

Contents

Contents	1
EXECUTIVE SUMMARY	3
BACKGROUND INFORMATION.....	4
Site Location and Description	4
Details of proposal	5
Consultation responses from members of the public and local groups	5
Summary of consultation responses from external, internal and divisional consultees	5
Planning history of the site, and adjoining or nearby sites.....	6
KEY ISSUES FOR CONSIDERATION	6
Summary of main issues.....	6
Legal context.....	7
Planning policy	7
National Planning Policy Framework (NPPF)	7
The London Plan 2021	8
Southwark Plan 2022	8
ASSESSMENT	9
Principle of the proposed development in terms of land use	9
Impact on the amenity of neighbouring occupiers	10
Good design and heritage	10
Transport	11
Flood Risk.....	11
Ecology	11
Trees.....	12
Policy D12 (A) of the London Plan (2021) - Fire Safety.....	12
Energy	13
Mayoral and borough community infrastructure levy (CIL).....	13
Any Other Matters	13
Carbon concurrent.....	14
Positive and proactive statement	16
Conclusion	16
BACKGROUND DOCUMENTS.....	16
APPENDICES	17

Item No. 7.1	Classification: Open	Date: 28 February 2023	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 22/AP/3392 for: Planning Permission Address: OLD ALLEYNIAN'S SPORTS GROUND DULWICH COMMON LONDON SOUTHWARK SE21 7HA Proposal: Construction of a timber framed pavillion to be used as a utility store and changing facility by Old Almeynian RFC		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning and Growth		
Application Start Date	13/10/2022	Application Expiry Date	07/12/2022
Earliest Decision Date	06/12/2022		

RECOMMENDATION

1. The application is being dealt with at Planning Sub Committee B as the development is located on Metropolitan Open Land. It is recommended that permission is granted subject to conditions.

EXECUTIVE SUMMARY

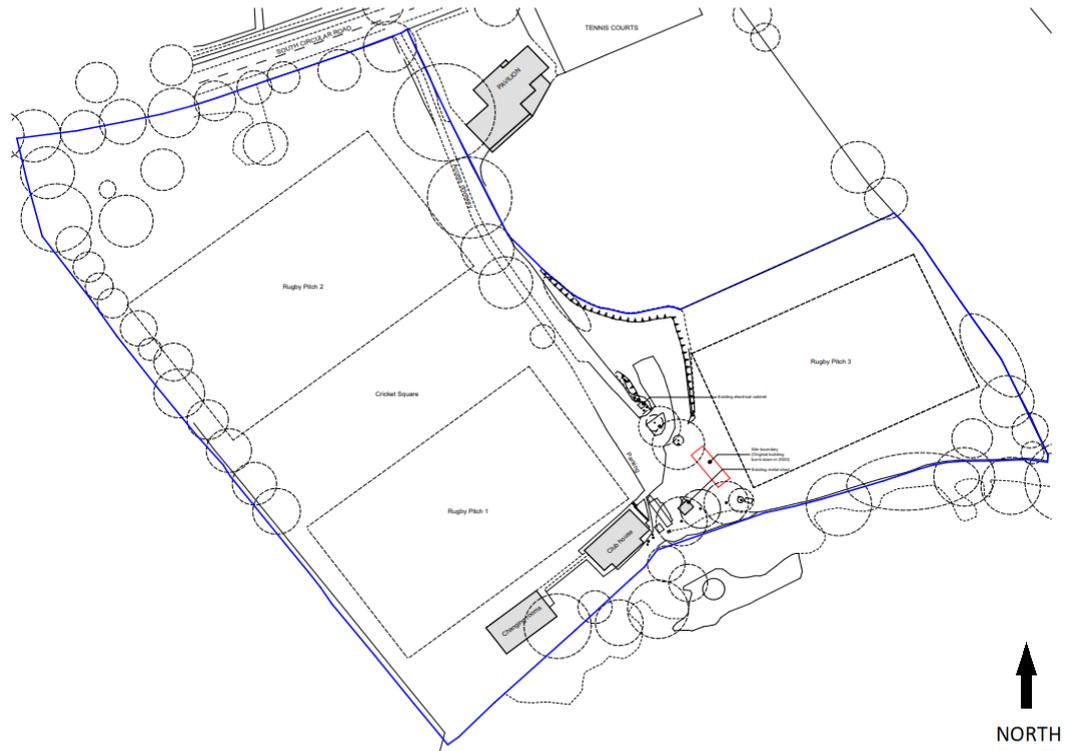
2. Permission is sought for the construction of a replacement timber framed pavilion, which would comprise a utility store and changing facilities for the Old Almeynian RFC rugby club. The applicant advises that the original pavilion was subject to fire damage, as such, no longer exists. The proposed pavilion would be sited in the same location.
3. The pavilion would be located on MOL. It would provide appropriate facilities in connection with the existing outdoor sport use of the land, preserve the openness of the MOL and would not conflict the existing use of the land. Therefore, it is considered an appropriate development in the MOL and adheres to Paragraph 149 of the National Planning Policy Framework 202 and Policy P57 (Open Space) of the Southwark Plan 2022.
4. The pavilion would be of an appropriate scale and design, as such would not have an adverse impact on the character of the site or the Dulwich Wood Conservation Area. Due to its sitting it would not have an adverse impact on neighbouring or adjoining occupiers.

5. The introduction of shower/toilet facilities will require underground services and as a result of the fire to the previous pavilion, tree planting is required. In addition, the applicant has not included a cycle parking space. Conditions will be attached to the decision to ensure these details are secured.

BACKGROUND INFORMATION

Site Location and Description

6. Site location plan: Location of proposal outlined in red.



7. The application site is the Old Alleynians Sports Ground, located on the southern side of the Dulwich Common highway. The site existing site comprises three rugby pitches, a cricket square, ancillary storage units and two single storey structures hosting changing rooms and a club house.
8. The proposal site is towards the southern boundary of the site adjacent the existing club house.
9. The site is bounded:
 - To the east by: Allotment Gardens and No's 2 to 32 Dulwich Common
 - To the south by: Dulwich and Sydenham Hill Golf Course
 - To the west by: Pynners Close Playing Fields
 - To the north by: The highway of Dulwich Common
10. There are no significant changes in ground level.

11. The site falls within the following policy designations:

Dulwich Wood Conservation Area
Green Chain Park
Site of Importance for Nature Conservation
Metropolitan Open Land (MOL)
Tree Protection Order (TPO) Group (Order Number 444)
Tree Protection Order Woodland (Order Number 429)
Critical Drainage Area

Details of proposal

12. Planning permission is sought for the construction of a single storey timber framed pavilion incorporating a timber canopy to the rear.

Details of the proposal area as follows:

Length: 17.1m
Width: 6.2m
Eaves Height: 2.34m
Max Height: 4.16m
Gross External Area: 105sqm

The proposal would incorporate a total of 12 conservation grade roof lights in the roof pitch of the west and east elevations. A lightweight timber canopy is proposed on the west elevation. This would project 1.5m from the eaves, have a height of 2.34m and a length of 12.4m.

The proposed materials are timber cladding and natural slate roof tiles.

The proposal would also include hard landscaping to the west at an area of 25sqm running the length of the elevation and the formation of a new path accessible from the existing hardstanding on the site.

Consultation responses from members of the public and local groups

13. A site notice was erected at the vehicular entrance of the application site on Dulwich Common on 15 November 2022. The application was advertised in the Southwark News, newspaper on 20 October 2022.
14. No consultation responses from members of the public were received.

Summary of consultation responses from external, internal and divisional consultees

15. Urban Forester (Tree Officer):

No objection to the application subject to conditions

The introduction of shower and toilet facilities will require underground services and does not look to have been addressed within the AIA. A

condition for both the foundations and apparatus is required.

The fire resulted in loss of trees at this site for which there are conditioned replacements (20/AP/3300), the duty for which remains with the land owner. A pre commencement condition for tree planting is required. The replacement trees will be afforded protection by way of a provisional TPO which will be made accordingly.

16. Ecology Officer:

No objection to the application subject to conditions

A Preliminary Ecology Assessment is advised due to the proximity to the SINC.

There are records of bats in the adjacent wooded TPO area, if there is no new lighting or tree works as the BS5837 report suggests, a bat activity survey is not required. The installation of bat boxes attached to the pavilion is required.

Planning history of the site, and adjoining or nearby sites

17. 11/AP/2998

Construction of an electricity substation to serve the pavilion.
Decision: Granted (11.01.2012)

Following the fire to the previous pavilion, applications for tree works to TPO's and tree works in a conservation area (20/AP/3300 and 22/AP/0158) were submitted and granted. These approvals allowed for the removal of deadwood and felling of damaged trees primarily due to safety concerns.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Principle of development in terms of land use, specifically the designation of the development site as Metropolitan Open Land.
- Impact on the amenity of neighbouring occupiers;
- Good design and heritage;
- Transport;
- Flood Risk;
- Ecology;
- Trees;
- Fire safety regulations;
- Energy;
- Mayoral and borough community infrastructure levy (CIL);
- Any other planning material considerations;
- Carbon Concurrent;
- Community impact and equalities assessment;
- Human rights implications, and;

- Positive and proactive statement.

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

Legal context

20. 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.
21. The local planning authority may depart from the development plan policy where material considerations indicate that the plan should not be followed, subject to any conditions prescribed by direction by the Secretary of State. This power to depart from development plan policy is confirmed in [article 32 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#). In cases where the local planning authority intends to depart from development plan policy, [article 15\(3\) of the Development Management Procedure Order](#) sets out the publicity requirements which must be followed before the decision is taken. This application was publicised as a departure from the development plan policy in the Southwark News on 20.10.2022.
22. 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 (NPPF)

23. The revised National Planning Policy Framework ('NPPF') was published in July 2021 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.
24. Paragraph 218 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
25.
 - Chapter 8 Promoting Healthy and Safe Communities - note paragraph 103 states that policies for managing development within

a Local Green Space (such as MOL) should be consistent with those for Green Belts.

- Chapter 9 Promoting Sustainable Transport
- Chapter 11 Making Effective Use of Land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting Green Belt Land
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conservation and Enhancement of the Natural Environment
- Chapter 16 Conserving and Enhancing the Historic Environment

The London Plan 2021

26. 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:

- D4 - Delivering good design
- D12 - Fire safety
- G1 - Green Infrastructure
- G3 - Metropolitan Open Land
- G6 - Biodiversity and access to nature
- G7 - Trees and Woodland
- HC1 – Heritage Conservation and Growth
- S1 12 - Flood risk management

Southwark Plan 2022

27. 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:

- P14 - Design quality
- P18 - Efficient use of land
- P20 – Conservation Areas
- P21 – Conservation of the historic environment and natural heritage
- P56 - Protection of amenity
- P47 – Community Uses
- P57 - Open Space
- P60 - Biodiversity
- P61 - Trees

28. Of relevance in the consideration of this application is:

- Sustainable Design and Construction SPD (2009)

ASSESSMENT

Principle of the proposed development in terms of land use

Relevant policy designations

29. Development on MOL:

MOL is given the highest protection from inappropriate development in the NPPF, the London Plan 2021 and the Southwark Plan 2022. The NPPF makes it clear that MOL should be treated in the same way as designated Green Belt Land.

30. Paragraph 147 of the NPPF states that inappropriate development in the Green Belt is harmful and should not be approved except in very special circumstances. Para 148 states that “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.

31. Para 149 sets out the test for what is appropriate and therefore what would be allowed as development on the Green Belt (and MOL). This is also referred to in Policy P57 of the Southwark Plan 2022.

Appropriate development in MOL is considered to be:

- 32.
- 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) 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 44
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - i. not have a greater impact on the openness of the Green Belt than the existing development; or
 - ii. not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified

affordable housing need within the area of the local planning authority.

33. The proposal would be considered the provision of appropriate facilities in connection with the existing use of the land. In this case, the use of the land is for outdoor sport, as such the proposal would fall within development that could be considered within the MOL by reason of point (b).
34. The development would only be considered appropriate where it is demonstrated that the proposal would preserve the openness of the Green Belt and does not conflict with the purposes of the land within it.
35. The built footprint of the proposed structure would be similar in area and sitting to the previous pavilion. It would be of a modest scale as a single storey. Given, it's sitting and scale, it is considered that it would preserve the openness of the Green Belt.
36. The proposed use as changing facilities and utility storage is demonstrated to be for the purposes of outdoor sports. The applicant has advised that the facilities are for the primary use of Old Alleynians FC (Rugby Club).
37. On the basis of the above, it is considered that the proposal would be appropriate within the MOL by reason of (b), paragraph 149 of the NPPF and Policy 57 of the Southwark Plan 2022.

Impact on the amenity of neighbouring occupiers

38. The proposal would be located 230m from neighbours to the east. It is not considered that the proposal would cause an adverse impact on the daylight, sunlight, privacy or openness afforded to neighbouring properties, due to the sitting and scale. The proposed development is considered to comply with Policy P56 Protection of Amenity of the Southwark Plan 2022.

Good design and heritage

39. Design policies seek that development is appropriate for its context in terms of form, materials and siting. The site is located within the Dulwich Wood conservation area but it not within the setting of a Listed Building.
40. The proposed pavilion would be of a simplistic design, that being an elongated single storey structure with natural tile pitched roof, timber cladding and conservation grade roof lights. The building would be absent of windows on the elevations.
41. The proposal would be of an appropriate scale, preserving the openness of the Green Belt and integrating acceptably with the existing buildings on the site. The choice and composition of materials would respect the character of the area.
42. The proposed timber canopy would be sited on the east elevation, as such

would not be readily visible from within the wider site. In any case, it is of an acceptable scale and remains subservient to the host structure.

43. It is recognised that the proposed drawings show the erection of the Old Alleynians FC crest in the form of an advert on the west elevation. An informative will be attached to the decision to advise that this element would require advertisement consent.

Transport

Car Parking

44. The application site is located in a Public Transport Accessibility Level (PTAL) are rated 1b, as such, has low level of access to public transport. Given the ancillary nature of the structure to the wider use of the site, it is accepted that no further car parking space is required. There are existing vehicular parking spaces located at the south end of the paved road which forms part of the Old Alleynian grounds. Further there is are two bus stops close to the site providing routes to Brixton, Lewisham Station, New Cross Gate and Streatham Station on the Dulwich Common highway. West Dulwich Rail Station is approximately 12 minutes' walk.
45. The scale and nature of the replacement building would be similar to the previous structure, as such, it is not envisaged that car parking intensification in the surrounding area or on site would result.

Cycle Parking

46. There does not appear to be any existing, dedicated cycle parking within the site. Given the PTAL rating, it would be reasonable to secure 1 short stay and 1 long stay cycle parking space as set out in Policy T5 – Cycle Parking of the London Plan 2021 for developments considered to fall within D2 (now Use Class F2 – Local Community). As such, this will be secured by condition.

Flood Risk

47. The site is located in Flood Zone 1 which is considered an area with very low probability of flooding by reason fluvial and surface water (less than 0.1% chance) and the Herne Hill Critical Drainage Area. While the site is located within these designations, it is highlighted that it is replacement non-habitable building of similar scale to the original and in a similar location. These factors along with the low probability of flooding in the area, it is not considered that the proposal would have a detrimental impact on the flood risk to users of the pavilion or surrounding neighbours.

Ecology

48. The Ecologist has reviewed the documents and information provided by the applicant. While the site is not located within the SINC, it is adjacent to the

Dulwich Golf Course which lies within the designation. Given the small scale of the proposal, while it is acknowledged that the adjacent SINC is a form of ecological constraint in this instance, the opportunity for ecological enhancement to be delivered as part of this development is limited. The applicant would be required to install bat boxes within the structure to provide mitigation commensurate to the scale of the development.

Trees

49. The site is located within TPO zones and is therefore subject to a number of protected trees. The submitted Arboricultural Impact Assessment (AIA) and Method Statement has been reviewed by the council's tree officer. It is noted that the submitted AIA does not address the requirement of underground services by reason of the shower/toilet facilities. As such, details of foundations and apparatus would be secured by condition. The fire resulted in loss of trees at this site for which there are conditioned replacements as approved by application 20/AP/3300. The duty for which remains with the land owner. A pre commencement condition for tree planting will be required in this instance.

Policy D12 (A) of the London Plan (2021) - Fire Safety

50. 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.
51. 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.
52. The applicant has submitted a Fire Strategy Statement prepared by Almanac Collaborative Architecture and a fire strategy drawing ((P501 - Proposed fire strategy).
53. The document notes that fire assembly points would be located at an existing known meter cupboard point along the site access road. The meter cupboard, located off the primary fire access vehicle route will be clearly marked as to be easily located during an emergency. An internal fire appliance would be provided as would three wall mounted fire extinguishers.
54. The pavilion would have a category L-3 fire alarm system installed, which includes detectors in all escape routes and rooms that open on to an escape route. The maximum distance for escape in more than one direction would be 45m, while the maximum escape distance for the pavilion altogether would be 10m demonstrating compliance with current building regulations.

55. The primary means of escape would be protected by 60 minute fire resistant partition walls and 60 minute fire resistant doors. A fire retardant treatment would be applied to the external timber cladding. The applicant advises that the end users operations team would ensure all fire and smoke alarm systems are maintained and in working order.
56. It is considered that the proposed fire safety measures detailed in the strategy and demonstrated on the submitted plan would be appropriate for the scale and nature of the development. It is recognised that the previous pavilion was subject to fire damage, however full details of this event does not accompany this application. In any case, this is not a full assessment of the requirements of fire safety in the new building, as this will be dealt with comprehensively at the Building Regulations stage. Officers considered that the information provided satisfies the requirements of planning policy.

Energy

57. Policy P70 Energy applies to this development. The policy requires all development to minimise carbon emissions in accordance with the energy hierarchy of be lean, be clean, be green.
58. The applicant has not submitted an energy report as part of this application, however it is highlighted that development is now subject to new building regulation energy measures under [Part F \(Ventilation\)](#) and [Part L \(Conservation of fuel and power\)](#) and the [Approved Document for Overheating \(Part O\)](#). Given the modest scale of the proposal, it is not considered feasible for substantial green energy measures on site.

Mayoral and borough community infrastructure levy (CIL)

59. 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.
60. Most new development which creates net additional floor space of 100 square metres or more, or creates a new dwelling, is potentially liable for the levy.
61. The application would create 91sqm of new floor space. This would be below the 100sqm threshold, as such, the proposal is not liable for the levy.

Any Other Matters

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

63. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
64. 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:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - b) 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, and;
 - 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.
65. 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.
66. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. An equalities impact assessment for this proposal is contained below:

Carbon concurrent

Achieving net carbon zero development in Southwark

67. All development is required to take measures to reduce carbon emissions on site with the aim of contributing to net carbon zero by 2050 in accordance with the adopted development plan.
68. The measures identified for this minor development are summarised in the table below:

Net carbon zero: summary table	
Be Lean measures (energy efficient design and construction)	The proposal includes timber cladding which is considered an energy efficient material due to its thermal insulation

	properties.	
Be Clean measures (low carbon energy supply)	None.	
Be Green measures (on site renewable energy generation and storage)	None.	
Any other comments	Due to the scale and internal use of the proposal, officers acknowledge the limitations on incorporating Be Clean and Be Green measures.	

Meeting Southwark's Climate Change Strategy and Action Plan

69. In July 2021, the council adopted its Climate Change Strategy and Action Plan for tackling the climate emergency. The plan sets out how emissions in the borough can be reduced from buildings, transport and waste disposal.
70. The Strategy sets out 148 Action Points that the council will undertake to achieve its ambition to do all it can to achieve a net zero carbon borough by 2030 across five key priority areas:
- Greener Buildings: these actions relate to Southwark's built environment and new developments e.g., emissions from privately rented homes, commercial offices and private property development. They cover scope one and two emissions.
 - Active and Sustainable Travel: these actions relate to surface transport across the borough, e.g., emissions from private car travel. They cover scope one, two and three emissions.
 - A Thriving Natural Environment: these actions relate to the maintenance and security of the borough's natural environment e.g., increasing tree canopy coverage.
 - A Circular Economy with Green Jobs: these actions relate to waste within the borough e.g., emissions from non-recyclable waste disposal. They cover scope one and two emissions.
 - Renewable Energy: these actions relate to the provision of more renewable energy within the borough i.e., local installation of technologies such as solar PV.
71. The following Action Point/s have identified as relevant to this planning application:

Priority Area:	Thriving Natural Environment
Theme	Building and development works alongside and enhances our natural environment
Officer commentary:	Conditions are recommended to landscape the garden, provide swift bricks and small mammal gaps and to prohibit outdoor lighting to limit any impact on bats; safeguard trees
Priority Area:	Active and Sustainable Travel
Theme	Make cycling and walking easier
Officer commentary	The new house will provide cycle parking

Positive and proactive statement

72. The council has published its Plan 2022 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.
73. 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.

Conclusion

74. The proposal demonstrates conformity with the principles of sustainable development. It respects the amenity of neighbouring properties and is of an acceptable design. The reasons why an exception to MOL policy are relevant here have been explained. Accordingly, it is recommended that planning permission be granted.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	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	Planning history of the site and nearby sites
Appendix 3	Consultation responses received
Appendix 4	Consultation undertaken

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Kerri Simpson, Planning Projects Officer	
Version	Final	
Dated	11 February 2023	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director Environment, Neighbourhoods & Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		14 February 2023

Recommendation

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

This document is not a decision notice for this application.

Applicant	Mr Adam Shapland alma-nac architecture	Reg. Number	22/AP/3392
Application Type	Minor application	Case Number	2082-M
Recommendation	GRANT permission		

Draft of Decision Notice

Planning permission is GRANTED for the following development:

Construction of a timber framed pavillion to be used as a utility store and changing facility by Old Alleynian RFC

Old Alleynians Sports Ground Dulwich Common London Southwark

In accordance with application received on 27 September 2022 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Plans - Proposed P05 PROPOSED SITE PLAN REV P01 received 27/09/2022

Plans - Proposed P06 PROPOSED PLANS REV P01 received 27/09/2022

Plans - Proposed P07 PROPOSED ELEVATIONS REV P01 received 27/09/2022

Other Documents

Arboricultural statement 011170 BS 5837 Arboricultural Report received 27/09/2022

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)

4. Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. All foundation depths should, as a minimum, concord with NHBC 4.2.13, or be as engineer designed.

Reason:

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of arboricultural mitigation works as outlined in the arboricultural impact assessment and method statement: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with 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) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening) and Policy G7 (Trees and Woodlands) of the London Plan (2021); and Policy P56 (Protection of amenity), Policy P57 (Open space), Policy P58 (Open water space), Policy P5: (Green infrastructure), P66 (Reducing noise pollution and enhancing soundscapes, Policy P13 (Design of places), P14 (Design quality), Policy P15 (Residential design), Policy P20 (Conservation areas), Policy P21 (Conservation of the historic environment and natural heritage) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

5. Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation. To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; 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; and

policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity

Permission is subject to the following Grade Condition(s)

6. CYCLE STORAGE DETAILS

Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

7. Details of bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission. No less than 2 nesting boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The 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 nesting boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open Water space, P59 Green infrastructure, P60 Bioiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

3. MATERIALS TO BE AS SPECIFIED

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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); 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).

Informatives

- 1 Notwithstanding the details shown on the proposed elevations hereby approved, advertisement consent should be sought for any proposed advertisement.

APPENDIX 2

Relevant planning history

Reference and Proposal	Status
<p>22/AP/0158</p> <p>(T4) and (T5) 2 x Elm trees, approximately 12m in height: Trees are dead and dying with extensive crown dieback. Fell to ground level.</p> <p>(G1) A Group of Ash and Hawthorn trees overhanging the rear of the sports club roof. Cut back to suitable growth points leaving a minimum 2m clearance above the roof.</p> <p>(G2) Group of mixed species overhanging bus stop: Remove deadwood and branches overhanging the road.</p> <p>(T8) Oak; Crown lift by 4m: leaning tree, low branches.</p>	Granted TCA 03/03/2022

Relevant planning policy

National Planning Policy Framework (2021)

The revised National Planning Policy Framework ('NPPF') was published in July 2021 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 8 Promoting Healthy and Safe Communities
- Chapter 9 Promoting Sustainable Transport
- Chapter 11 Making Effective Use of Land
- Chapter 12 Achieving well-designed places
- Chapter 13 Protecting Green Belt Land
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conservation and Enhancement of the Natural Environment
- 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 chapters from the Plan are:

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy G1 Green Infrastructure
- Policy G3 Metropolitan Open Land
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and Woodland
- Policy HC1 Heritage Conservation and Growth
- Policy S1 12 Flood Risk Management

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:

- P14 Design quality
- P18 Efficient use of land
- P20 Conservation Areas
- P21 Conservation of the historic environment and natural heritage
- P56 Protection of amenity
- P47 Community Uses
- P57 Open Space
- P60 Biodiversity
- P61 Trees

APPENDIX 4

Consultation undertaken

Site notice date: 15/11/2022

Press notice date: 20/10/2022

Case officer site visit date: 15/11/2022

Neighbour consultation letters sent:

N/A

Internal services consulted

Urban Forester
Ecology

Statutory and non-statutory organisations

None.

Neighbour and local groups consulted:

None.

Re-consultation:

None.

APPENDIX 5

Consultation responses received

Internal services

Urban Forester
Ecology

Statutory and non-statutory organisations

None.

Neighbour and local groups consulted:

None.