fence are broken.
- 5 The site is located within an Air Quality Management Area, Urban Density Zone and an Action Area. The Liverpool Grove Conservation Area boundary lies to the south east of the site, to the east of James Stroud House.

Details of proposal

- 6 The ball court would be re-surfaced with tarmac, the perimeter wall removed and replaced with a pre-cast concrete kerb with Zaun rebound fencing to a height of 2.8m.

- 7 Two new 'Zaun' specification recessed goal and basketball hoop combination facilities would be installed at either end of the court, sports macadam would be laid to existing falls with markings for five a side and basket ball.
- 8 The entrance would be upgraded, by demolishing the existing wall and installing new metal railings to match existing.

Planning history

- 9 None for the ball court site.

Planning history of adjoining sites

- 10 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 11 The main issues to be considered in respect of this application are:
- a) The impact of the proposal on the appearance of the site within its context.
 - b) The impact of the alterations on the amenity of the surrounding residents and users of the area.

Planning policy

Core Strategy 2011

- 12 Strategic Policy 4 – Places to learn and enjoy
Strategic Policy 12 – Design and conservation
Strategic Policy 13 – High environmental standards
Strategic Policy 11 – Open spaces and wildlife

Southwark Plan 2007 (July) - saved policies

- 13 3.1 Environmental Effects
3.2 Protection of Amenity
3.12 Quality in Design
3.14 Designing out crime
3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites
3.28 Biodiversity

London Plan 2011

- 14 Policy 3.6 Children and young people's play and informal recreation facilities

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 15 Draft National Planning Policy Framework (NPPF)
The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan

positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

- 16 Ministerial Statement Planning for Growth

Principle of development

- 17 The proposed alterations would retain the use as an outdoor sports facility within use class D2 (assembly and leisure). As such land use policies are complied with.

Environmental impact assessment

- 18 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being less than 0.5ha in area and as it is not within a sensitive area and would not generate significant environmental impacts in this urbanised location.

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

- 19 The type of fencing proposed (Zaun) incorporates noise reducing features, and is a common material used for refurbishing games areas. The wire mesh would still allow views into and out of the court, so safety is maintained. It also offers more resistance to weathering and vandalism than typical chain link or solid fencing.
- 20 The height of the proposed fencing would remain the same as the existing fencing, and would retain the same open design as existing, and there is therefore no planning reason to object to this matter. It is not considered necessary to require the applicant to increase the height of the fence to 5m, as requested in the objection to this scheme, as this would be likely to appear over-dominant in terms of appearance in a residential area. Given that the fencing height would remain as existing, the scheme would not result in any change to the likelihood of balls being thrown at the neighbouring flats compared with the existing situation. The installation of the 'Zaun' specification fencing may improve the situation as this type of fencing is more robust and has better rebound qualities than the existing boundary treatment.
- 21 The proposal is in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and SP13 High Environmental Standards of the Core Strategy 2012.

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

- 22 None.

Traffic issues

- 23 None.

Design issues and impact on setting of conservation area

- 24 Officers consider the removal is considered that the proposed scheme would improve the appearance of the neighbourhood as the existing ball court and boundary treatments are in a poor condition currently which harms the appearance of the streetscene. The conservation area boundary is at sufficient distance that the character and appearance of the conservation area would not be harmed as a result of the proposal.
- 25 The proposal is therefore in accordance with saved policies 3.12 Quality in Design and 3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites of the Southwark Plan 2007 and SP12 Design and Conservation of the Core Strategy 2011.

Impact on trees

- 26 There are two trees located outside of the site's perimeter, on the southern edge of the site. The applicant has proposed details of tree protection measures, which includes a BS5837 protective fence during implementation works. These details should be secured by way of condition if consent is granted.

Conclusion on planning issues

- 27 The installation of the new fencing and surfacing is appropriate in terms of design and amenity, and the application is recommended for approval.

Community impact statement

- 28 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

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

Consultation replies

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

Summary of consultation responses

- 31 One objection received raising concern about balls bouncing into resident's windows from the court.

Human rights implications

- 32 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with

conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

- 33 This application has the legitimate aim of providing improvements to an existing ball court. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 34 N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1031 Application file: 11-AP-3960 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5405 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Susannah Pettit, Senior Planning Officer	
Version	Final	
Dated	23 March 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Director of Planning	Yes	Yes
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional Team	29 March 2012	

Consultation undertaken

- 1 **Site notice date:** 23/01/12
- 2 **Press notice date:** 26/01/12
- 3 **Case officer site visit date:** 23/01/12
- 4 **Neighbour consultation letters sent:** 23/01/12
- 5 **Internal services consulted:**
Parks and Sports
Design and Conservation Officer.
- 6 **Statutory and non-statutory organisations consulted:**
N/A
- 7 **Neighbours and local groups consulted:**

FLAT 16 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
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 22 EAST STREET LONDON SE17 2DN
 289-291 WALWORTH ROAD LONDON SE17 2TG
 297 WALWORTH ROAD LONDON SE17 2TG
 FIRST FLOOR AND SECOND FLOOR 285 WALWORTH ROAD LONDON SE17 2TG
 GOOD INTENT PUBLIC HOUSE 24-26 EAST STREET LONDON SE17 2DN
 ABOVE 287 WALWORTH ROAD LONDON SE17 2TG
 FLAT 4 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 5 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 3 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 23 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 24 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 9 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 285 WALWORTH ROAD LONDON SE17 2TG
 FLAT 8 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 6 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 7 JAMES STROUD HOUSE NELSON ESTATE WALWORTH PLACE LONDON SE17 2TQ
 FLAT 4 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 293 WALWORTH ROAD LONDON SE17 2TG

295 WALWORTH ROAD LONDON SE17 2TG
 287 WALWORTH ROAD LONDON SE17 2TG
 60 DATE STREET LONDON SE17 2HQ
 283 WALWORTH ROAD LONDON SE17 2TG
 14 BRONTI CLOSE LONDON SE17 2HD
 16 BRONTI CLOSE LONDON SE17 2HD
 305 WALWORTH ROAD LONDON SE17 2TG
 299 WALWORTH ROAD LONDON SE17 2TG
 303 WALWORTH ROAD LONDON SE17 2TG
 LIVING ACCOMMODATION GOOD INTENT PUBLIC HOUSE 24-26 EAST STREET LONDON SE17 2DN
 18 EAST STREET LONDON SE17 2DN
 11 WALWORTH PLACE LONDON SE17 2TQ
 28 EAST STREET LONDON SE17 2DN
 30 EAST STREET LONDON SE17 2DN
 20 EAST STREET LONDON SE17 2DN
 14 EAST STREET LONDON SE17 2DN
 16 EAST STREET LONDON SE17 2DN
 24 BRONTI CLOSE LONDON SE17 2HD
 FLAT 2 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 20 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 19 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 17 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 18 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 24 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 3 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 23 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 21 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 22 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 10 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 11 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 1 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 28 BRONTI CLOSE LONDON SE17 2HD
 30 BRONTI CLOSE LONDON SE17 2HD
 FLAT 15 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 16 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 14 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 12 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE
 FLAT 13 RINGSFIELD HOUSE NELSON ESTATE EAST STREET LONDON SE17 2HE

Re-consultation:

8 N/A

Consultation responses received

Internal services

- 1 Parks and Sports: No comments received.
- 2 Design and Conservation: No objection.

Statutory and non-statutory organisations

- 3 N/A

Neighbours and local groups

- 4 7 James Stroud House: Objection.

I live directly in front of this court, and my windows doors and foliage are constantly hit by balls coming over the fence. The perimeter fence needs to be much higher or have a net over it to prevent damage to property and potential injury to people.

I support the improvement of the ball court but request that it does not get made bigger than it is now, or any closer to the flats. I also request a substantially higher fence, to about 5m in height.

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	Southwark Council	Reg. Number	11-AP-3960
Application Type	Council's Own Development - Reg. 3	Case Number	TP/H1031
Recommendation	Grant permission		

Draft of Decision Notice

Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:

Re-surfacing of existing playground surface, installation of new perimeter fencing to a height of 2.8 metres and installation of two recessed goal and basketball hoops.

At: BALL COURT, BRONTI CLOSE, LONDON SE17 2HD

In accordance with application received on 23/11/2011

and Applicant's Drawing Nos. 19.319 F01; 19.319.000; 19.319.001 B; Design and Access statement, Protective Fencing (excerpt from BS5837), Zaun fencing details.

Reasons for granting permission.

This planning application was considered with regard to various policies including, but not exclusively:

Strategic policies of the Core Strategy 2011

Strategic Policy 4 – Places to learn and enjoy: encourages developments to contribute to a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 12 – Design and conservation: Requires development to achieve the highest standard of design for buildings and public spaces, and to help create attractive and distinctive spaces.

Strategic Policy 13 – High environmental standards: Requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and amenity problems.

Saved policies of the Southwark Plan 2007

3.2 Protection of Amenity (advises that permission would not be granted where it would cause a loss of amenity);

3.12 Quality in Design (requires new development to achieve a high standard of architectural design);

3.18 Setting of Listed Buildings, conservation areas and World Heritage Sites. (requires new developments to preserve or enhance the immediate or wider setting of a listed building, conservation area or World Heritage Site, and important views of a listed building).

Policies of the London Plan 2011

Policy 3.6 Children and young people's play and informal recreation facilities

Planning Policy Statements [PPS] and Guidance Notes [PPG]

Draft NPPF

Particular regard was had to the impact of the proposal on the appearance of the area, the nearby conservation area, and the neighbouring amenity. No harm was envisaged. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Schedule

- 1 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

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
19.319 F01; 19.319.000; 19.319.001 B; Design and Access statement, Protective Fencing (excerpt from BS5837), Zaun fencing details.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 The existing trees in close proximity to the site shall be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment by the erection of protective fencing in accordance with the submitted 'Protective fencing - excerpt from BS5837 (2005) before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

To ensure the protection of the existing trees in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.28 Biodiversity of The Southwark Plan 2007.

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WALWORTH AGENDA DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2011-12**

NOTE: Original held by Constitutional Team; all amendments/queries to
Gerald Gohler Tel: 020 7525 7420

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Councillor Catherine Bowman	1		
Councillor Neil Coyle	1		
Councillor Patrick Diamond	1		
Councillor Dan Garfield	1		
Councillor Lorraine Lauder MBE	1		
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Councillor Helen Morrissey	1	Rob Bristow, Planning Group Manager (Tooley St - Fifth Floor, Hub 2)	1
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Local History Library	1	Shahida Nasim, Audit Commission	1
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Southwark News	1	Total:	
South London Press	1	36	
Members of Parliament		Dated: 13 March 2012	
Harriet Harman MP	1		
Simon Hughes MP	1		