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<b>Item No.</b> 8.1	<b>Classification:</b> Open	<b>Date:</b> 25 January 2022	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 21/AP/3625 for: Full Planning Application  <b>Address:</b> BURGESS PARK COMMUNITY SPORTS PAVILION BURGESS PARK COMMUNITY SPORT GROUND 106 COBOURG ROAD LONDON SOUTHWARK SE5 0JB  <b>Proposal:</b> Construction of a ball court with perimeter fencing and installation of x2 LED floodlights. The ball court will provide a pitch for wheelchair sports which also functions as a court for basketball, to be included as part of the new Burgess Park Sports Centre Hub.		
<b>Ward(s) or groups affected:</b>	Faraday		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date:</b> 27/10/2021		<b>PPA Expiry Date:</b> 01/02/2022	
<b>Earliest Decision Date</b> 21/12/2021			

## RECOMMENDATION

1. That planning permission be granted subject to conditions.

## EXECUTIVE SUMMARY

2. The application proposes to construct a new ball court on the eastern portion of Burgess Park. The new court will provide facilities for wheelchair sports and basketball, ancillary to the approved re-development of Burgess Park Sports Centre Hub (21/AP/1002). The proposal meets national and local planning policy tests for appropriate development within Metropolitan Open Land (MOL). Therefore, the principle of the proposed land use is acceptable.
3. The proposed development seeks to deliver an inclusive ball court that will provide benefits to the local community and users of the park. The ball court is in keeping with the character of this area of the park, and within proximity to the existing Burgess Park Sports centre facilities which include outdoor sports pitches. Overall, the proposed design and positioning of the new ball court in this context would have no greater impact on the setting, accessibility and quality of the MOL, and would not affect its openness or detract from its character.
4. There is a degree of certainty that the consented scheme for Burgess Park Sports Centre Hub (21/AP/1002) will be brought forward simultaneously with this

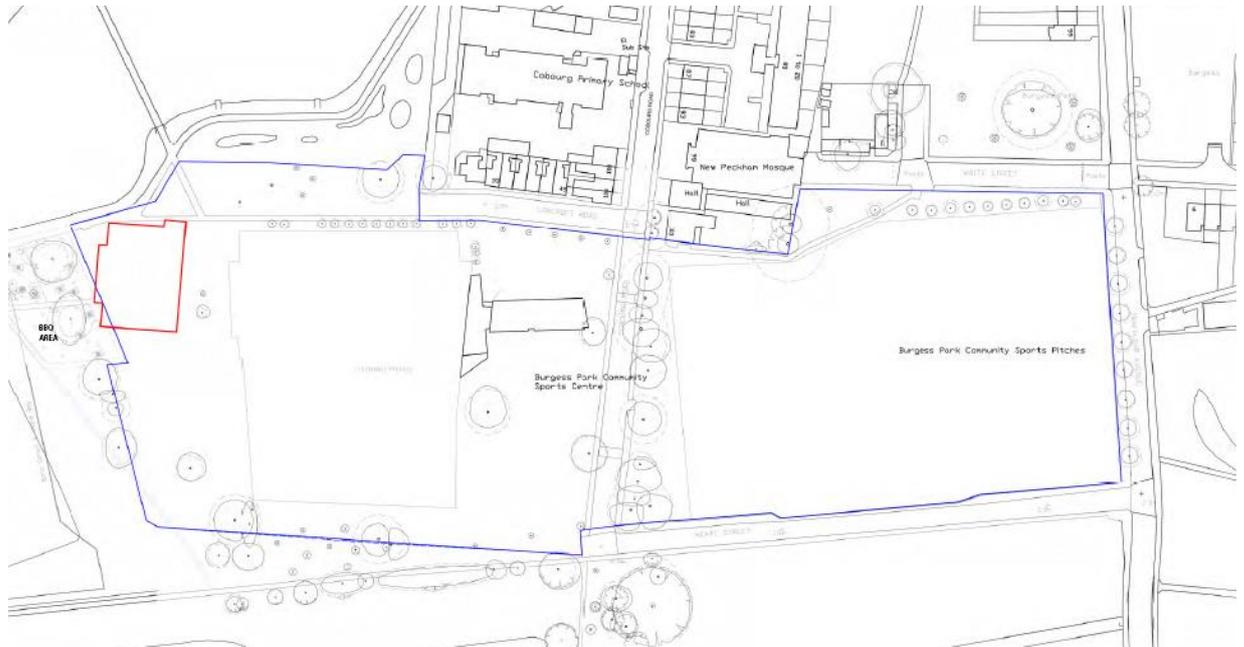
application; to deliver improvements to the wider site layout, access and ancillary sports facilities as well as provide ecological enhancements and biodiverse landscaping. This proposal will further contribute to the overall quality of the new sports facility, through the delivery of inclusive ball court that meets an identified need for a hard surfaced outdoor pitch of this size and design specification. It is therefore recommended that planning permission is granted subject to planning conditions.

## **BACKGROUND INFORMATION**

5. The Burgess Park Sports Centre was granted planning permission in 2021 [LBS ref 21/AP/1002] (S.73 application to vary planning permission 19/AP/1275) for the demolition of the existing centre and all-weather pitch and construction of a new sports centre with two new all-weather pitches, associated lighting and hard and soft landscaping (including new 'spectator mounds' to west and north of new pitches).
6. An Equalities Impact Assessment (EQIA) was undertaken for the proposed development in October 2020. This sought to identify opportunities and steps to be taken on this site to promote equality, and improve access and participation in public life and good relations between all groups, in accordance with the council's duties as public authority under the Equality Act 2010. The EQIA assessed the impact of the proposed scheme on the relevant groups with protected characteristics, providing recommendations to improve the site's inclusive design approach.
7. A key outcome of the EQIA was the need for a fenced, hard surfaced court with basketball facilities and provision for wheelchair sports. Therefore, this application has been prepared to seek planning permission for the delivery of an enclosed hard surfaced court that will facilitate wheelchair rugby, football and basketball, as well as basketball for all users. The provision of this inclusive sport pitch would therefore deliver a significant positive benefit to the re-development of the Burgess Park Sports centre and local community.

## **Site location and description**

8. The application site is located on the eastern part of Burgess Park, on informal open parkland. To the east of the site is an outdoor fenced artificial grass football pitch (AGP) ancillary to the Burgess Park Community Centre. To the west of the site is the park's designated BBQ area. The areas surrounding the site to the north, west and south comprise open park land. Further to the north-west is the Cobourg Road Conservation Area, which comprises terraced residential properties, Cobourg Primary School and New Peckham Mosque which is also Grade II Listed. The site is situated within designated Metropolitan Open Land (MOL) and Site of Importance for Nature Conservation (SINC).



*Site location plan*

## Details of proposal

9. The application proposes the construction of a new ball court, which will form part of the new Burgess Park Sports centre consented under planning application 21/AP/1002 (S.73 application to vary planning permission 19/AP/1275). The ball court seeks to provide facilities for wheelchair sports and basketball.



*Proposed site plan*

10. The new court will be enclosed by 4.5m high sports fencing on the north, west and south elevations, to match the fencing proposed to surround the adjacent AGP to the east. A 1.2m high fence will be provided on the east elevation to provide separation between the basketball court and AGP. Gated access into the new court is proposed from the north-eastern corner of the court, and a footpath will run along the northern boundary of the wider site, connecting the court with the consented Burgess Park Sports centre to the east.

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

11. The application has received 28 public comments including four comments of objection and 24 comments of support. Those in support of the application commented on the positive community benefits of the new court, in particular for young adults and teenagers. In addition, there was support for a new court in this location to meet an identified need for wheelchair sports and basketball. Summarised below are the material planning considerations raised by members of the public objecting to the application. These matters are addressed in the subsequent parts of this report.

### Principle of development

- Over provision of sports facilities
- Conflict with local plan

### Design quality and site layout

- Out of keeping with the character of the area
- Loss of open green space
- Inadequate access

### Environmental impacts

- Light pollution
- Affects local ecology
- Noise nuisance

### Security and prevention of anti-social behaviour

- Loitering, smoking, noise, and potential anti-social behaviour

### Other

- Not enough information given on application

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

12. 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 3.

## **KEY ISSUES FOR CONSIDERATION**

## Summary of main issues

13. The main issues to be considered in respect of this application are:
  - Principle of the proposed development on MOL in terms of land use;
  - Design including impact on heritage assets
  - Transport and highways including layout, access arrangements, cycle and car parking
  - Open space, landscaping and trees
  - Ecology and biodiversity
  - Environmental matters including noise, light, contamination, air quality and flood risk
  - Other matters
  - Mayoral and borough community infrastructure levy (CIL)
  - Consultation responses
  - Community impact, equalities assessment and human rights
14. These matters are discussed in detail in the 'Assessment' section of this report.

### Legal context

15. 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 2021, 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.
16. 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

17. The statutory development plans for the borough comprise the London Plan 2021, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2021) 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 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.
18. The site is located within the:
  - Air Quality Management Area
  - Site of Importance for Nature Conservation

- Metropolitan Open Land

19. The site is located within 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.

## **ASSESSMENT**

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

20. The application proposes to construct a new ball court within Burgess Park MOL on a flat area of grass park land. The London Plan Policy G3 affords MOL the same level of protection as Green Belt and areas of MOL should be protected from inappropriate development, in accordance with national planning policy tests.
21. Exceptional circumstances where new development would be permitted on MOL are set out within paragraph 149 of the NPPF (2021), Southwark's emerging local plan policy P57 and Saved Southwark Policy 3.25. This includes the provision of appropriate facilities which are deemed essential for outdoor sport or recreation. The construction of a new ball court will provide outdoor facilities for wheelchair sports and basketball, which is consistent with the exception circumstances test set out in national and local planning policy.
22. Therefore, the principle of proposed development in terms of land use is acceptable, subject to the new facility positively contributing to the setting, accessibility and quality of the open space and without affecting its openness or detracting from its character.

### **Impact on openness of MOL**

23. The proposed footprint of the new ball court is 1,123sqm, which represents 0.002% of Burgess Park. This area of the park is already in use for outdoor sports including fencing and floodlights. When considered in the context of the existing and re-placement sports centre and sports pitches, the impact of an additional ball court is not considered to be harmful to the openness of the MOL and would be appropriate development for this location of the park.

### **Design considerations**

24. The proposed development seeks to provide additional outdoor sporting facilities which would be ancillary to the approved re-development of Burgess Park Sports Centre Hub (21/AP/1002). The proposed development is situated on an area of flat grass park land, which currently provides a small amount of informal open space for the enjoyment of park users, next to a BBQ area. This space would become fenced off for use as a formal sport facility. The new court will be enclosed by a 4.5m high black sports fence that will secure the ball court within the boundary of the Burgess Park Sports Centre Hub facilities.

25. The application site is located predominantly within the red line boundary for the consented sport centre site, extending slightly further eastwards to accommodate the cornered edges of the new ball. The extant planning permission on this area of the site sought to deliver a spectating mound that encircled the proposed APG to the east, contributing some noise mitigation for user of the open parkland to the west and the provision of biodiversity planting.



*Proposed site plan (left image) and consented site plan (21/AP/1002) (right image).*

26. The proposal for a new ball court seeks to replace this area of spectator mound, whilst retaining the provision of the spectator mound to the south and north of the pitches. At the time of assessing this application, the spectator mounds have not been delivered and therefore, the proposed development would not result in a loss of any ecological habitats or amenity benefits from the mound. Notwithstanding this, the proposed development would preclude the future delivery of this area of spectator mound, as consented under planning permission 21/AP/1002. Overall is considered overall that the use of this space for a new ball court would provide significant positive benefits to the local community that outweigh the provision of spectator mounds in this location. Ecological enhancements will be delivered elsewhere on the site through biodiverse planting to ensure biodiversity net gains are secured. Furthermore, officers are satisfied that the provision of this ball court would not result in an unacceptable level of noise nuisance, subject to planning conditions.
27. Overall, the proposed design and positioning of the new ball court is acceptable and in keeping with the other sports facilities to be delivered under planning permission 21/AP/1002. The addition of this court is not likely to negatively impact on the setting, accessibility and quality of the park, above and beyond those impacts that already exist with the current sports centre facility in this location. This meets an identified need for a hard surfaced outdoor pitch of this size and design specification to be provided as part of the sport centre facilities. Furthermore, there is a degree of certainty that the consented scheme for Burgess Park Sports Centre Hub (21/AP/1002) will be brought forward simultaneously with this application, to ensure that the court fits neatly within the boundary of the sports centre facility as a single entity.

## Impact on heritage assets

28. The Cobourg Road Conservation Area is situated to the north-west of the site. The new ball court is set back from the conservation area and would result in limited additional harm, over and above that caused by the existing AGP situated in closer proximity to the heritage assets. This impact would be further reduced when considered in the context of the consented AGPs and spectating mound which are situated between the new ball court and the conservation area.
29. Overall it is considered that the proposal for an additional court in this location will have no greater impact on the setting of the nearby conservation area and listed buildings to the north-west of the site. The type of development proposed is in keeping with the characteristic of this area of the park and will be used for active recreation.

## **Transport and Highways**

### Layout and access arrangements

30. The new court will utilise the existing access arrangements on site. The 21/AP/1002 planning permission will deliver improvements to the access arrangements, as part of wider re-development of the site, which will also benefit this ball court. Pedestrian access will be provided directly between the new court and the consented sport centre to the west, which provides ancillary changing rooms and WC facilities. Given the consented layout of the wider site re-development, the new court could not be located any closer to the sports centre, however, access between the court and sports centre is step free. An Equality Impact Assessment (EQIA) has been undertaken demonstrating the need this court to provide facilities for wheelchair sports and basketball. This provides assurance and recommendations on the suitability of the proposed sport centre facilities in terms of accessibility.

### Cycle and car parking arrangements

31. Cycle parking is to be delivered within the wider site and will comprise secure, single stack cycle stands, usable for disabled persons. Vehicle drop off is provided on Cobourg Road at the site entrance with a suitably dropped kerb for step free access onto the footway. The applicant will be required to provide designated visitor Blue Badge Bays within the site.

## **Landscaping and trees**

32. The application does not propose the loss of any trees. Details of the soft and hard landscaping proposals will be delivered on the wider site as part of the consented scheme (21/AP/1002).

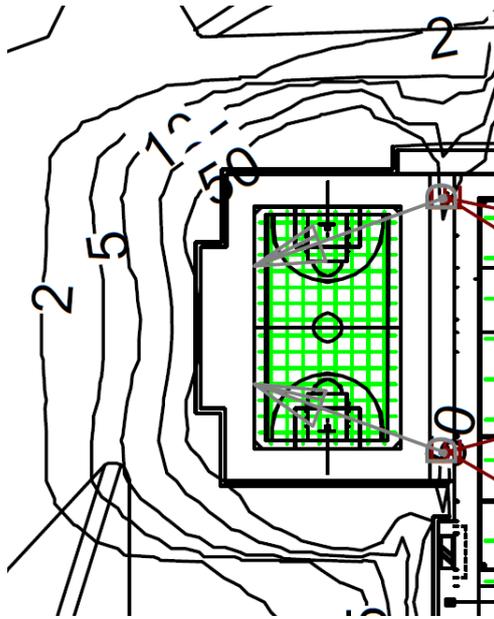
## **Ecology and biodiversity**

33. The proposed development is not considered to have a negative impact on biodiversity. The applicant is proposing to create 500m<sup>2</sup> of wildflower meadow that will be delivered on the wider site as part of the consented scheme. This will provide biodiversity net gains for the sport centre facility.

## **Environmental matters**

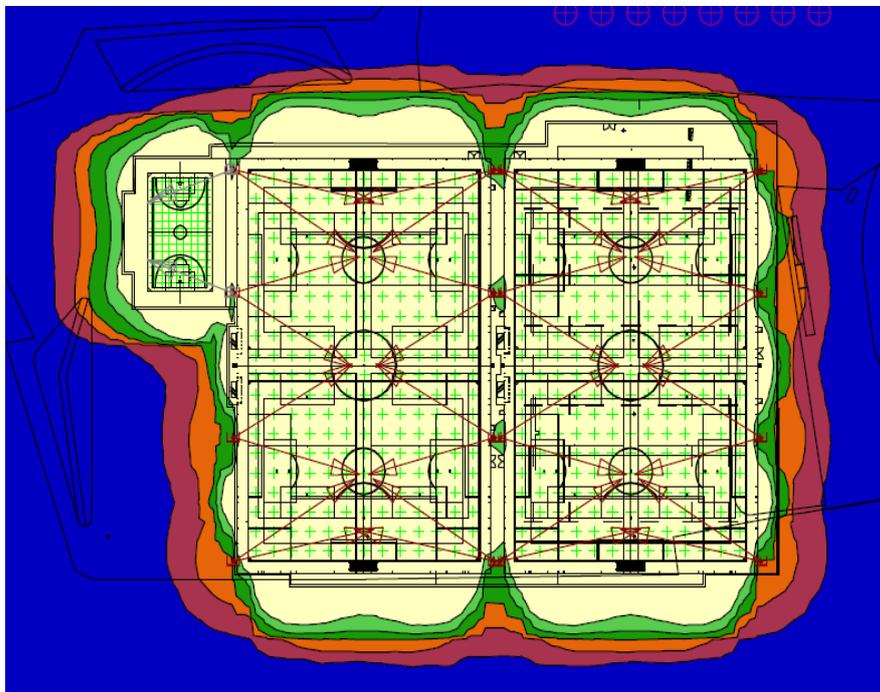
### Noise and light

34. There is already an established sport and recreational use within this area of the park and the addition of a comparatively small ball court is not likely to cause a greater negative impact on the amenity of neighbours and the environment in regard to noise nuisance. It is recommended that the same planning conditions are applied to reduce noise nuisance, as to those agreed under planning permission 21/AP/1002. This includes restricting the hours of use of the court to within the hours of 08:00 to 22:00 on Monday to Friday or 09:00 to 20:00 on Saturdays, Sundays and Bank Holidays
35. The application proposes the installation of two LED floodlights that would be attached to the floodlighting columns that were consented for the adjacent AGP, on the eastern boundary of the new court. The applicant has submitted an artificial lighting assessment to demonstrate compliance with the Institute of Lighting Professionals (ILP) guidance.
36. The ILP Guidance Notes for the Reduction of Obtrusive Light (2021) sets a limit of 25 Lux light spillage in Urban areas (E4 Zone), 10 Lux in suburban areas (E3 Zone) or 5 Lux in rural areas (E2 Zone). The lighting assessment for this development shows the overspill lighting levels to be in compliance with an E2 Zone (rural), dropping below 5 Lux outside of the court boundary. The lighting does not face towards any residential development, which is located to the north-east of the site and outside of the identified lighting overspill area for this court.



ISO contour overspill diagram.

37. The lighting assessment considers the impact on lighting overspill for this new court in addition to the lighting overspill resulting from the consented AGPs. The same compliance planning conditions that are secured to planning permission 21/AP/1002, should be applied here. This would restrict the use of floodlights within the hours of 08:00am and 22:00 on any day and prevent any lighting spill from floodlights on the site exceeding more than 5 lux towards any neighbouring



premises.

Filled ISO contour overspill diagram (showing lighting levels for showing consented scheme for two sports pitches on the right 21/AP/1002)

## Land contamination

38. The application site is situated predominantly within the red line boundary for the approved Burgess Park Sports Centre Hub (21/AP/1002). The Environmental Protection Team have reviewed the submission and have recommended that the Remedial Method Statement (prepared by Leap Environmental Ltd) used to discharge part (a) of Condition 3 (Site investigations) as required by planning permission 21/AP/1002, is applied to the construction of this ball court.

## Air quality

39. The site is within an Air Quality Management Area. The proposed development should achieve at least air quality neutral standards and reduce exposure to and mitigate the effects of poor air quality. The provision of an additional ball court on this site is not likely to noticeably increase transport emissions generated, greater than that which will be generated by the use of the existing or replacement sports centre facility. Measures to encourage more sustainable modes of travel, in addition to the reduction of car parking spaces as part of the consented scheme seek to reduce trip generation for vehicles onto the site.

## Flood Risk

40. The site is located in Flood Zone 3 but in an area that benefits from the defences of the Thames Barrier and therefore is subject to a low risk of tidal and fluvial flooding. The ballcourt drainage will connect to the lake at Burgess Park. This will minimise any additional output into the sewer.

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

41. 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. In this instance, the development does not constitute CIL liable development.

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

42. Sport England:
- Satisfied that the proposed development meets exception 3 of playing fields policy;
  - Supportive of ball court which provides a facility suitable for wheelchair sports;
  - No objection raised.
  - Clarity sought on the commitment to ongoing risk assessments for the consented AGP to mitigate the sub-optimal run-off areas. The added

complexity of players potentially transitioning from the AGP and across the boundary between the two surfaces should be factored in and addressed in the risk assessment.

43. Officer response to issue(s) raised: The commitment to risk assessments is secured under informative note 5 on planning permission 21/AP/1002. The applicant has confirmed that the risk assessments are to be undertaken once the facility is operational and the ball court will not prevent the risk assessments being undertaken.

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

44. Environmental Protection Team:
- Application acceptable subject to planning conditions.
45. Ecology:
- An additional basketball court does not negatively impact on biodiversity.
  - 500 m2 of wildflower meadow mitigates for the impact of the court and provides biodiversity net gain.
  - Lighting levels are low and focused on the court.

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

46. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
47. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The development would have a significant benefit for wheelchair users as it would provide a facility designed for a particular need but accessible for other users too.
48. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
    - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
    - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

3. 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.

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

### **Human rights implications**

50. 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.

51. This application has the legitimate aim of constructing a new ballcourt for wheelchair sports and basketball. 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**

52. 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.

53. 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.

### **54. 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?	YES

To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES
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## CONCLUSION

55. The application proposes to construct a new ball court on the eastern portion of Burgess Park. The new court will provide facilities for wheelchair sports and basketball, ancillary to the approved re-development of Burgess Park Sports Centre Hub (21/AP/1002). The proposal meets national and local planning policy tests for appropriate development within Metropolitan Open Land (MOL). Therefore, the principle of the proposed land use is acceptable.
56. The proposed development seeks to deliver an inclusive ball court that will provide benefits to the local community and users of the park. The ball court is in keeping with the character of this area of the park, and within proximity to the existing Burgess Park Sports centre facilities which include outdoor sports pitches. Overall, the proposed design and positioning of the new ball court in this context would have no greater impact on the setting, accessibility and quality of the MOL, and would not affect its openness or detract from its character.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file M2022 Application file 21/AP/3625 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation (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>	Gemma Perry, Graduate Planner	
<b>Version</b>	Final	
<b>Dated</b>	12 January 2022	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		12 January 2022

## Recommendation (draft decision notice)

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>	Pippa Krishnan Southwark Council	<b>Reg. Number</b>	21/AP/3625
<b>Application Type</b>	Minor application		
<b>Recommendation</b>	To Grant	<b>Case Number</b>	PP-10310521

### Draft of Decision Notice

#### for the following development:

Construction of a ballcourt to be included in the new Burgess Park Sports Centre Hub facility, to provide a pitch for wheelchair sports which also functions as a court for basketball.

At

Burgess Park Community Sports Pavilion Burgess Park Community Sport Ground 106 Cobourg Road London

In accordance with the valid application received on 27 October 2021 and supporting documents submitted which can be viewed on our Planning Register.

For the reasons outlined in the case officer's report, which is also available on the Planning Register.

The Planning Register can be viewed at: <https://planning.southwark.gov.uk/online-applications/>

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#### Conditions

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

1. The development shall be carried out in accordance with the following approved plans:  
DWG800 Burgess ballcourt site location plan

DWG801 Burgess ballcourt proposed site plan

DWG802 Burgess ballcourt fencing plan

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 Prior to Above Ground Works Condition(s)**

3. Details of the fencing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above ground works in connection with this permission are carried out; the development shall not be carried out otherwise than in accordance with any such approval given.

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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Strategic Policy 12 (Design and Conservation) of the Core Strategy (2011); and Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Plan (2007).

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

4. Prior to occupation of the ball court hereby approved, 2 disabled parking spaces shall be provided on Coburg Road and made available for users of the ball court. The spaces shall be retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason:

To ensure that the parking spaces for disabled people are provided and retained in accordance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T6 (Car parking) of the London Plan (2021); Strategic Policy 2 (Sustainable Transport) of the Core Strategy (2011), and; Saved Policy 5.7 (Parking Standards for Disabled People and the Mobility Impaired) of the Southwark Plan (2007).

5. Before the first occupation of the development hereby approved, detailed drawings of a landscaping scheme showing biodiverse planting to be delivered in the wider area of

Burgess Park, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Strategic Policy 11 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007

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

6. The use hereby permitted for the artificial grass pitches shall not be carried on outside of the hours 08:00 to 22.00 on Monday to Friday or 09:00 to 20:00 on Saturdays, Sundays and Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residents in accordance with The National Planning Policy Framework 2021, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

7. The floodlights hereby approved shall not be used before 08:00am or after 22:00 on any day and the lighting spill from them shall be no more than 5 lux on any neighbouring property.

Reason:

To protect the amenity of neighbours in accordance with the National Planning Policy Framework 2021, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007

8. The approved Remedial Method Statement dated 30th September 2021 with reference number LP2662/RMS prepared by Leap Environmental Ltd, used to discharge part (a) of Condition 3 (Site investigations) as required by planning permission dated 07/07/2021 [LBS Ref 21/AP/1002], shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2021.

### Relevant planning policy

#### National Planning Policy Framework (the Framework) 2021

Chapter 2 Achieving sustainable development  
Chapter 8 Promoting healthy and safe communities  
Chapter 13 Protecting Green Belt land  
Chapter 14 Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 Conserving and enhancing the natural environment  
Chapter 16 Conserving and enhancing the historic environment

#### The London Plan 2021

Policy D12 Fire safety  
Policy S5 Sports and recreation facilities  
Policy G3 Metropolitan Open Land  
Policy G6 Biodiversity and access to nature  
Policy SI 1 Improving air quality  
Policy SI 12 Flood risk management  
Policy SI 13 Sustainable drainage  
Policy T6.5 Non-residential disabled persons parking

#### Core Strategy 2011

Strategic Policy 1 (Sustainable development)  
Strategic Policy 4 (Places for learning, enjoyment and healthy lifestyles)  
Strategic Policy 11 (Open spaces and wildlife)  
Strategic Policy 12 (Design and conservation)  
Strategic Policy 13 (High environmental standards)

#### Southwark Plan 2007 (saved policies)

Policy 2.2– Provision Of New Community Facilities  
Policy 3.2 - Protection of amenity  
Policy 3.6 - Air quality  
Policy 3.15 - Conservation Of The Historic Environment Policy 3.18 - Setting Of Listed Buildings, Conservation Areas And World Heritage Sites  
Policy 5.2 - Transport impacts  
Policy 5.7 - Parking Standards for disabled people and the mobility impaired

### Planning history of the site and nearby sites

**Reference and Proposal:** 21/AP/1002 Minor material amendment to planning permission 19/AP/1275 (Demolition of existing sports centre and adjacent all-weather pitch and construction of a new single storey sports centre with 2. No. new all weather pitches, associated lighting and hard and soft landscaping including new 'spectator mounds' to west and north of new pitches) for amendments to configurations and setting out of building including an overall increase in building footprint of 118sqm to facilitate an Air Source Heat Pump, relocation of the clubroom within the sports centre to the south, amended external cladding from silver aluminium to copper, and inclusion of green roof, as well as changes to the landscaping and re-location of cycle parking. GRANT - Regulation 3/4 07/07/2021

**Reference and Proposal:** 19/AP/1275 Demolition of existing sports centre and adjacent all-weather pitch and construction of a new single storey sports centre with 2. No. new all weather pitches, associated lighting and hard and soft landscaping including new 'spectator mounds' to west and north of new pitches. GRANT - Regulation 3/4 19/12/2019.

## Consultation undertaken

Site notice date: 10/11/2021

Press notice date: n/a.

Case officer site visit date: 10/11/2021

Neighbour consultation letters sent: 17.11.2021

### Internal services consulted

Ecology

Environmental Protection

### External services consulted

Sport England

### Neighbour and local groups consulted:

2 Pepler Mews London Southwark SE5 0HX  
5 Pepler Mews London Southwark SE5 0HX  
Flat 11 85 Cobourg Road London Southwark SE5 0HU  
Flat 4 103 Cobourg Road London Southwark SE5 0HU  
100 Cobourg Road London Southwark SE5 0JB  
75 Cobourg Road London Southwark SE5 0HU  
Flat 3 85 Cobourg Road London Southwark SE5 0HU  
Flat 11 103 Cobourg Road London Southwark SE5 0HU  
Flat 3 103 Cobourg Road London Southwark SE5 0HU  
3 Pepler Mews London Southwark SE5 0HX  
47 Loncroft Road London Southwark SE5 0JE  
102 Cobourg Road London Southwark SE5 0JB  
Flat 8 85 Cobourg Road London Southwark SE5 0HU  
89 Cobourg Road London Southwark SE5 0HU  
Flat 19 85 Cobourg Road London Southwark SE5 0HU  
Flat 16 85 Cobourg Road London Southwark SE5 0HU  
Flat 13 85 Cobourg Road London Southwark SE5 0HU  
Flat 10 85 Cobourg Road London Southwark SE5 0HU  
Flat 5 103 Cobourg Road London Southwark SE5  
0HU

Flat 6 85 Cobourg Road London Southwark SE5 0HU  
83 Cobourg Road London Southwark SE5 0HU  
77 Cobourg Road London Southwark SE5 0HU  
Flat 8 103 Cobourg Road London Southwark SE5 0HU  
Flat 2 103 Cobourg Road London Southwark SE5 0HU  
49 Loncroft Road London Southwark SE5 0JE

41 Loncroft Road London Southwark SE5 0JE  
67 Cobourg Road London Southwark SE5 0HU  
Flat 14 103 Cobourg Road London Southwark SE5 0HU  
45 Loncroft Road London Southwark SE5 0JE  
43 Loncroft Road London Southwark SE5 0JE  
39 Loncroft Road London Southwark SE5 0JE  
104 Cobourg Road London Southwark SE5 0JB  
73 Cobourg Road London Southwark SE5 0HU  
93 Cobourg Road London Southwark SE5 0HU  
91 Cobourg Road London Southwark SE5 0HU  
87 Cobourg Road London Southwark SE5 0HU  
Flat 20 85 Cobourg Road London Southwark SE5 0HU  
Flat 18 85 Cobourg Road London Southwark SE5 0HU  
Flat 17 85 Cobourg Road London Southwark SE5 0HU  
Flat 15 85 Cobourg Road London Southwark SE5 0HU  
Flat 14 85 Cobourg Road London Southwark SE5 0HU  
Flat 12 85 Cobourg Road London Southwark SE5 0HU  
Flat 9 85 Cobourg Road London Southwark SE5 0HU  
Flat 7 85 Cobourg Road London Southwark SE5 0HU  
Flat 5 85 Cobourg Road London Southwark SE5 0HU  
Flat 4 85 Cobourg Road London Southwark SE5 0HU  
Flat 2 85 Cobourg Road London Southwark SE5 0HU  
Flat 1 85 Cobourg Road London Southwark SE5 0HU  
81 Cobourg Road London Southwark SE5 0HU  
79 Cobourg Road London Southwark SE5 0HU  
71 Cobourg Road London Southwark SE5 0HU  
69 Cobourg Road London Southwark SE5 0HU  
65 Cobourg Road London Southwark SE5 0HU  
New Peckham Mosque 99 Cobourg Road London Southwark SE5 0HU  
Flat 15 103 Cobourg Road London Southwark SE5 5NW  
Flat 13 103 Cobourg Road London Southwark SE5 0HU  
Flat 12 103 Cobourg Road London Southwark SE5 0HU  
Flat 10 103 Cobourg Road London Southwark SE5 0HU  
Flat 9 103 Cobourg Road London Southwark SE5 0HU  
Flat 7 103 Cobourg Road London Southwark SE5 0HU  
Flat 6 103 Cobourg Road London Southwark SE5 0HU  
Flat 1 103 Cobourg Road London Southwark SE5 0HU  
Cobourg School House Cobourg Road London Southwark SE5 0HT  
4 Pepler Mews London Southwark SE5 0HX  
1 Pepler Mews London Southwark SE5 0HX  
75A Cobourg Road London Southwark SE5 0HU

## Consultation responses received

### Internal services

Ecology  
Environmental Protection

### External services

Sport England

### Neighbour and local groups:

96 newent close London Se156ed  
53 Celandine Close South Ockendon Rm15 6jb  
26 sonesta apartments 2A Burchell road London SE15 2AJ  
436A Bromley Road, Bromley Bromley BROMLEY BR1 4PP  
2 Beckett house 32 Lingham street London SW9 9DD  
69 Balfour st London Se171pl  
8 Cornbury House Evelyn Street London SE8 5QP  
Pimlico London SW1V 3AT  
Flat 19 Peterchurch house London se15 1nf  
181 Trafalgar Street London SE172TP  
Flat 2, 27 colegrove road London se15 6nt  
35 Gateway London SE17 3UE  
Flat 47, 62 St Georges Way London SE15 6QS  
134 Kennington park road London Se11 4bt  
73 Lessingham Avenue Tooting SW17 8NG  
170 Fifth Avenue 170 London W10 4DU  
7 Ridgeway Crescent Gardens Orpington BR6 9QH  
183 East Street Walworth. London SE17 2SD  
Flat 6,41 Kelly Avenue London SE15 5GL  
Flat 22 Perronet House Princess Street London SE1 6JR  
36a bird in bush rd Peckham Se156rw  
40 Crane house London, Peckham SE15 5NG  
7 Montacute road London SE64XL  
4 Evelive Road Surrey Cr4 3le  
9 Angel lane London Se17 3FG  
73 Montpelier road London Se15 2hd  
46 Petersham drive Orpington Br5 2qe  
29 Lindley House Peckham Park Road London SE15 6UW