

## Planning Committee (Smaller Applications)

Tuesday 25 March 2025

7.00 pm

G02 meeting rooms, 160 Tooley Street SE1 2QH

### Membership

Councillor Cleo Soanes (Chair)  
Councillor Jane Salmon (Vice-Chair)  
Councillor Sam Dalton  
Councillor Sabina Emmanuel  
Councillor Sam Foster  
Councillor Adam Hood  
Councillor Richard Livingstone

### Reserves

Councillor Renata Hamvas  
Councillor Emily Hickson  
Councillor Richard Leeming  
Councillor Emily Tester  
Councillor Joseph Vambe

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

#### Babysitting/Carers allowances

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

#### Access

The council is committed to making its meetings accessible. For details on building access, translation, provision of signers or any other requirements for this meeting, please contact the person below.

#### Contact

Beverley Olamijulo on 020 7525 7234 or email: [Beverley.olamijulo@southwark.gov.uk](mailto:Beverley.olamijulo@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 17 March 2025



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## Planning Committee (Smaller Applications)

Tuesday 25 March 2025  
7.00 pm  
G02 meeting rooms, 160 Tooley Street SE1 2QH

### Order of Business

Item No.	Title	Page No.
1. APOLOGIES	To receive any apologies for absence.	
2. CONFIRMATION OF VOTING MEMBERS	A representative of each political group will confirm the voting members of the committee.	
3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4. DISCLOSURE OF INTERESTS AND DISPENSATIONS	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5. MINUTES	To approve as a correct record the minutes of the meeting held on 25 February 2025.	1 - 3
6. DEVELOPMENT MANAGEMENT		4 - 8

Item No.	Title	Page No.
<b>6.1. ADVENTURE PLAYGROUND, PECKHAM RYE PARK, HOMESTALL ROAD</b>		9 - 40
<b>6.2. DULWICH SPORTS CLUB, GIANT ARCHES ROAD, LONDON SE24 9HP</b>		41 - 151

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF  
THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Date: 17 March 2025



## Planning Committee (Smaller Applications)

### Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee (smaller applications) is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

<ol style="list-style-type: none"><li>(a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.</li><li>(b) The applicant or applicant's agent.</li><li>(c) One representative for any supporters (who live within 100 metres of the development site).</li><li>(d) Ward councillor (spokesperson) from where the proposal is located.</li><li>(e) The members of the committee will then debate the application and consider the recommendation.</li></ol>
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**Note:** Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair

will ask which objector(s) would like to speak at the point the actual item is being considered.

6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.
8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants. **As meetings are usually livestreamed, speakers should not disclose any information they do not wish to be in the public domain.**
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

**Please note:**

Those wishing to speak at the meeting should notify the constitutional team by email at [ConsTeam@southwark.gov.uk](mailto:ConsTeam@southwark.gov.uk) in advance of the meeting by **5pm** on the working day preceding the meeting.

**The arrangements at the meeting may be varied at the discretion of the chair.**

**Contacts:** General Enquiries  
Planning Section  
Planning and Growth Directorate  
Tel: 020 7525 5403

Planning Committee Clerk, Constitutional Team  
Governance and Assurance  
Tel: 020 7525 7234



## Planning Committee (Smaller Applications)

MINUTES of the Planning Committee (Smaller Applications) held on Tuesday 25 February 2025 at 7.00 pm at G02 meeting rooms, 160 Tooley Street SE1 2QH

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**PRESENT:** Councillor Cleo Soanes (Chair)  
Councillor Jane Salmon (Vice-Chair)  
Councillor Sam Dalton  
Councillor Sabina Emmanuel  
Councillor Sam Foster  
Councillor Richard Livingstone

**OFFICER SUPPORT:** Dennis Sangweme (Head of Development Management)  
Tracy Chapman (Team Leader, design and conservation)  
Lara Davison (Development Management)  
Kamil Dolebski (Legal Officer)  
Beverley Olamijulo (Constitutional Officer)

### 1. APOLOGIES

Apologies for absence was received from Councillor Adam Hood.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed above were confirmed as voting members of the committee.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH 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 – development management item, including an additional site plan and
- Members pack.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

#### 5. MINUTES

##### **RESOLVED:**

That the minutes for the planning Committee (Smaller Applications) meeting held on 22 January 2025 be approved as a correct record and signed by the chair.

#### 6. DEVELOPMENT MANAGEMENT

Members noted the development management report.

##### **RESOLVED:**

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.

#### 6.1 DRISCOLL HOUSE, NEW KENT ROAD, LONDON, SOUTHWARK SE1 4YT

**Planning application reference 23/AP/2695 for: Full Planning Application and application reference 23/AP/2696 for: Listed Building Consent**

Report: See pages 11 to 99 of the agenda pack and addendum pages 1 – 4.

##### **PROPOSAL**

*Full Planning application: and listed building consent:*

*Partial demolition of the existing building. Construction of a part two/ part three storey brick extension on the southern elevation and a three-storey brick extension on eastern elevation with greens roofs, PVs and ASHP to provide additional hostel accommodation and facilities. Internal remodelling at basement and ground and mezzanine levels. Creation of a new opening and new door on the north elevation*

*at basement level. Partial demolition of southern boundary wall and railings fronting onto New Kent Road (northern boundary) and associated landscaping. Minor internal repairs and external fabric repairs.*

The committee heard the officer's introduction to the report. Members of the committee asked questions of the officers.

There were no objectors present who wished to address the committee.

The applicant's agent addressed the committee and responded to questions from members.

There were no supporters present, who lived within 100 metres of the development site and wished to speak.

There were no ward members present who wished to address the committee.

A motion to grant the application and a motion to agree listed building consent; with the conditions set out in the officer's report, and addendum report, that were presented during the hearing, was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

1. That planning permission be granted subject to the conditions and amended conditions set out in the report and addendum report; also the applicant entering into an appropriate Section 106 legal agreement.
2. That Listed Building Consent be granted subject to conditions set out in the report.
3. In the event that the requirements of paragraph 1 above are not met by 25 August 2025, the director of planning and growth be authorised to refuse planning permission and listed building consent, if appropriate, for the reasons set out in paragraphs 3 and 185 of the report.

The meeting ended at 8.40 pm

**CHAIR:**

**DATED:**

# Agenda Item 6.

<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	25 March 2025
<b>Report title:</b>	Development Management
<b>Ward(s) or groups affected:</b>	All wards
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Not Applicable
<b>From:</b>	Proper Constitutional Officer

## 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 committees. The matters reserved to the planning committees exercising planning functions are described in part 3F of the Southwark Council constitution.

## KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
  - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for

Levelling Up, Housing and Communities and any directions made by the Mayor of London.

- b. 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.
- c. 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.

6. 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.

7. 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 maybe substantial if the matter is dealt with at a public inquiry.

8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.

9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.

10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

### **Community impact statement**

11. Community impact considerations are contained within each item.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Assistant Chief Executive – Governance and Assurance**

12. A resolution to grant planning permission shall mean that the director of planning and growth 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 director of planning and growth 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.

13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth 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 assistant chief executive – governance and assurance, and which is satisfactory to the director of planning and growth. 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 assistant chief executive – governance and assurance. The planning permission will not be issued unless such an agreement is completed.
14. 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.
15. 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 the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.
16. The National Planning Policy Framework (NPPF), as amended in July 2021, is a relevant material consideration and should be taken into account in any decision-making.
17. Section 143 of the Localism Act 2011 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.
18. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:

- a. necessary to make 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.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

19. 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.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

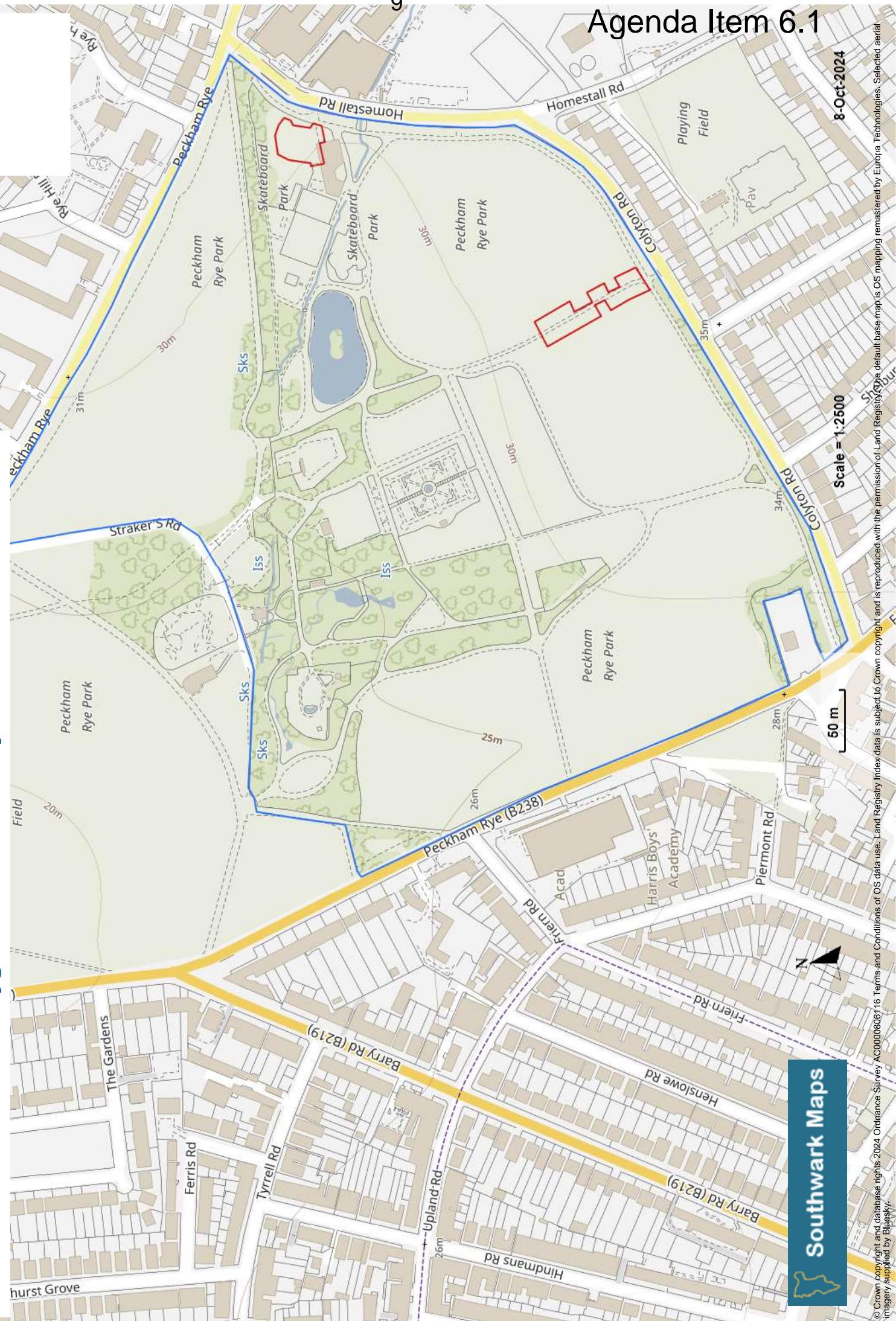
## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Alex Godinet, Lawyer, Finance and Governance Beverley Olamijulo, Constitutional Officer	
<b>Version</b>	Final	
<b>Dated</b>	12 March 2025	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	12 March 2025	

## 24/AP/1811 - Adventure Playground, Peckham Rye Park, Homestall Road



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<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	25 March 2025
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 24/AP/1811 for: Full Planning Application</p> <p><b>Address:</b> Adventure Playground, Peckham Rye Park, Homestall Road, London</p> <p><b>Proposal:</b> Installation of new play equipment (to replace existing), play safety surfacing, pathways, outdoor furniture, soft landscaping and tree planting within Peckham Rye Park.</p>
<b>Ward(s) or groups affected:</b>	Peckham Rye
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Not Applicable
<b>From:</b>	Director of Planning and Growth
<b>Application Start Date:</b> 08 October 2024	<b>Application Expiry Date:</b> 04 April 2025
<b>Earliest Decision Date:</b>	02 December 2024

## RECOMMENDATION

1. That planning permission be granted, subject to conditions.

## EXECUTIVE SUMMARY

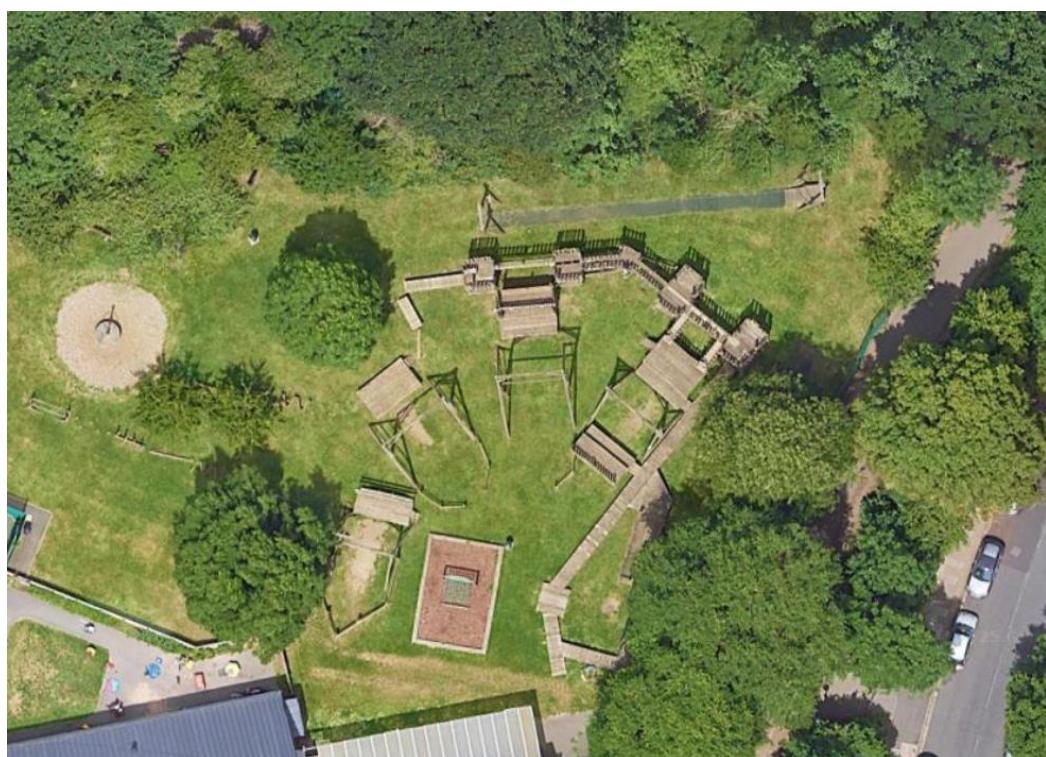
2. The application seeks permission for refurbishment works to the existing children's adventure playground on Peckham Rye. The scope of works includes new play structures, landscaping, tree planting and additional seating. The proposal was publicised through site notices and neighbour letters. No objections were received. 3 letters of support and 1 neutral comment was received.

3. The primary material considerations in the planning assessment pertain to land use (metropolitan open land), design, heritage, environmental implications and ground conditions/contamination risk.
4. Planning conditions can be imposed to fully mitigate the impact of the development and as such it is recommended permission be granted, subject to conditions.

## **BACKGROUND INFORMATION**

### **Site location and description**

5. The application site relates to an adventure playground located towards the south-eastern tip of Peckham Rye Park. The adventure playground is screened behind existing dense tree and foliage coverage. It is accessible via the park or from pedestrian entrances located off Peckham Rye (road) and Homestall Road.
6. Existing site conditions



7. The site is subject to the following planning designations:
  - Metropolitan Open Land
  - Community Infrastructure Levy (CIL) Zone - CIL1
  - Green Chain Park
  - Parks and Gardens Register – Peckham Rye Park Grade II listed
  - Site of Importance Nature Conservation - Peckham Rye Park
  - Air Quality Management Zone

- Critical Drainage Area.

## **The surrounding area**

8. The surrounding area is predominately public open space (Peckham Rye) and residential (properties on Peckham Rye/Cheltenham Road). To the east of the site across the Homestall Road lies Harris Girls Academy (East Dulwich).
9.
  - To the north: Nos. 243-257 (odds) Peckham Rye
  - To the east: Homestall Road
  - To the south: Peckham Rye Playroom
  - To the west: Peckham Rye Skatepark

## **Details of proposal**

### Description of development

10. Installation of new play equipment (to replace existing), play safety surfacing, pathways, outdoor furniture, soft landscaping and tree planting within Peckham Rye Park.
11. Indicative render



### Further briefing notes

12. Amendments to the proposal were submitted by the applicant as a water trunk main was discovered to run beneath the park, as such the play equipment was re-orientated to avoid the trunk main exclusion zone.

## Planning history

13. See below for any relevant planning history of the application site:

- 99/AP/1075 - Replacement of existing single storey playground building [GRREG – Granted Council Own]
- 03/AP/1844 - Refurbish existing play structures together with construction of new multi-use games area on existing ball court and new skate park on existing tennis court; construction of new single storey day centre/clubhouse building. [GRREG – Granted Council Own].

## CONSULTATION RESPONSES

### Consultation responses from members of the public

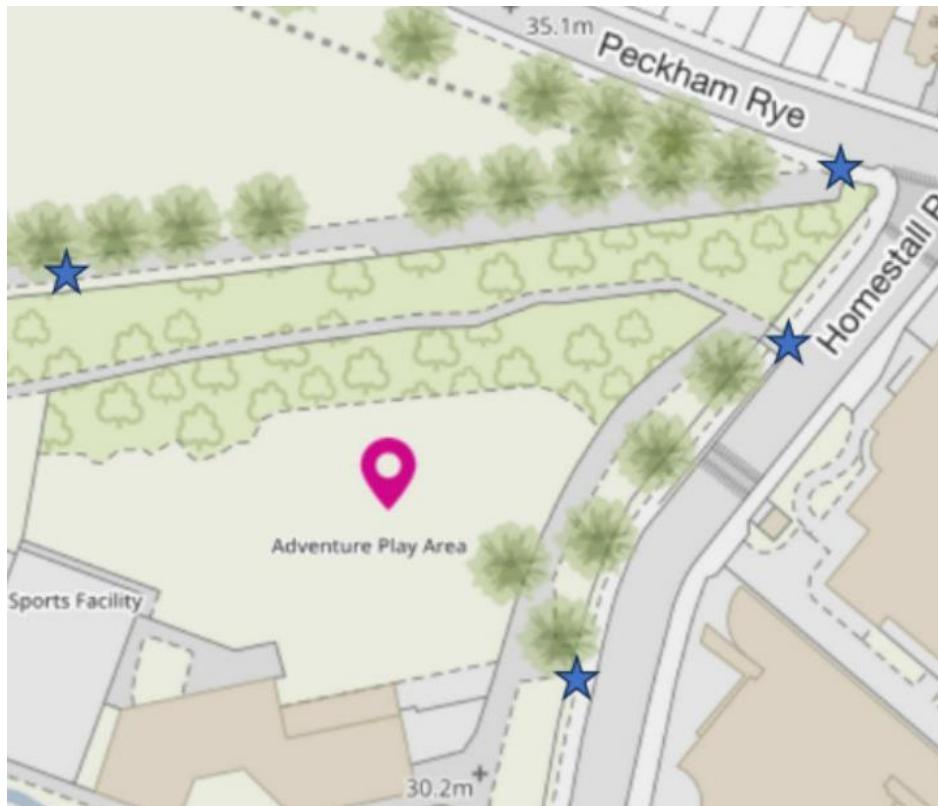
14. Public consultation was undertaken in accordance with section 15 of the Town and Country Planning (Development Management Procedure) (England) Order (2015, as amended), the locally adopted LBS Statement of Community Involvement (SCI) (2022) and the LBS Development Consultation Charter (DCC) (2022).

#### Consultation undertaken

15.

- 4x site notices displayed (04.11.2024 to 25.11.2024)
- 4x letters of representation received
- 0x objection comments received
- 3x support comments received
- 1x neutral comments received

[NB: One comment submitted on public access was from the Gardens Trust, the comment has been omitted from the above and included within the external consultees section.]

16. Mapped site notice locations

17. Summarised below are the material planning considerations raised by members of the public.

18.	<u>Public comment</u>	<u>Case officer comment</u>
	Include monkey bars.	The design has been assessed on its own merits and found to be acceptable in planning terms. The design iterations were publicly consulted on prior to the planning submission by the applicant.
	Include additional seating.	The design has been assessed on its own merits and found to be acceptable in planning terms. The design iterations were publicly consulted on prior to the planning submission by the applicant.
	Accessible play equipment.	One of the goals of the project is to improve accessibility for park users with reduced mobility. The design iterations were publicly consulted on prior to the planning submission by the applicant. The inclusion of a path on the earth berm/embankment running from the park entrance to the climbing frame will provide level access to the structure.

Clarification on opening hours.	It is not considered necessary to restrict park opening hours via planning condition given they are not already controlled. The matter pertains mainly to the operation and management of the park by LBS and is not considered material to planning in this instance.
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19. These matters are addressed comprehensively in the relevant preceding parts of this report.

### **Consultation responses from internal and divisional consultees**

20. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.

21.

- LBS Urban Forester - no objection, subject to conditions
- LBS Design and Conservation Team - no objection
- LBS Ecology Officer - no objection, subject to conditions
- LBS Arboricultural Services Team - no response received
- LBS Parks and Cemeteries Team - no response received
- LBS Environmental Protection Team - no response received.

### **Consultation responses from external consultees**

22. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

23.

- Friends Of Park - Peckham Rye & Common - no response received
- The Gardens Trust – neutral, no comment at this time.

24. These matters are addressed comprehensively in the relevant preceding parts of this report.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

25. The main issues to be considered in respect of this application are:

- Principle of the proposed development in terms of land use
- Design and layout
- Heritage assets
- Landscaping, trees and biodiversity
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Ground conditions and contamination

- Fire safety
- Other planning matters
- Mayoral and borough community infrastructure levy (CIL)
- Community impact and equalities assessment
- Human rights
- Carbon concurrent; and
- Positive and proactive statement.

26. These matters are discussed in detail in the 'Assessment' section of this report.

## **Legal context**

27. 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 Southwark Plan 2022 and the London Plan 2021.

28. 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**

### **National Planning Policy Framework (the Framework) 2024**

29. The revised National Planning Policy Framework ('NPPF') was published on 12 December 2024 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.

30. Paragraph 231 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

31. The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

### **The London Plan 2021**

32. On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in

Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy HC1 Heritage conservation and growth
- Policy G3 Metropolitan Open Land
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands

## **Southwark Plan 2022**

33. The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P13 Design of places
- P14 Design quality
- P18 Efficient use of land
- P19 Listed buildings and structures
- P21 Conservation of the historic environment and natural heritage
- P56 Protection of amenity
- P57 Open space
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P64 Contaminated land and hazardous substances

## **Supplementary planning documents (SPDs)**

34. Of relevance in the consideration of this application are:

- Heritage SPD 2021

## **ASSESSMENT**

### **Principle of the proposed development in terms of land use**

35. There is no material change of use proposed from the sites current use as a children's outdoor play area (use class: F2(c)). There are no historic planning permissions on site that would restrict the type of development proposed, nor are there any article 4 directions restricting this type of development made under the Town and Country Planning (General Permitted Development) (England) Order 2015.

## Metropolitan Open Land (MOL)

36. The application site is on land designated as metropolitan open land (MOL). Metropolitan open land is the equivalent of green belt land for the purposes of land use planning.
37. The relevant development plan policy to consider for MOL is P57 Open Space (Southwark Plan 2022) which states that:

*Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted on MOL or BOL when:*

1. *It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or*
2. *It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions and above the size of the original building; or*
3. *It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.*

Planning policies at national and London plan level echo the above local development plan policy.

38. For the application under consideration, the replacement of play equipment will create a negligible reduction in MOL openness when viewed against the entirety of the park, particularly as the play area is well screened behind existing trees and foliage. The children's play facilities are considered ancillary and are essential for outdoor sport and recreation. It is considered the proposals do not harm or conflict with MOL function. As such, it is considered the proposal is acceptable in planning land use terms.

## **Design and layout**

39. The design and layout are broadly similar to the existing footprint of the play area currently onsite. The proposal seeks to introduce new and updated play equipment and as well as play instruments. Improvements to the existing play set up are to be made with respect to accessibility. The proposed scale of development is appropriate to its context. The choice of materials remains sympathetic to the surrounding area.

## Heritage assets

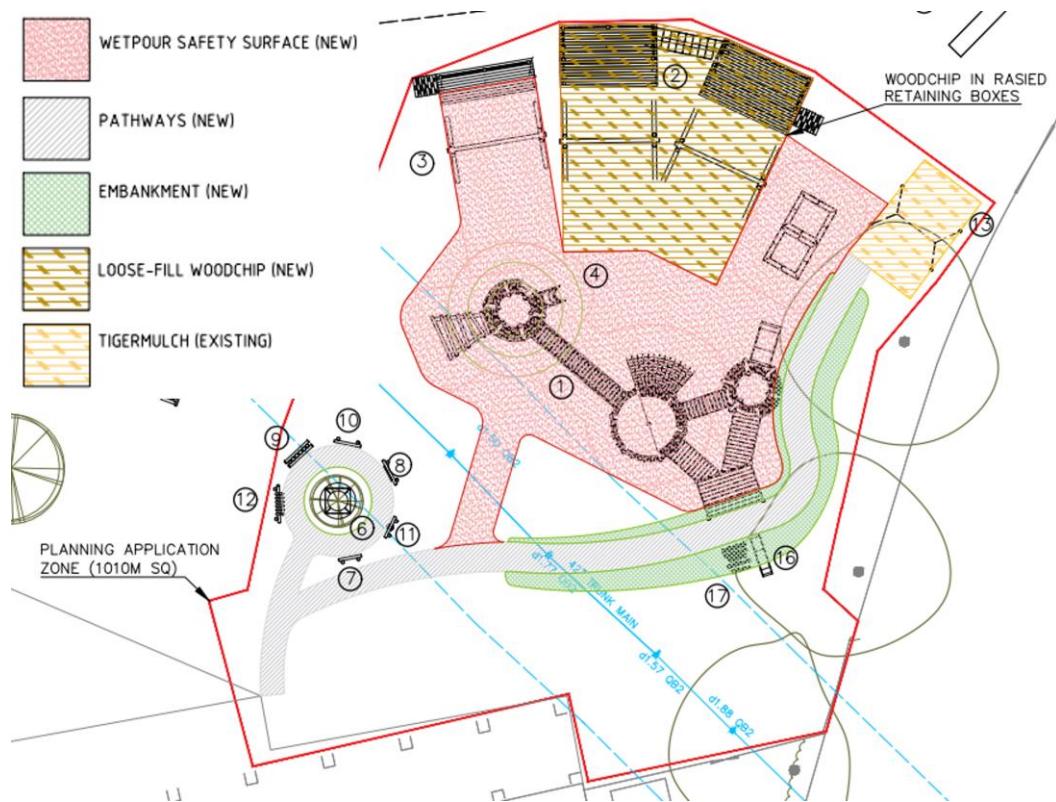
- 40. The Planning (Listed Buildings and Conservation Areas) Act 1990 outlines the general duties placed upon the local planning authority, in exercise of planning functions, for listed buildings. The duty for listed buildings is covered in s.66(1) 'the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. National, London, and Southwark planning policies echo the statutory duty highlighted above.
- 41. Peckham Rye is a Grade II Registered Park and Garden. The site of the existing adventure playground is discretely located off Homestall Road the southern end of the Rye and separated from the highly significant part of the park around the pond and the formal gardens to the west of the site. It is also separated from these areas by the skateboard park. The proposal is modest, located in a discrete area, as well as being screened by mature trees and appropriately designed.
- 42. The LBS Design and Conservation Team were consulted for comment, as were the Friends of Peckham Rye Park and The Gardens Trust, none of whom raised an objection to the proposals. As such, it is considered the setting of the registered park and garden is preserved, along with the historic interest which it possesses.

## Landscaping, trees and biodiversity

### Landscaping

- 43. There are landscaping works proposed to facilitate the development. Play safety surface will be laid under the new equipment. New pathways will be introduced to allow for level access to the play equipment from the park entrance. Woodchip will be laid by the new swings and an earth berm/embankment will be introduced up to a height of approximately 1m to allow accessibility to the new climbing structure.

44.



## Trees

45. The Town and Country Planning Act 1990 outlines the general duty of planning authorities as respects trees. Section 197 states: 'It shall be the duty of the local planning authority—to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees...'.

46. National, London, and Southwark planning policies echo the statutory duty highlighted above. Policy G7 of the London Plan 'Trees and woodlands' states that development proposals should ensure that, wherever possible, existing trees of value are retained. If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed. Policy P61 of the Southwark Plan states that development must retain and protect significant existing trees. It states that development must retain and enhance the borough's trees and canopy cover.

47. There are some minor tree pruning works proposed to enable the construction and operation of the refurbished play area, as detailed in the table below:

Tree Works (Spec.)	Tree No's	Comments
Raise or maintain canopies to provide 4-5m ground clearance (Sp4)	1, 2, 3, 12, 15	To facilitate access and construction of proposed scheme
Prune back or maintain 2m clearance from play equipment. (Sp2.1)	1, 2, 3, 12, 15	To provide/ maintain a comfortable separation between trees and new play equipment
Hand dig root investigations and suitable treatment (Sp8)	2, 15	Prior to construction of new play equipment and pathway

48. The LBS Urban Forester and LBS Arboricultural Services Team were consulted for comment, neither of whom raised an objection to the proposal, subject to condition. A planning condition is recommended to ensure compliance with the submitted arboriculture method statement, thus ensuring the trees are adequately protected throughout the construction stage.

#### Biodiversity (legislation)

49. In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development. The proposed development does not fall within any of the BNG exemptions or any transitional arrangements and is therefore required to deliver BNG on site.

50. The baseline value of onsite habitats was calculated to be 0.59 habitat units. The on-site measures propose to deliver an increase of 0.06 area-based biodiversity which equates to a net percentage change of 10.7%. The required uplift will be achieved with on-site tree planting. It is considered the uplift is 'significant' for the purposes of the BNG assessment. The required biodiversity net gain (BNG) will be secured by planning condition (Biodiversity Gain Plan [BGP] and a Habitat Management and Monitoring Plan [HMMP]).

51. Existing Baseline Habitat Map (Northern Parcel)



## 52. Existing Baseline Habitat Map (Southern Parcel)



## 53. Proposed Baseline Habitat Map (Northern Parcel)

**Key:**

- ◻ Red Line Boundary
- ◆ Proposed Small Urban Tree
- ☒ Artificial unvegetated unsealed surface
- Developed land; sealed surface
- Modified grassland

Title: Figure A.3 Post-development Habitat Map (Northern Parcel)

Drawn by: AC  
Date: 21/02/2025

Reviewed by: JC  
Date: 21/02/2025

Project number: 552650



#### 54. Proposed Baseline Habitat Map (Southern Parcel)

**Key:**

- ◻ Red Line Boundary
- ☒ Artificial unvegetated unsealed surface
- Developed land; sealed surface
- Modified grassland
- ◆ Proposed Small Urban Tree

Title: A.4 Post-Development Habitat Map (Southern Parcel)

Drawn by: AC  
Date: 21/02/2025

Reviewed by: JC  
Date: 21/02/2025

Project number: 552650  
Sources: ESRI World Topo, Greenspace Information for Greater London (GiGL), Google Satellite



### Biodiversity (policy)

- 55. As well as the statutory biodiversity net gain (BNG) outlined above, there are other policy considerations with respect to biodiversity. The application site lies within a Site of Importance for Nature Conservation (SINC) and the applicant has provided a Preliminary Ecological Appraisal (PEA) to support their application. Adopted policy requires development within proximity of SINCs to enhance the nature conservation value of the area, to protect and avoid damage to the SINC, and to include green infrastructure features such as nesting boxes and invertebrate habitats.
- 56. To ensure the proposal adheres to the above policy goals, it is recommended 3x bee bricks and/or invertebrate features, as well as 2x bird and/or bat boxes are installed within the site area. The habitat enhancement provision is to be secured via planning condition. Compliance with the previously mentioned Arboriculture Method Statement (AMS) will also help avoid damage to tree root protection area, further protecting the SINC.

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

- 57. The application site lies a considerable distance from the nearest residential properties. The nearest properties to the boundary of the site are located at Nos. 243-257 (odds) Peckham Rye. The nearest property (No. 249) is located approximately 70 meters away and is separated by dense tree coverage and a road (Peckham Rye). No objections to the proposal were received from any properties within 100m proximity of the site boundary.

### Privacy

- 58. No material impact anticipated given the neighbouring context set out above.

### Sunlight and daylight

- 59. No material impact anticipated given the neighbouring context set out above.

### Openness and outlook

- 60. No material impact anticipated given the neighbouring context set out above.

### **Ground conditions and contamination**

- 61. Although no contamination risks were identified on site, the Ground Investigation Report recommends supplementary investigations to support the detailed design and construction phases of the works (see section 10.1.1). A planning condition pertaining to unexploded ordinance (UXO) is

recommended, to ensure that risks from any potential land contamination and UXO hazards are appropriately assessed and mitigated, thus safeguarding future site users, neighbouring land, controlled waters, property, and ecological systems. This will ensure the development is carried out safely and without unacceptable risks to workers, neighbours, and other off-site receptors

## **Fire safety**

62. Adopted London Plan (2021) policy requires that all development must submit a planning fire safety strategy (or reasonable exemption statement). The fire safety strategy should address criteria outlined in Policy D12 (A). A reasonable exemption statement (RES) has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.
63. The LPA accepts fire safety documentation in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

## **Other planning matters**

### Noise

64. It is noted the proposal introduces children's musical play instruments. Notwithstanding it is not anticipated the introduction of these noise sources will have any material impact on neighbouring residential properties' amenity given the considerable separation distances (~70m) and natural screening.

### Air quality

65. Adopted policy requires all development be air quality neutral (AQN). Development can be assumed to be AQN if it does not create additional car parking; and; does not lead to an increase in localised car journeys; and; does not include new combustion plants such as gas-fired boilers. As such, the proposal is considered to meet adopted policy requirements with respect to air quality and no further information or assessments have been requested.

### Flood risk

66. Although the application site lies within a critical drainage area (CDA), the scale of the proposal does not trigger the requirement for further flood risk information (e.g. site-specific flood risk assessment (SSFRA) etc.). Outdoor play and recreation equipment is designated as the lowest risk of flood related impacts within the NPPF 2024, known as risk level 'water compatible'.

## Permitted development fallback

67. The Town and Country Planning (General Permitted Development) (England) Order 2015 ('GPDO') affords certain 'permitted development' rights to Local Authorities for development without needing an application for full planning permission. Schedule 2, part 12 of the GPDO sets out the specific rights for development by local authorities. It is pertinent to note the proposed works would have been permitted development had they not exceeded 4m in height, and as such they could have been carried out without any need for planning permission in that theoretical instance. As such, the planning assessment has been carried out proportionally with due regard to this fallback position.

## **Mayoral and borough community infrastructure levy (CIL)**

68. The proposed development is not CIL liable.

## **Community impact and equalities assessment**

69. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.

70. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

71. 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:

- The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- 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

- 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.

72. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

73. The proposal has been designed with consideration of the protected characteristics in mind. It seeks to improve accessibility for users with reduced mobility (disability) and provide additional seating space for supervising parents (maternity and pregnancy).

## **Human rights implications**

74. This planning application engages certain human rights under the Human Rights Act 1998 (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.

## **Positive and proactive statement**

75. The council has published its development plan 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.

76. 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 submissions that are in accordance with the application requirements.

77. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	No
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	N/A
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	Yes

## Site visits

78. The case officer visited the site 04.11.2024 to assess the context of the proposal and to display site notices. Photographs were taken to aid in the assessment of the application.

## CONCLUSION

79. The proposal demonstrates conformity with the principles of sustainable development. It complies with current policy, respects the amenity of neighbouring properties and is of good design. Accordingly, it is recommended that planning permission be granted, subject to conditions.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Environment, Sustainability and Leisure 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: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
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

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Sean Gomes, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	11 March 2025	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
Officer Title	Comments Sought	Comments included
Strategic Director, Resources	No	No
Acting Strategic Director, Environment, Sustainability and Leisure	No	No
Strategic Director, Housing	No	No
<b>Date final report sent to Constitutional Team</b>	12 March 2025	

## APPENDIX 1

## Recommendation

Development Management – Officer Report – Draft Recommendation

**Permission is subject to the following Approved Plans Condition:**

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

Reference no. / Plan/document name / Revision: Received on:

DGPR_001_BS.1.01 PROPOSED BESPOKE CLIMBING STRUCTURE (BS.1.01)	09.07.2024
DGPR_002_TT.2.18 PROPOSED TRIM TRAIL COMBO 2 (TT.2.18)	09.07.2024
DGPR_003_TT.2.36 PROPOSED TRIM TRAIL COMBO 5 (TT.2.36)	09.07.2024
DGPR_004_BS.1.03 PROPOSED ADVENTURE PLAYGROUND SWING JUNIOR (BS.1.03)	09.07.2024
DGPR_005_BS.1.02 PROPOSED ADVENTURE PLAYGROUND SWING SENIOR (BS.1.02)	09.07.2024
DGPR_007_TR.1.03 PROPOSED ACCESSIBLE TRAMPOLINE 2X2M (TR.1.03)	09.07.2024
DGPR_008_BE.2.01 PROPOSED TREE BENCH NO.1 (BE.2.01)	09.07.2024
DGPR_009_MUSICAL_INSTRUMENTS PROPOSED MUSICAL INSTRUMENTS (SO.2.08, SO.2.02, SO.2.04, SO.2.05, SO.2.06, SO.2)	09.07.2024
DGPR A003 V8 CC SURFACES PROPOSED PLAY SURFACES (ON PROPOSED GENERAL ARRANGEMENT)	05.03.2025
DGPR A003 V8 CC GA PROPOSED GENERAL ARRANGEMENT PLAN	05.03.2025
DESIGN AND ACCESS STATEMENT	20.06.2024

STW6416-R01 GROUND INVESTIGATION REPORT REV A	20.06.2024
STW6416-R01 GROUND INVESTIGATION REPORT APPENDIX A TO E REV A	20.06.2024
STW6416-R01 GROUND INVESTIGATION REPORT APPENDIX F TO H REV A	20.06.2024
STW6416-R01 GROUND INVESTIGATION REPORT APPENDIX I PT.1 OF 2 REV A	20.06.2024
STW6416-R01 GROUND INVESTIGATION REPORT APPENDIX I PT.2 OF 2 REV A	20.06.2024
552650AC07OCT24FV03 PEA PRELIMINARY ECOLOGICAL ASSESSMENT (PEA)	05.03.2025
552650AC04FEB25FV03 BN BIODIVERSITY NET GAIN ASSESSMENT (BNGA)	05.03.2025
AIAMS2PRP25 ARBORICULTURE REPORT (IMPACT ASSESSMENT AND METHOD STATEMENT)	05.03.2025
DA20904-00 DETAILED UXO RISK ASSESSMENT	09.03.2025

Reason:

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

**Permission is subject to the following Time Limit:**

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. Development may not be begun unless:

- (a) a biodiversity gain plan (BGP) has been submitted to the planning authority; and
- (b) the local planning authority (LPA) has approved the plan.

Once approved, biodiversity gain plan and habitat enhancement works shall be carried out in strict accordance with the approved details, unless otherwise agreed in writing with the LPA.

Reason: To ensure the development delivers a Biodiversity Net Gain (BNG) on site in accordance with Schedule 7A of the Town and Country Planning Act (1990).

4.
  - a) The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
    - 'a non-technical summary;
    - 'the roles and responsibilities of the people or organisation(s) delivering the HMMP;
    - 'the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
    - 'the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
    - 'the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the Local Planning Authority has been submitted to, and approved in writing by, the Local Planning Authority.
  - b) Notice in writing shall be given to the Local Planning Authority when the HMMP has been implemented
  - c) Notice in writing shall be given to the Local Planning Authority when the habitat creation and enhancement works as set out in the HMMP have been completed.
  - d) Monitoring reports shall be submitted to Local Planning Authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a Biodiversity Net Gain (BNG) on site in accordance with Schedule 7A of the Town and Country Planning Act (1990).

5.
  - a) Prior to the commencement of any development (excluding demolition works), a detailed Discovery Strategy, Supplementary Investigation, and an Exemption or Materials Management Plan (MMP), as recommended in Section 10.1.1 of the Ground Investigation Report STW6416-R01 Rev A (April 2024) by Soiltechnics Ltd, shall be submitted to and approved in writing by the Local Planning Authority (LPA).

- b) In accordance with the findings of the Detailed Unexploded Ordnance (UXO) Risk Assessment (Report Reference: DA20904-00, dated 5th November 2024, by 1st Line Defence), the development shall be carried out in full compliance with the Proposed Risk Mitigation Methodology set out in Section 20 of the UXO report.
- c) Upon completion of the works required under conditions (a) and (b), a Verification Report shall be submitted to and approved in writing by the LPA. This report shall confirm that all required investigations, risk mitigation measures, and any necessary remediation works have been satisfactorily completed and shall outline any ongoing monitoring or maintenance requirements, where applicable.
- d) If unexpected contamination is discovered at any stage during development, it shall be reported immediately in writing to the LPA. No further development shall proceed in the affected area until a scheme of investigation and risk assessment has been submitted and approved. Where required, a remediation strategy and subsequent verification report shall also be provided in accordance with conditions (a) to (c).

**Reason:** To ensure that risks from land contamination and UXO hazards are appropriately assessed and mitigated, safeguarding future site users, neighbouring land, controlled waters, property, and ecological systems. This will ensure the development is carried out safely and without unacceptable risks to workers, neighbours, and other off-site receptors, in accordance with Southwark Plan (2022) Policy P56 (Protection of Amenity), Policy P64 (Contaminated Land and Hazardous Substances), and the National Planning Policy Framework (NPPF) (2024).

**Permission is subject to the following Compliance Condition(s)**

- 6. The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the Local Planning Authority has been obtained for any proposed change or variation.

**Reason:** In the interest of the design and appearance of the structure and its relationship to the surrounding park context, in accordance with the National Planning Policy Framework (2024); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

- 7. 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 (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement Ref: aiams2/prp/25, prepared by Southern Beeches Ltd, dated March 2025. 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 shall adhere to BS5837: (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations. All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

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 (2024); Policy G7 (Trees and Woodlands) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

**Permission is subject to the following Special Condition(s)**

8. (a) Details of 3x bee bricks and/or invertebrate features, as well as 2x bird and/or bat boxes, to be installed onsite, shall be submitted to and approved in writing by the Local Planning Authority (LPA) within 3 months of the first public use of the refurbished children's play area. Submitted details shall include the exact onsite location(s), specification(s) and installation method(s) of the habitats.
- (b) The habitat enhancements shall be installed onsite within 3 months of the approval of submitted details. The habitat enhancements shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2024); Policy G1 (Green Infrastructure), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

## APPENDIX 2

### Relevant Planning Policy

#### Planning Policy

##### National Planning Policy Framework ('the Framework') 2024

- Chapter 2 Achieving sustainable development
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

##### The London Plan 2021

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy HC1 Heritage conservation and growth
- Policy G3 Metropolitan Open Land
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands

##### Southwark Plan 2022

- P13 Design of places
- P14 Design quality
- P18 Efficient use of land
- P19 Listed buildings and structures
- P21 Conservation of the historic environment and natural heritage
- P56 Protection of amenity
- P57 Open space
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P64 Contaminated land and hazardous substances

#### Supplementary planning documents (SPDs)

- Heritage SPD 2021

## APPENDIX 3

### Planning History

#### Planning history

See below for any relevant planning history of the application site:

- 99/AP/1075 - Replacement of existing single storey playground building [GRREG – Granted Council Own]
- 03/AP/1844 - Refurbish existing play structures together with construction of new multi-use games area on existing ball court and new skate park on existing tennis court; construction of new single storey day centre/clubhouse building. [GRREG – Granted Council Own]

## APPENDIX 4

### Consultation undertaken

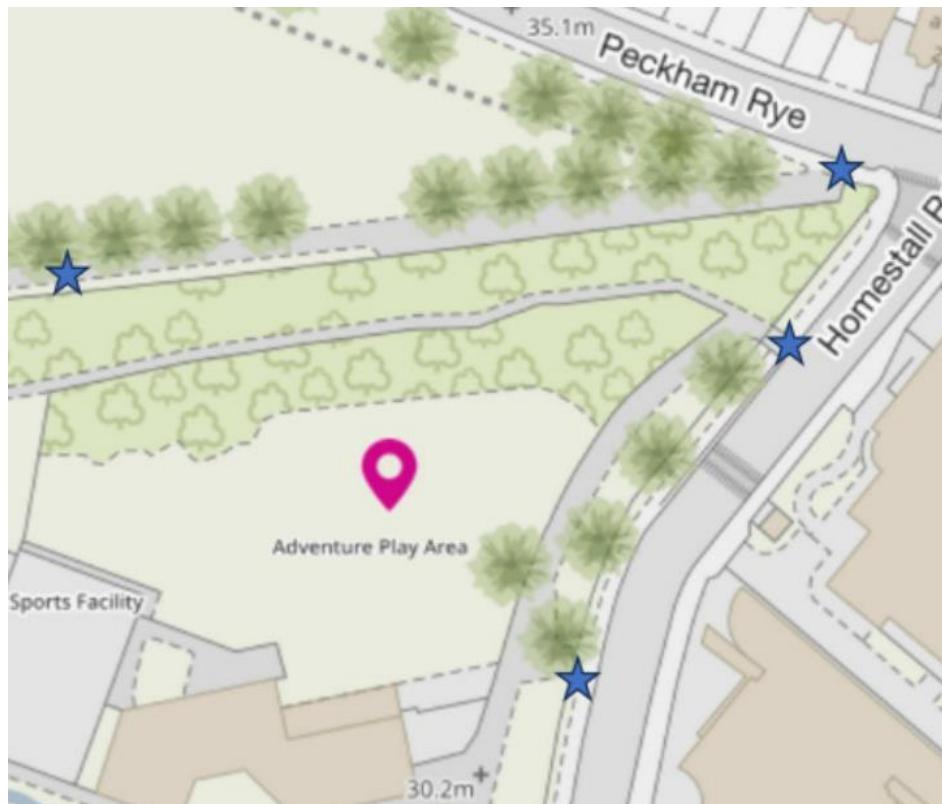
#### Public consultation

Public consultation was undertaken in accordance with section 15 of the Town and Country Planning (Development Management Procedure) (England) Order (2015, as amended), the locally adopted LBS Statement of Community Involvement (SCI) (2022) and the LBS Development Consultation Charter (DCC) (2022).

#### Consultation undertaken

- 4x site notices displayed (04.11.2024 to 25.11.2024).

#### Mapped site notice locations



#### Consultation internal and divisional consultees

- LBS Urban Forester
- LBS Design and Conservation Team
- LBS Ecology Officer
- LBS Arboricultural Services Team
- LBS Parks and Cemeteries Team
- LBS Environmental Protection Team

#### Consultation external consultees

- Friends Of Park - Peckham Rye & Common
- The Gardens Trust

**APPENDIX 5****Consultation responses received****Consultation responses from members of the public**Consultation undertaken

- 4x site notices displayed (04.11.2024 to 25.11.2024).
- 4x letters of representation received.
- 0x objection comments received.
- 3x support comments received.
- 1x neutral comments received.

[NB: One comment submitted on public access was from the Gardens Trust, the comment has been omitted from the above and included within the external consultees section.]

Summarised below are the material planning considerations raised by members of the public.

<u>Public comment</u>	<u>Case officer comment</u>
Include monkey bars.	The design has been assessed on its own merits and found to be acceptable in planning terms. The design iterations were publicly consulted on prior to the planning submission by the applicant.
Include additional seating.	The design has been assessed on its own merits and found to be acceptable in planning terms. The design iterations were publicly consulted on prior to the planning submission by the applicant.
Accessible play equipment.	One of the goals of the project is to improve accessibility for park users with reduced mobility. The design iterations were publicly consulted on prior to the planning submission by the applicant. The inclusion of a path on the earth berm/embankment running from the park entrance to the climbing frame will provide level access to the structure.
Clarification on opening hours.	It is not considered necessary to restrict park opening hours via planning condition given they are not already controlled. The matter pertains mainly to the operation and management of the park by LBS and is not considered material to planning in this instance.

**Consultation responses from internal and divisional consultees**

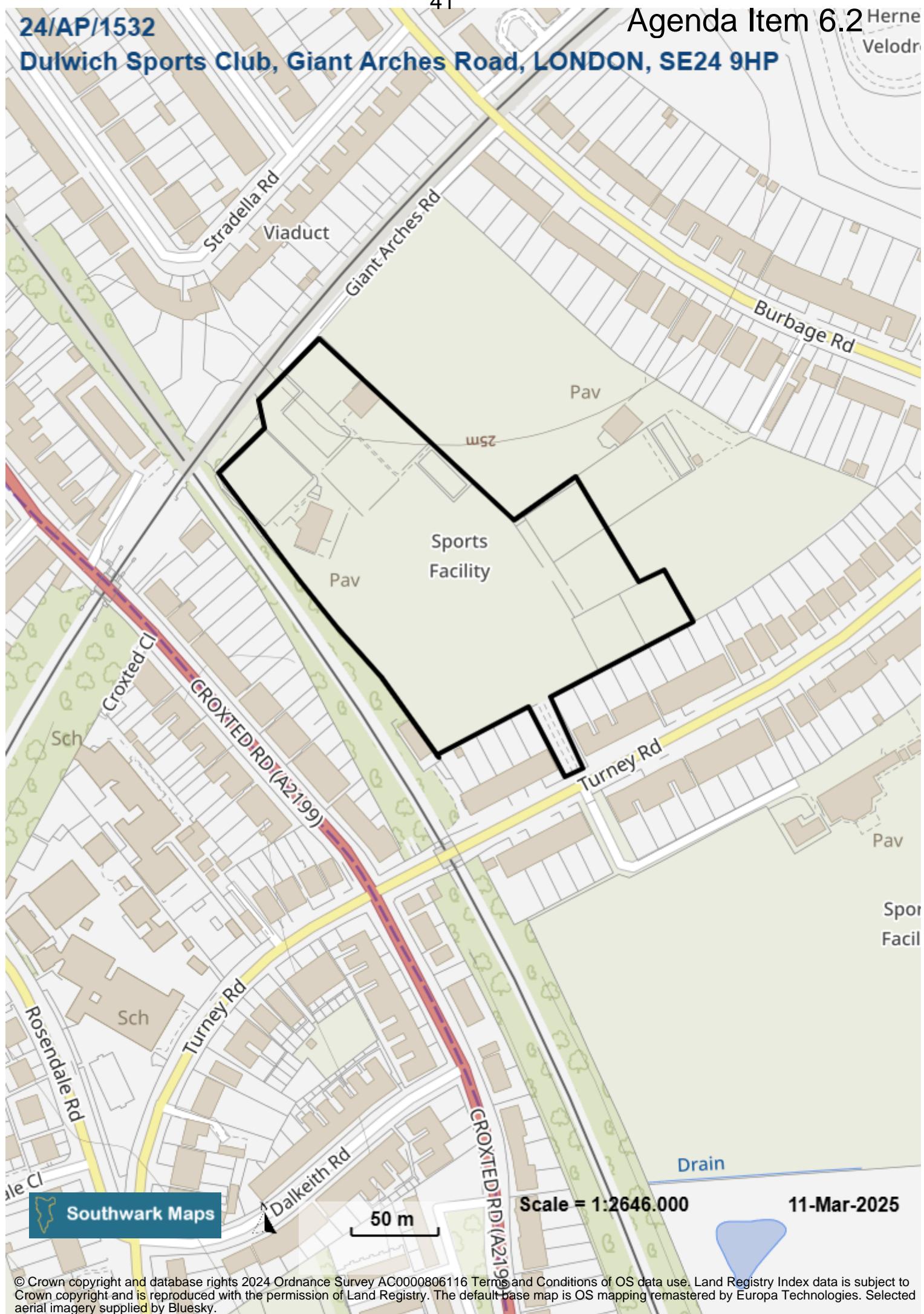
- LBS Urban Forester - no objection, subject to conditions.
- LBS Design and Conservation Team - no objection.
- LBS Ecology Officer - no objection, subject to conditions.
- LBS Arboricultural Services Team - no response received.
- LBS Parks and Cemeteries Team - no response received.
- LBS Environmental Protection Team - no response received.

**Consultation responses from external consultees**

- Friends Of Park - Peckham Rye & Common - no response received.
- The Gardens Trust – neutral, no comment at this time.

24/AP/1532

## Dulwich Sports Club, Giant Arches Road, LONDON, SE24 9HP



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<b>Meeting Name:</b>	Planning Committee (Smaller Applications)
<b>Date:</b>	25 March 2025
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 24/AP/1532 for: Full Planning Application</p> <p><b>Address:</b> Dulwich Sports Club, Giant Arches Road London</p> <p><b>Proposal:</b> Construction of outdoor playing facilities and a sports pavilion at Dulwich Sports Club</p>
<b>Ward(s) or groups affected:</b>	Dulwich Village
<b>Classification:</b>	Open
<b>Reason for lateness (if applicable):</b>	Not Applicable
<b>From:</b>	Director of Planning and Growth
<b>Application Start Date:</b> 14/06/2024	<b>Application Expiry Date:</b> 08/08/2024
<b>Earliest Decision Date:</b>	18/07/2024

## RECOMMENDATIONS

1. That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement.
2. If the requirements of paragraph 1 above are not met by 25 September 2025, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 219.

## EXECUTIVE SUMMARY

3. It is proposed to construct outdoor playing facilities and a sports pavilion which would comprise a croquet store, accessible WC and an open plan kitchenette and social space. It is proposed to reduce the number of tennis courts from 11 to 10 but increase the total number of floodlit tennis courts from 5 to 8. The number of croquet courts would be the same, 3, and 5 new floodlit paddle courts would be created. It is also proposed to replace the existing 4m high cricket netting with 10m high netting. Four sections of low-value C hedge are to be removed, and works are proposed within the root protection area of some existing trees. No trees on the site are subject to a Tree Protection Order.

## BACKGROUND INFORMATION

### Site location and description

4. Dulwich Sports Club (DCS) is a member-run not-for-profit sports organisation. DSC is currently a 5 sport club: Tennis, Croquet, Squash, Cricket, and Hockey (Hockey actually played off site).
5. The site comprises 3.17hectares and there are 2 Croquet lawns, 1 croquet practice lawn, 4 unlit grass tennis courts, 2 unlit hard court tennis courts, 2 floodlit hard court tennis courts, 3 floodlit artificial clay tennis courts, squash courts, cricket practice nets and a cricket pitch. There are 39 existing standard car parking spaces, 1 blue badge bay and a total of 46 cycle parking spaces. There are 42 trees, 3 groups of trees and 6 hedges. None of these trees are subject to a Tree Protection Order or category A (high value) trees, 19 trees and 2 groups of trees are category B (moderate value), 22 trees, 1 group of trees and 5 hedges are category C (low value), and 1 category U tree of (unsuitable for retention value). The value of the sixth hedge is not known.
6. The site is designated as Metropolitan Open Land (Burbage Road Playing Fields) and is adjacent a Site of Importance for Nature Conservation (Sydenham Hill and West Dulwich Railsides Site).
7. The site is in a Public Transport Accessibility Level (PTAL) 4. The primary access is via Giant Arches Road (off Burbage Road) which is not a classified road, but a private road, and which is not within the red line of the application site. The site is not within a Controlled Parking Zone (CPZ) but the Dulwich Village CPZ, to the north east has been in operation since January 2025 and includes Giant Arches Road. There are bollards, a utility box, street trees and street lighting columns within the public highway to the frontage of the property, along Burbage Road. There is a zebra crossing on Burbage Road and pedestrian refuge crossing on Turney Road. The site is within a Conservation Area and adjacent to the Southwark Dulwich Village phase 2 Low Traffic Neighbourhood.

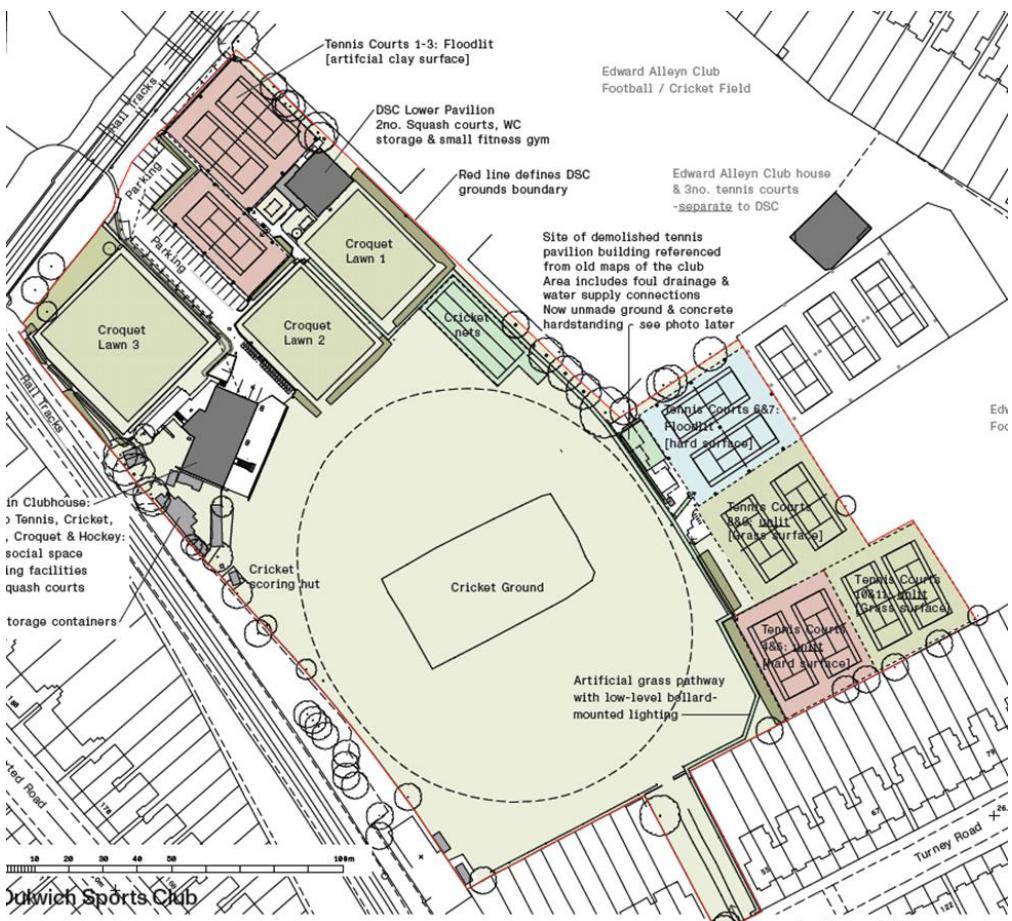
*Image: site location plan*



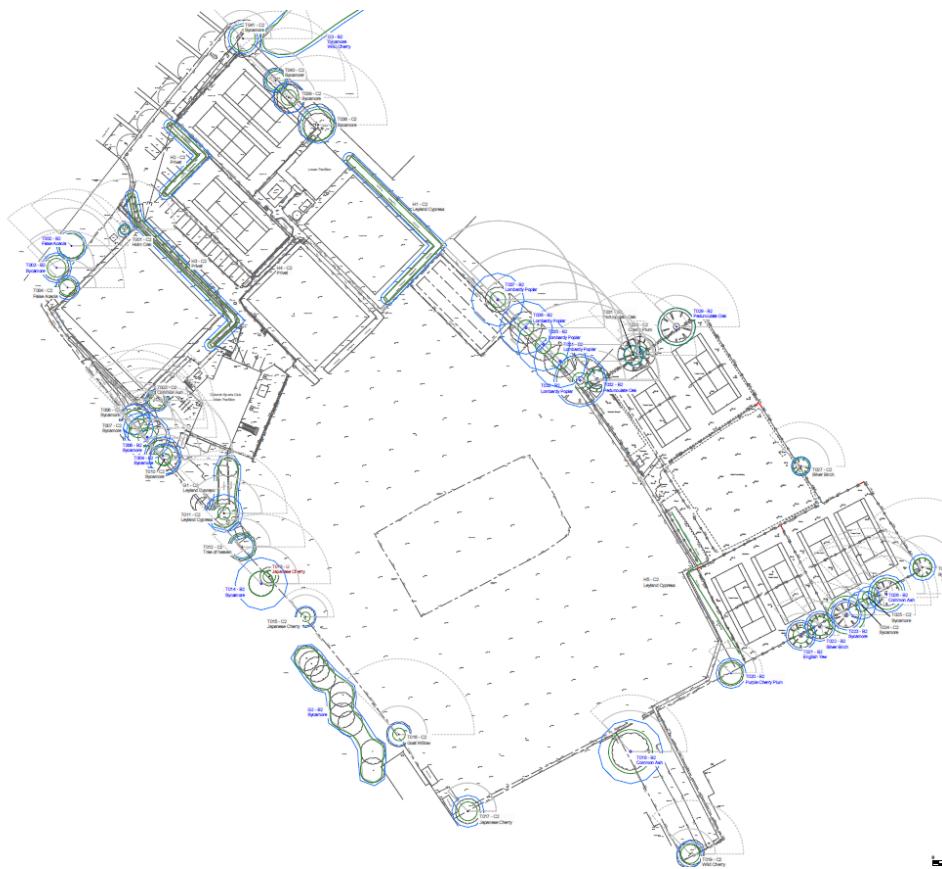
*Image: Existing site aerial view*



Image: existing layout



*Image: existing trees*



**T1-B**  
Oak      Category B- moderate quality and value

**T1-C**  
Oak      Category C - moderate quality and value

**T1-U**  
Oak      Category U - moderate quality and value

Image: 39 existing standard car parking spaces in main car park

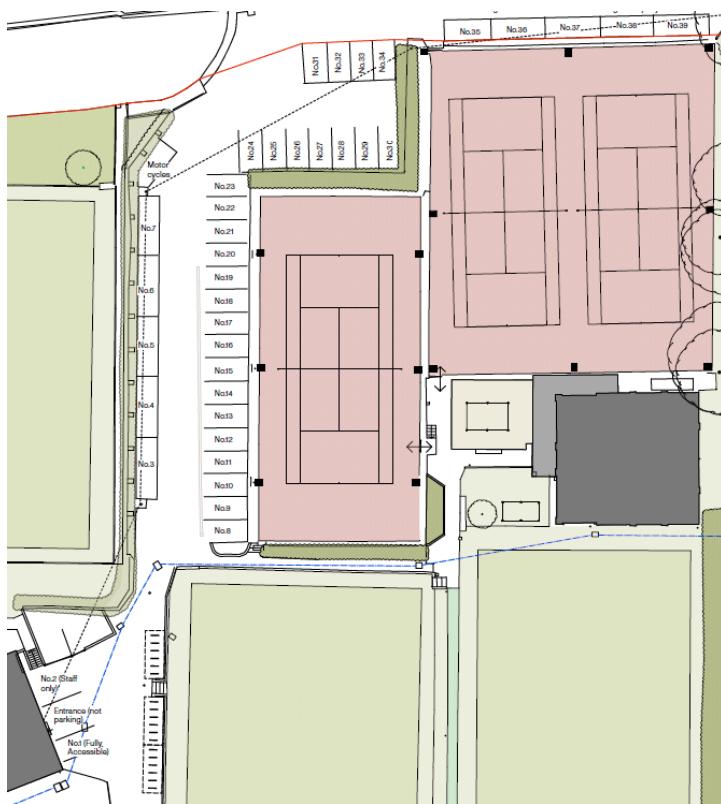


Image: existing 1 car parking space, 1 blue bay space and 36 cycle spaces

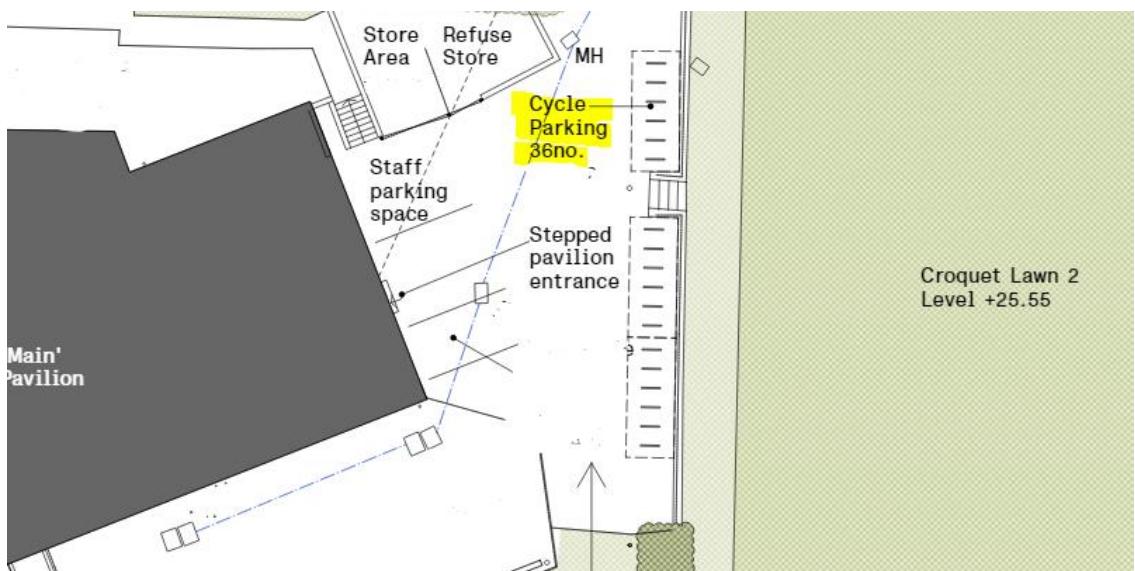
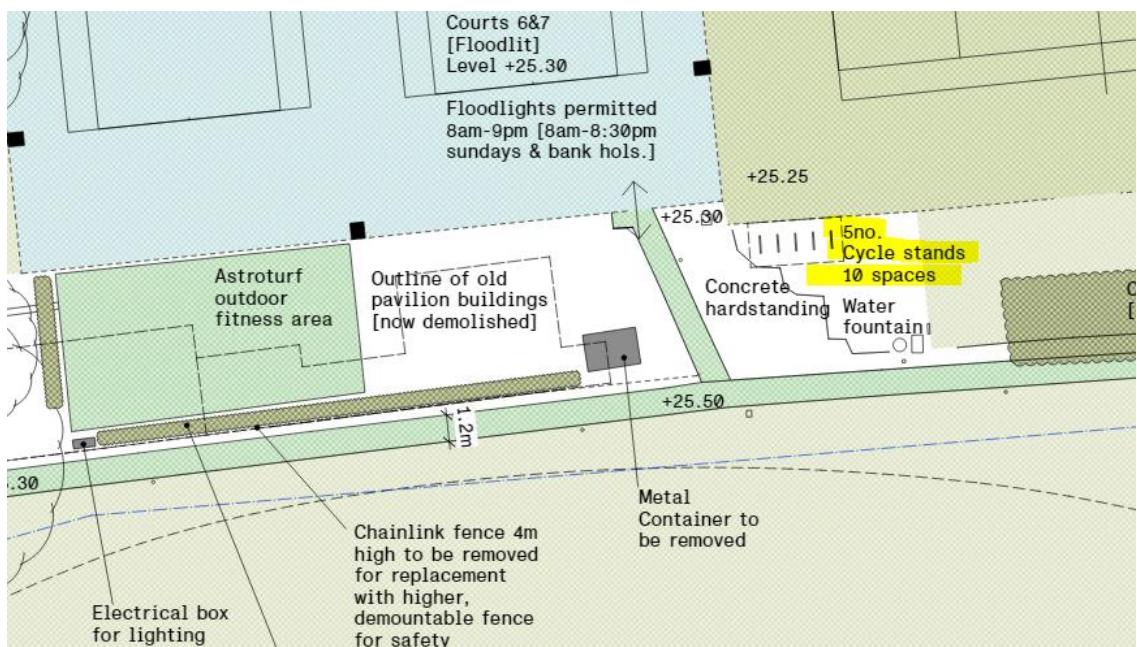


Image: 1 blue bay car parking space



Image: existing 10 cycle spaces



## Details of proposal

8. The planning application is for the construction of a sports pavilion and other outdoor playing facilities.

The proposal aims to expand the quality and quantity of sports playing facilities at the club to increase the number of local people participating in sports on site while also securing a sustainable long-term income and financial viability for the club.

The proposal will allow DSC to:

- introduce the rapidly growing racket sport of 'padel' to the club by adding padel courts:
- increase the number of all-weather floodlit tennis courts to enable more play year-round and after dusk
- retain and enhance croquet facilities on the site
- promote sustainable transport to the club
- planting & landscaping Improvements.

Phase the development to minimise disruption to facilities during development works and ensure that sports facilities for each section of the DSC are maintained during development as far as possible:

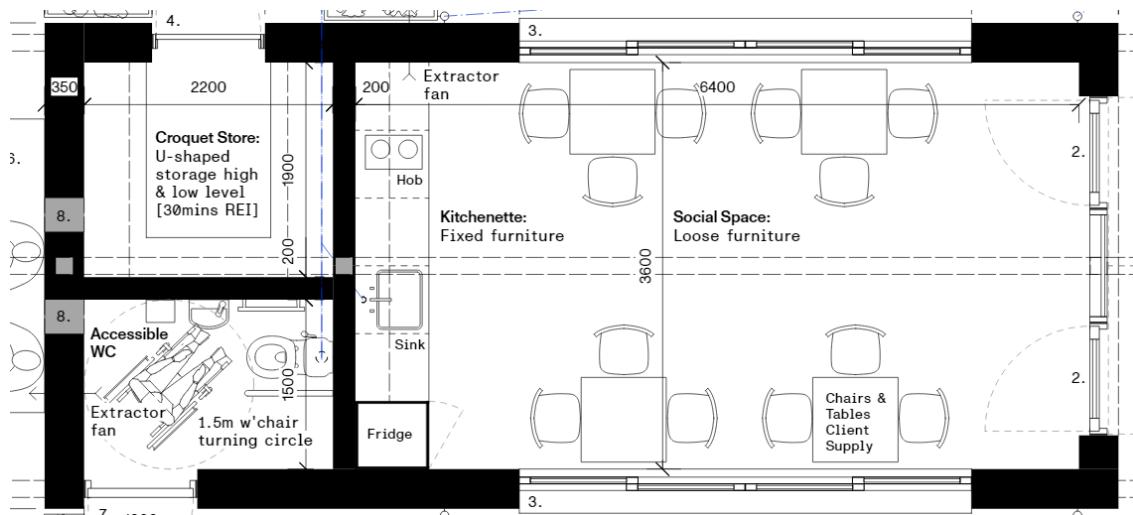
### *New pavilion*

9. The proposed pavilion would be 4.3m wide, 9.5m in length, an eaves height of 2.44m and the pitched roof would have a maximum height of 4.29m. The pavilion will house a croquet store, accessible WC and an open plan kitchenette and social space. The roof overhang would increase the width to 6.3m and the length to 14.275m with outdoor seating provided to the south elevation and two picnic style tables to the north elevation.

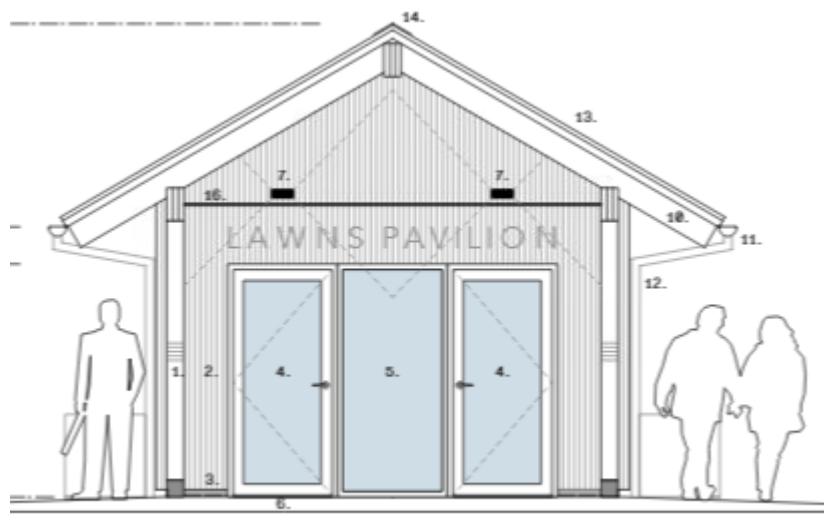
### *Image – Proposed pavilion location*



*Image – proposed pavilion plan*



*Image – proposed pavilion north elevation*



Proposed North Elevation [Entrance]

### *Outdoor playing facilities*

10. The total number of floodlit tennis courts would increase from 5 to 8 and the total number of tennis courts would reduce from 11 to 10. Numerically the number of croquet courts would be the same, 3, and 5 new floodlit paddle courts would be created. The proposed operating times of floodlighting for the new Padel Centre and for the additional 3 artificial clay tennis courts would be: 08:00 to 22:00 Monday to Friday. The following morning times are proposed for padel: No lights and no play before 8am all year round.
11. It is also proposed to change the floodlit hours of the 2 existing tennis courts (6 and 7) on the south-eastern part of the site from 08:00-21:00 Monday to

Saturday to 08:00-21:30 Monday to Saturday (no proposed change to the current hours 08:00-20:30 on Sundays and Bank Holidays).

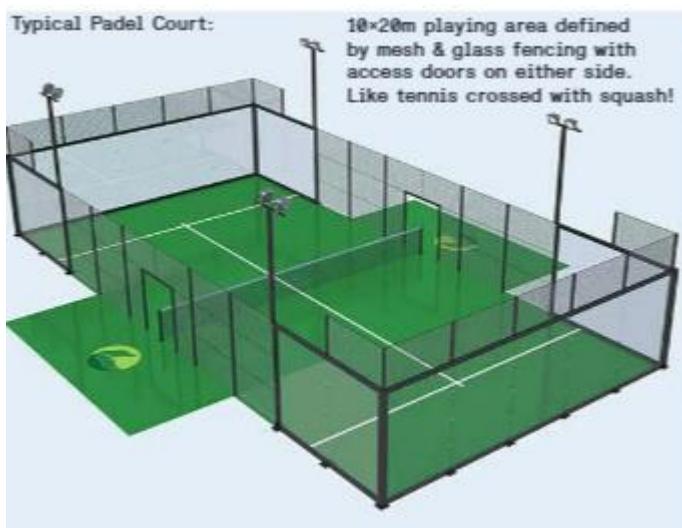
12. The proposed croquet hub would constitute 2 new full competition size lawns and a smaller practice lawn. These would not be floodlit.
13. Table: existing and proposed outdoor playing facilities

	Existing outdoor playing facilities	Proposed outdoor playing facilities
Paddle – permeable artificial grass (floodlights)	0	5
Croquet	2	2
Croquet practice	1	1
Tennis grass	4	2
Tennis hard court – tarmac	2	0
Tennis hard court – tarmac (floodlights)	2	2
Tennis permeable artificial clay (floodlights)	3	3
Tennis hard court – all weather (floodlights)	0	3

*Image: proposed layout*



*Image: proposed padel court*



14. The Padel courts would comprise permeable artificial surface, surrounded by mesh fencing with toughened glass panels wrapping around each end. The enclosure would be 3m high at the sides and 4m high at the ends. It is proposed to include higher 6m fencing (which matches the height of the floodlight posts) to the outer perimeter of the 3 courts set furthest from the Main

Clubhouse. The two 'show courts' nearest the clubhouse would have panoramic glass ends, without posts, to enhance the spectator experience for competitions.

*Padel courts perimeter pathways*

15. Green perimeter pathways and posts are proposed between the Padel courts.

*Cricket netting*

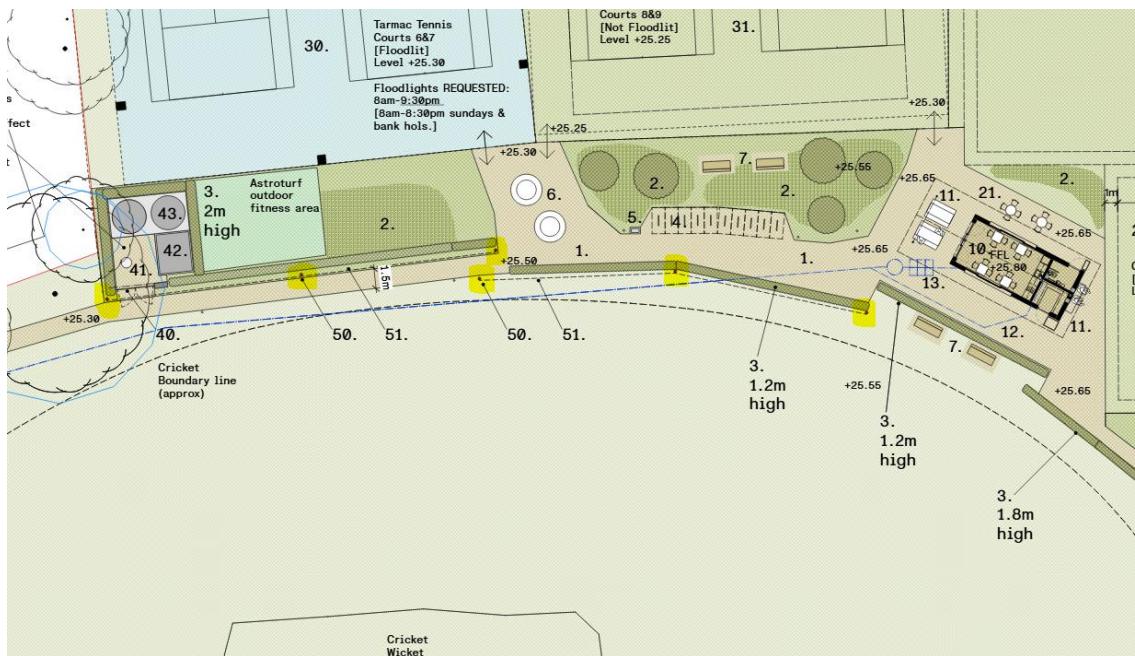
16. It is proposed to replace the existing 4m high cricket netting with 10m high netting.

*Image – existing cricket netting*



17. 10m high de-mountable cricket netting is proposed to the east side of the cricket wicket. The 6 posts to support the netting would be permanent.

*Image: proposed cricket netting posts (yellow)*



*Hedge removal and impact on trees*

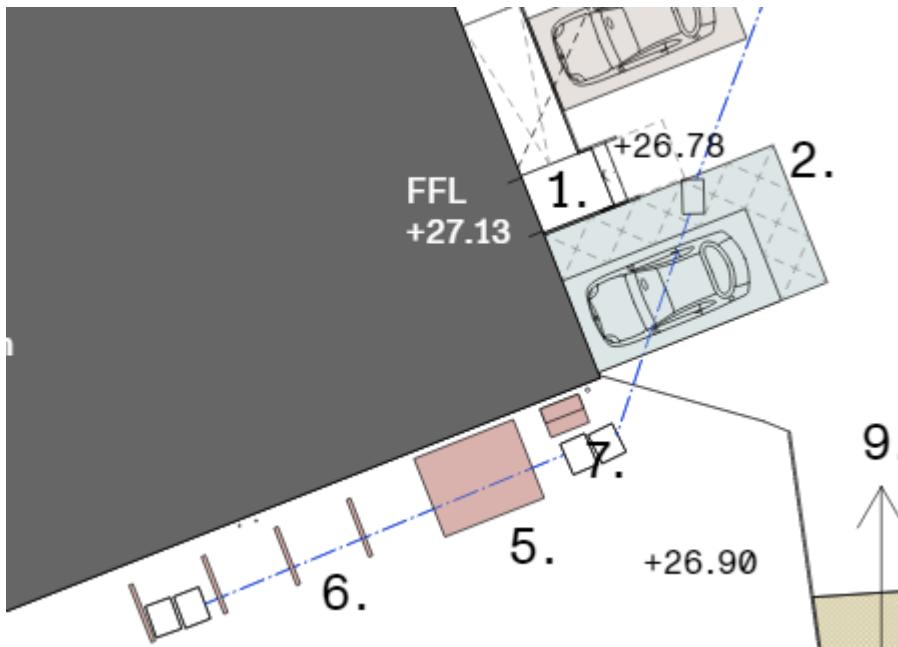
18. Four sections of low-value C hedge are to be removed as part of the proposal. There are no Tree Protection Orders (TPO's) on the site. Works are proposed within the root protection area of some existing trees and specialist methods of design and construction are proposed as mitigation.

*Image: hedges to be removed*

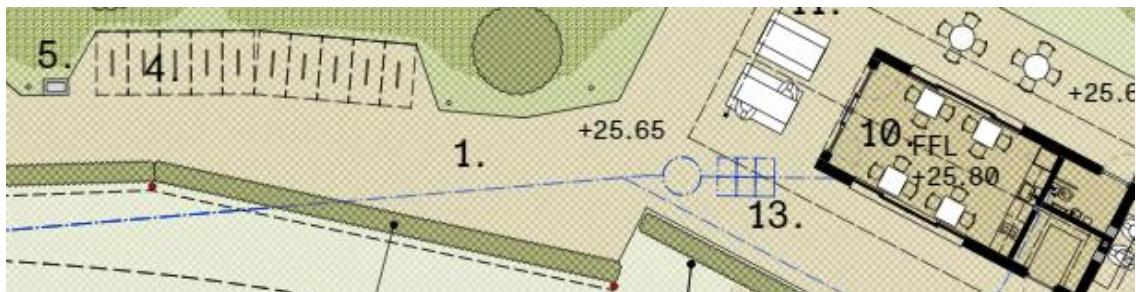


spaces in the south-eastern part of the site, the applicant proposes an additional 10 spaces in proximity to the new pavilion in the south-eastern part of the site. There will be 6 full-time staff and 6 new cycle parking spaces would be provided in the form of a secure covered 'bikehanger' and oversized bike parking stands for 5 cargo bikes would also be provided. It is also proposed to provide an external bike maintenance and repair stand.

*Image: 6 cycle parking spaces in 'bikehanger' (no.5) and oversized bike parking stands for 5 cargo (no.6).*



*Image: 10 new proposed cycle spaces in proximity to the new pavilion*



*Refuse / recycling*

22. Veolia and First Mile are Waste Collection Providers and collections are on a weekly basis.
23. This arrangement would continue and would include the proposed development. No change is proposed to the waste collection process or frequency.

### Amendments to the application

24. Equalities Impact Assessment – 24 July 2024;  
 Biodiversity metric calculation tool - 26 July 2024;  
 Plan 124\_SK\_241002\_01\_Car Park Nos, which numbers all the spaces – 3 October 2024;  
 Plan UTC-0822-TRRP showing (the correct) hedge removals – 3 October 2024;  
 Final letter report 2024 bats and lighting Cherryfield Ecology – 5 December 2024;  
 Ground Site / Block Plan - Padel courts to be booked in noted order, and additional planting along extended south-western border between cricket field and SINC – 5 December 2024;  
 Updates in the ‘Ground Site / Block Plan’ and ‘letter report’ included within BNG documentation – March 2025.

### **Consultation responses from members of the public and local groups**

25. Four rounds of consultation have taken place on 1 August 2024, 24 September 2024, 8 January 2025 and 30 January 2025. Site notices displayed on 27 June 2024 and 8 January 2025 and the application was advertised in the press on 27 June 2024.

26. 371 comments have been received in response to neighbour notification, comprising 70 objections and 298 support comments.

27. The objections raise the following material planning considerations:

28. • Metropolitan Open Land  
 • Little community benefit  
 • Over development  
 • Affect local ecology  
 • Light pollution  
 • Amenity  
 • Noise nuisance and anti-social behaviour  
 • Out of keeping with character of area  
 • Historic setting  
 • Equalities impact  
 • Parking  
 • Increase in traffic  
 • Inadequate access  
 • Inadequate public transport provisions  
 • Travel Plan  
 • Increase of pollution  
 • Conflict with local plan  
 • Consultation  
 • Increase danger of flooding  
 • Not enough information given on the application  
 • General dislike of proposal

29. The letters of support raise the following material planning considerations:
30.
  - Adequate distance from other properties
  - Contributes positively to surroundings
  - High quality design
  - General support for the proposals
  - New skills/employment opportunities
  - Provides amenity space
  - Provides community facilities
  - Provides cultural leisure facilities
  - Creates economic vitality
  - Creates inward investment
  - Good access arrangements
  - Makes sustainable use of land

## **Planning history of the site and adjoining or nearby sites**

31. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 2.
32. A member of the public queried whether there were historic planning applications prior to the oldest 2012 records on the portal. The Planning Support Team have checked our records and advised that all our up to date planning applications records are on our website via Southwark Maps and advised that the Dulwich Estate may have more comprehensive records.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

33. The main issues to be considered in respect of this application are:
  - Principle of the proposed development in terms of land use;
  - Affordable workspace
  - Environmental impact assessment
  - Housing mix, density and residential quality
  - Affordable housing and development viability
  - Amenity space and children's play space
  - Design, including layout, building heights, landscaping and ecology;
  - Heritage considerations
  - Archaeology
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
  - Transport and highways, including servicing, car parking and cycle parking

- Environmental matters, including construction management, flooding and air quality
- Energy and sustainability, including carbon emission reduction
- Ecology and biodiversity
- Planning obligations (S.106 undertaking or agreement)
- Mayoral and borough community infrastructure levy (CIL)
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights

34. These matters are discussed in detail in the 'Assessment' section of this report.

## **Legal context**

35. 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.

36. 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**

37. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2024) 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 3. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

38. The site is located within the:

- Metropolitan Open Land
- Borough Open Land
- Site Of Importance For Nature Conservation
- Dulwich Village Conservation Area
- Critical Drainage Area
- Flood Zone 3 as identified by the Environment Agency flood map, which indicates a high probability of flooding however it benefits from protection by the Thames Barrier

- Air Quality Management Area
- LVMF/Conservation Areas/Listed buildings/protected views.

## ASSESSMENT

### Principle of the proposed development in terms of land use

#### Metropolitan Open Land

39. According to Chapter 13 of the National Planning Policy Framework (NPPF) the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

40. Paragraphs 153 and 154 of the NPPF state:

153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

41. 154. Development in the Green Belt is inappropriate unless one of the following exceptions applies:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.
- h) Other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:
  - i. mineral extraction
  - ii. engineering operations
  - iii. local transport infrastructure which can demonstrate a requirement for a

Green Belt location

- iv. the re-use of buildings provided that the buildings are of permanent material changes in the use of land (such as changes of use for outdoor
- sport or recreation, or for cemeteries and burial grounds); and
- vi. development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

42. Policy G3 (Metropolitan Open Land) of the London Plan 2021 affords Metropolitan Open Land (MOL) the same status and level of protection as the Green Belt and states MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. Policy G2 (London's Green Belt) of the London Plan 2021 states development proposals that would harm the Green Belt should be refused except where very special circumstances exist.

43. Policy P57 (Open space) of the Southwark Plan 2022 states that development will not be permitted on Metropolitan Open Land (MOL). In exceptional circumstances development may be permitted when:

1. It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or
2. It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building or
3. It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.

44. Objectors raised concerns that the proposal would contravene the guidelines set out in Dulwich Supplementary Planning Document (July 2013):

- Paragraph 6.2.2 "We also have saved Southwark Plan policies that set out more detail on what type of development is considered acceptable on our protected open spaces. Policies 3.25, 3.26 and 3.27 show how we will protect open spaces as Metropolitan Open Land, Borough Open Land and Other Open Space."
- Paragraph 6.2.3 refers to Saved policy 3.25: Metropolitan open land (MOL) which states 'there is a general presumption against inappropriate development on metropolitan open land. Any proposal for development on MOL would need to preserve the openness of the site. Objectors states that this is not fulfilled in this application. Furthermore, paragraph 6.2.4 refer to Saved policy 3.26: Borough open land (BOL) which states that within borough open land planning permission will not be granted for development unless it is ancillary to the use of the open space and it is small in scale. Any proposals for development would need to maintain the site's open nature and character.'

- 'Paras 6.2.3/4/5/6 The site falls under the Metropolitan Open Land provisions which seeks to preserve the openness of sites, keep any development "small in scale".
- Objectors are of the opinion that hard surfaces, gated Padel courts and new buildings in this development do not fit into the guidelines given for MOL sites.'

45. Objectors are also concerned about the addition of a further 35 floodlights in a compact area and consider the density of 50 floodlights in this part of the site would adversely "affect its openness" and "detract from its character", contrary to MOL use.

46. Officers have considered the above objections and note the Dulwich Supplementary Planning Document (July 2013) refer to policies of the Southwark Plan which have now been superseded by Policy P57 (Open space) of the Southwark Plan 2022.

47. In this case the proposal would not be inappropriate development as the following exceptions of paragraph 154 (b) of the NPPF applies: the provision of appropriate facilities (in connection with the existing use of land), including buildings, for outdoor sport...as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.'

48. 1) A croquet pavilion is an F2 Use Class, local community – F2(c) Areas or places for outdoor sport or recreation (not involving motorised vehicles or firearms). As the proposed development is for a croquet pavilion, Padel courts, floodlights associated with the racket courts, which is essential for outdoor sport, the proposal would be appropriate development and officers support the proposal. The proposed development would also be in keeping with point B.2 of London Plan 2021 Policy G3 Metropolitan Open Land as it would include open air facilities for sport. Policy G3 also states: Boroughs should designate MOL by establishing that the land meets at least one of the following criteria – criteria 2 is relevant in this case:

2) It includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London.

49. The proposed Padel courts would comprise permeable artificial surface, surrounded by mesh and glass fencing. The proposed floodlights would provide an essential function to the use of the sports facilities already in existence and those proposed. The proposed lighting columns would be modest in scale with a very limited footprint. The proposal would include open air facilities and the design of the proposed Padel court fencing, cricket netting and proposed lighting columns would therefore represent an appropriate development by not compromising the openness of MOL.

50. The proposed croquet pavilion by reason of high quality design would positively contribute to the setting, accessibility and quality of the open space. The proposed croquet pavilion would not affect the openness and character of MOL due to its limited footprint. The proposed croquet pavilion would be in accordance with the NPPF as it would be used in connection with the existing

use of the land for outdoor sport and outdoor recreation and would not conflict with the purposes of including land within MOL. MOL would, in accordance with the supporting text of Policy G3 Metropolitan Open Land of the London Plan 2021, continue to play an important role in London's green infrastructure and improve Londoners' quality of life by providing sporting and leisure use, biodiversity and health benefits through physical activity. The principle of development is therefore acceptable.

### Croquet lawns

51. Objectors raised concerns that the total area of the proposed croquet lawns would be reduced and that the proposed half sized croquet lawn would not be practicable and must be discounted. Objectors are also concerned that the development would result in a loss of facilities for hosting world croquet competition, as occurred in 2023.
52. The applicant advised that 'the standard size of a croquet lawn is 32m x 25.6m, with a "desirable" extra 1m surround'. The applicant provided the historical context, advising that 'the croquet club has been on the site since 1912, and until about 20 years ago operated successfully on 2 lawns (the current lawns 1 and 2). A Bowls club existed until the 1990's, when it's use ceased. After much debate (and a failed application to build on the site) the "old bowling green", was temporarily allocated to croquet as Lawn 3, and has been in use by that section since then. The applicant advises that there would be no reduction to the size of 2 of the croquet lawns themselves, but the 3rd croquet practice lawn would be smaller, and the remaining adjacent grass tennis courts would be available as a 3rd croquet lawn for competitions. The proposed croquet lawns would be constructed to the standards provided by the Croquet Association and would be better drained and built to a higher standard than the existing croquet lawns. This will allow more all year round play than at present.
53. The applicant advised that 'once the croquet lawns are established, the new croquet centre will be a prime site for competition at all levels (including prestige events such as world competition) and that the purpose-built mini pavilion would also provide fully accessible facilities for croquet players.' The applicant provided context to the concerns raised by objectors and advised that 'the 2023 world croquet competition was jointly held across 6 London area clubs, where the main venue was the Hurlingham Club (10 lawns) supported by satellite hubs including Dulwich, Surbiton (7 lawns), Roehampton (4 lawns), Ealing (3 lawns) and Woking (2 lawns)' and that 'the club is very proud of having been a host venue for this competition in 2023, and once the new facilities are complete, will be happy to be involved again.'

### Community use

54. Objectors raised concerns that the application is a private sports club, with high fees and long waiting lists and while the club are intending to make a limited number of courts available to non-members for 'open' pay and play, this would be very limited, expensive and not easily accessible.

55. The Equalities Impact Assessment states that whilst the site is a private members club, fees are roughly equivalent to a Southwark Leisure subscription (e.g. Tennis adult = £25 per calendar month, Junior U12 £26 per annum).

56. The applicant confirmed that the club also offer access to non-member groups and states that:

- Their “long” waiting lists demonstrates the requirement / need for increased sports facilities in the area.
- As well as offering space for new members, the new facilities would increase the opportunity to increase participation by the local community, with a variety of access schemes of different types. The many strong “Support” comments for the application demonstrate the extent of the demand.
- Pay and Play courts, for Padel tennis, will be available each day and competitively priced. One of their primary objectives in creating more facilities is to enable more access for local people - and not to be expensive. To this point, their proposed Padel pricing is at a level approximately half the price of the current Padel offerings in Wandsworth, and much less than many other facilities such as Rocket Padel in Battersea.

57. Objectors requested, to ensure benefit for the community of Dulwich, that there be a requirement that schools in the local area (e.g. Charter, the Hamlet) are offered the opportunity to use the facilities regularly pro bono during the term week (as seen with Hamlet using JAGS pool)?

58. The applicant advised that ‘the club already work extensively with schools and young people in the community, across all their sports, both on site and by their coaches attending local schools. The club would like to work with schools more and will continue to seek to find ways to do so.’ The practical challenge they have found is the issue of transporting school children to and from the site, whilst maintaining safeguarding and within the constrained timeframe of the curriculum. The applicant is open for discussions how any of their weekday daytime capacity could be accessed by local schools, as they believe junior sports participation to be vital and would be delighted to find more practical solutions to accommodate this. The club is community run and not-for-profit. It is inherently committed to providing good-quality affordable sports facilities for the local community. The club already has a number of (paid-for) after-school and week-end sessions for local children. The club has in the past offered free use of facilities to local schools as part of their outreach programme, but uptake has been limited for logistical reasons – getting children to and from the club during lesson time / activity windows. The club would be happy to make such offering more explicit – outreach offering on website, active correspondence with local schools to explore possibilities. However, the club would rather this was informally propositioned. Officers consider that as the application would be compliant with planning policy related to the site and MOL, no mitigation or conciliatory measures would be formally needed. Therefore, there would be no requirement to enforce community outreach through legal agreements or condition.

## Design

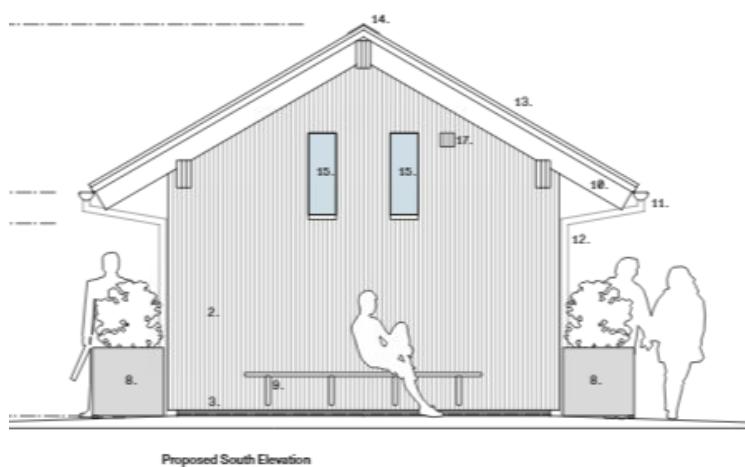
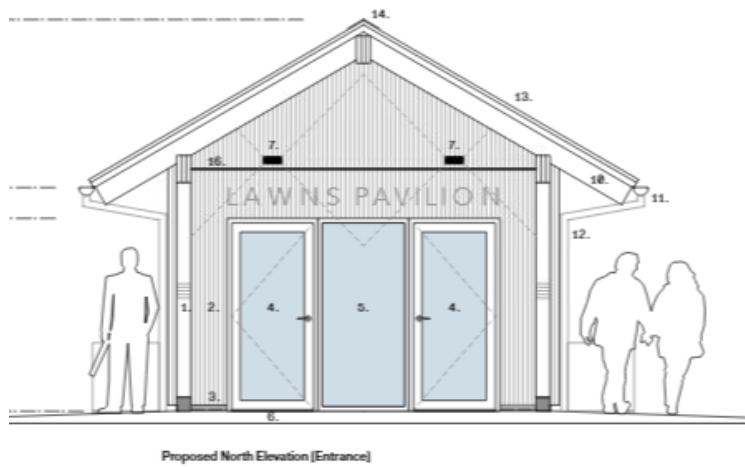
59. Objectors raised concerns that more open space needed on development and that the proposal would contravene the guidelines set out in Dulwich Supplementary Planning Document (July 2013):  
 Paragraph 5.4.2 Dulwich is generally not considered to be a suitable area for back-land development...intention is to preserve leafy, open and green amenity. - further to the paragraph above, the proposal appears contrary to the expressed aim of the Dulwich Planning policies to avoid loss of the green and open amenity spaces. If this proposal goes ahead, a very large area of green and open space will be paved over and replaced by padel courts and hard surface tennis.

Paragraph 5.4.2 of the Dulwich Supplementary Planning Document (July 2013) states back-land development sites are those located predominantly to the rear of existing dwellings separated from the residential dwelling (e.g. not a conservatory or extension to the existing dwelling). Development on such sites includes garden buildings such as sheds and greenhouses and new residential units.

60. Approximately 3300sqm of monoculture fine mown grass will be converted to permeable artificial playing surfaces and approximately 1000sqm or NON-permeable tarmac playing surface will be converted into monoculture fine mown grass. The net loss of monoculture fine mown grass will be approximately 2300sqm. Given the extent of the site and the relatively small loss of open space and grass officers consider the proposal would leave adequate open space. The proposal would also not contravene the guidelines set out in Dulwich Supplementary Planning Document (July 2013) as the site is not defined as a back-land development site as it is a site which is not located to the rear of an existing dwellings separated from the residential dwelling (e.g. not a conservatory or extension to the existing dwelling). The Conservation and Urban Design Team had no comments and officers consider that the croquet pavilion would be of a high quality design.

### Height, scale and massing

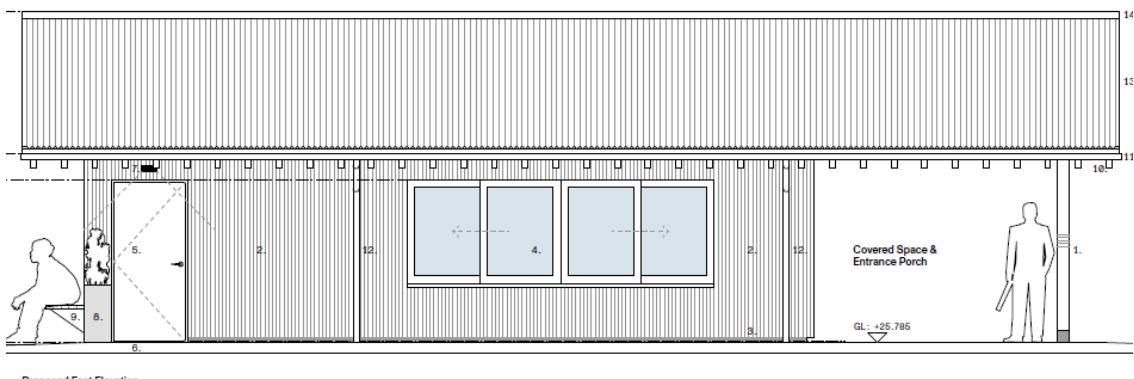
Image: Elevation proposed pavilion



61. Objectors raised concerns with regard the scale, height and massing.
62. The Conservation and Urban Design Team had no comments and officers consider that the croquet pavilion would be of an appropriate scale, height and massing and would not have a significant impact on the setting and quality of the open space.

#### *Architectural design and materials*

*Image: east elevation of proposed pavilion*



63. The following elements of the proposed pavilion would be painted oxide red: Vertical timber cladding, half-round steel guttering, circular steel downpipe, corrugated steel roofing sheet, steel ridge and extract fan vent to kitchenette. The exposed rafter tails and all exposed soffits to roof structure would be painted white. Recessed render to the plinth would be painted dark grey aluminium double-glazed sliding windows and the timber aluminium composite door to the accessible WC would be red-brown. The Conservation and Urban Design Team had no comments and officers consider that the proposed detailed design and materials would be acceptable. It is recommended that permission be subject to a condition to ensure that the detailed design and materials would be of a high quality.

### *Padel courts*

64. The materials of the proposed Padel courts, comprising mesh fencing with toughened glass panels wrapping around each end, 6m high fencing and green perimeter pathways and posts (RAL 6005 colour) between the Padel courts, would be high quality and would be acceptable.

### *Cricket netting*

65. The proposed cricket netting and posts would be of an acceptable design. The applicant agreed to a compliance condition that the proposed netting shall only be raised during the playing season and demounted outside the playing season.

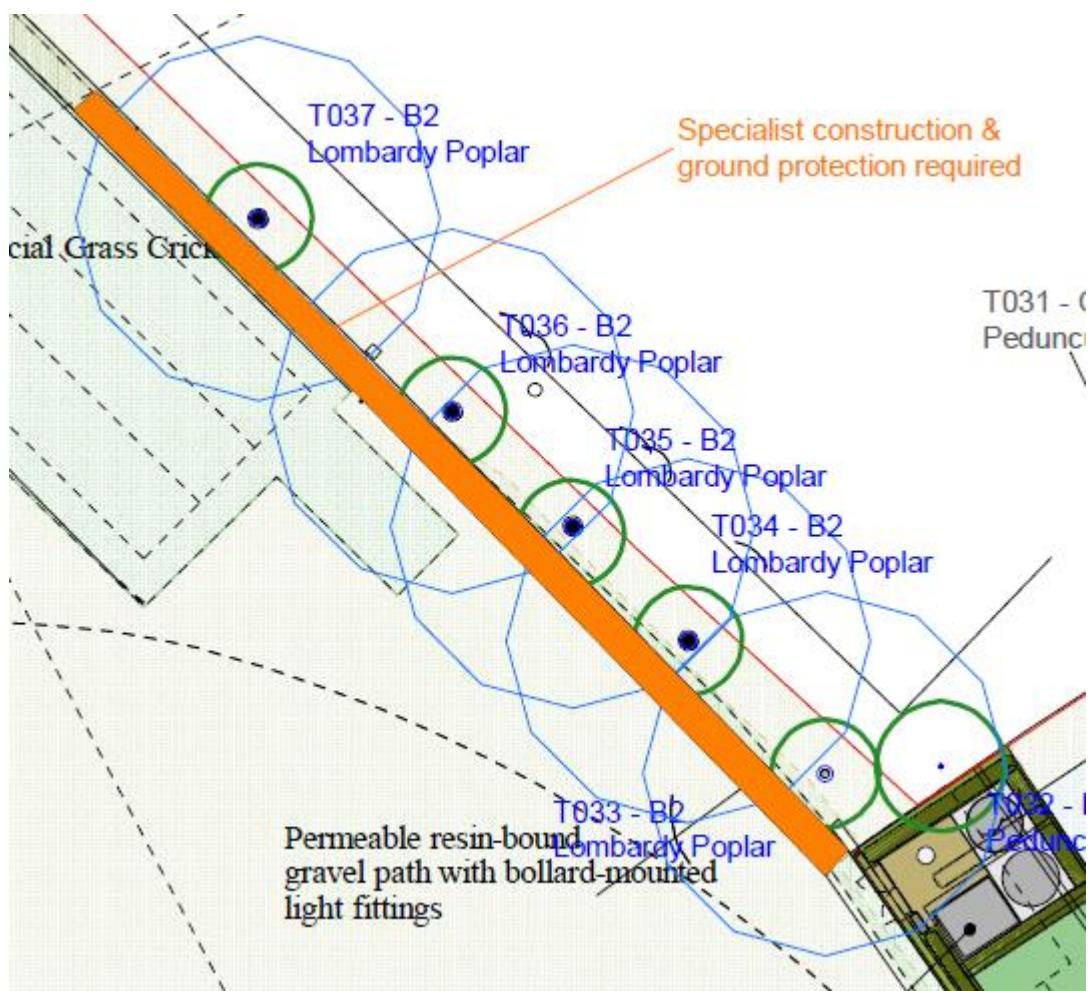
*Image: proposed 10m high cricket netting*



### Landscaping, trees and urban greening

66. The Arboricultural Impact Assessment is acceptable, however landscaping details and a detailed Arboricultural Method Statement (AMS) would be secured by condition. Tree protection measures for 6 trees have been specified which are achievable and sufficient to protect trees during the proposed works. The protection of the retained trees during the construction stage would be ensured by the Arboricultural Method Statement (AMS) condition. The Arboricultural Impact Assessment provides recommendations for protection to demonstrate how this can be achieved. The overall impact of the development on trees would be low, providing the findings and recommendations in the Arboricultural Impact Assessment are followed.

*Image: Specialist construction & ground protection required*



*Image: Specialist construction & ground protection required*



- 67. *Site of Importance for Nature Conservation (SINC) and green space*
- 68. Objectors raised concerns that 'the proposed Padel court facilities would sit alongside the corridor along the rail line which is designated as Site of Importance for Nature Conservation and that disruptive loud noise and light pollution from floodlights will be harmful to the biodiversity currently in the corridor.
- 69. Policy P60 of the Southwark Plan states that:
 

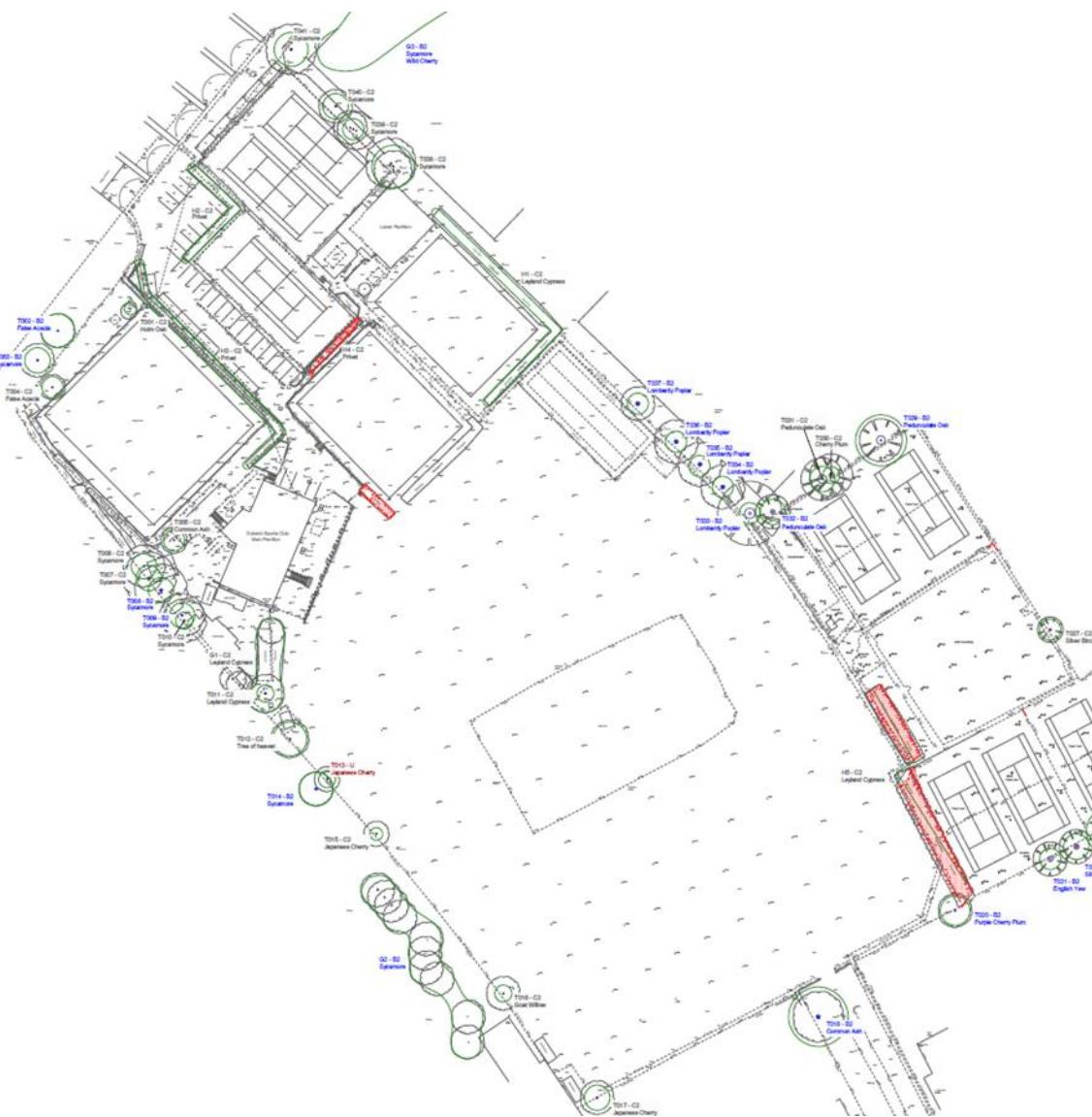
Development must contribute to net gains in biodiversity through:

  1. Enhancing the nature conservation value of Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs), designated ancient woodland, populations of protected species and priority habitats/species identified in the United Kingdom, London or identified and monitored in the latest adopted Southwark Nature Action Plan; and
  2. Protecting and avoiding damage to SINCs, LNRs, populations of protected species and priority habitats/ species; and
  3. Including features such as green and brown roofs, green walls, soft landscaping, nest boxes, habitat restoration and expansion, improved green links and buffering of existing habitats.
- 70. The council's ecologist recommend buffer planting along the western border that is shares with the SINC. The council's ecological officer did not raise any issues with regards to noise pollution.
- 71. Objectors raised concerns that the loss of so much green, lawn area will not be

in keeping with the thrust of the planning guidelines' and that that the total area of greenspace will be reduced - not just by the removal of one of the croquet lawns but also the hedge adjacent to it. Objectors raised concerns to the proposal to replace the croquet lawns and two grass courts with concrete/artificial surfaces. Objectors state that Southwark Council has shown its commitment to keeping green spaces (Fairer Future, delivering our Promises July 2013) - the loss of Croquet Lawn 3 to noisy and light polluting hard landscaped courts would void that commitment and that the proposal is not in line with the council's green and sustainability policies as it effectively involves concreting over valuable existing green spaces.

72. The council's ecologist advise lawn/grass has a higher ecological value and the retention of this is preferable.
73. The applicant understands the point that it would be preferable to maintain lawn/grass areas instead of new hard (permeable) all-weather sports surfaces. However, these new surfaces are the crux of the application that will offer outdoor sport to a greater number of people. As the site is MOL, and occupied by a sports club with a variety of playing surfaces already, this use and the application's aspirations are entirely planning policy compliant. Furthermore, the 17+% BNG (7% above the required 10%) improvement offered by the overall proposals more than offsets the loss of some areas of close-mown low-biodiversity lawn areas.
74. An amended plan was submitted showing the correct hedge removals. The applicant note that much of this non-native hedging would be replaced with indigenous species raising biodiversity. Officers recommend that permission be subject to a condition that the applicant submit details of native planting as part of the landscape strategy/plan prior to any superstructure works commencing on site.

*Image: 4 hedges to be removed*



75. The applicant also advised:

- The club plan to retain / create 2 full size grass tennis courts and 2 full size croquet lawns and a smaller croquet practice lawn – all fully drained and fine mown grass;
- Approximately 3300sqm of monoculture fine mown grass will be converted to permeable artificial playing surfaces.
- Approximately 1000sqm or NON-permeable tarmac playing surface will be converted into monoculture fine mown grass;
- So net loss of monoculture fine mown grass will be approximately 2300sqm;
- This loss would however be set against 17%+ BNG (7% above he required 10%) across the site and improved flood risk management as described in the FRA.

76. Objectors commented that the proposed planting would take a long time to become established to provide the necessary environment and there will need to be input in the long term to look after the grounds.

77. It is recommended that permission be granted to a hard and soft landscaping condition that require that all soft landscaping have a written five-year maintenance programme following planting. It is also recommended that permission be granted subject to a condition relating to details of native planting as part of the landscape strategy/plan.

### *Bats*

78. Objectors raised concerns that if Padel does go ahead swift boxes will have to be removed.'

79. The applicant confirmed that as the padel courts would be constructed in open space. As such, no existing swift boxes would be removed.

80. Objectors are concerned about 'disturbance to bats and birdlife by the noise and floodlight usage of padel courts. The Ecology report was conducted in February 2024 and not in the months recommended to assess bat activity. In addition, it states that it assesses only the habitat and not the impact on behaviour of wildlife.' Objectors are of the understanding 'it is unlawful to disturb bats anywhere (roosts, flights or foraging areas). This report has not assessed adequately the impact of this proposed development on bats' habitat or their links to feeding areas, particularly close to the railway lines.'

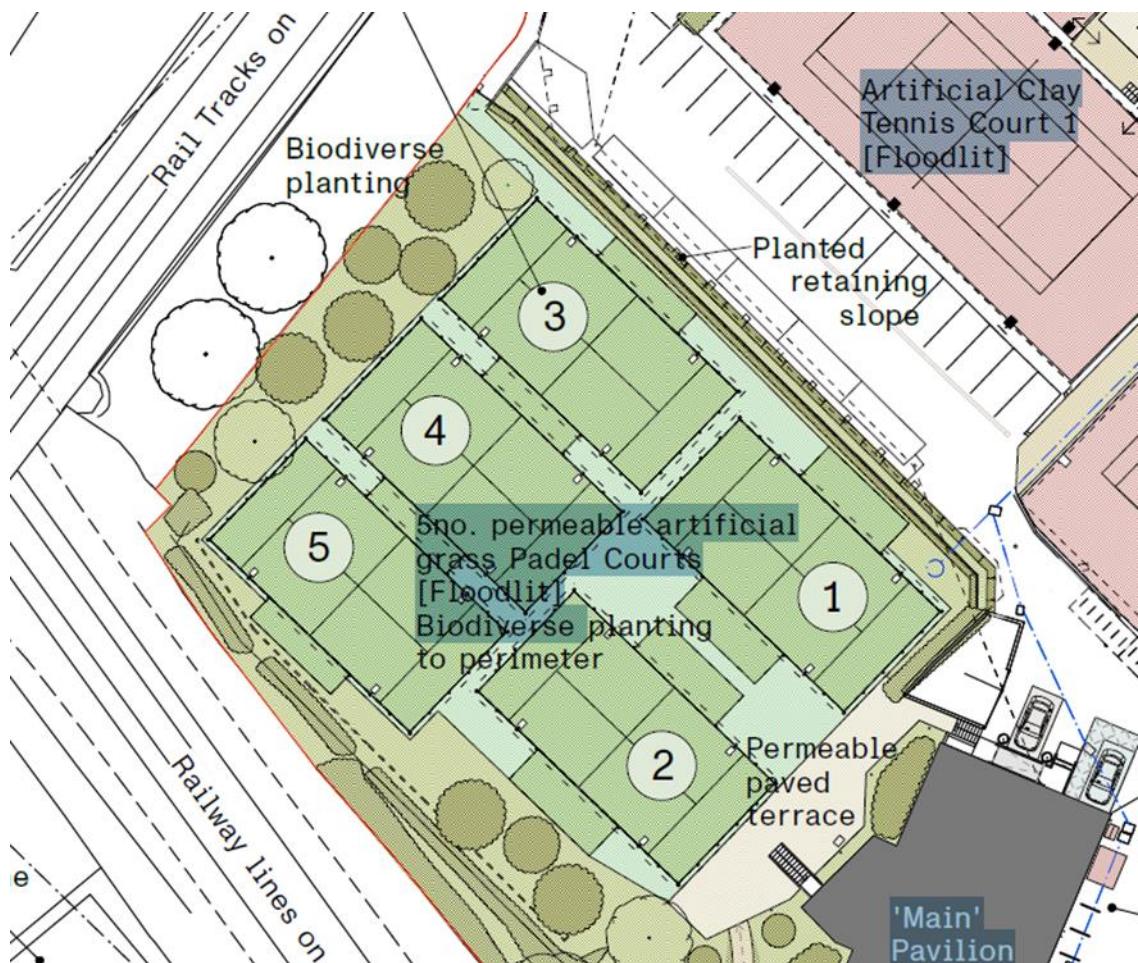
81. The applicant submitted additional information:

Ecology letter report – 'Bats and Lighting Dulwich Sports', and club states that: Details showing how the proposed padel courts would be booked in the order shown in the image below, to limit any light spillage in proximity to the adjacent SINC.

82. The council's ecologist also advise that the ecology letter report 'Bats and Lighting Dulwich Sports club' states that:

Provided the proposed lighting is of a warm light spectrum (maximum 3000k) and complies with the proposed curfew of 8am-10pm, the lighting is considered to have a negligible impact on foraging and commuting bats. The linear railway line is intended to remain unlit and retained as a foraging and commuting flight line for bats. The hours of the use of lighting would also be conditioned.

*Image: padel courts booking order*



83. The council's ecologist advise that the Ecological Appraisal recommends that the removal of the wall in the carpark and any works close to the main pavilion are undertaken under an unlicensed method statement due to the proximity of roosting features within the main pavilion and that the ecological appraisal recommends a supervised destructive search of the debris piles/compost heaps onsite. This would be conditioned.

84. An unlicensed method statement condition, a wildlife friendly lighting condition and a compliance condition that sports lighting must be off from 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays between the dates of 11th May to 8 June and between the dates of 11 July to 17 August is recommended. It is also recommended that permission be granted subject to a condition relating to details of 3 bat boxes on trees.

#### *Foxes, birds and insects*

85. Objectors raised concerns that the noise and light pollution will impact on the fox den, believed to be adjacent to the current Croquet lawn 3 – the site proposed for the Padel courts, and encourage Planning Officers to consult with animal specialists on this concern.

86. The applicant advised that there is no evidence of any current fox dens on the Dulwich Sports Club and have the following response to an objection from local residents that there is a possible fox den on the other side of the fence, on what

is Network Rail property:

87. 'Cherryfield ecology visited the DSC site in February 2024 to conduct a full ecological survey and did not identify a fox den or fox activity on site at that time, suggesting that a den could have been vacated by then, or has been created since.'
88. On 15 November 2024 the club's onsite groundsmen, in conjunction with senior club management, carried out a detailed search of the area where it was suggested the fox den may be – on network rail land, neighbouring the DSC site. It is an area where it is thought a fox was living in 2023. Areas behind the fences and walls in that part of the ground were thoroughly checked – as best possible without trespass on Network Rail property. The area shows no sign of current fox den activity, and leaves and other materials deposited in the area have not been disturbed for some time. It is concluded, based on their knowledge of the site, and presence working there on most days throughout the year, that there are no active fox dens either on, or in the immediate vicinity of the area proposed for the development of the padel courts.'
89. Our ecologist advised that there is no need to consult with animal specialists and recommended measures to protect mammals on site during construction should be described within a construction environmental management plan condition. The applicant agreed to this.

*Light pollution*

90. The applicant believes light spill outside the proposed padel courts would be very restricted using modern cowled LED lighting. It would be less than the light spillage from street lights and would be switched off earlier in the evening.
91. Objectors raised concerns that any substantial interference with the area round the club house will remove habitats for bird life and insects and that no light mitigation measures, which are readily available due to the known impact of Padel courts, have been proposed.
92. Officers note that the ecology report has recommended mitigation and compensation/enhancements for birds and invertebrates. Bird boxes and invertebrate boxes are recommended for condition along with native planting.
93. It is recommended that permission be granted subject to conditions relating to details of 2 invertebrate boxes and 5 bird boxes.

## **Biodiversity Net Gain**

94. In England, Biodiversity Net Gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.
95. The council's ecologist advise this should be included within the BNG

documentation. Updates in the 'Ground Site / Block Plan' and 'letter report' should be included within BNG documentation.

96. The applicant recognises the request to show how the extra areas of biodiverse planting offered on the amended site plan drawing change the BNG calculations. However, the applicant states that it is clear that the percentage improvement will only increase from the current 17%, which is 7% higher than the minimum.
97. Updates in the 'Ground Site / Block Plan' and 'letter report' have been included within the amended BNG documentation.

### Biodiversity Net Gain Applicable Sites

98. The proposed development does not fall within any of the BNG exemptions or any transitional arrangements and is therefore required to deliver BNG on site.
99. Biodiversity Gain Hierarchy
100. Planning authorities must take into account how the Biodiversity Gain Hierarchy (set out in Articles 37A and 37D of the Town and Country Planning (Development Management Procedure) (England) Order 2015) has been applied and, if it has not been applied, the reason or absence of a reason when determining the application.
101. The sets out a list of priority actions:
  - first, in relation to onsite habitats which have a medium, high and very high distinctiveness, the avoidance of adverse effects from the development and, if they cannot be avoided, the mitigation of those effects; and
  - then, in relation to all onsite habitats which are adversely affected by the development, the effect should be compensated by prioritising the enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered offsite gains and finally the purchase of biodiversity credits.

### *Onsite BNG*

102. The draft Biodiversity report submitted by the applicant has stated that the mandatory 10% BNG can be achieved onsite. This is in accordance with the Biodiversity Hierarchy.
103. The data below has been taken from the documents Biodiversity Net Gain Metric and Biodiversity Gain Plan submitted with the application.
  - The baseline value of onsite habitats was calculated to be 5.56 habitat units and 0.59 hedgerow units.
  - The on-site measures propose to deliver an increase of 0.88 area based biodiversity units to 6.45, which equates to a net percentage change of 15.89%.
  - The creation of hedgerows proposes to deliver 0.7 biodiversity units from a

baseline of 0.59, which equates to a net percentage change of 17.73%.

### Significant or non-significant BNG assessment

104. Planning regulations require an assessment of whether the proposed habitat works to deliver biodiversity net gain onsite will deliver a significant increase in the biodiversity value of the site, compared to the pre-development biodiversity value. The distinctiveness, condition and size of the biodiversity habitat to be delivered are all considerations which must be balanced.

105. Non-significant enhancements are habitat enhancements whose loss will not significantly decrease the development's biodiversity value.

106. Government guidance (PPG Biodiversity, 2024) on determining whether BNG to be delivered on a development site is 'significant' sets out five factors. These are set out below and the following assessment has been undertaken by the council's ecologist to determine whether the development is significant or non-significant.

107. **Does the proposed habitat delivered contain;**

<p>Habitats of medium or higher distinctiveness in the biodiversity metric.</p> <p>Habitats of low distinctiveness which create a large number of biodiversity units relative to the biodiversity value of the site before development.</p> <p>Habitat creation or enhancement where distinctiveness is increased relative to the distinctiveness of the habitat before development.</p> <p>Areas of habitat creation or enhancement which are significant in area relative to the size of the development .</p> <p>Enhancements to habitat condition e.g. from poor or moderate to good.</p>	<p><b>Assessment</b></p> <p>The following area based habitats are being created with medium distinctiveness:</p> <ul style="list-style-type: none"> <li>-Other neutral grassland 1.16 units</li> <li>-Urban trees 0.3 units.</li> <li>-Species rich native hedgerow 0.2 units</li> </ul> <p>The following low distinctiveness habitats propose to deliver:</p> <ul style="list-style-type: none"> <li>modified grassland 0.69 units,</li> <li>introduced shrub 0.01 units.</li> </ul> <p>Other neutral grassland is enhanced which increases distinctiveness from Low to Medium.</p> <p>The total site area stated in the metric is 3.17 ha. The largest habitat proposed is 0.174ha of other neutral grassland.</p> <p>N/A</p>
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108. The BNG to be provided as part of this development is considered significant as set out in the above table. A S106 legal agreement will be required to secure

the biodiversity gain for 30 years. A monitoring fee will be required as part of the S106 agreement to cover the cost of periodic monitoring over 30 years. A Biodiversity Net Gain Plan and Habitat and Management and Monitoring Plan will be required post-approval to set out the management arrangements.

## Designing out crime

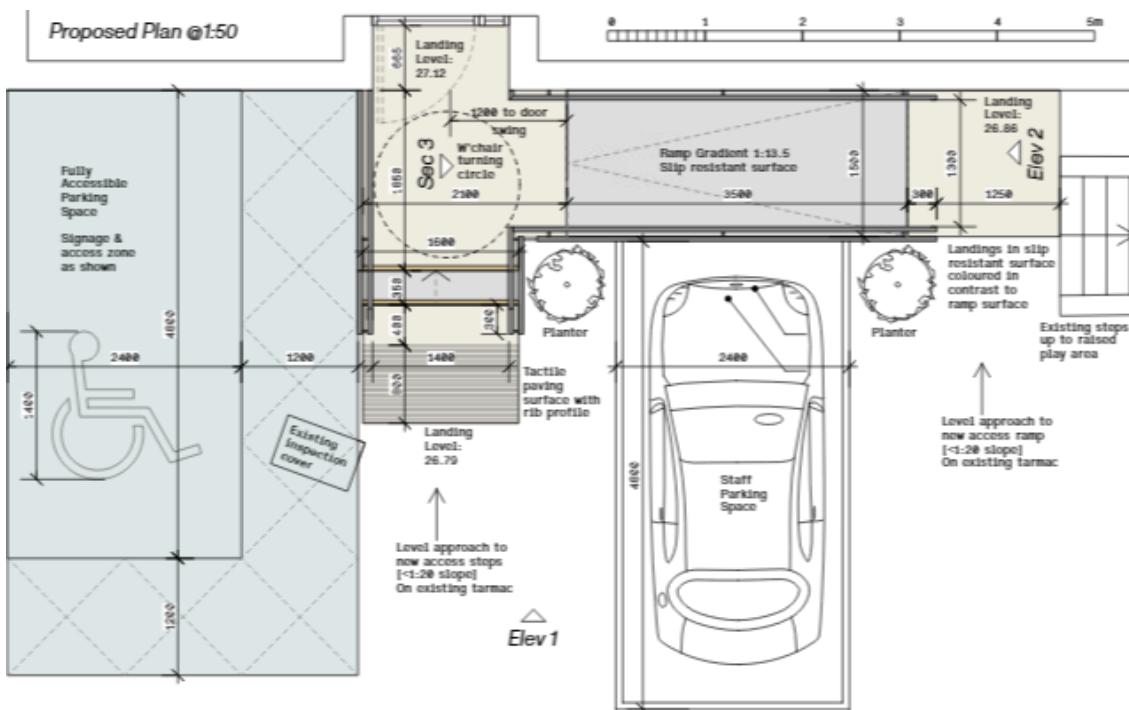
109. Objectors raised concerns regarding security and safety. The applicant confirmed that 'there are occasional youth gatherings on the fields, especially in summer and that these have not caused serious issues.'
110. The Metropolitan Police raised no concerns and did not request that conditions are applied.
111. The Metropolitan Police however made the following recommendations which would be included as informatics in the decision notice:
  - Incorporating CCTV in the bicycle storage areas due to the high number of bicycle thefts in London, particularly in the Borough of Southwark. For the CCTV to be effective, lighting that meets the BS 5489-1:2020 standard should also be installed, as both systems should complement each other.
  - CCTV and lighting to the BS 5489-1:2020 standard should also be considered around the perimeter of the Pavilion to enhance security and safety. CCTV will help to deter any potential criminality and ensure that the area is monitored effectively. Additionally, lighting will improve visibility, making the space safer for all users, especially during evening hours.
  - Security-rated windows and doors should be installed on the pavilion's perimeter, including external doors that access property or equipment, meeting at least the PAS24:2002 standard. This will help prevent break-ins and theft, protecting equipment and amenities.
  - Installation of a monitored, data-logging intruder alarm at the Pavilion. This will enhance security and provide a log of anyone entering the building after hours.
112. The applicant confirmed that 'there are proposals planned to secure the site from the Allyens Club side (new fencing and hedging on their side) which would limit ease of movement across the site. The new pavilion would have night time CCTV, security lights, and have PAS24 secure windows and doors. On top of this there is considerable passive surveillance from the houses on Turney road which have an uninterrupted view of the fields and the proposed new building from upper floor windows. Ultimately it is Metropolitan Open Land and preventing youths entering the site and hanging around is difficult, but it is something the club would monitor and use the above measures to limit/prevent anti-social behaviour.'

## Accessibility

113. The proposed pavilion would have an accessible WC and the covered outdoor seating under the roof overhang would provide clear access to the pavilion for wheelchairs. The resin bound gravel permeable paving would slope up to a flush door threshold with a slope with a gradient of less than 1:20, which would be acceptable.

114. The transport team advised that detailed drawings of any proposed ramps would need to be reviewed and that the applicant must submit detailed plans with gradient, height and ramp direction clearly marked prior to determination. The applicant clarified that the only proposed ramp would be the one to make the Main Pavilion entrance door fully accessible, as detailed on submitted drawings 124\_499\_P1 and 124\_500\_P2. The applicant advised that all other slopes would be set at less than 1:20 slope and would therefore be deemed 'level' in terms of Part M of the building regulations.

*Image - Main Pavilion entrance*



115. The transport team also advised that 'gradients must be shown across vehicle, pedestrian and cyclists access routes around the site as the applicant is legally required to follow Document M standards, including M4(2) and M4(3) where conditions are imposed. Document M requirements apply to newly erected dwellings and dwellings undergoing material alteration but do not apply to the extension of a dwelling.' The applicant clarified that the site is essentially flat, with a couple of minor slopes set at less than 1:20.

116. The transport team also advised that wheelchair users in particular would need to be considered in detail in terms of access to the front door of the proposed pavilion from the back edge of the public highway; and also their passage

through internal areas of buildings, to/from Blue Badge Bays which must be provided as level as possible 1:1, and routes to/from larger disabled / adapted cycling parking spaces must also be considered in detail in terms of gradients.' The applicant pointed out that submitted drawings show the disabled parking bay and connection to the proposed building and drawing 124\_130\_P2, the elevations for the new pavilion, describes the less than 1:20 slope to access the entrance doors which would be in compliance with Part M.

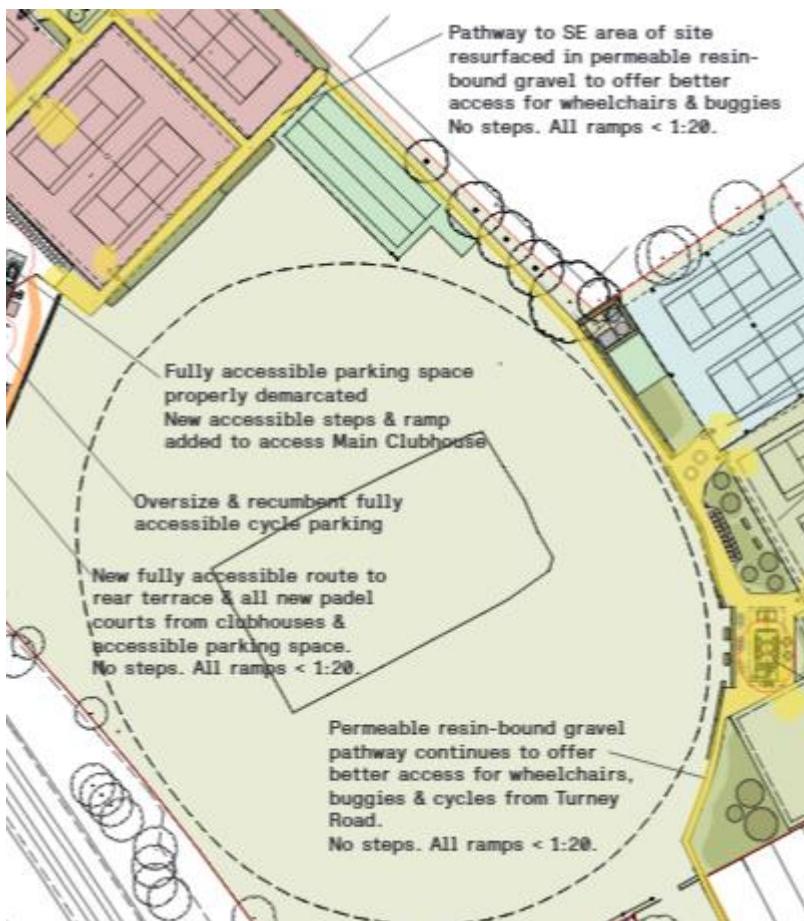
117. The existing path from the main pavilion to the new pavilion is artificial grass (astroturf) and is typically 1.2m wide. There are no step level changes, so the path across the site provides access for all users.

*Image: existing path*



118. The proposal to widen the existing access path from 1.2m to 1.5m and to upgrade it from astroturf to permeable resin-bound gravel would provide improved access to all users to the south eastern part of the site. The path would have a minimum of 1.5m width from the main clubhouse to the croquet lawns and proposed new pavilion so that mobility scooters etcetera would have good access.

*Image: proposed path (yellow)*



## Fire safety

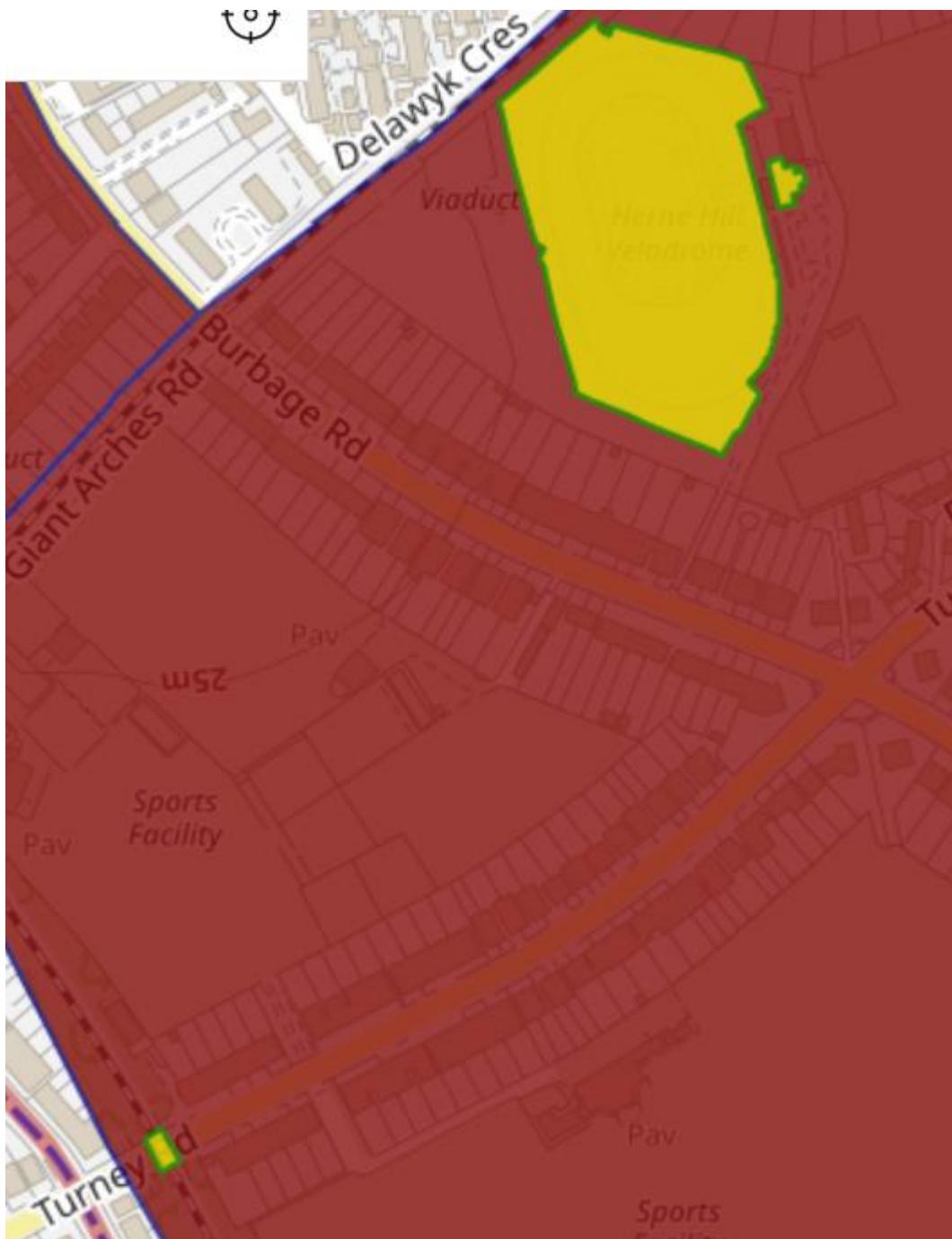
119. Policy D12 (A) of the London Plan (2021) requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
120. Summary of Information Contained in Planning Fire Safety Strategy
121. Contains information of the new pavilion and identifies suitably positioned unobstructed outside space for the following: Fire appliances access and position; life safety measures including fire alarm system; construction materials to minimise risk of fire spread; means of escape and evacuation strategy; evacuation strategy and periodic review, and access and equipment for fire-fighting.
122. Assessment of Planning Fire Safety Strategy

- 123. The details of the measures summarised above will be secured through the Building Control process.
- 124. Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is “third-party independent and suitably-qualified”. The council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.
- 125. A Fire Statement or Reasonable Exemption Statement has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.

## **Heritage considerations**

- 126. Objectors raised concerns that the proposal would contravene the guidelines set out in Dulwich Supplementary Planning Document (July 2013): Para 4.2.3 ...we will preserve and enhance the special interest or historic character by not permitting any proposals that have an adverse effect on the historic environment. - lawn sports have been played at this site for over 100 years (since 1867). The cricket field, croquet lawns and lawn tennis areas are unique and historic settings. The proposed development envisages paving over substantial areas and changing the historic setting of the club.
- 127. The Conservation and Urban Design Team had no comments and officers consider that the proposal would not have an adverse effect on the Dulwich Village Conservation Area or the locally listed railway bridge over Turney Road or the Herne Hill Velodrome.

*Image – proximity to locally listed sites*



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

128. Light pollution

129. The number of floodlit tennis courts would increase from 5 to 8 and 5 new floodlit paddle courts would be created.
130. Objectors raised concerns that 'light pollution already causes issues for houses on Stradella Road (to the north west) and spills across the open space effecting numerous roads and properties and the expansion of the number of floodlit courts would mean that over 40 players at any one time across all of the proposed courts.
131. The floodlight tennis courts at Alleyns club (across the field to the north east) and on the two courts on the middle of the site have planning approval for the floodlights with latest time of use as 21:00 hours (20:30 hours at weekends).' Objectors raised concerns that the current proposal is asking for floodlights to be used until 22:00 hours on both the main courts (which they allege never had planning approval for late use) and on the new paddle courts. Objectors state that when applying for permission for further floodlit courts in 2017 (adjacent to the Edward Alleyns Tennis Club), the applicant accepted that there should be a start time of 08:00 hours and a 21:00 hours cut-off on weekdays and 20:30 on weekends. Officer note that Planning Reference 02/AP/1056 only conditions a 21:00 hours cut-off time. Objectors point out that that cut-off applies despite the fact that the nearest properties - on Burbage Road - are in fact significantly further away from the relevant courts than is the case with the Stradella Road properties. Officers note Planning Reference 02/AP/1056 is also subject to a condition that the columns be positioned at least 30m away from the boundary with the nearest (Burbage Road) residential properties. The image below indicates the distance between the edge of the proposed padel court and the nearest residential dwelling on Stradella Road, number 63, as approximately 34m.

*Image – proximity of padel courts to closest dwelling on Stradella Road*



- 132. The applicant confirmed that the site is already floodlit for tennis – until 22:00 at the front of the site and 21:00 at the rear – with a 30-minute evening reduction on Sundays and bank holidays.
- 133. The planning enforcement team is investigating an alleged breach of planning control in relation to the lighting columns and lights to the 3 tennis courts on the north-west of the site (to the front of the site), adjacent to Giant Arches Road. The applicant advised that these 3 tennis courts have been floodlit since the early 1960's and that the club have played under lights on those courts until 10.30 pm since those days. The alleged breach of planning control took place when the lights were upgrading in 2022 and after upgrading these lights the club imposed a cut-off time of 10.00 pm for them, enforced on their booking system.
- 134. The applicant confirmed that the proposed operating times of floodlighting for the new Padel Centre and for the additional 3 artificial clay tennis courts would be 08:00 to 22:00.

#### Loss of privacy

- 135. The separation distance between the site and neighbouring properties would not lead to a loss of privacy due to overlooking. The vegetation and railway viaduct would limit view to and from the proposed padel courts and the proposed croquet courts would be in the location of the existing tennis courts and would not lead to a loss of privacy through overlooking of Turney Road properties.

#### Proximity to adjoining properties

136. The boundary of the proposed location of Padel courts would be more than 30 metres from all nearby properties on Stradella Road. The distance between the boundary of the proposed location of Padel courts would be approximately 23 metres away from the rear boundary of residential properties along Croxted Road. Officers consider vegetation and the railway line would provide adequate separation between the site and these properties.
137. The Environmental Protection Team has no objection and recommend approval.

### Noise and vibration

138. The number of floodlit tennis courts would increase from 5 to 8, whilst the total number of tennis courts would reduce from 11 to 10. Numerically the number of croquet courts would be the same, 3, and 5 new floodlit paddle courts would be created. The applicant confirmed that existing tennis courts 1,2 and 3 (i.e. the tennis courts next to the proposed new tennis and padel courts) have floodlighting available until 22:00 all year round, as has been the case since 1962.
139. Objectors raised concerns that the 5 new padel and relocated tennis courts, have applied for the same hours as the existing tennis courts 1,2 and 3 (i.e. the tennis courts next to the proposed new tennis and padel courts) which have floodlighting available until 22:00 all year round. Objectors are concerned that the long hours of operation of the courts would be disruptive and the noise of padel balls would ricochet and reverberate off the glass walls and generate undue noise.
140. The applicant responded to the above objection and state that, 'given the location of the new padel and tennis courts, far from houses, shielded by embankments and railway lines, and the adjacent courts being floodlit until 10pm since 1962, the club sees no reason why the same floodlighting / usage curfew time cannot be applied to the new courts'.
141. It is noted that hours of floodlighting of 2 existing tennis courts (6 and 7) on the south eastern part of the site is 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays. This planning application also seeks to extend the floodlit usage of these courts until 21:30 Monday to Saturday (no proposed change to Sundays and Bank Holidays at 8:30pm). As these courts are in the centre of the site officers consider that the extension of hours would not have a detrimental impact on the amenity of neighbouring properties. This would be conditioned.
142. Condition 4 of planning application 17/AP/3782 (granted March 2018) for the change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting states that:

The floodlighting hereby approved shall be used between 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays.

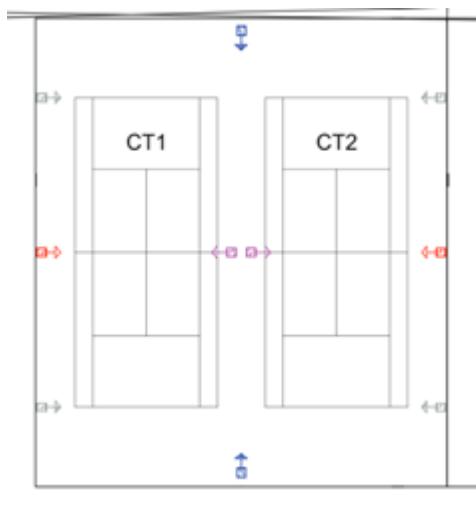
Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic policies 11 - Open spaces and wildlife and 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.28 - Biodiversity of The Southwark Plan 2007.

*Image: 17/AP/3782 (granted March 2018) 2 tennis courts*



*Image: 17/AP/3782 (granted March 2018) location of 10 floodlight columns*



143. The following in terms of floodlight times were locally permitted in Southwark:

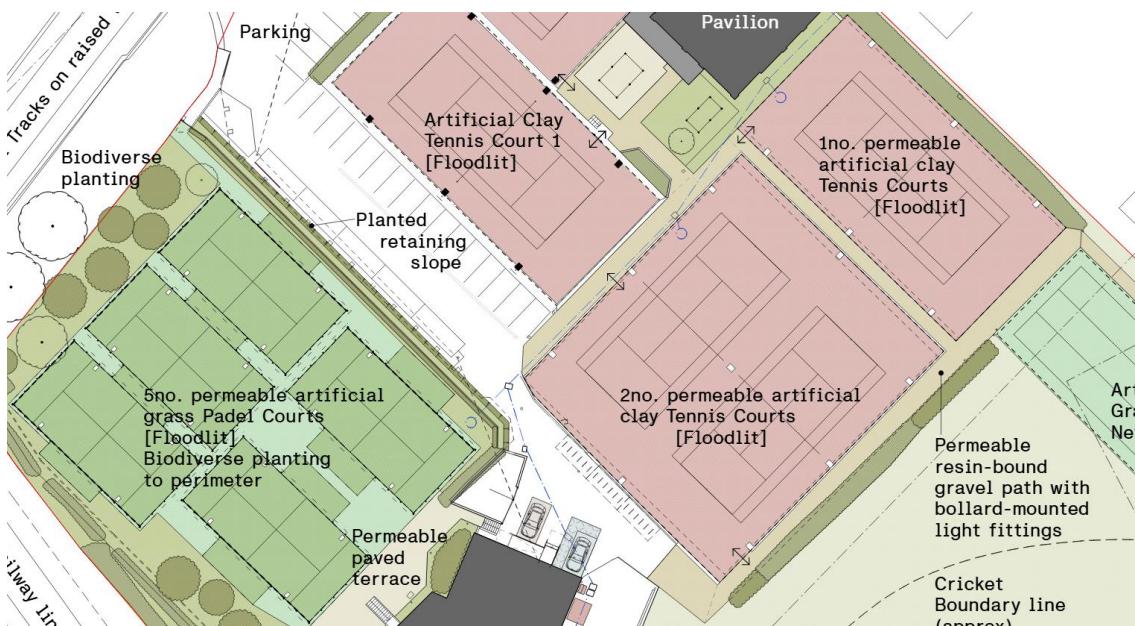
- Old College Tennis Club floodlights used from 08:00 to 21:30 as per 21/AP/2615 permission granted February 2022;
- Camber Tennis Club floodlights to 22:30 – at junction of Lordship Lane / South Circular. Planning permission 11-AP-0106 granted April 2011; and
- North Dulwich Tennis Club floodlights run to 21:30 Monday to Saturday -

Planning permission 14/AP/2675 granted November 2014:

08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays between 11th May and 8th June and 11th July and 17th August; and  
 08:00 to 21:30 Monday to Saturday and 08:00 to 20:30 on Sundays and Bank Holidays for the remainder of the year.

144. The applicant notes it appears that a record of any planning granted at that time (1962) no longer exists and tennis has been played until after 10pm on these courts for many years, but post-Covid, the club itself has instigated a 22:00 hours curfew.
145. Objectors allege that play on the existing courts often begins at 06:00.
146. The applicant responded that they are committed to being good neighbours and that play on existing tennis courts is now limited to the following, and this would continue if planning permission were granted: No lights before 8am (so no play in winter before 8am). Play in summer allowed from 7am (i.e. no lights allowed in the early mornings).
147. Objectors raised concerns that as the impact of the proposal could be significant it would require further review and the hours of usage should be reduced until the impact can be reliably assessed e.g. hours should be reduced from the proposed hours 08:00 to 22:00 Monday to Friday, to 09:00-18:00 on all days.
148. The proposed plans show every floodlight location. Black boxes for existing, white boxes for proposed.

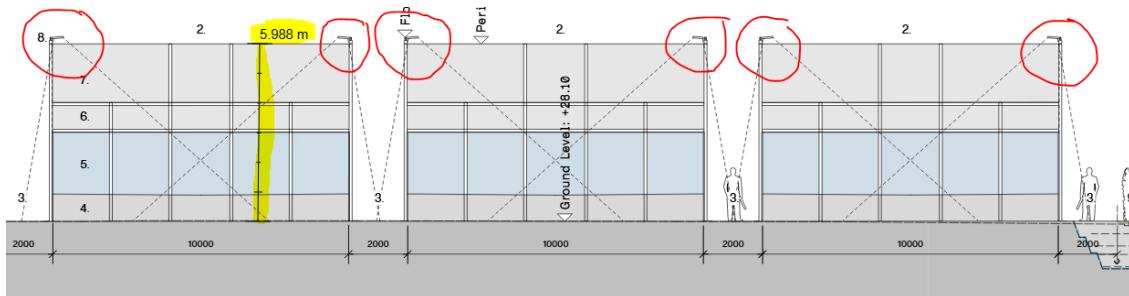
*Image: proposed floodlight locations*



149. The maximum height of the Floodlighting columns would be 6.9m. The columns

of the padel floodlights would be approximately 6m, as shown in the proposed cross section drawing below.

*Image: columns of the padel floodlights*



150. Objectors also consider that the noise survey is flawed 'because of where the monitoring device was positioned. There is a channelling of noise from the existing courts, through the railway arches and into the rear gardens of Stradella Road. This noise appears to be intensified by the heavy structure of the arches and it is a very concerning that further noise will be created by the proposed application. Sound monitoring point LT1 was not in our garden and was under one of the arches. Therefore, it will not have captured the full effect of the channelled noise which is heard beyond the arches,' and 'The positioning of the Acoustic monitor by the metal containers at ground level under Giant Arches was wrong and the impact of the Arches is to focus the noise from the sports club at the back of and inside the adjacent houses. The sound it reflected off curved part of the upper section of the arches which is the same height as the houses. The conclusions at 6.13 and 8.2 are therefore wrong and should be reassessed with a proper level of noise in mind and a correct positioning of the monitor at LT1 nearer the houses where it is not affected by the storage units.'
151. Objectors also raised concerns that the noise report 'quote noise from aircraft and trains as context to court noise in their report. It seems very likely that aircraft and train noise in its type, intensity and frequency is not the same as court noise. Noise from the proposed development, and the cluster of playing surfaces from multiple courts, would suggest very frequent and impactful levels over much longer periods of time. This by its nature is far more intrusive.'
152. Further objections were received from neighbours commenting on the noise report and recent articles regarding the impact of noise from padel courts at a tennis centre in Winchester and a club in Weybridge are going to build an enclosed set of courts.
153. The applicant responded to the above and pointed out that the context of the sites referenced elsewhere is different from the application site, and that any comparison is therefore misleading. The applicant explains the differences between the Winchester situation and the application site as follows:
154. 'Primarily, the proximity of housing to the Winchester site, as shown by the photo below, is the difference. Houses are adjacent to the courts - with only 11m and a straight line of sight from houses to the courts. It is not surprising there have been noise complaints.'

*Image: Winchester reference*



155. At the application site, 'the proposed location of the courts is 8 times further away from the nearest house on Stradella Road. In addition, the railway embankments that surround two sides will further reduce noise levels.'

*Image: the application site*



156. The applicant 'believe the Winchester example, which has been gaining some attention lately, is not a suitable comparison to the Dulwich site.'
157. The environmental protection team initially had no objection and raised no concerns with regard to noise and recommended approval. However, a further review concluded that a Noise Impact Assessment was needed and upon review the environmental protection team recommend that the usage of the padel courts to be limited to the same hours as the existing tennis courts. Officers recommend that permission be subject to a condition that the floodlighting hereby approved shall be used between 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays. The environmental protection team also recommend that a condition should be imposed on any decision that the applicant produce a noise management report for approval of the Planning Authority within six months of the planning decision.
158. The environmental protection team officers were re-consulted with regards allegations from the objectors that the noise survey is flawed, but have not provided further comments.

## Transport and highways

## Public transport

- 159. The Transport Assessment predicts a total of 376 two-way trips on all modes of transport. The Transport Assessment predicts a total of 12 or 3.19 % of two-way trips through public bus and 16 or 4.26% by train. Approximately 50% of existing members live within a 1-mile walking and cycling distance of the club and a total of 53.19 % of two-way trips are predicted through walking or cycling.
- 160. Objectors raised concerns that public transport to the site is limited to one bus and local train services which are adequate most of the time, but there is frequent disruption on the trains. Consequently, Southwark should take account of the increase in traffic that will result from this proposal in an area where existing policy is to reduce traffic.
- 161. The site has a Public Transport Access Level (PTAL) of 4, on a scale ranging from 0 to 6b where 6b represents the greatest level of access to public transport services. Officers consider users of the site arriving by public transport would likely use the nearest available services, i.e. Herne Hill station or local bus stops. Although use of public transport is not high (predicted to be 26 of the 376 two-way trips) officers consider the impact on the transport network during peak hours would be minimal and the post occupation travel plan, to be conditioned, would be able to provide evidence.

## Trip generation

- 162. Objectors raised concerns that the significant level of outdoor sports provision concentrated in Dulwich means that residents from other parts of the borough, as well as other boroughs in south London, will travel to use the facilities and that the creation of the Padel courts and their use by new members will significantly increase traffic in the borough and around the club, since they are likely to drive there. Objectors state the 'pay and play' operation would remove the need to join the club in order to play, which would hugely increase the number of possible players. Objectors raised concerns that the travel survey was conducted over a week in January rather than busy summer weekends.
- 163. The applicant has provided a very robust assessment of the potential trip generation for the proposed 5 Padel courts and 3 additional floodlit tennis courts. The trip generation is based on existing modal split data which provides an over estimation of likely the vehicle trips. The questionnaire took place during January 2024 to establish different travel and parking patterns. This took place online during a one-week period with 415 responses. Although this was during the winter months, this was online, and questions were relating to club travel and participation throughout the whole year. Officers consider that a post occupation Travel Plan would be acceptable as it would provide a more accurate representation.

## *Proposed Padel*

- 164. The Transport Assessment states that the Padel courts will be open between 8am-10pm, which equates to 14 hours of play per day. There are 5 proposed

Padel courts, and the sport requires maximum of 4 players per game. A Padel duration match is on average 60 minutes per day however 90-minute sessions are common. The club predicts 50% utilisation for the sport however, the Transport Assessment will apply 70% utilisation to ensure the evidence is highly robust. This level of utilisation equates to 196 players per day being attracted to the club/ 392 two-way trips by all modes of travel. This assumes that all 5 Padel courts are utilised for 14 hours a day, 7 days a week and match duration of 60 minutes. The applicant is presenting the worst-case scenario, it is highly unlikely that this will be the expected usage.

165. The Transport Assessment predicts the following two-way trips out of a total of 376 trips on all modes of transport. A total of 53.19 % of two-way trips are predicted through walking or cycling. The percentages for all modes of travel are as follows:
  - Walking -  $59/376 = 15.69\%$
  - Cycling -  $141/376 = 37.5\%$
  - Public bus –  $12/376 = 3.19\%$
  - Train -  $16/376 = 4.26\%$
  - Car Driver (parking) –  $120/376 = 31.91\%$
  - Car Passenger (dropped off) =  $7.45\%$

Officer note that the survey was completed in January and active travel would be higher at other times of the year when there is warmer weather.

*Floodlights to 3 existing tennis courts*

166. The applicant states that the new floodlit court would give more usage between 16:00 and 19:00 on the darker evenings. They anticipate that full utilisation will be outside of travel peak hours. For this reason, the applicant states that it is difficult to predict trip generation for the floodlit courts. The applicant also states that the overall number of tennis courts is reducing from 11-10 and the number of floodlit courts is increasing (only during outside of peak hours) therefore the impact is minimal. No information has been provided on the expected trip generation for this reason however, once this has been reviewed in the Travel Plan post occupation officers can assess the data.
167. Objectors anticipate that as much as new 500-600 members would be added and an additional 2,000 to 3,000 journeys a week on Burbage Road.
168. Due to the relatively unusual land use, there are no relevant TRICS or similar survey sites, the applicant has therefore provided an assessment based on the limited information available. The Transport Assessment includes reference to the January survey, this is a time of year (during colder months) when there will be a higher driver mode share. The data would have underestimated active travel and overestimated those travelling by car. Also, the capacity of the car park is such that it could not accommodate this level of vehicle trips. Furthermore, applicant has provided the worst-case scenario for trip generation. The data provided has calculated 376 trips per day for all modes of transport. This includes, walking, cycling and public transport. This equates to  $(376 \times 7 \text{ days a week} = 2632)$ . The applicant is correct to state the number of journeys however, this figure does not consider existing members which the

club have predicted will switch from Tennis to Padel (57% of adult members and 45% of junior members). Therefore, some of the figures have been double counted as they are assuming everyone playing Padel will be an additional member or visitor. The mode of concern is private car use, the applicant has predicted 120 two-way trips will be made by those using the car park and 28 two-way trips from drop-offs. This equates to a total of 128 two-way trips per day as a worst-case scenario (128x 7 days = 896 per week). However, this is assuming that this Padel courts will be utilised at maximum capacity throughout the week. For the reasons outlined above, it is extremely unlikely that this level of additional trips would be generated from this development.

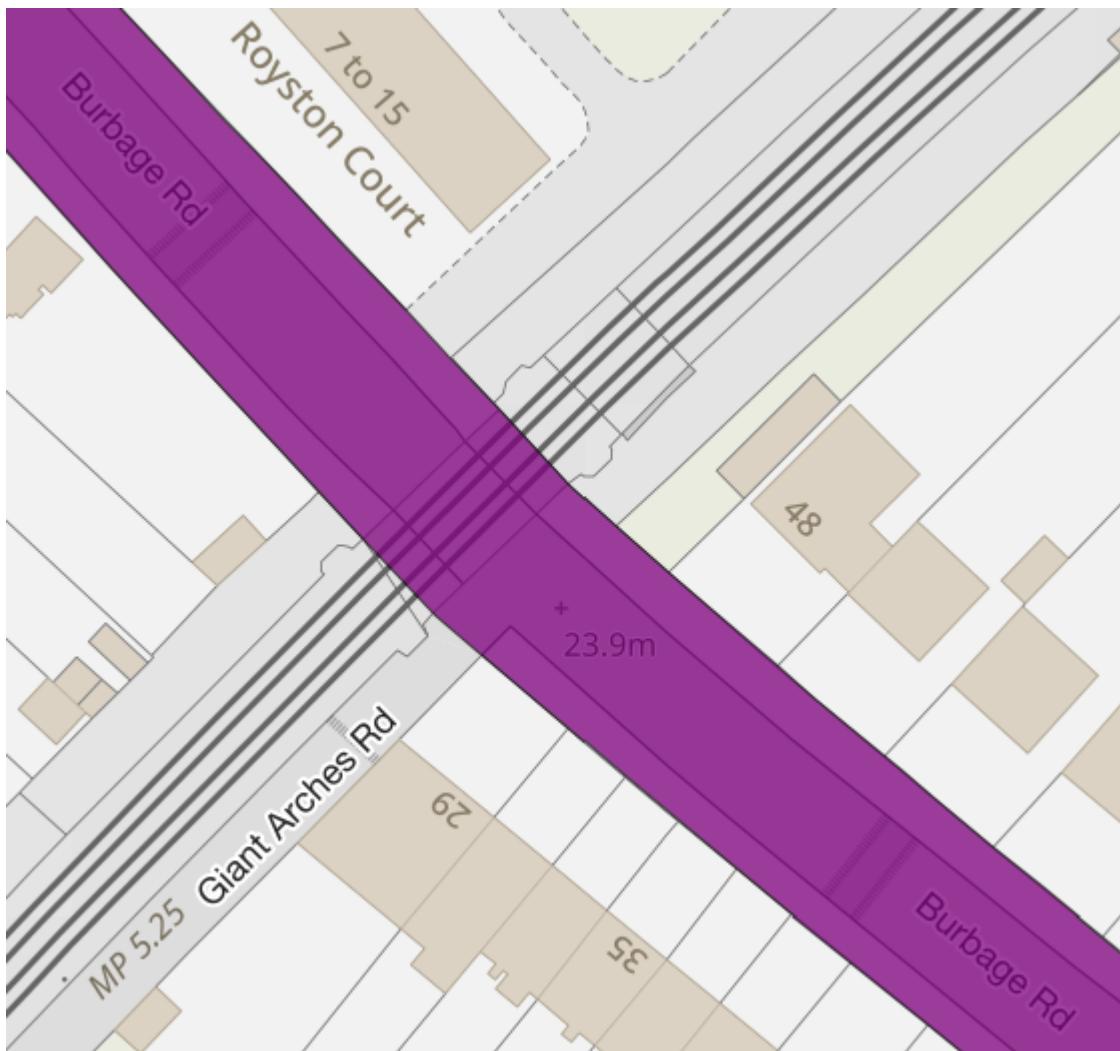
169. Objectors also raised concerns that no account have been taken of visitors to the club, who are not members. Objectors raised concerns that on peak times of the week i.e. Saturday and Sunday mornings, the level of traffic, in particular on Turney and Burbage Roads, is significant with users of Herne Hill Velodrome, Edward Alleyns Club, Turney Road Sports Club in addition to the application site (with people parking, getting in and out of cars and unloading sports equipment).
170. Transport officers advise the club provided data based on its business model for Padel to assess the trips and traffic generation. The applicant predicts that the 5 Padel courts will result in 196 players per day being attracted to the club. However, the club states that the Padel players will be existing members and that there are many families, and joint adult members who will likely travel together reducing the number of overall trips. In terms of peak hours, the applicant states that Padel is expected to operate at full capacity after 19:00 hours which is outside of peak network hours. 9 two-way vehicle movements are predicted during peak hours (08:00-09:00 and 17:00-18:00). The impact on the transport network during peak hours would be minimal however, the post occupation travel plan will be able to provide evidence.
171. The applicant did not agree to update the Transport Statement with extra survey data and is of the view that 'the transport survey undertaken and submitted to date is already highly robust as January data will have underestimated the number walking, cycling and using public transport and overestimated the number travelling by car'.
172. The applicant further stated that a detailed travel plan will be conditioned to set various measures to encourage active and sustainable travel to and from the site. This is acceptable and will provide a more accurate measure of the expected trips and modal split. If data indicates that there is a significant increase in car trips, then the applicant will need to review their targets to increase the number of active travel trips to the site.
173. Objectors state that huge efforts have been made to reduce pollution and traffic in Southwark in recent years. Burbage Road is part of Low Traffic schemes, various 'Safe Routes to School' initiatives and there is a bus-gate system operating on the road in school hours. The increase in traffic brought by this development would put any progress made so far into reverse.
174. The transport team advise that the trip generation states that the majority trips will be on foot or bicycle and 50% of the users (1,103 adult

and 904 junior players) live within a mile of the site and that the Transport Statement states that the new development will result in 9 additional two way vehicle trips during the weekday peak hours. For the reason above, officers conclude that the transport impact on the network would be negligible.

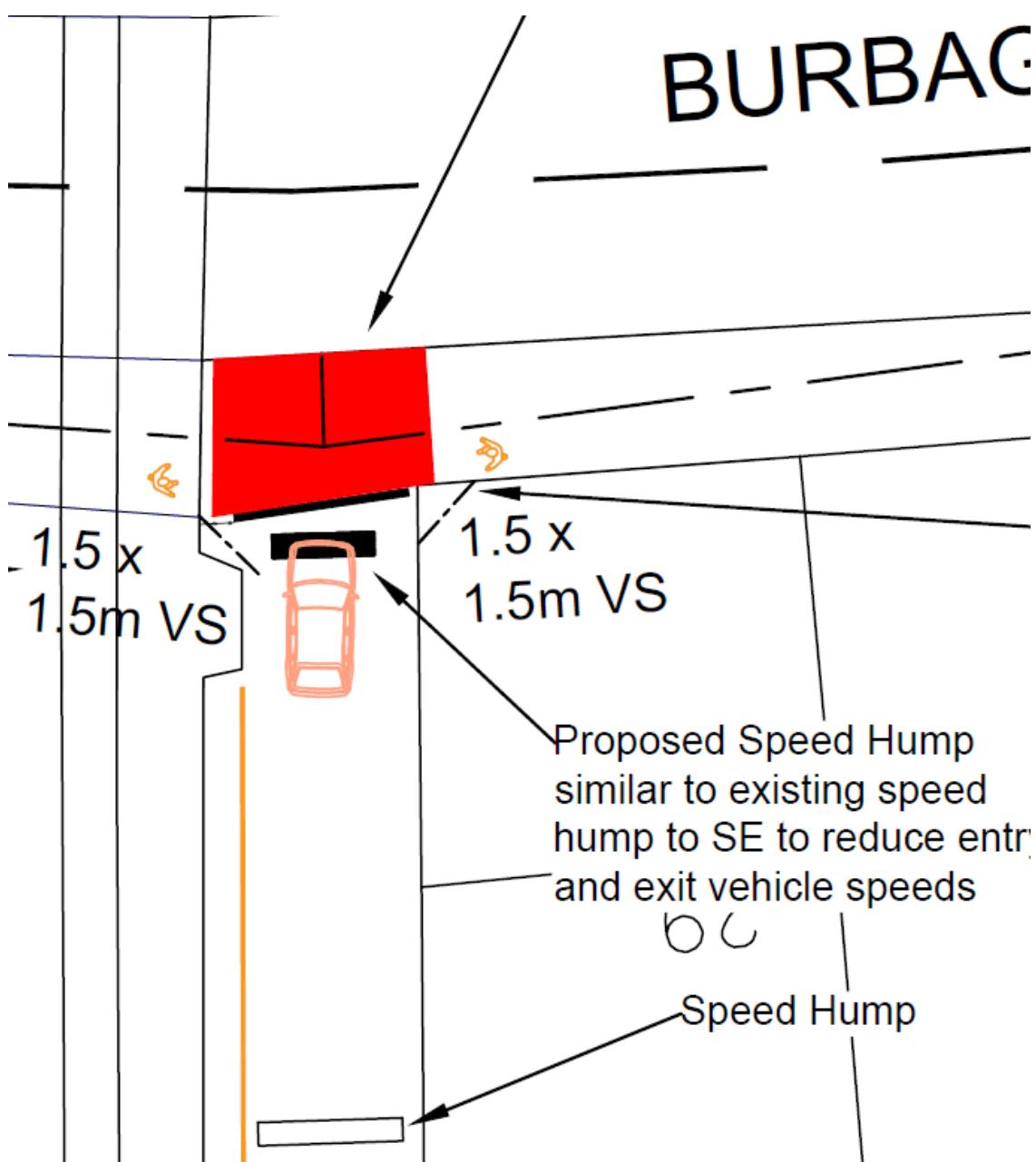
### Vehicle Access / Crossovers/ danger to pedestrians and cyclists

175. Objectors raised concerns that 'the increased number of users/visitors on Giant Arches Road could pose further danger to pedestrians and cyclists on Giant Arches Road. Objectors also raised concerns that Giant Arches Road is home to a storage business, Dulwich Storage Company Ltd. Giant Arches Road is a private road. It is owned by the storage company. People rent space in containers under the arches. For obvious reasons, very few people walk to carry bulky items to or from their unit. Storage customers park their vans and cars next to the containers to load or unload, in or out of their storage space. That can happen between 7am-11pm every day, which adds to the number and type of users. The crossover point on the pavement between Giant Arches and Burbage Road is often treacherous. Visibility coming out of Giant Arches Road is restricted as on one side you cannot see past the structure of the bridge and there is no bevelled or 'angled view' on the other. At that point the junction might then have to be made into an official kerbed junction, forcing pedestrians to stop and then to cross a road junction - effectively depriving them of priority and handing it to cars instead. This would be a backwards step in terms of encouraging healthy walking and cycling journeys.'
176. It was initially proposed that the vehicle access and crossover to Giant Arches Road would remain as existing. The transport team advised that no new vehicle crossovers may be introduced to the site. Due to intensification of the site, the applicant has responded to our pre-application letter and they have agreed to update the existing crossover on Giant Arches Road to meet the following policy requirements. At vehicle crossovers, pedestrian sightlines of 1.5m x 1.5m are required either side of the opening in the boundary (NOT within the opening), with no features higher than 0.6m within this area. The applicant submitted a plan with vehicle sightlines of at least 2.4m x 43m for 30mph roads. It is noted the sightlines, both long and short, are all already existing, with no alterations needed. Applicants must also follow the guidance laid out in Manual for Streets. The proposed pedestrian sightlines have been reviewed and the highways team has no objection.

*Image: adopted highway in purple and private road in grey (Giant Arches Road)*



*Image: proposed sightlines and highway works*



177. Giant Arches Road is a private road and there is an existing speedhump close to the junction with Burbage Road. The plan above shows the addition of a second speedhump in proximity of the sightlines. The applicant advise that the owner of Giant Arches Road agrees to the installation of the second speedhump and as this is a private road this would be covered in the S106 legal agreement.

178. The Highways Team advised that:

- The Applicant will be required to enter into a S278 agreement with the Highway Authority to allow for the modification of the public highway, as proposed in DSC ENTRANCE PLAN 21481-01 – change in surface treatment to better delineate presence of vehicles; exact specification to be confirmed with London Borough of Southwark at detailed design;
- The applicant/developer will be required to rectify any damaged footways, kerbs, inspection covers, gully pits and street furniture due to the

construction of the development; and

Permission includes an informative advising the applicant the highway works will be required to include upgrading the current conditions at the entrance to Giant Arches Road in line with the standards set out in Southwark Streetscape Design Manual (SSDM). Appropriate agreement/licensing must be in place before such works commence. Prior to works commencing on site (including any demolition), a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact [HighwaysDM@Southwark.gov.uk](mailto:HighwaysDM@Southwark.gov.uk) to arrange.

### Servicing and deliveries

179. The applicant states that 'Veolia and First Mile are Waste Collection Providers at DSC. Collections are on a weekly basis. The predicted small increase in extra waste from the new facilities can be accommodated within the capacity of the existing refuse bins. Therefore, no change is proposed to the waste collection process or frequency. Refuse collections are made between 11:30pm and 06:00am outside of club opening hours. Therefore, the car park is not in use and lorries can encroach onto car parking spaces to make their turn.'
180. Officers raise no issues in this regard.

### Refuse / recycling storage arrangements

181. Refuse/ recycling arrangement is to remain as existing. The transport team advised that commercial waste must be managed privately.

### Pedestrian Access

182. The transport team advised that 'a segregated pedestrian access should be provided where possible from the back edge of the public highway to the front door of the proposed pavilion. The pedestrian access must be a minimum of 1.2m width and segregated from any areas with vehicular movement.'
183. Objectors raised concerns that the 'access road is also shared by users of Dulwich Storage Company and that there have been times where storage facility customers parked along the road and Sports Club visitor cars mounted the narrow strip of pavement or drove on the pedestrian path to pass the parked cars causing danger to pedestrians. Cyclists are already having to navigate the tight shared road which will be impacted further with more visitor traffic.'
184. The applicant however clarified that there would be no proposed change to the pedestrian route along Giant Arches Road – it is segregated by painted markings – and it is owned by another party with the club possessing a right of access over it.
185. Objectors raised concerns that the car parking area at the club is a very small narrow area, also used for pedestrian and cycle access to the club. Many of the

pedestrians are children. There is no turning bay for cars to be able to turn round and exit the car park when there are no available parking spaces. This sometimes causes congestion within the car park, as cars attempt to reverse and manoeuvre in the small space available, so they can exit and park on the street. An increase in the number of cars doing that will increase the risk of possible safety issues, with pedestrians (including small children) walking around cars that are trying to reverse and manoeuvre in such a limited small space.

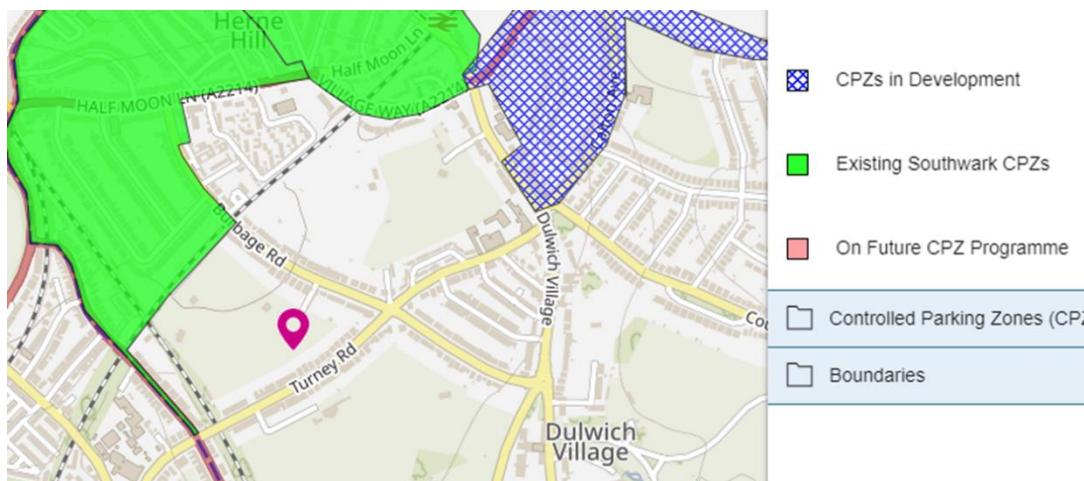
186. The introduction of a 5 new Padel courts would further intensify the site and increase the number of vehicle trips to the site. The applicant has stated that 57% of adult members stated a clear interest in Padel and 45% of junior members which suggests that the sport will be taken up by existing members. This means that the impact of additional members using the car park will likely not be as predicted in the trip generation. The Transport Team advise it might be beneficial for the applicant to provide vehicle tracking on the site to confirm that cars will be able to safely manoeuvre around the site. Officers also note that there is a secondary pedestrian access on Turney Road which is away from the car park on Giant Arches Road.

### Car parking

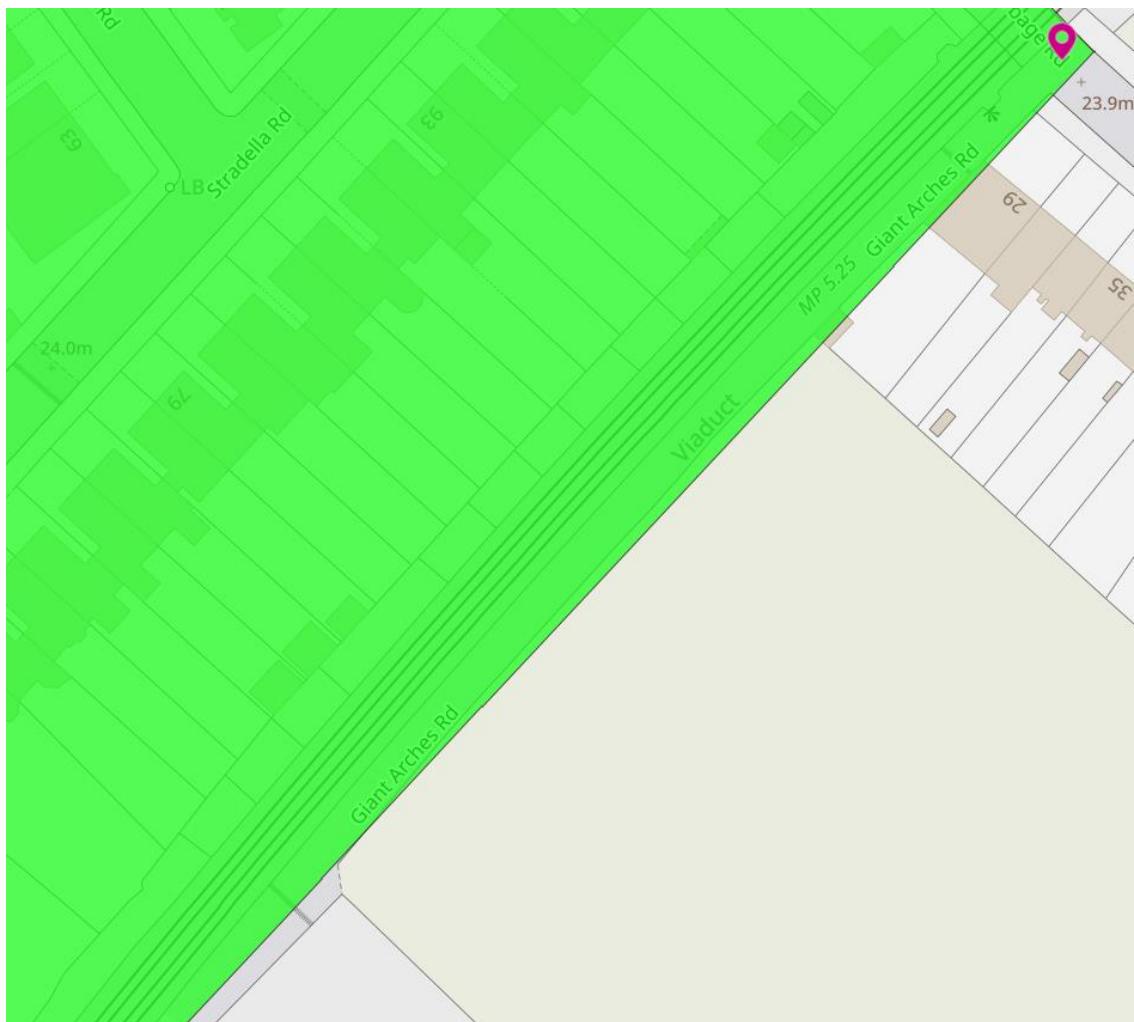
187. *Controlled parking zone issues*

The site is not within a Controlled Parking Zone. As per Southwark Plan Policy P54, on-street parking permits will not be available for residents or businesses in current or future Controlled Parking Zones. This would be included in the S106 legal agreement.

*Image: current Controlled Parking Zones.*



*Image: Giant Arches Road in Controlled Parking Zone*



188. A part of Giant Arches Road and Burbage Road are within the Controlled Parking Zone (Herne Hill), operation Monday to Friday 1200 – 1400.

*On-site car parking*

189. The development includes 39 existing standard car parking spaces, of which 5 spaces are outside of the red line site plan and it is on land leased by the club but used by agreement with the owner of the road, the Giant Arches Storage Company. There is no net increase in off-street car parking spaces and as planning policy do not require any additional off-street car parking spaces for the proposed development, the retention of the existing car parking spaces would be acceptable. The proposed minor alterations to the 1 existing blue badge / fully accessible parking space and 1 existing staff parking space next to the Main Clubhouse would be acceptable.

*On-street car parking*

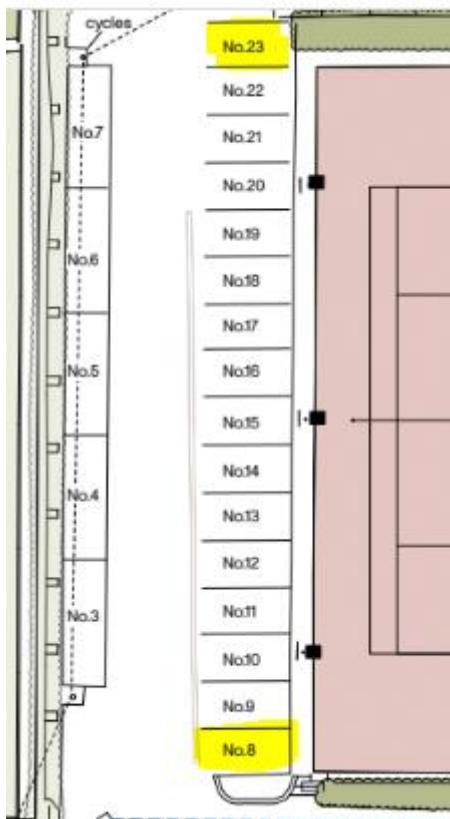
190. Objectors raised concerns due to the existing car park being full often, especially in summer and at weekends, club members have had to park on the street and it is likely that the development would result in a considerable increase in on-street parking in the local area and congestion along Giant Arches Road.

191. The applicant did not conduct an on-street car parking survey, but have conducted a car parking survey for the existing on-site car park area between February and April 2024. The club recorded the typical maximum parking throughout the week and data demonstrated that the existing car park rarely operates at maximum capacity. Usage being higher in the evenings and weekends. The applicant is of the view the car parking survey for the existing on-site car park area between February and April 2024 would have underestimated the number walking, cycling and using public transport and overestimated the number travelling by car. Officers did not request an on-street car parking survey and consider that it is unlikely that the proposed development would lead to undue pressure on on-street car parking in vicinity of the site. The applicant has stated that a detailed travel plan will be conditioned to set various measures to encourage active and sustainable travel to and from the site. This is acceptable and will provide a more accurate measure of the expected trips and modal split. If data indicates that there is a significant increase in car trips, then the applicant will need to review their targets to increase the number of active travel trips to the site.

*Blue badge / disabled car parking*

192. Objectors raised concerns that there would be inadequate provision for disabled parking.
193. The transport team note the retention of 1 existing blue badge parking bay and although no changes are proposed to the parking arrangement, the applicant should investigate if the proportion of blue badge bays can be increased. There is no policy requirement to provide additional blue bay parking bays but any increase in blue badge bays would be welcomed.
194. In response to comments from the transport team the applicant has identified two possible locations for blue badge bays - spaces 8 and 23 as shown on the plan below. However, it appears that these spaces are not wide enough to accommodate blue badge bays.

*Image: location of 2 potential blue badge bays*



### Electric Vehicle Charging Points (EVCPs)

195. The transport team advised that the provision of active EVCPs would be viewed positively. There is however no planning policy requirement that some of the existing car parking be changed to EVCPs. The applicant did however advise that they are willing to consider monitoring demand and install EVCPs at a future date if needed. The applicant advised that the provision of EVCPs was discussed at Dulwich Sport Club committee but rejected as members with electric vehicles did not think it would be beneficial for them:

- Members usually at club for short time 1-2hrs – insufficient to charge a car;
- Very fast chargers could be useful, but are expensive to install and the clubs' electrical capacity is limited;
- The club wants to ensure non-members do not use a club parking space leave their car there to charge – there are no gates on the club as the club do not control the access road;
- Discourage members from parking at the club to charge when not playing;
- Majority of members are very local (over 50% <1mile) – so the need for charging away from home will be limited;
- Driving of all vehicles to the club are discouraged, and already circa 50% of players do not arrive by car – so demand is likely to be limited.

## Cycle parking and cycling facilities

### 196. Cycle parking

There would be 6 full-time staff and 1 long stay and 6 short stay cycle parking spaces would be provided. Furthermore, in addition to the 46 existing cycle spaces the applicant proposes an additional 20 spaces. This would be acceptable, but it is recommended that permission be subject to a condition to submit plans showing the quality of the proposed cycle parking including the types of stands.

## Highways works

- 197. The Burbage Road Resident's Association advised that they would support the application if Southwark were, at the same time as approving the Club's planning application, to introduce measures that would reduce motor traffic on Burbage Road during the road's weekday afternoon and evening and Saturday peak traffic times. Neither the transport team nor highways team however consider that the aforementioned mitigation would be required.
- 198. The transport team advised a Section 278 and/or Section 184 agreements may need to be entered into to manage any footway resurfacing or replacement required once works for the proposed development are complete. This would be included in a S106 legal agreement.

## **Environmental matters**

### Construction management

- 199. The transport team advise that a Construction Environment Management Plan must address how effects of construction on the environment will be avoided, minimised or mitigated. This will be conditioned. The applicant must also demonstrate how construction using public highways can be safely accomplished and how vehicular movements will be minimised and controlled to reduce danger to vulnerable road users.

### Flood risk and sustainable urban drainage

- 200. Objectors raised concerns that the eventual removal of most of the 30+yr old leylandii hedge, that is known to absorbed and drain large amount of water will affect the drainage of the lower part of the club. Coupled with the planned terracing and concreting of over 21,000sq feet of green playing courts, it will increase the likelihood of flooding of the adjacent cricket and football pitch.
- 201. Objectors raised concerns that the green spaces on the site already suffer from excess surface water after rainfall in winter and that this was not considered in the flood report. Objectors raised concerns that increased hardstanding and probable increase rainfall from climate change will make this worse and that building on the perimeter of the site will increase the risk of flooding. Objectors

request a planning condition that planning officers review and sign off on the permeable materials to be used in the courts.

202. Although the site is within a Critical Drainage Area the council's flood risk team did not comment but officers note that the Drainage Strategy states that 'the Environment Agency (EA) mapping for Flood Risk, shows the site to be located within Flood Zone 1. Flood Zone 1 is an area with a less than 0.1% chance of flooding from rivers (fluvial flooding) and/or the sea (tidal flooding) in any given year.
203. It is proposed that the runoff caused by this development be managed using sustainable drainage systems (SuDS), as a way of providing SuDS benefits and reduce the runoff from the increase of built area. Officers consider that whilst the principles and installation of sustainable drainage schemes are to be encouraged, it is recommended that permission be subject to a pre-occupation / use condition of any part of the proposed development to ensure that there is no resultant unacceptable risk of pollution to controlled waters.

### Air quality

204. Objectors raised concerns that the increase in younger people who will drive to the site would lead to an increase in pollution.
205. The environmental protection team has no objection and did not raise vehicular trips to the site as an issue and recommend approval.

### Light pollution

206. The total number of floodlit tennis courts would increase from 5 to 8 and the 5 proposed padel courts would also be floodlit.
207. Objectors raised concerns that the hours of usage should be reduced until the impact can be reliably assessed e.g. the hours should be 9am-6pm.
208. Objectors state at present, there are three floodlit tennis courts on Giant Arches Road which already have an adverse impact on neighbouring properties. An expanded use of floodlights across more of the site and with late use beyond 9pm, would cause an unacceptable level of light pollution.
209. Objectors point out that the existing floodlight columns appear to be around 9-10m high, as compared with just 6.7m for the floodlit courts nearer the Edward Alleyn Tennis Club (see 02/AP/1056). Permission for floodlights with a height of 10m appears to have been previously refused in 2001 (see Planning Reference 01/AP/0804). Before any further development of the club goes ahead, there needs to be proper scrutiny of the lighting proposals and the implications - including for neighbouring families - of any new permissions not being in accordance with Planning Reference 02/AP/1056 (both as to cut-off time and maximum permitted height).
210. Objectors also state that the proposal would contravene the guidelines set out in Dulwich Supplementary Planning Document (July 2013): Para 3.2 Evening

and night time uses will be controlled to keep a good balance of uses and protect the amenity of residential areas. The installation of 5 padel courts with long hours of operation would be very disruptive by their night lighting.

211. Objectors consider that the submitted reports are desktop exercises so supplemental information is needed.
212. Officers recommend that permission be subject to a condition that the floodlighting hereby approved shall be used between 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays.
213. The environmental protection team has no objection and did not raise any light pollution issues, and did not advise that supplemental lighting information is needed and recommend approval.

## **Energy and sustainability**

214. Policy P70 (Energy) of the Southwark Plan 2022 states that all development must minimise carbon emissions on site in accordance with the energy hierarchy: Be Lean, Be Clean and Be Green.
215. The applicant states that 'following the fabric first approach, the high levels of insulation, coupled with cross ventilation, the proposed building would require no cooling services and only minimal heating. High efficiency infrared electric panel heaters are proposed. They can be switched on/off as required as it will be used intermittently throughout the day. Solar panels to the west facing roof were considered but rejected as on sunny days occupancy levels would likely be low, and the overall level of electricity usage will be low, so the return on Photo Voltaic panel costs would not be viable. Likewise an Air Source Heat Pump was considered, but as the use of the small building will be intermittent there is no requirement for continuous heating: turning ASHP on/off for instant heat is inefficient. No fuel burning or pollutant emitting plant is proposed.'
216. The three step Energy Hierarchy has been explored and demonstrated good CO2 savings on-site.

## **Planning obligations (S.106 agreement)**

217. IP Policy 3 of the Southwark Plan and Policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. IP Policy 3 of the Southwark Plan is reinforced by the Section 106 Planning Obligations SPD 2015, which sets out in detail the type of development that qualifies for planning obligations. The NPPF emphasises 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.

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

Planning Obligation	Mitigation	Applicant Position
BNG significant	Secure the biodiversity gain for 30 years. A monitoring fee to cover the cost of periodic monitoring over 30 years. A Biodiversity Net Gain Plan and Habitat and Management and Monitoring Plan will be required post-approval.	Agreed
Highway works	Section 278 agreements to: <ul style="list-style-type: none"> <li>Upgrade the current conditions at the entrance to Giant Arches Road on the public highway, as proposed in DSC ENTRANCE PLAN 21481-01: change in surface treatment to better delineate presence of vehicles; exact specification to be confirmed with London Borough of Southwark at detailed design;</li> <li>Rectify any damaged footways, kerbs, inspection covers, gully pits and street furniture due to the construction of the development.</li> </ul>	Agreed
	Installation of speedhump along Giant Arches Road as proposed in DSC ENTRANCE PLAN 21481-01	Agreed
Parking Permits	On-street parking permits will not be available businesses in current or future CPZs	Agreed

219. In the event an agreement has not been completed by 25 August 2025, the committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

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 IP Policy 3 Community infrastructure levy (CIL) and Section 106 planning obligations of the Southwark Plan 2022; and Policy DF1 Delivery of the Plan and Planning Obligations of the London Plan 2021; and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

## **Mayoral and borough community infrastructure levy (CIL)**

- 220. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark.
- 221. In this instance, based on information provided by the applicant, this proposed single storey building (9.5m x 4.3m) consist of less than 100sqm of GIA, and therefore is not a CIL chargeable development.

## **Other matters**

- 222. Objectors raised concerns about the financial position of the club and the impact of potentially not being able to play croquet, due to the implementation of the planning permission.
- 223. The finance of the applicant is not a planning matter.
- 224. Objectors raised concerns that there is not enough information on the application.
- 225. This is noted, but the objector did not specify which information is missing. officers consider that adequate information has been submitted to make an informed assessment of the proposed development.
- 226. Objectors raised concerns about general dislike of the proposal.
- 227. This is noted.

## **Community involvement and engagement**

- 228. The local planning authority displayed site notices on the 8 January 2025, published a press notice on the 27 June 2024 and sent consultation letters to neighbouring properties on the 27 June 2024, 24 September 2024, 8, 30 and 31 January 2025 and the 11 and 14 February 2025.
- 229. Objectors raised concerns that no account taken of visitors to the club, who are not members. These can be people taking part in matches, or the children being delivered to tennis and cricket lessons. As non-members of the club they will not have been consulted.
- 230. Objectors raised concerns that they only heard about these development plans when the formal application was submitted to Southwark
- 231. An objector along Stradella Road advised that the local residents committee saw the plans and were asked not to discuss them with residents.

232. The applicant states in the Design and Access Statement that:

- In May 2023 all club members were emailed initial plans, background information, and a set of frequently asked questions and answers about the ground development proposals. Concurrently, the same information was sent to the local residents' associations for the two streets adjacent to the site: Turney Road and Burbage Road. The club management at Edward Alleyns Sports Club, the applicant's immediate neighbour sharing the MOL, has been informed of all proposals as the plans have been developed.
- 19 June 2023: Open Consultation Meeting held at the club on for club members and local residents. Feedback from the meeting together with the written correspondence was compiled by the club, summarised along with responses, and issued/returned to consultees in July.
- 11 August 2023: a pre-application submission was made to Southwark Planning Department. The designs were discussed over email and an online meeting was held on 10 October 2023 before a formal written response was received on 24 October.
- 25 February 2023: Engagement with Stradella Road - representatives from applicant's Development Plan team attended a meeting of the Stradella Rd Residents Association. The plans were presented and discussed, and no significant concerns were noted given the high rail viaduct between the road and site.
- 2 April 2024: Engagement with Burbage Road Residents Association on traffic issues - following the preparation of a transport statement and travel plan by an independent consultant, the draft documents were submitted to the Burbage Road Residents Association for comment as this street provides the main road access to the club. Comments were received and discussed at a meeting on 19 April 2024 with some elements of the documents being developed and revised.

233. Objectors raised concerns that Stradella Road residents did not receive a neighbour notification letter from the Southwark Council - only certain houses on Burbage Road received these and not houses on Stradella Road and Croxted Road.

234. The local planning authority displayed site notices on Stradella Road and Croxted Road on the 8 January 2025 and sent consultation letters (by email and post) to neighbouring properties on Stradella Road and Croxted Road on the 30 and 31 January 2025 and the 11 and 14 February 2025.

### **Consultation responses from external and statutory consultees**

Network Rail:

235. Recommend that permission would be subject to the following informative:

The applicant / developer is requested by Network Rail to engage Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing.

The Metropolitan Police:

- 236. Raised no concerns and did not request that conditions are applied.

### **Consultation responses from internal consultees**

Community Infrastructure Levy Team:

- 237. This proposed single storey building (9.5m x 4.3m) consist of less than 100sqm of GIA, and therefore is not a CIL chargeable development.

Highways:

- 238. The Applicant will be required to enter into a S278 agreement with the Highway Authority to allow for the modification of the public highway, as proposed in DSC ENTRANCE PLAN 21481-01.
- 239. The highway works will be required to include upgrading the current conditions at the entrance to Giant Arches Road in line with the standards set out in Southwark Streetscape Design Manual (SSDM). Appropriate agreement/licensing must be in place before such works commence.
- 240. The applicant/developer will be required to rectify any damaged footways, kerbs, inspection covers, gully pits and street furniture due to the construction of the development.
- 241. A Construction Management Plan should be submitted and approved by the Council prior to the implementation of the development.
- 242. Prior to works commencing on site (including any demolition), a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact [HighwaysDM@Southwark.gov.uk](mailto:HighwaysDM@Southwark.gov.uk) to arrange.

Urban Forester:

- 243. The Arboricultural Impact Assessment is acceptable, however landscaping details and a detailed Arboricultural Method Statement should be secured by condition.
- 244. The report notes:  
There are 42 subject trees and 3 groups of trees. Officers note that there are 6 hedges. None of the trees are of A (high) value, 19 trees and 2 groups of B (moderate) value, 22 trees, 1 group and 5 hedges of C (low) value, and 1 tree of U (unsuitable for retention) value. The value of the sixth hedge is not known. Four sections of low-value hedge are to be removed as part of the proposal. Works are proposed within the root protection area of some trees to be retained and specialist methods of design and construction are proposed as mitigation.

Tree protection measures have been specified which are achievable and sufficient to protect trees during the proposed works.

The protection of the retained trees during the construction stage may require a detailed Arboricultural Method Statement (AMS). This report provides recommendations for protection to demonstrate how this can be achieved. The overall impact of the development on trees is low, providing the findings and recommendations in the report are followed.

- 245. Please agree PTC67B - Trees - Protection Measures Detailed and also add AG02D - Landscape
- 246. 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, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees required in order to facilitate demolition, construction and excavation.
- 247. 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.
- 248. All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.
- 249. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) -Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard;

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 2021 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

Transport Team:

Cycle Parking

- 250. At the pre-app stage, we requested confirmation of the number of full time staff and the GEA of the site within the red line boundary. The applicant has confirmed there will be 6 full-time staff for 600sqm GEA. The applicant will be providing 1 long stay and 6 short stay cycle parking spaces. Furthermore, in addition to the 46 existing cycle spaces and the applicant proposes an additional 10 spaces. This is acceptable; however, the applicant will need to provide plans to show the quality of the cycle parking including the types of stands. The applicant must submit updated/detailed cycle store plans, prior to determination.
- 251. As per LCDS Chapter 8, the form of cycle parking must accord to the following: maximum of 75% of all cycle parking spaces to be within two-tier racks. Where two-tier racks are provided, a 2.5m wide aisle width must be accommodated within the cycle store and there must be a minimum floor to ceiling height of 2.6 metres. A minimum of 25% of the total long-stay cycle parking spaces must be in Sheffield stand form with a minimum of 1200mm clear space between stands, or 600mm clear space to one side. Sheffield stands must be of classic flat-top specification - 'Sheffield-type stands', including any round stands, are not acceptable as they do not allow for locking of the wheel and frame. 5% of Sheffield stands must be designed to accommodate disabled, adapted and cargo bicycles with at least 1800mm clear space between stands, or 900 clear space to one side. Vertical and semi-vertical racks are never acceptable forms of cycle parking as they are not inclusive of those with reduced mobility or strength. If there is no access to the cycle store from street level, a lift with appropriate capacity or a ramp of the correct length and gradient must be provided for ease of access.
- 252. Long-stay cycle stores must be secured with a lockable door, fully weatherproof and enclosed on all sides. Overhead cover only is not adequate for long-stay cycle parking. Cycle stores must be lit and fully accessible by all users, with access routes of no less than 1.5m width (1.2m can be provided in conversions or over short-distances), and doorways of no less than 1.2m. Doors on routes to cycle stores should be power assisted. Visitor cycle parking should be provided within the public realm of the scheme (medium-large schemes) and within the red line boundary of smaller sites where possible. Where the latter is not possible, a contribution toward the provision of on-street visitor cycle

parking in proximity to the proposed development will be sought, or this can be provided on-street in an agreed location via a S278 agreement.

The applicant is providing a bike maintenance stand and fixed pump. This is viewed positively in terms of quality of cycle parking provision and Travel Plan objectives. Compliance Condition: To be secured with a compliance condition. This means that Transport Policy will need to agree detailed cycle store plans prior to determination. Reason: London Plan Policy T5, Southwark Plan Policy P53, London Cycle Design Standards Chapter 8, DfT LTN/120, Southwark Air Quality Action Plan Action 7.8, Streets for People objectives 3, 5 and 8, Southwark Council Delivery Plan.

**253. Car Parking:**

The development includes 38 existing standard car parking space. There is no net increase in car parking spaces, this is acceptable.

**254. Parking Permits:**

As per Southwark Plan Policy P54, on-street parking permits will not be available for residents or businesses in current or future CPZs.

Reason: London Plan Policy T6, Southwark Plan Policy P54, Southwark Air Quality Action Plan Action 7.5, Streets for People objectives 1 and 3, Southwark Council Delivery Plan.

**255. Blue Badge Parking:**

The development has 1 existing blue badge bay which will remain. This is acceptable.

**256. Vehicle Access / Crossovers:**

Vehicle access and crossover to remain as existing. No new vehicle crossovers may be introduced to the site. Due to intensification of the site, the applicant has responded to our pre-application comments and they have agreed to update the existing crossover on Turney Road to meet the policy requirements below. At vehicle crossovers, pedestrian sightlines of 1.5m x 1.5m are required either side of the opening in the boundary (NOT within the opening), with no features higher than 0.6m within this area. This must be demonstrated on a submitted plan for review. Vehicle sightlines of at least 2.4m x 25m for 20mph roads or 2.4m x 43m for 30mph roads must also be demonstrated on a submitted plan for review. Applicants must also follow the guidance laid out in Manual for Streets and Southwark's DS.132 and DS.114 when designing a crossover for a residential or commercial premise.

Reason: Southwark Plan Policy P50 and P51, Manual for Streets and Southwark's DS.114 and DS.132, Streets for People objective 4, Air Quality Action Plan (Action 7.5), Southwark Council Delivery Plan.

**257. Pedestrian Access:**

The pedestrian access is to remain as the existing. However the applicant proposes to enhance the existing access this is supported and should be in accordance with Southwark Plan Policy P50/P51. Note that a segregated pedestrian access should be provided where possible from the back edge of the public highway to the front door of the block. The pedestrian access must be a minimum of 1.2m width and segregated from any areas with vehicular movement. Reason: Southwark Plan Policy P50, Southwark Plan Policy P51, Streets for People objective 4, Southwark Council Delivery Plan.

## 258. Trip Generation:

The trip generation states that the majority trips will be on foot or bicycle and 50% of the users live within a mile of the site. Furthermore, the Transport Statement states that the new development will result in 9 additional two way vehicle trips during the weekday peak hours. The transport impact on the network is negligible.

## 259. Construction Environment Management Plan:

Due to the sensitive location of the site, a Construction Environment Management Plan must address how effects of construction on the environment will be avoided, minimised or mitigated. This can be conditioned. The applicant must also demonstrate how construction using public highways can be safely accomplished and how vehicular movements will be minimised and controlled to reduce danger to vulnerable road users. Due to the sensitive location and size of the scheme, penalties will be meted out to transport operators not complying with the routeing of construction vehicles and delivery slots. Reason: Southwark Plan Policy P50, Streets for People objective 10, Southwark Air Quality Action Plan Action Actions 2.1, 2.2, 2.5 and 2.7, Southwark Council Delivery Plan.

## 260. S278:

A Minor Section 278 and/or Section 184 agreements may need to be entered into to manage any footway resurfacing or replacement required once works for the proposed development are complete. Please consult Highways on this element.

## 261. Refuse / Recycling:

Refuse/ recycling arrangement is to remain as existing. Commercial waste must be managed privately. Reason: Waste Management Guidance Notes and Waste Management Strategy Extension 2022 - 2025.

## 262. Accessibility:

Transport Policy will need to review detailed drawings of any proposed ramps. The applicant must submit detailed plans with gradient, height and going of ramp clearly marked prior to determination. Gradients must be shown across vehicle, pedestrian and cyclists access routes around the site. The applicant is legally required to follow Document M standards, including M4(2) and M4(3) where conditions are imposed. Document M requirements apply to newly erected dwellings and dwellings undergoing material alteration but do not apply to the extension of a dwelling. Wheelchair users in particular will need to be considered in detail in terms of access to the front door of the block from the back edge of the public highway; and also their passage through internal areas of buildings, to/from Blue Badge Bays which must be provided as level as possible 1:1, and routes to/from larger disabled / adapted cycling parking spaces must also be considered in detail in terms of gradients. Reason: Accordance to Document M noting sections 1A, 2A and 3A for approaches to the dwelling. To meet the requirements of London Plan Policy T6.1 H(5). Southwark Plan Policy P55 ensures the mobility needs of disabled/mobility impaired people are provided consistently, conveniently, and to a high standard.

**Environmental Protection Team:**

- 263. Initial comment - No objection and recommend approval.
- 264. Subsequent comment - a site specific noise report is necessary, because the generic report is only for 2 courts with eight players and the application is for 5 padel tennis courts and extra three tennis courts, so it is difficult to assess the noise impact of the proposal. The acoustic report, will need to survey the current background noise levels, and assess the impact of the extra courts on the local noise levels. The report will also consider the impact of the expansion of the courts and the increase patronage at the club during the summer, including the use of the outside terraces.
- 265. December 2024 - satisfied with the latest acoustic report -reference AS13644.241111.NIA. The usage of the padel courts to be limited to the same hours as the existing tennis courts. A condition should be imposed on any decision that the applicant produce a noise management report for approval of the Planning Authority within six months of the planning decision.

**Conservation and Urban Design Team:**

- 266. No comment.

**Ecologist:**

- 267. Initial comment
- 268. The site is designated as Burbage Road Playing Fields Metropolitan Open Land. The site is adjacent to the Sydenham Hill and West Dulwich Railside Site of Importance for Nature Conservation.
- 269. Policy P60 states that:

Development must contribute to net gains in biodiversity through:

- 1. Enhancing the nature conservation value of Sites of Importance for Nature Conservation (SINCs), Local Nature Reserves (LNRs), designated ancient woodland, populations of protected species and priority habitats/species identified in the United Kingdom, London or identified and monitored in the latest adopted Southwark Nature Action Plan; and
- 2. Protecting and avoiding damage to SINCs, LNRs, populations of protected species and priority habitats/ species; and
- 3. Including features such as green and brown roofs, green walls, soft landscaping, nest boxes, habitat restoration and expansion, improved green links and buffering of existing habitats.

- 270. Buffer planting is therefore recommended along the western border that is shared with the SINC.

271. The submitted artificial lighting assessment appears to show 20 lux on trees and vegetation. Lighting should be designed to avoid any increase in lighting levels on the adjacent SINC or nearby vegetation along the railway corridor at the north of the site. Lighting should comply with the Bats and Artificial Lighting at Night ILP Guidance Note 2023.

272. It is suggested that a light curfew is imposed.

The Ecological Appraisal recommends that the removal of the wall in the carpark and any works close to Building 2 are undertaken under an unlicensed method statement due to the proximity of roosting features within Building 2. The Ecological Appraisal recommends a supervised destructive search of the debris piles/compost heaps onsite.

273. BNG

The baseline value of onsite habitats was calculated to be 5.56 habitat units and 0.59 hedgerow units. The on-site measures propose to deliver an increase of 0.88 area based biodiversity units to 6.45, which equates to a net percentage change of 15.89%. The creation of hedgerows proposes to deliver 0.7 biodiversity units from a baseline of 0.59, which equates to a net percentage change of 17.73%. Further discussions on BNG and significance are to be scheduled with the case officer.

274. Recommended conditions

PT014- Bat Friendly Lighting

OR20- Bat lighting curfew for sports ground

PTC11- CEMP

AGW06- Bat boxes on trees x 3

AGW09- Invertebrate boxes x 2

AGW13- Native planting

Bird boxes x5

275. Recommended informative

Nesting birds

276. Further comments:

277. Any updates to the landscaping plan or block plan should be reflected in the BNG documentation as necessary.

278. The ecology letter report Bats and Lighting Dulwich Sports club states that: Provided the proposed lighting is of a warm light spectrum (maximum 3000k) and complies with the proposed curfew of 8am-10pm, the lighting is considered to have a negligible impact on foraging and commuting bats. The linear railway line is intended to remain unlit and retained as a foraging and commuting flight line for bats. An unlicensed method statement is also recommended within the ecological reports, with recommended condition wording provided below.

279. Recommended additional/updated conditions:

The following updated wildlife friendly lighting condition is recommended for inclusion:

280. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features that are particularly sensitive for bats and are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. Prior to the new development being first brought into use/occupied a bat friendly Lighting Plan shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act (1981), (as amended), and because bats are known to be active in vicinity of the development site.

281. Recommended wording for unlicenced method statement:

Prior to the commencement of development an unlicenced method statement for the protection and/or mitigation of damage to bats during construction works including management responsibilities, shall be submitted to and approved in writing by the Local Planning Authority. The unlicenced method statement for bats shall be carried out in accordance with a timetable for implementation as approved.

Reason: To comply with the Habitat and Species Regulations 2010 and Wildlife & Countryside Act (1981) (as amended).

282. PTC11- CEMP

AGW06- Bat boxes on trees x 3  
AGW09- Invertebrate boxes x 2  
Bird boxes x5

283. Recommended informatics  
Nesting birds

### **Community impact and equalities assessment**

284. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

1. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

285. 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:

2. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
3. 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.

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.

286. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

287. The Local Planning Authority has a duty to give consideration to what impact proposed development will have on anyone with protected characteristics. Officers believe the proposal may impact on protected characteristics – age and disability. The application would promote equality across protected characteristic groups as the development would be available to use by people of any race, age, gender reassignment, who are pregnant and on maternity, with a disability, sexual orientation, religion or belief, any sex, married and in partnership. Protected characteristic groups – age and disability - may be negatively affected by the proposal due to the distance of the croquet pavilion and croquet lawns from the car park. All protected characteristics - race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership – would be negatively affected by the proposal as the racket sports at the club would be disrupted during the implementation and construction of the development.

288. The equalities impact assessment state that 70 of the 1,103 adult members play croquet. The estimated age demographic for croquet members shows that there are 63 members (90% of its total membership) being over 50 years of

age, with that number remaining high at 41 members (59% of its total membership) being over 70 years of age. This age demographic confirms that croquet is a sport generally played by older people with no active junior members. The table below shows the age demographic of members:

Table – age demographic

Sports Section	Number of Adult Members	Members aged < 50	Members aged 50+	% Over 50	Members aged 60+	Members aged 70+	Members aged 80+
Cricket	230	203	27	13%	12	4	0
Tennis	463	313	150	32%	71	16	5
Squash	340	247	93	27%	49	16	3
Croquet	70	7	63	90%	58	36	5
<b>TOTAL</b>	<b>1,103</b>	<b>770</b>	<b>333</b>	<b>30%</b>	<b>190</b>	<b>62</b>	<b>13</b>

289. Objectors raised concerns that 'age discrimination is a problem with the plan as it reduces the facilities available for croquet which serves a different and under provided for demographic.' Objectors raised concerns that 'croquet courts would reduce from current 3 lawns to 2 and a half lawns. This proposal adversely effects croquet users who will lose three lawns and a small practice area.'
290. There are currently 2 Croquet lawns and 1 croquet practice lawn. The proposed croquet hub would constitute 2 new full competition size lawns and a smaller practice lawn. The applicant advises that there would be no reduction to the size of 2 of the croquet lawns themselves, but the 3rd croquet practice lawn would be smaller, and the remaining adjacent grass tennis courts would be available as a 3rd croquet lawn for competitions. The existing upper croquet lawn is not currently fully accessible, nor is the croquet store or related WC, whereas with the new layout everything would be fully accessible. The proposed sports pavilion would provide croquet members access to an accessible WC and an open plan kitchenette and social space.
291. Objectors raised concerns that the existing parking is adjacent to the existing croquet lawns and that this would no longer be the case as the existing single disabled parking place would far away from the new proposed croquet lawns. Croquet players are the most likely to need disabled parking. Objectors raised concerns that there needs to be a disability impact assessment regarding access for those with mobility issues prior to the proposal being accepted. For example, if there should be an increase in blue badge parking spaces. Objectors raised concerns that many of the members of the croquet section are elderly (about 6 over 80 years of age) and some are disabled to the extent that they are not able to walk any significant distance. The provision of a golf buggy appears to be not clearly thought through and is unlikely to be adequate. There are questions to be asked as to how it will be managed. Where will it be housed? Who will have access to it?'
292. The applicant envisage that a golf cart / mobility buggy would be available to transport people with reduced mobility between the car park and the new

croquet hub.

- 293. Objectors raised concerns that 'Southwark should prevent Dulwich sports club from destroying the existing croquet lawns until they have provided the intended alternative facilities, lawns and hut with toilet and storage, near Turney road. If the proposal is given the go ahead, a condition of the approval should be that the proposed pavilion with toilet facilities should be built as soon as possible and within a set time frame.'
- 294. The applicant did not propose any mitigation measures. Officers consider that appropriate mitigation would be that the new proposed croquet lawns be provided before the current croquet lawns are closed. This would ensure there is no loss of these croquet facilities during the implementation of the proposed scheme.

### **Human rights implications**

- 295. 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.
- 296. This application has the legitimate aim of providing additional sports facilities. 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**

- 297. 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.
- 298. 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
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme	

to improve its prospects of achieving approval?

To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date? No.

## CONCLUSION

299. 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
Southwark Local Development Framework and Development Plan Documents	Environment Sustainability and Leisure 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 0207 525 0254 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
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

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Andre Verster, Team Leader, Planning	
<b>Version</b>	Final	
<b>Dated</b>	12 March 2025	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
Officer Title	Comments Sought	Comments included
Strategic Director, Resources	No	No
Acting Strategic Director, Environment, Sustainability and Leisure	No	No
Strategic Director, Housing	No	No
<b>Date final report sent to Constitutional Team</b>	12 March 2025	

**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.

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<b>Applicant</b>	Susie Giles Dulwich Sports Club Council	<b>Reg. Number</b>	24/AP/1532
<b>Application Type</b>	Minor application	<b>Case Number</b>	PP-13092263
<b>Recommendation</b>	GRANT permission		

**Draft of Decision Notice**

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

Construction of outdoor playing facilities and a sports pavilion at Dulwich Sports Club

Dulwich Sports Club Giant Arches Road London Southwark

**In accordance with application received on 24 May 2024 and Applicant's Drawing Nos.:**

Existing Plans

Proposed Plans

Plans - Proposed 124\_040 P2 received

Plans - Proposed 124\_499 P1 received

Plans - Proposed 124\_021 P1 received  
Plans - Proposed 124\_031 P1 received  
Plans - Proposed 124\_100 P2 received  
Plans - Proposed 124\_101 P2 received  
Plans - Proposed 124\_130 P2 received  
Plans - Proposed 124\_131 P2 received  
Plans - Proposed 124\_500 P2 received

#### Other Documents

Site location plan 124\_010 P1 received

#### **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. 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, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees 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.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) -Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard. NHBC 4.2.13 Tables for Foundations Near Trees

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 2021 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

4. 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:

Measures to protect mammals on site during construction;

- 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; and
- 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 <https://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; and

- 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 (<https://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 and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework (2023); Policy P50 (Highway impacts), Policy P56 (Protection of amenity), Policy P62 (Reducing waste), Policy P64 (Contaminated land and hazardous substances), Policy P65 (Improving air quality) and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

5. Prior to the commencement of development an unlicenced method statement for the protection and/or mitigation of damage to bats during construction works including management responsibilities, shall be submitted to and approved in writing by the Local Planning Authority. The unlicenced method statement for bats shall be carried out in accordance with a timetable for implementation as approved.

Reason: To comply with the Habitat and Species Regulations 2010 and Wildlife & Countryside Act (1981) (as amended).

6. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. Prior to the new development being first brought into use/occupied a bat friendly Lighting Plan shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act (1981), (as amended), and because bats are known to be active in vicinity of the development site.

**Permission is subject to the following Grade Condition(s)**

**11. HARD AND SOFT LANDSCAPING**

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the

site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained with proposed trees, hedging, perennial and other plants;
- 2) proposed parking, access, or pathway layouts, materials and edge details;
- 3) location, type and materials to be used for hard landscaping including specifications, where applicable for:
  - a) permeable paving
  - b) tree pit design
  - c) underground modular systems
  - d) sustainable urban drainage integration
  - e) use within tree Root Protection Areas (RPAs);
- 4) typical cross sections;
- 5) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 6) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and
- 7) types and dimensions of all boundary treatments.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. Any trees, shrubs, grass or other planting that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works

OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting.

Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations, BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard.

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

12. Details of native planting as part of the landscape strategy/plan shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

Ideally the landscape planting should contain a minimum of 60% of plants on the RHS perfect for Pollinators list.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2023); Policy: G5 (Urban greening) and G6 (Biodiversity and access to nature); of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

13. Details of open fronted and 18mm hole bird boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure

works commencing on site.

No less than two open fronted bird boxes and three 18mm hole bird boxes shall be provided and the details shall include the exact location, specification and design of the bird boxes. The boxes shall be installed on mature trees or on buildings prior to the first occupation of the site.

The bird 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 the Local Planning Authority agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with National Planning Policy Framework (2023); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022)

14. Prior to above grade works commencing (excluding demolition and archaeological investigation), material samples/sample panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall remain on site for inspection for the duration of the building's construction and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with the National Planning Policy Framework (2023), Policy D4 (Delivering good design) of the London Plan (2021) and Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

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

7. Before the first occupation of the development hereby approved, details of the cycle facilities, including the types of stands, shall be submitted to and approved in writing by the local planning authority. Thereafter, such facilities shall be made available to the users of the development and retained and maintained in perpetuity.

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 (2023); Policy T5 (Cycling) of the London Plan (2021); and Policy P53 (Cycling) of the Southwark Plan (2022).

8. Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:
  - a) identify those areas/features that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. Prior to the new development being first brought into use/occupied a bat friendly Lighting Plan shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act (1981), (as amended), and because bats are known to be active in vicinity of the development site.

9. a) Before the first occupation of the building hereby permitted commences, the applicant shall submit in writing and obtain the written approval of the Local Planning Authority to a Travel Plan written in accordance with TfL best

guidance at the time of submission, setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.

b) At the start of the second year of operation of the approved Travel Plan, a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

c) At the start of the fifth year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order that the use of non-car based travel is encouraged in accordance with the National Planning Policy Framework (2023); Policy T6 (Car parking) of the London Plan (2021); Policy P54 (Car parking) of the Southwark Plan (2022).

10. Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority prior to the use of any part of the development, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with the National Planning Policy Framework (2023). Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

**Permission is subject to the following Compliance Condition(s)**

18. The usage of the floodlit tennis and padel courts shall be limited to 08:00-21:00 Monday to Saturday and 08:00 to 20:30 on Sundays and Bank Holidays.

Reason: In the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

19. The usage of the floodlit tennis courts 6 and 7 shall be limited to 08:00-21:30 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays.

Reason: In the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

20. The proposed cricket netting shall only be raised during the playing season and demounted outside the playing season.

Reason: In the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, in accordance with the National Planning Policy Framework (2023) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

21. The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the Local Planning Authority has been obtained for any proposed change or variation.

Reason: To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

**Permission is subject to the following Special Condition(s)**

15. Details of bat boxes on trees shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 3 bat boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The bat 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 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 roost features and mapped locations and the Local Planning Authority agreeing the submitted plans, and once the roost features are installed in full in accordance to the agreed plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2023); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

16. Details of 2 invertebrate boxes shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 2 invertebrate boxes shall be provided and the details shall include the exact location, specification and design of the habitats. Invertebrate 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 invertebrate 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 invertebrate features and mapped locations and the Local Planning Authority agreeing the submitted plans, and once the invertebrate features are installed in full in accordance to the agreed plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework (2023); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening), Policy G6 (Biodiversity and access to nature) of the London Plan (2021); Policy P59 (Green infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

17. The applicant shall produce a noise management report for approval of the Planning Authority within six months of the planning decision.

## **Informatics**

- 1 Network Rail:

The applicant / developer is requested by Network Rail to engage Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing.

- 2 The Metropolitan Police recommend the installation of:
  - CCTV in the bicycle storage areas and lighting that meets the BS 5489-1:2020 standard;
  - CCTV and lighting to the BS 5489-1:2020 standard around the perimeter of the Pavilion;
  - Security-rated windows and doors on the pavilion's perimeter, including external doors that access property or equipment, meeting at least the PAS24:2002 standard, and
  - A monitored, data-logging intruder alarm at the Pavilion. This will enhance security and provide a log of anyone entering the building after hours.
- 3 The highway works will be required to include upgrading the current conditions at the entrance to Giant Arches Road in line with the standards set out in Southwark Streetscape Design Manual (SSDM). Appropriate agreement/licensing must be in place before such works commence. Prior to works commencing on site (including any demolition), a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact

HigwaysDM@Southwark.gov.uk to arrange.

- 4 All wild birds, nests, eggs and young are protected under the Wildlife & Countryside Act 1981 (as amended). The grant of planning permission does not override the above Act. All applicants and sub-contractors are reminded that persons undertaking site clearance, hedgerow removal, demolition works etc. between March and August may risk committing an offence under the above Act and may be liable to prosecution if birds are known or suspected to be nesting. The Council will pass complaints received about such work to the appropriate authorities for investigation. The Local Authority advises that such work should be scheduled for the period 1 September-28 February wherever possible. Otherwise, a qualified ecologist should make a careful check before work begins.

## Relevant planning policy

### National Planning Policy Framework (NPPF, 2024)

The revised National Planning Policy Framework ('NPPF') was published on 12 December 2024 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 231 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting Green Belt land
- Chapter 16 Conserving and enhancing the historic environment

### The London Plan (2021)

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy HC1 Heritage conservation and growth
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy T5 Cycling
- Policy T6 Car parking
- Policy SI2 Minimising greenhouse gas emissions
- Policy S1 12 Flood risk management
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking

### Southwark Plan (2022)

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- Policy P13 Design of places
- Policy P14 Design quality

- Policy P20 Conservation areas
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P56 Protection of amenity
- Policy P57 Open space
- Policy P60 Biodiversity
- Policy P61 Trees
- Policy P64 Contaminated land and hazardous substances
- Policy P65 Improving air quality
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy

**SPDs**

Of relevance in the consideration of this application are:

- Heritage SPD 2021
- Dulwich SPD 2013

## APPENDIX 3

## Planning history of the site and nearby sites

Reference and Proposal	Status
<b>15/AP/3469</b> T1: Goat Willow - Reduce by 30% , up to 5m in length following stem split. T2: Goat Willow - Reduce by 30% , up to 5m in length following stem split.	21/09/2015
<b>15/AP/4967</b> G.1 Sycamore Acer pseudoplatanus and Common Ash Fraxinus excelsior x 12 saplings growing over croquet practice lawn south-western side: Section fell to near ground level and clear debris. G.2 Sycamore saplings x 11 growing over north-western corner area: Section fell to near ground level and clear debris. G.3 False Acacia Robinia pseudoacacia, Common Privet Ligustrum vulgare, Sycamore saplings and Common Ash saplings growing along north-western border area: Prune back False Acacia foliage to stem, hard prune back Privet foliage, fell Sycamore and Common Ash saplings. No trees above 20cm diameter to be removed.	19/01/2016
<b>17/AP/0681</b> H1- 1 x Large Castlewellan hedge to reduce to the height of chain link fence and cut back to allow chain link to be upright, to trim back front face (inside chain link fence.) to cut the upper part of the hedge on the inside of the chain link, to clip lower front face (inside chain link fence) . H2 - 1 x Castlewellan hedge located by the gate with the code to cut back from the chain link fence to give a minimum clearance of 1 approximately 1 meter. . 1 x Leylandii Hedge located directly behind the Large Castlewellan hedge above to reduce in height to the finished height of the Castlewellan Hedge (height of chain link fence) Croquet Area . H3- 1 x Castlewellan Hedge (North West Side) to reduce in height to the Height of adjacent hedge. Rear Of Tennis Court Area Between court and Properties on Turney Road . G1 - A selection of self-seeded Sycamores located between the chain link and the fence to carefully dismantle to as close to ground level as possible and to treat the stumps with an appropriate herbicide to prevent regrowth.	27/03/2017

<b>17/AP/3782</b> Change of surface of 2 tennis courts from grass to tarmac and installation of 10 floodlights on columns to match adjacent courts and replacement netting.	GRANTED- Change of Use Application 12/03/2018
<b>17/AP/3980</b> Upgrading of the existing cricket nets using a more sturdy construction. It increases the dimensions to ensure that the cricket nets are DDA compliant. The original dimensions were 25.5m (l) x 11.1m (w) and the proposed dimensions are 32.3m (l) x 14.0m (w)	Granted 07/12/2017
<b>18/AP/3580</b> Group of 8 Leyland Cypress (H3). To dismantle these trees, reducing the main stems to as low as prevailing site conditions will allow. Growing out of control and close to building. Replace with low hedge of hawthorn and holly.  Group of 7 Leyland Cypress (H2). Dismantle these trees. These trees present a danger to the building as they are growing out of control and very close to building. Replace with low hedge of hawthorn and holly.  Holm Oak (T1). A self seeding sapling close to building foundations. Dismantle this tree. Treat the stump to prevent regrowth.  2 False Acacias (T2) & (T3). T2 Roots starting to emerge though croquet lawn. Cut roots from tree leading to the croquet lawn .  T3 Tree leaning at 40 degree angle to vertical. Dismantle this tree to ground level. To grind the stump of each tree to approximately 15cm below existing ground level.  Row of Sycamore Saplings (R1) Dismantle selected saplings with trunks less than 750mm diameter to ground level and treat stumps to prevent regrowth. This will allow more sunlight to reach the croquet lawn.	05/12/2018
<b>19/AP/7599</b> G1 Group of 11 Sycamore trees. Crown lift to 5m in height and crown thin by 20%.	Granted TCA 29/01/2020

<b>20/AP/1915</b> 2x Sycamore - Removal, 2x Robinia - Removal, 2x Sycamore - 2m lateral reduction	Granted TCA 20/08/2020
<b>21/AP/3740</b> 1 x Cherry 2m lateral reduction, 3 x Sycamore for removal (15ft tree height max) and 3 x Sycamore 2m lateral reduction.	Granted TCA 03/12/2021

**APPENDIX 4****Consultation undertaken****Site notice date:** 08/01/2025**Press notice date:** 27/06/2024**Case officer site visit date:** 07.08.2024**Neighbour consultation letters sent:** 14/02/2025**Internal services consulted**

LBS Transport Policy Team

LBS Ecology Officer

LBS Environmental Protection Team

LBS Highways Development &amp; Management

LBS Environmental Protection Team

LBS Highways Development &amp; Management

LBS Ecology Officer

LBS Ecology Officer

LBS Ecology Officer

LBS Design And Conservation Team [Formal Consultation]

LBS Ecology Officer

LBS Environmental Protection Team

Flood Risk Management &amp; Urban Drainage Team

LBS Waste Management Team

LBS Urban Forester

LBS Transport Policy Team

LBS Building Control Division

LBS Community Infrastructure Team

LBS Environmental Protection Team

LBS Transport Policy Team

LBS Ecology Officer

**Statutory and non-statutory organisations**

Network Rail

Metropolitan Police Service (Designing Out Crime)

**Neighbour and local groups consulted:**

95 Stradella Road London Southwark

83 Stradella Road London Southwark

79 Stradella Road London Southwark

77 Stradella Road London Southwark

Flat 89 Stradella Road London

57 Stradella Road London Southwark

105 Stradella Road London Southwark

59 Stradella Road London Southwark

85 Stradella Road London Southwark

Abbeyfield House 89 - 91 Stradella Road

## London

81 Stradella Road London Southwark  
 73 Stradella Road London Southwark  
 63 Stradella Road London Southwark  
 103 Stradella Road London Southwark  
 Flat 91 Stradella Road London  
 69 Stradella Road London Southwark  
 25 Burbage Road London Southwark  
 99 Stradella Road London Southwark  
 97 Stradella Road London Southwark  
 93 Stradella Road London Southwark  
 87 Stradella Road London Southwark  
 75 Stradella Road London Southwark  
 71 Stradella Road London Southwark  
 65 Stradella Road London Southwark  
 61 Stradella Road London Southwark  
 101 Stradella Road London Southwark  
 83 Turney Road London Southwark  
 109 Turney Road London Southwark  
 29 Turney Road London Southwark  
 131 Turney Road London Southwark  
 85 Turney Road London Southwark  
 Ground Floor Flat 83 Turney Road  
 London  
 135 Turney Road London Southwark  
 105 Turney Road London Southwark  
 First Floor Flat 83 Turney Road London  
 39 Turney Road London Southwark  
 31 Turney Road London Southwark  
 63 Turney Road London Southwark  
 57 Turney Road London Southwark  
 125 Turney Road London Southwark  
 117 Turney Road London Southwark  
 111 Turney Road London Southwark  
 103 Turney Road London Southwark  
 45 Turney Road London Southwark  
 91 Turney Road London Southwark  
 77 Turney Road London Southwark  
 71 Turney Road London Southwark  
 93 Turney Road London Southwark  
 89 Turney Road London Southwark  
 87 Turney Road London Southwark  
 81 Turney Road London Southwark  
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 75 Turney Road London Southwark  
 73 Turney Road London Southwark  
 69 Turney Road London Southwark  
 65 Turney Road London Southwark

61 Turney Road London Southwark  
 55 Turney Road London Southwark  
 133 Turney Road London Southwark  
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 127 Turney Road London Southwark  
 123 Turney Road London Southwark  
 121 Turney Road London Southwark  
 119 Turney Road London Southwark  
 115 Turney Road London Southwark  
 113 Turney Road London Southwark  
 107 Turney Road London Southwark  
 101 Turney Road London Southwark  
 47 Turney Road London Southwark  
 43 Turney Road London Southwark  
 41 Turney Road London Southwark  
 37 Turney Road London Southwark  
 35 Turney Road London Southwark  
 33 Turney Road London Southwark  
 67 Turney Road London Southwark  
 48A Burbage Road London Southwark  
 56 Burbage Road London Southwark  
 50 Burbage Road London Southwark  
 37 Burbage Road London Southwark  
 31 Burbage Road London Southwark  
 45 Burbage Road London Southwark  
 48 Burbage Road London Southwark  
 47 Burbage Road London Southwark  
 41 Burbage Road London Southwark  
 39 Burbage Road London Southwark  
 35 Burbage Road London Southwark  
 33 Burbage Road London Southwark  
 29 Burbage Road London Southwark  
 54 Burbage Road London Southwark  
 52 Burbage Road London Southwark  
 91 Stradella Road London Southwark  
 Rear Of 186 Croxted Road London  
 188 Croxted Road London Southwark  
 182 Croxted Road London Southwark  
 152 Croxted Road London Southwark  
 196A Croxted Road London Southwark  
 27 Turney Road London Southwark  
 176 Croxted Road London Southwark  
 146A Croxted Road London Southwark  
 172 Croxted Road London Southwark  
 164 Croxted Road London Southwark  
 156 Croxted Road London Southwark  
 148 Croxted Road London Southwark  
 192 Croxted Road London Southwark

186 Croxted Road London Southwark  
178 Croxted Road London Southwark  
First Floor Flat 27 Turney Road London  
196B Croxted Road London Southwark  
170B Croxted Road London Southwark  
146B Croxted Road London Southwark  
150 Croxted Road London Southwark  
198 Croxted Road London Southwark  
194 Croxted Road London Southwark  
190 Croxted Road London Southwark  
184 Croxted Road London Southwark  
180 Croxted Road London Southwark  
174 Croxted Road London Southwark  
168 Croxted Road London Southwark  
166 Croxted Road London Southwark  
162 Croxted Road London Southwark  
160 Croxted Road London Southwark  
158 Croxted Road London Southwark  
154 Croxted Road London Southwark  
146 Croxted Road London Southwark  
Nellys Nursery Dulwich Sport Ground  
102 - 106 Turney Road  
192A Croxted Road London Southwark  
Under The Willow Nursery 198A Croxted  
Road London

**APPENDIX 5****Consultation responses received****Internal services**

LBS Transport Policy  
 LBS Ecology  
 LBS Environmental Protection  
 LBS Highways Development & Management  
 LBS Ecology  
 LBS Ecology  
 LBS Ecology  
 LBS Design & Conservation Team [Formal]  
 LBS Ecology  
 LBS Environmental Protection  
 LBS Urban Forester  
 LBS Transport Policy  
 LBS Community Infrastructure Levy Team  
 LBS Environmental Protection  
 LBS Transport Policy  
 LBS Ecology

**Statutory and non-statutory organisations**

Network Rail  
 Metropolitan Police Service

**Neighbour and local groups consulted:**

136 Woodward Road East Dulwich SE22 8UR	5A Fiveways Road Fiveways Road London
275 Croxton Road London SE1 7DG	99, STRADELLA ROAD London SE24 9HL
35 Burbage Road London SE24 9HB	23 Lowden Road London SE24 0BJ
66 wood vale London Se23 3ed	16 Ondine Road Flat 1 London
36 Winterbrook Road Herne Hill London	57 Stradella Road London SE24 9HL
36 Winterbrook Road Herne Hill London	50 Winterbrook Road London London
53 Court Lane London SE21 7DP	
46 northway road London Se59an	82 Alleyn Road LONDON SE21 8AH
44 Gilkes Crescent London SE21 7BS	11 Pickwick Road London SE21 7JN
99 Stradella Road London SE249HL	39 Telford Avenue London SW2 4XL
12 Henslowe Rd 12 Henslowe Road, London, SE22 0AP London	1 Mortimer Mews Dulwich SE22 0EF
63 Winterbrook Road London SE24 9HZ	27 Woodhall Drive Dulwich London
78 Burbage Road London SE24 9HE	136 Burbage Road Dulwich London
86 Burbage Road London SE24 9HE	128 College Road London SE19 1XD

7 Stradella Road Herne Hill London  
 103 Stradella Road London SE24 9HL  
 63 winterbrook road London SE24 9hz  
 5 Lancaster Avenue London SE27 9EL  
 27 Liphook Crescent London SE23 3BN  
 243 friern road London Se220bd  
 24 Cosbycote Avenue London SE24  
 0DY  
 216 Crystal Palace Road London SE22  
 9EL  
 146 burbage rd london se21 7ag  
 11 Stradella Road Herne Hill London  
 12 Henslowe Road London SE22 0AP  
 39 Poplar Walk SE24 0BX London  
 17 Braybrooke Gardens Croydon,  
 London SE19 2UN  
 134 Court lane London SE21 7EB  
 48 Stradella Road london SE249HA  
 53 Court Lane London SE21 7DP  
 43 Dulwich wood avenue London Se19  
 1hg  
 50 Rectory Green Beckenham  
 Beckenham  
 5 Frank Dixon Way London SE21 7BB  
 39 Poplar Walk London SE24 0BX  
 33 Noyna Road London SW17 7PQ  
 168 Ferndale Road London  
 87 Rosendale Road West Dulwich SE21  
 8EZ  
 1 Carver Road London SE24 9LS  
 34 Winterbrook Road London Se24 9ja  
 136 Oglander Road London  
 39 Telford Avenue Lambeth, London  
 SW2 4XL  
 87 Rosendale Road London SE21 8EZ  
 53 Court Lane London SE21 7DP  
 42 Avondale Rise London SE15 4AL  
 49D Shakespeare Road London SE24  
 0LA  
 6 Frank Dixon Way London SE21 7BB  
 444 Lordship Lane Dulwich London  
 50 Staffordshire Street London SE15  
 5TJ  
 168 Ferndale Road London SW4 7RY  
 3 Holmdene Avenue London SE24 9LB  
 54 Narbonne Avenue London SW4 9JT  
 7 Stradella Road, Herne Hill, London  
 Herne Hill London

8Tollgate Drive London SE21 7LS  
 194 Croxton Road London SE21 8NW  
 9 Stradella Road London SE24 9HN  
 61 Copleston Road London SE15 4AH  
 27 Ardbeg Rd LONDON SE24 9JL  
 Flat 7 134 Herne Hill London  
 72 Thornlaw Road London SE27 0SA  
 86 St Michaels Rd Aldershot GU12 4JW  
 9 Deepdene Road Camberwell SE5 8EG  
 63 Stradella Road London SE24 9HL  
 67 Fawnbrake Avenue London SE24  
 0BE  
 67 Stradella Road London Southwark  
 67 Stradella Road Herne Hill London  
 17 Walkerscroft mead West Dulwich  
 London  
 33 Noyna Road Wandsworth, London  
 SW17 7PQ  
 74 Tulse Hill London Sw22pt  
 27 Wood Vale London SE23 3DS  
 60 Gubyon Avenue London SE24 0DX  
 6 elmwood road london se24 9nu  
 111 Court Lane London SE21 7EE  
 24 Stradella Road London SE249HA  
 86 St Michaels Road Aldershot GU12  
 4JW  
 57 Stradella Road London SE24 9HL  
 10 Taybridge Road London sw11 5ps  
 75 Turney Road London SE21 7JB  
 26 Trinity Rise London SW2 2QR  
 153 Grove Lane London SE5 8BG  
 158 Cranston Road London SE23 2EY  
 179 Devonshire Way Croydon CR0 8BZ  
 69 Stradella Road London SE24 9HL  
 Cathryn 9 Deepdene Road Camberwell  
 41b Herne Hill rd London Se218dy  
 22 Brailsford Road London SW2 2TD  
 8 Northway Road London SE5 9AN  
 233 Norwood Road London SE24 9AG  
 100 Landells road London Se22 9ph  
 30 Jennings Road London SE22 9JU  
 96 Strathbrook Road London SW16 3AZ  
 67 KENSINGTON AVE THORNTON  
 HEATH CR7 8BT  
 20 Red Post Hill London SE24 9JQ  
 22 Thornton Avenue Streatham London  
 24 Crofton Road London Se58nb  
 38 Rainbow St LONDON

164 Turney Road London SE217JJ  
 121 Ivydale Road London SE15 3DT  
 4 Dunstans Road London SE22 0HQ  
 Flat 7 62 Queen's gate London  
 Turney Road London SE217JB  
 211 Amesbury Ave London SW2 3BJ  
 38 Rainbow St London  
 191 Rosendale Road London SE21 8LW  
 85 Shakespeare Road London SE240PX  
 127 Turney Road Dulwich Village  
 London  
 48 Stradella Road London SE24 9HA  
 38 Rainbow Street London SE5 7TD  
 19 craneford way London Tw27sb  
 56 overhill road East dulwich Se22 0ph  
 26 Trinity Rise London  
 39 Lowther Hill Forest Hill London  
 28 Woodcombe Crescent London SE23  
 3BG  
 59 Turney Road London Southwark  
 56 Braxted Park Streatham Common  
 London  
 63 Turney Road London SE217JB  
 86 Camberwell Grove London SE5 8RF  
 Kelmore Grove 2 Kelmore Villas London  
 65 Turney road London SE217JB  
 61 Turney Road London SE21 7JB  
 136 court lane dulwich London  
 17b Wyneham Road Herne Hill SE24  
 9NT  
 65 Underhill Road London SE22 0QR

22 Winterbrook Road London SE24 9JA  
 22 Honor oak rise London SE23 3RA  
 8 Tollgate Drive London SE21 7LS  
 33 Rattray Road, London London SW2  
 1BA  
 11 Langtry Court Cougate Street  
 London  
 9a Sandbourne Road London SE4 2NP  
 Tiverton Lodge Dulwich Common  
 London  
 48 Stradella Road London SE24 9HA  
 43 Court Lane Dulwich LONDON  
 18 Trossachs Road London SE22 8PY  
 Flat 17 Stafford Mansions, 138 Ferndale  
 Road London  
 7 Chalford Road West Dulwich London

9 Brantwood Road Herne Hill SE24 0Dh  
 First Floor Flat, 50 Ferndale Road  
 London SW47SF  
 24 Tamarind Yard Kennet street London  
 7 Dovercourt Road London Southwark  
 8 St Margarets rd London SE4 1YU  
 London SE4 1YU  
 2 Spenser Road London Se24 0nr  
 145 Rosendale Road London Se21 8he  
 72 Copleston Road London SE154AG  
 Flat 5, 138 Knollys Road London  
 SW162JU  
 3 Lords Close London SE21 8JH  
 17 Pellatt Road London SE22 9JA  
 112 Brook Drive London SE11 4TQ  
 71 Calton Avenue London SE21 7DF  
 28 Chaucer Rd, Garden Flat Herne Hill  
 London  
 23 Winterbrook Road Turleigh London  
 Flat 1, 47 Red Post Hill London Se24 9jj  
 77 stradella road london se24 9hl  
 60 Gubyon Avenue Flat C London  
 75 Tulsemere Road London SE27 9EH  
 30 Marsden Road London SE15 4EE  
 29 Stuart Road London SE153BE  
 13, Burbage Road London SE249HJ  
 168 Ferndale Road London  
 57 Stradella Road London SE24 9HL  
 119 Hargwyne St London SW9 9RH  
 6 elmwood road london se24 9nu  
 215 East Dulwich Grove London  
 Se228sy  
 54 Dekker Road London  
 65 Stradella Road LONDON SE24 9HL  
 62 Cedar Close West Dulwich London  
 Flat 17 Effra Mansions Crownstone  
 Road London  
 47, UNION ROAD UNION ROAD  
 LONDON  
 54 Narbonne Avenue London SW4 9JT  
 17 Dunoon Road London SE23 3TD  
 34 Lings Coppice London SE21 8SX  
 48 Stradella Road London SE24 9HA  
 124 Sydenham Road London Se265jy  
 12 Cosbycote avenue Herne hill London  
 99 College Road London SE21 7HN  
 11 Lysons Walk London SW15 5EG  
 Flat 46 1 Grove place London

9 London W4 4EA  
 94 Burbage Road London LONDON  
 15 Elfindale Road London SE24 9NN  
 14 Colyton Road London SE22 0NE  
 44 Lindsay Drive London HA3 0TD  
 86 Burbage Road LONDON SE24 9HE  
 27 Winterbrook road London Se249hz  
 64 Dulwich Village London SE21 7AJ  
 12 Gubyon Ave London SE24 0DX  
 57 Stradella Road London SE24 9HL  
 105 Landells Road London SE229PH  
 Apartment 17 Yorks house London SW9 8GG  
 22 Winterbrook Road London SE24 9JA  
 25 Rouse Gardens London SE21 8AF  
 57 Darfield Road London SE4 1ES  
 49D Shakespeare Road London SE24 0Laa  
 21 Dulwich Village London SE21 7BT  
 70 Turney Road London SE21 8LU  
 97 Lennard Road BECKENHAM BR3 1QS  
 19 Hambalt Road Clapham SW4 9EA  
 245 Rosendale Road London SE21 8LR  
 22 Vancouver Road Forest Hill SE23 2AF  
 50 Stradella Road Londo SE24 9HA  
 1 Essex Mews London SE19 1AS  
 N Dulwich N, 27 Ardbeg Road Dulwich London  
 12 Sunray Avenue London SE24 9PY  
 15 Byne Road Sydenham London  
 25 Carden Road London London  
 24 Winterbrook Road London  
 6 Home Meadow Mews London SE22 0EA  
 71 Stradella Road London SE24 9HL  
 36 Hayes Grove London  
 52 Gubyon Ave London SE24 0DX  
 45a Ashbourne Grove London Se22 8rn  
 34 tierney road London sw24qs  
 93 Clarence Ave London SW4 8LQ  
 24 Frankfurt Road London SE24 9NY  
 5 marham gardens London SW18 3JZ  
 31 Abbotswood Road LONDON SE22 8DJ  
 136 Woodwarde Road East Dulwich SE22 8UR  
 28 Lovelace Road London SE21 8JX  
 58 Lamberhurst Road London SE270SE  
 9 townley rd london Se228sw  
 71 Camberwell Grove London London  
 83 Stradella Road London  
 502 Fennel Apartments 3 Cayenne Court London  
 41 Lings Coppice London SE21 8SX  
 26 Trinity Rise London SW22QR  
 47 red post hill London Se24 9jj  
 1 Gilkes Crescent London SE21 7BP  
 132 Court Lane Dulwich SE21 7EB  
 6 glengarry road london se228pz  
 8 REDAN TERRACE Redan Terrace London  
 36 Brantwood Road London SE24 0DJ  
 17 Courtmead Close London SE24 9HW  
 7 Woodhall Avenue Dulwich London  
 243A Underhill Road LONDON SE22 0PB  
 194 Clive Road London SE21 8BS  
 11 Chesterfield Grove London SE22 8RP  
 8 Ildersly Grove London Se24 8eu  
 59 Stradella Road Herne Hill London  
 61 Baldry Gardens Streatham SW16 3DL  
 119 Helix Road London SW2 2JR  
 45 Westgate Road Beckenham BR3 5DT  
 70 Mayall Road London Se24 0pj  
 444 Lordship Lane Dulwich SE22 8NE  
 17 Courtmead Close Burbage Road London  
 53 Court Lane London SE21 7DP  
 6 Burbage Road London SE249HJ  
 FLAT 3 30 WEST END LANE London  
 36a fieldhouse houseRoad London  
 Sw12 0hj  
 45 Lancaster Avenue West Norwood London  
 78 Honor Oak Road London SE23 3RR  
 105 Strathyre Avenue 105 London  
 72 Copleston Rd London SE15 4AG  
 11 Holmdene Avenue London SE24 9LB  
 17 Walkerscroft Mead West dulwich London  
 27 Hillcourt Road London SE220PF  
 51 Durning Road London SE19 1JP

82b South Croxton Road London  
SE218bd

330b crystal palace road london se22 9jj

2 Lakeside Beckenham BR3 6LX

First Floor Flat - FLAT 3 85 Gipsy Hill  
London

45 Telford Avenue London SW2 4XL

89 Alleyn Road London

20 Frewin Road London SW183LP

99 College Rd Dulwich SE21 7HN

Garden Flat, 61 Kennington Oval London  
SE11 5SW

28 Ferrers Road London SW16 6JQ

16 Scutari Road London SE22 0NN

27 Hillcourt Road London SE220PF

60 Holborn Viaduct London EC1A 2FD

116 Turney Road London Se217JJ

79 Burbage Road London SE24 9HB

9 Brantwood Road Herne Hill London

2 Kingsmead Road London SW2 3JB

Flat 5, 138 knollys road 138 Knollys road  
London

43 Court Lane LONDON SE21 7DP

Flat 1, 154 Clive road London SE21 8BP

2a Oakhill Road London SW15 2QU

16 Glengarry Road London SE22 8PZ

64 Grove Park Denmark Hill London

31a Spenser Road Herne hill

45A Barry Road Southwark, London  
SE22 0HR

1 priestfield rd Forest hill London

8 St. Margarets Road London SE4 1YU

444 Lordship Lane London SE22 8NE

Flat 5 Shepherds Court Farnham

107 South Croxton Road London SE21  
8AX

136 Woodward Road London SE22  
8UR

19 Holmdene Ave Southwark, London  
SE24 9LB

5 Winterbrook Road London SE24 9hz

48 Mallinson Road London SW11 1BP

15 Byne Road Sydenham SE26 5JF

196 Friern Road London

84 Garthorne Rd London SE23 1EN

15 Forrester Path London SE26 4SE

48 Mitford Road London N194HL

131 St Asaph Road London SE4 2DZ

113 Reaston Street London SE14 5BB

Flat 1, 53 Manor Avenue London  
SE41TD

30c, Cheltenham Rd Cheltenham Rd  
London

15 Frank Dixon Way, Dulwich, Dulwich  
Dulwich London

134 Court Lane Dulwich LONDON

12 Eastlands Crescent 12 Dulwich  
Eastlands Crescent London

36 Linwood Close Apartment London

13 tarbert rd London Se228qb

2B Court Lane London SE21 7DR

17 Woodsyre London SE26 6SS

140 Woodward Road London SE22  
8UR

13 Townley Road London SE22 8SR

32 Gubyon Avenue London SE240DX

10a Spurling Road London SE22 9AE

226 Turney Road London SE21 7JL

4 Holmdene Avenue London SE24 9LF

2, Friendly Street, London SE8 4DT

93 Hayter Road 93 London

31 Telford Avenue London SW2 4XL

Woodland Rd, Gipsy Hill, London SE19  
1NT, UK 38 Greater London

17 TRENT ROAD LONDON SW2 5BJ

75 Stradella Road London SE249HL

55 Therapia Road London SE22 0SD

101 Stradella Road London SE24 9HL

38A Sutherland Square London SE17  
3EE

25 Rouse Gardens Sydenham Hill  
SE218AF

119 herne Hill London SE24 9LY

109 Rosendale Road London SE21 8EZ

2 Warmington Road London SE24 9LA

10 Bell Meadow Dulwich Wood Avenue  
London

136 Oglander Road London

27 Wood Vale London SE23 3DS

111 Court Lane London SE21 7EE

58 Gipsy Hill London SE19 1PD

Alderman House 1e Gautrey Road  
Peckham

160 Burbage Road Southwark, London  
SE21 7AG

67 Kensington Avenue THORNTON

HEATH Thornton Heath

4, Flaxman Road LONDON SE5 9DH  
105 Friern Road London SE22 0AZ  
36 Therapia Road London SE22 0SE  
Apt74 3 Nightingale lane London  
44 Court Lane London SE21 7DR  
22 Winterbrook Road London SE24 9JA  
103 Stradella Road London SE24 9HL  
83 stradella road London SE24 9hl  
5 Marham Gardens London SW18 3JZ  
31 Burbage rd London SE249HB  
107 South Croxted Road London SE21  
8AX  
101 Stradella Road London SE24 9HL  
107 South Croxted Road London SE21  
8AX  
103 Stradella Road London SE24 9HL  
49 stradella Road london se24 9hl  
39 Burbage Road London SE24 9HB  
FLAT 3, 30 WEST END LANE London  
NW6 4PA  
11 Elmwood Road London SE24 9NU  
57 burbage road london SE24 9HB  
27 Winterbrook Road London Southwark  
59 Burbage Road Southwark, London  
SE24 9HB  
45A Barry Road London SE22 0HR  
71 Stradella Road London SE24 9HL  
115 Dulwich Village London SE21 7BJ



**OPEN**

**COMMITTEE:**

**PLANNING COMMITTEE (SMALLER APPLICATIONS)**

**NOTE:**

Original held in Constitutional Team; all amendments/queries to Beverley Olamijulo, Constitutional Team, Tel: 020 7525 7234

**MUNICIPAL YEAR 2024-25**

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Councillor Adam Hood	1	
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<b>MEMBER OF PARLIAMENT (Electronic)</b>		11
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		List Updated: 17 March 2025