

Welcome to Southwark Planning Sub-Committee B

28 March 2023

MAIN ITEMS OF BUSINESS

Item 7.1 - 22/AP/4303

Burgess Park, Albany Road, London,
SE1

Item 7.2 - 22/AP/3540

Grange Cottage, Grange Lane, London,
SE21 7LH



Councillor Cleo Soanes (Chair)



Councillor Emily Tester (Vice Chair)



Councillor Sandra Rhule



Councillor Emily Hickson



Councillor Esme Hicks



Councillor Richard Livingstone



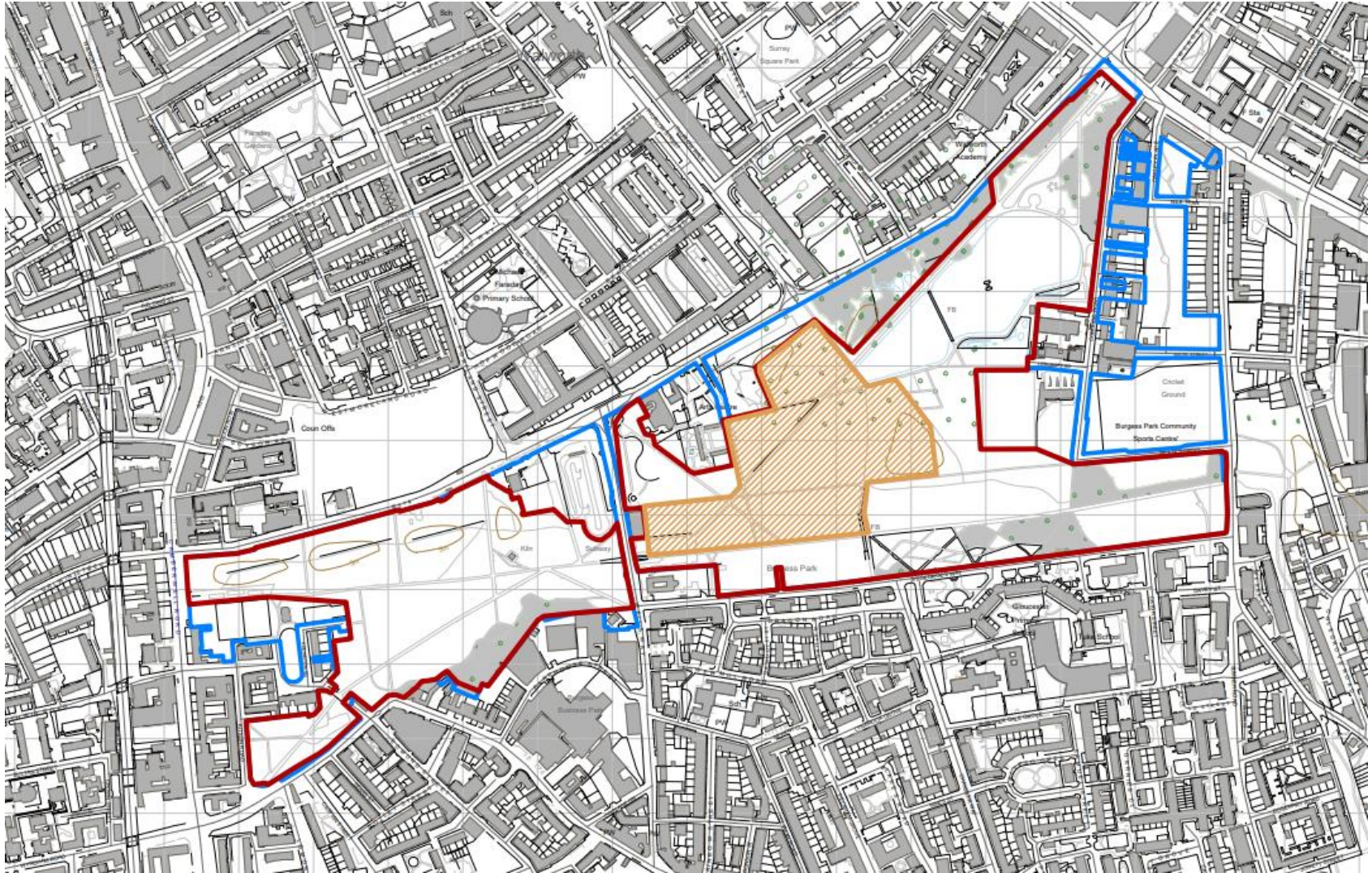
Councillor Adam Hood

ITEM 7.1- 22/AP/4303

Burgess Park, Albany Road, London, SE1

Temporary use of Burgess Park for large-scale filming and commercial/community events to include installation of supporting associated infrastructure, access, parking and other ancillary works

SITE LOCATION PLAN

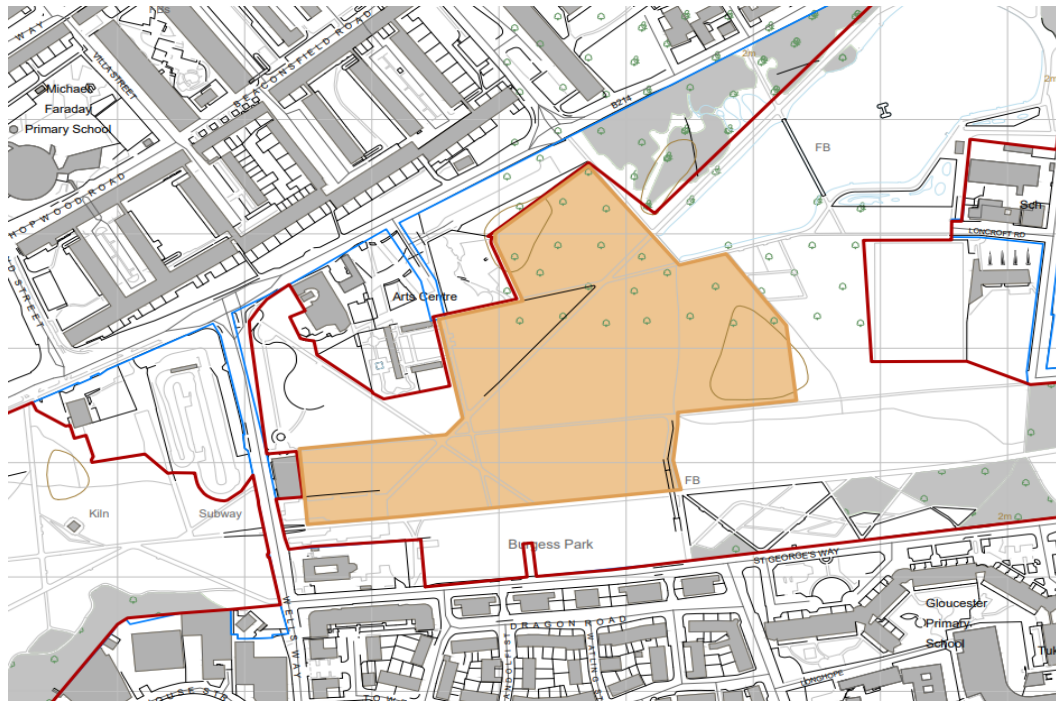


AERIAL VIEW



PROPOSAL

- This application seeks planning permission for the temporary use of the park for large-scale filming and commercial / community events for no more than 56 days per annum over a three year period
- Filming would take place anywhere within the red line boundary
- Events would specifically take place in Burgess Park East (and no longer in Burgess Park West):



Burgess Park East

AMENDMENTS TO THE APPLICATION

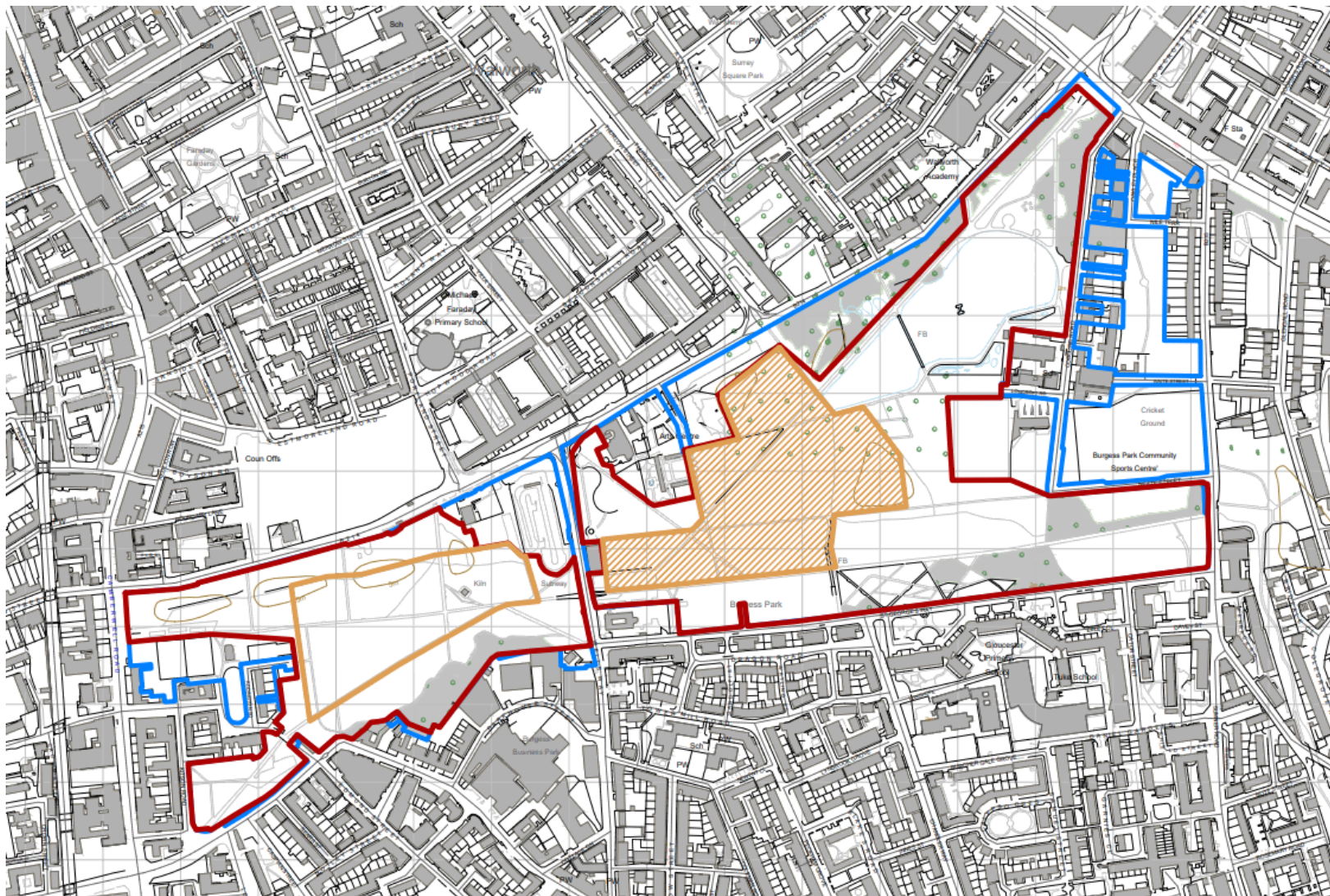
Contributors were re-consulted on 28 February 2023 for the following reasons:

- An Equality Impact and Needs Analysis was submitted (assessed at pages 33 to 36 in the committee report)
- A draft schedule of events for 2023/24 was submitted
- The description of development was revised to remove reference to 56 days per annum and three years – the restriction will instead be set out in a condition
- Removal of the west event area from the proposal – all events requiring planning permission would take place in the designated east event area only

Contributors were further re-consulted on 06 March 2023 for the following reason:

- A Heritage Statement was submitted (assessed at pages 22 to 27 in the committee report)

PREVIOUS PROPOSAL



PUBLIC CONSULTATION RESPONSES

CONSULTATION RESPONSES: SUMMARY TABLE

No. of objections: 49

- Loss of access to the park and the amount of the park closed at any one time
- Noise and light impacts on residents
- Close proximity to neighbouring residents
- Lack of information within the application (what events / filming and when)
- That important planning considerations would be assessed after planning permission is granted and that there is no statutory framework to consult at that stage
- Lack of information on how days would be counted
- The application is for commercial gain and would not benefit the local community and local wellbeing
- Impact on MOL and the condition of the park
- 56 days is a significant increase
- Impact and length of site set up and clearance
- How areas outside the red line boundary would be controlled
- Lack of clarity on the areas to be used and how the percentage of the site to be used has been calculated
- No information on temporary structures proposed
- Three years is too long for a temporary permission / granting three years removes the ability to review the permission after the first and second years
- Impact on biodiversity and trees
- Impact on conservation areas and heritage assets
- Increase in anti-social behaviour / littering
- Impact on traffic
- Conflict with free community events in the park (parkrun and junior parkrun)
- Pollution and ground compaction

PUBLIC CONSULTATION RESPONSES

Friends of Burgess Park objection:

- Loss of access to the park
- Conflict with free community events in the park (parkrun and junior parkrun)
- The boundary should be moved further away from Southampton Way Woods
- The number of days should be less than 56
- It should be ensured that any social benefits are allocated to the local community
- Event vehicles should be parked with minimum impact to the grass
- There should be a review process after 12 months
- A residents group should be established - a Burgess Park Events local stakeholders group already exists

Councillor Rachel Bentley objection:

- Public parks are for public use – the application is for commercial gain
- Increase in anti-social behaviour
- Events finishing at 23:00 would create a potential significant noise nuisance for residents
- Invasion to habitats

Concern that the application should be referred to the GLA (addressed at pages 6 to 7 of the committee report).

BACKGROUND

- Permitted development rights allow for a temporary change of use of land for no more than 28 days per annum – Burgess Park has been making use of these permitted development rights for events and filming
- A complaint was received in 2022 that the number of days was potentially being exceeded
- In response, the council is seeking planning permission to cover all events and filming that require planning permission in the park
- Preparing the planning application has taken time and as such, this application seeks permission to cover events and filming from 2023 to 2026

PERMITTED DEVELOPMENT RIGHTS

- Part 4 Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (GPDO) permits the use of any land for any purpose for not more than 28 days in total in any calendar year
- A new Part 4 Class BA provided an additional 28 days (total 56 days) from 01 July 2020 to 31 December 2020 in response to the COVID-19 pandemic
- The following events took place in Burgess Park in 2022:

Use	Type	Total days
Apple TV	Commercial filming	23 days
Radiate Windrush Festival	Commercial event	4 days
Carnaval del Pueblo	Community event	7 days

- A condition has been recommended to remove permitted development rights under Part 4 Class B meaning that 56 is the total number of days permitted for a temporary change of use within the park

CHANGE OF USE

- The need for planning permission or permitted development rights only applies to activities which constitute a material change of use
- An change of use (for both filming and events) is considered to be an activity for which access to part of the park is restricted by a barrier, fence or marshal for a prolonged period
- The council facilitates a number of community events throughout the year which involve the erection of stalls and entertainment and are entirely free to access with no restriction – these events are not seen as constituting a material change of use

Event	Details
Southwark Eid-aL-Fitri (5 days)	Capacity of 1,000 Free-to-attend community event No fencing
Southwark Eid-ul Adha (4 days)	Capacity of 750 Free-to-attend community event No fencing

Examples of events that are not a change of use

Filming	No. of people	Dates / hours
RUN	17	08/01/2022 (5 hours)
Comic Relief	4	28/01/2022 (4 hours)
Chasing the Dream	4	14/02/2022 (1.5 hours)
Common Seas	4	01/03/2022 (1 hour)
Noir (Gymshark)	15	28/03/2022 (2 hours)
The Face	8	01/06/2022 (3.5 hours)
Live + Breathe	20	20/05/2022 (4 hours)

Examples of filming that are not a change of use

EVENTS AND FILMING

- A draft schedule of events for 2023 has been provided (totalling 28 days):

<u>Event</u>	<u>Dates</u>	<u>Event days</u>	<u>Site set up and take down days</u>
Boiler Room Festival	23 May – 31 May 2023	2	7
Radiate Windrush Festival	21 June – 26 June 2023	3	3
Carnaval del Pueblo	18 August – 21 August 2023	1	3
Boiler Room Festival	12 September – 20 September 2023	2	7

- There is currently no schedule of events following 2023/24, nor filming as this takes place on a shorter lead time
- A condition has been recommended for details of the scale, location, duration and management of the filming and events, and any ancillary infrastructure, to be submitted to and approved in writing by the Local Planning Authority prior to each use commences
- A condition has been recommended that the events take place in accordance with Southwark's Outdoor Events Policy which sets guidance and conditions in relation to putting on events, including a minimum period of time between events
- In addition to planning permission, events require a license from the council and filming requires an agreement from the council's film services provider (FilmFixer)

METROPOLITAN OPEN LAND

- Burgess Park is designated as Metropolitan Open Land (MOL)
- MOL policies do not make reference to a change of use being appropriate or inappropriate development, however the aim of the policies is to keep land permanently open and prevent the construction of inappropriate permanent buildings
- The principle of a temporary change of use would not restrict the openness of the MOL and would not result in any permanent loss of the park
- The ancillary structures proposed for events would be appropriate facilities for outdoor recreation, in line with what is considered to be appropriate development on MOL under the NPPF
- A condition has been recommended to ensure that the land is restored to its former condition as public open space following the temporary uses
- Event organisers pay a 10% environmental impact fee in addition to an event fee, and are required to restore the park to its original condition – this 10% fee is paid directly into parks budgets for enhancements to the park it relates to
- A large capital improvement drainage scheme was recently installed on the main event area to address previous compaction and drainage issues

COMMUNITY EVENTS

- There are other activities that take place within the park which do not constitute a material change of use including parkrun and junior parkrun every weekend
- Wherever possible event organisers and film production companies will be asked to suspend vehicle movement between 08:30 and 10:15 on Saturdays and Sundays
- On the occasions where this is not possible, mitigation activity would be discussed with parkrun organisers
- In the past mitigation has included the offer of safety marshals provided by the event organisers or film companies
- As the proposed uses would not involve closing the entirety of the park, alternative running routes could also be used where necessary
- A condition has been recommended that no more than 30% of the park shall be used and restricted at any one time

NOISE

- A condition has been recommended to limit the use to only take place between 07:00 to 23:00 on Mondays to Sundays
- A condition has been recommended to ensure that events comply with the Noise Conditions for Open Air Events in Southwark which sets noise limits and control measures
- A condition has been recommended for a Noise Management Plan to be submitted for any events of an audience capacity over 2,001 (in line with the Noise Conditions for Open Air Events requirement) Subject to the conditions noise would not have an unacceptable impact on neighbouring residents
- Crowd control and event management measures are not delivered directly by the council, however are approved by the council's Safety Advisory Group – typical measures for events with an audience capacity over 2,001 include:
 - staggered closing times
 - marshals directing people to key locations
 - signage
 - advance communications requesting people to be quiet on exit

LIGHTING

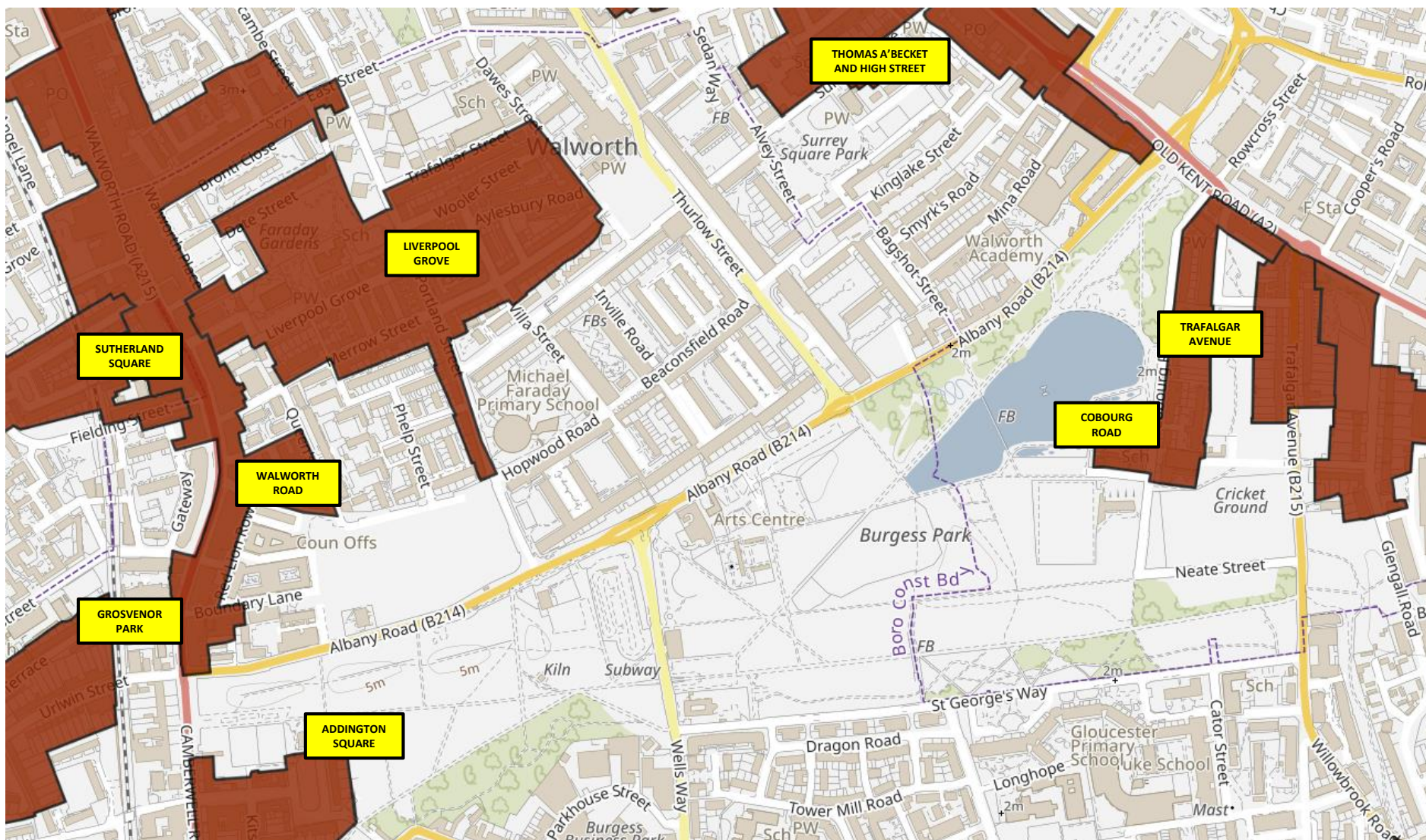
- Any lighting would be temporary in nature and monitored to reduce impact on local amenity
- The Lighting Impact Assessment set out mitigation measures to be implemented (including light level restrictions) for two zones (the site and 10m radius from the border)



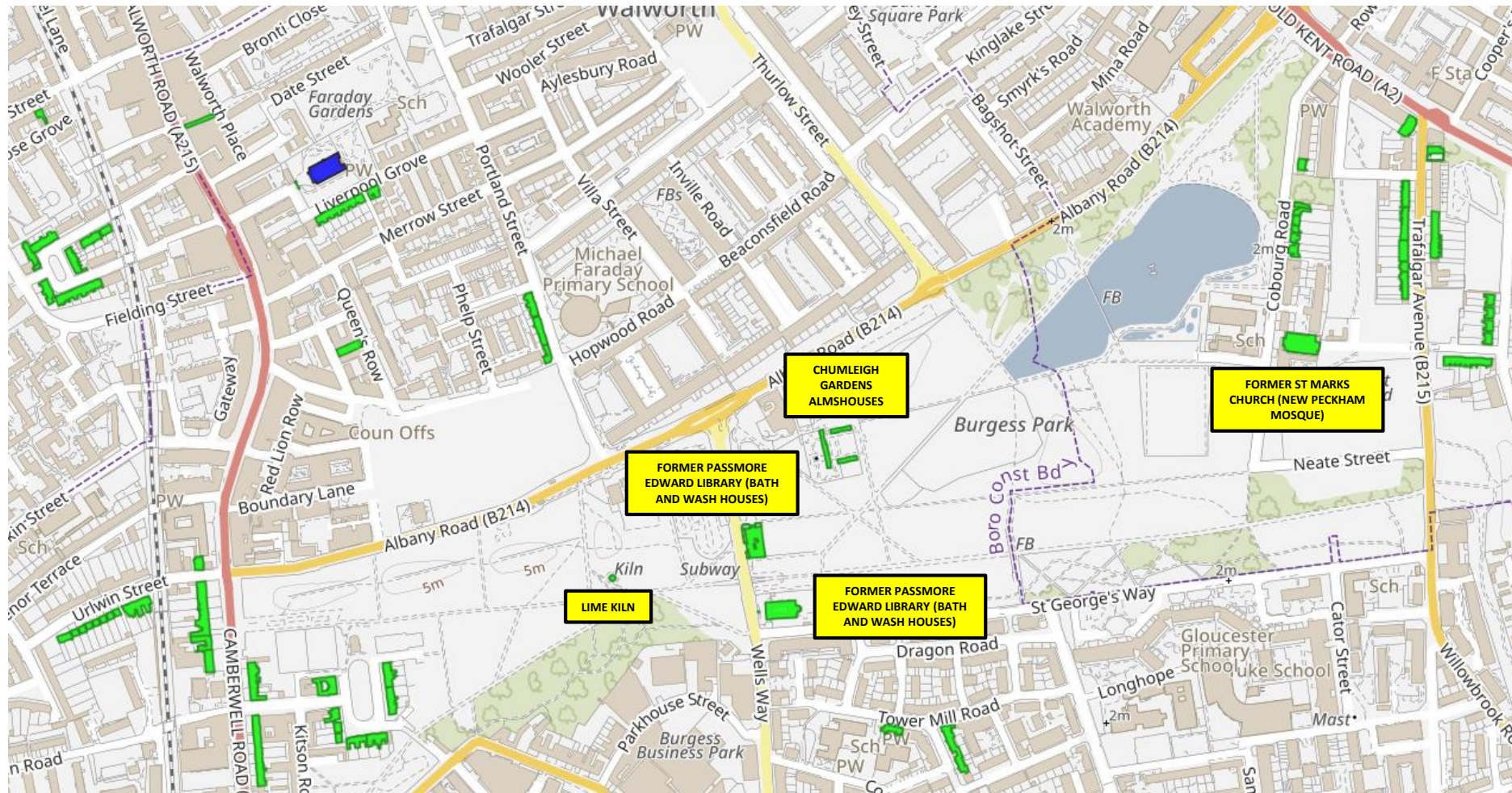
Lighting zones

- A condition has been recommended for all filming and events to be carried out in line with the Lighting Impact Assessment and that in the event that any are expected to exceed these measures then a further Lighting Impact Assessment will be required prior to any activity taking place

DESIGN – CONSERVATION AREAS



DESIGN – GRADE II LISTED BUILDINGS



DESIGN

- Taking into account the locations, event types and likely associated fencing / structures it is considered that the proposals would have a moderate visual impact on the appearance of the park as MOL and on the townscape in general – during the course of events it would be harmful, however the temporary nature and restoration of the parkland would result in only minor overall harm
- The proposals would not especially alter the backdrop to the conservation areas, sufficiently maintaining their settings and sustaining their significance as heritage assets
- Burgess Park can be considered a non-designated heritage asset and has been put forward for inclusion in the council's Local List – the special interest of the park is its historic interest and the change of use and erection of supporting infrastructure would not affect the historic interest
- There would be a degree of harm to the settings of listed buildings and structures within the park, however the harm would be less than substantial and, given its temporary nature, minor
- Conditions have been recommended for any fencing to be at least 3 metres away from listed buildings and structures, and for the Lime Kiln to be protected from any filming activity by cordoning it off (events would no longer take place in the east)

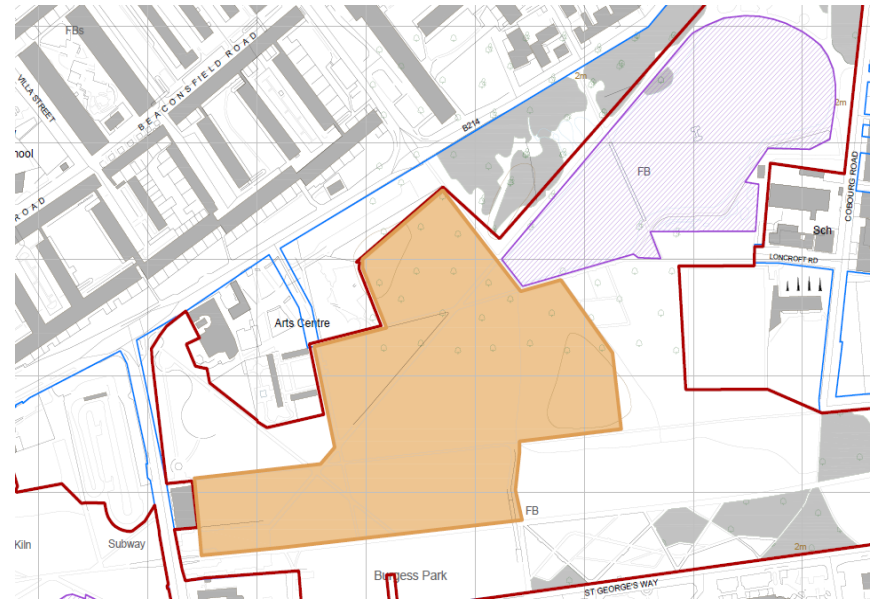
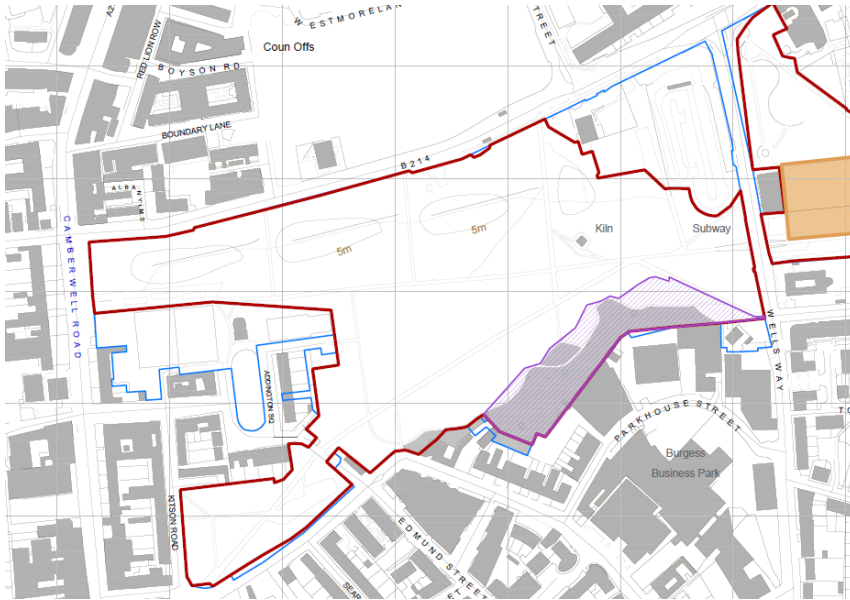
TRANSPORT

- Vehicular access to the park would typically be via Wells Way
- Parking would likely be provided on, and adjacent to, an area of existing hardstanding to the east of Wells Way
- Burgess Park is bound by CPZ's restricting parking from 08:00 to 18:30 Monday to Friday - given the nature of the events it is anticipated that attendees would make use of public transport
- A condition has been recommended for a Transport Plan to be submitted for any events with an audience capacity over 2,001 detailing access routes and parking
- Compliance conditions have been recommended to ensure no deliveries/collections take place on the public highway and that all refuse and recycling is removed for the park and the surrounding 10 metres



Hardstanding east of Wells Way

ECOLOGY



Map showing areas of high ecological sensitivity in purple

- Areas of low ecological sensitivity are likely to be robust to large events and filming if appropriate mitigation is in place (Burgess Park East for events is an area of low sensitivity)
- A condition has been recommended for the uses to be carried out in accordance with the Ecological Impact Assessment
- A condition has been recommended that prior to any filming on areas of higher ecological sensitivity an Ecological Management Plan shall be submitted

<u>Sensitivity</u>	<u>Management</u>
Low ecological sensitivity	<ul style="list-style-type: none"> • Floodlights should be directed away from areas of medium and high ecological sensitivity with regards to bird breeding season and bat activity and temporary fencing should be installed where it is necessary to protect these areas
Medium ecological sensitivity	<ul style="list-style-type: none"> • Use of temporary fencing to avoid unnecessary trampling of grasslands or incursion into more sensitive areas • Tree protection where necessary • Control of floodlighting with regards to bird breeding season and bat activity
High ecological sensitivity	<ul style="list-style-type: none"> • Filming using floodlighting or other powerful lighting should not be used during the bird breeding season (March – August) or when bats are active (April – October)

IMPACT ON TREES

- Arboricultural Method Statement confirms that no trees within the park, or surrounding the park, would be adversely affected
- A condition has been recommended for the uses to be carried out fully in accordance with the Arboricultural Method Statement which includes suitable restrictions



Trees in Burgess Park West

SUMMARY OF CONDITIONS

COMPLIANCE CONDITIONS

No.	Condition
1	Temporary use shall only be for 56 days per annum for a period of three years from the date of permission Following each use the land shall be restored to its former condition as public open space
2	Permitted development rights under Part 4 Class B of the GPDO are removed
3	No events shall take place outside the boundary of Burgess Park East as shown on the approved plans
4	The temporary uses shall not be carried on outside the hours of 07:00 to 23:00 Monday to Sunday
5	The uses shall be in accordance with Southwark's Outdoor Events Policy (June 2019) or any replacement thereof

COMPLIANCE CONDITIONS

No.	Condition
6	The uses shall be in accordance with the Noise Conditions for Open Air Events in Southwark document or any replacement thereof
7	The uses shall be in accordance with the Ecological Impact Assessment unless otherwise agreed in writing
8	No deliveries or collections shall be undertaken on the public highway
9	The uses shall be in accordance with the Arboricultural Method Statement unless otherwise agreed in writing
10	All refuse and recycling shall be removed from the application site, and the area within 10 metres of the perimeter of the site, by the end of one day after completion of site clearance

COMPLIANCE CONDITIONS

No.	Condition
11	An up-to-date register of filming and events taking place shall be kept and made present on the council's website (including details on when access is restricted)
12	Any fencing required for filming and events shall be located at least 3 metres in distance from the edge of any listed building or structure
13	A secure cordon shall be erected around the Grade II Listed Lime Kiln if any filming takes

CONDITIONS REQUIRING DETAILS TO BE SUBMITTED

No.	Condition
14	<p>The uses shall be carried out in accordance with the Lighting Impact Assessment (LIA)</p> <p>In the event that any use exceeds the light level restrictions in the LIA then an updated assessment shall be submitted prior to the launch of any relevant filming or event</p>
15	<p>A Noise Management Plan shall be submitted for any events with amplified music and an audience capacity over 2,001</p>
16	<p>Prior to any filming or events on land identified as of higher ecological sensitivity then an Ecological Management Plan shall be submitted</p>
17	<p>A Transport Plan shall be submitted for any events with an audience capacity over 2,001 (detailing access routes and parking arrangements)</p>
18	<p>The temporary uses hereby permitted shall not be carried out until the scale, location, duration and management of each filming and event, and details of any ancillary infrastructure, have been submitted – 30% of the available open space is the maximum to be used and restricted at any one time</p>

RECOMMENDATION

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

ITEM 7.2 - 22/AP/3540

Grange Cottage, Grange Lane, London, SE21 7LH

Demolition of existing Grange Cottage and the construction of part-one, part-two storey dwelling, including basement excavation, terrace construction and new green roofing

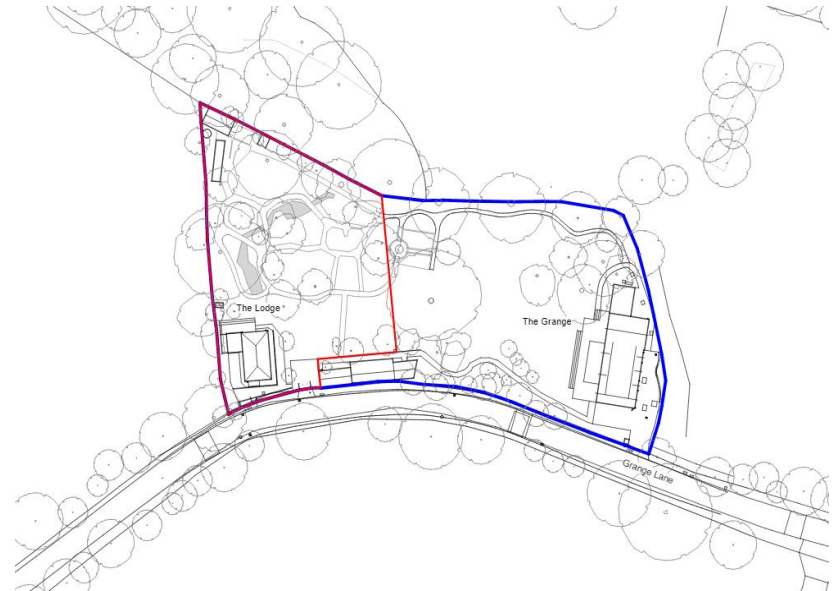
SITE LOCATION PLAN

Existing site:

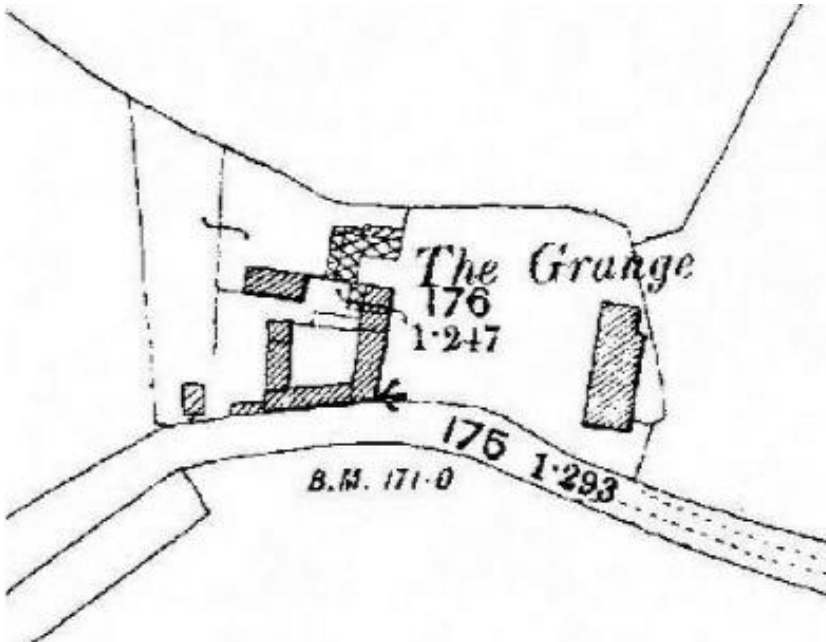
- Two storey detached dwelling located within the curtilage of The Grange.
- Located on the northern side of Grange Lane

Site designations:

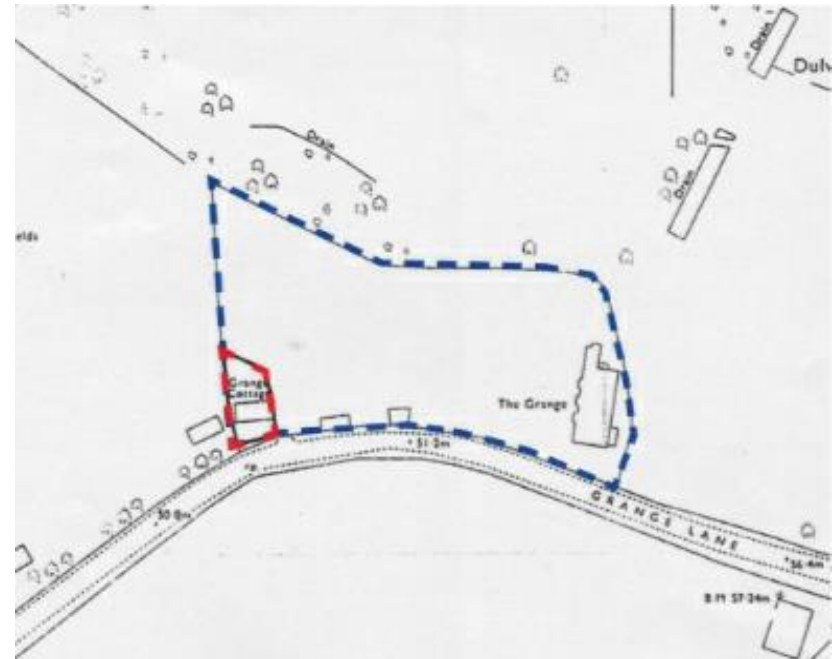
- Dulwich Wood Conservation Area
- Metropolitan Open Land
- Site of Importance for Nature Conservation



PLANNING HISTORY



OS Map 1896

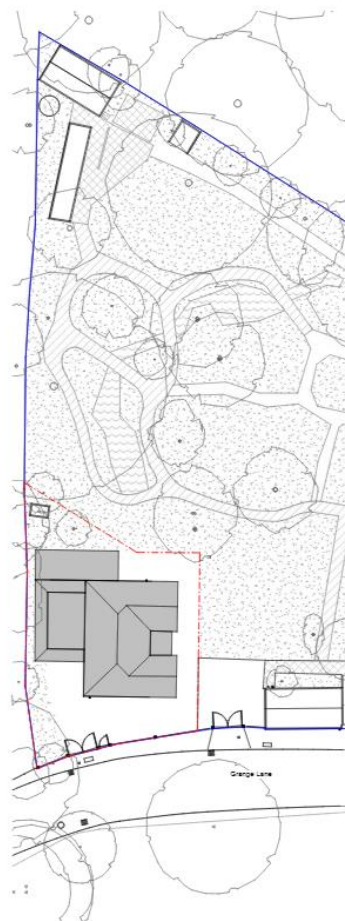


Current layout plan

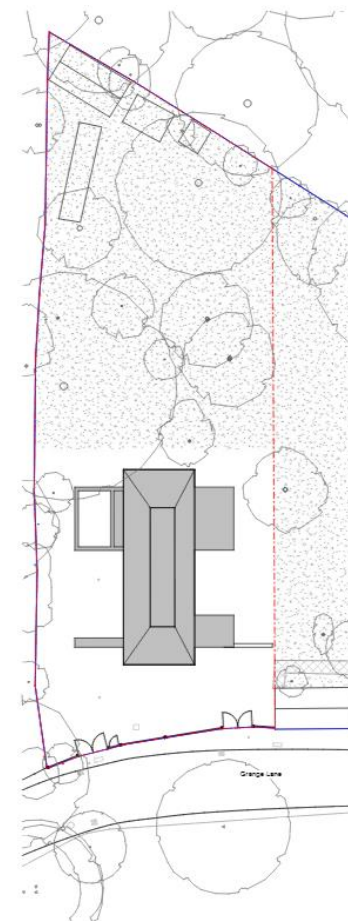
PLANNING HISTORY



Existing layout plan



17/AP/1217



19/AP/1550

EXISTING DWELLING



View towards the site looking east along Grange Lane



Front elevation and entrance porch



West side and carport



Front elevation as seen from Grange Lane



PROPOSED SITE PLAN

- Demolition of the existing dwelling
- Construction of a part one and part two storey dwelling and basement
- Roof terrace
- Green roof
- Removal of 4 trees
- Associated landscaping

New dwelling:

- Maximum height of 8.16m
- GIA 430 sqm (including the basement)
- Footprint 206 sqm



	Existing	Consented householder extension 17/AP/1217	Consented lodge (19/AP/1550)	Current proposal
Total GIA	123sqm	232 sqm	230 sqm	430 sqm
Total GIA excluding basement	123sqm	232 sqm	230 sqm	246 sqm
Footprint GEA	90sqm	153 sqm	130sqm	206 sqm
Max height (ridge)	7.14m	7.95m	7m	8.16m

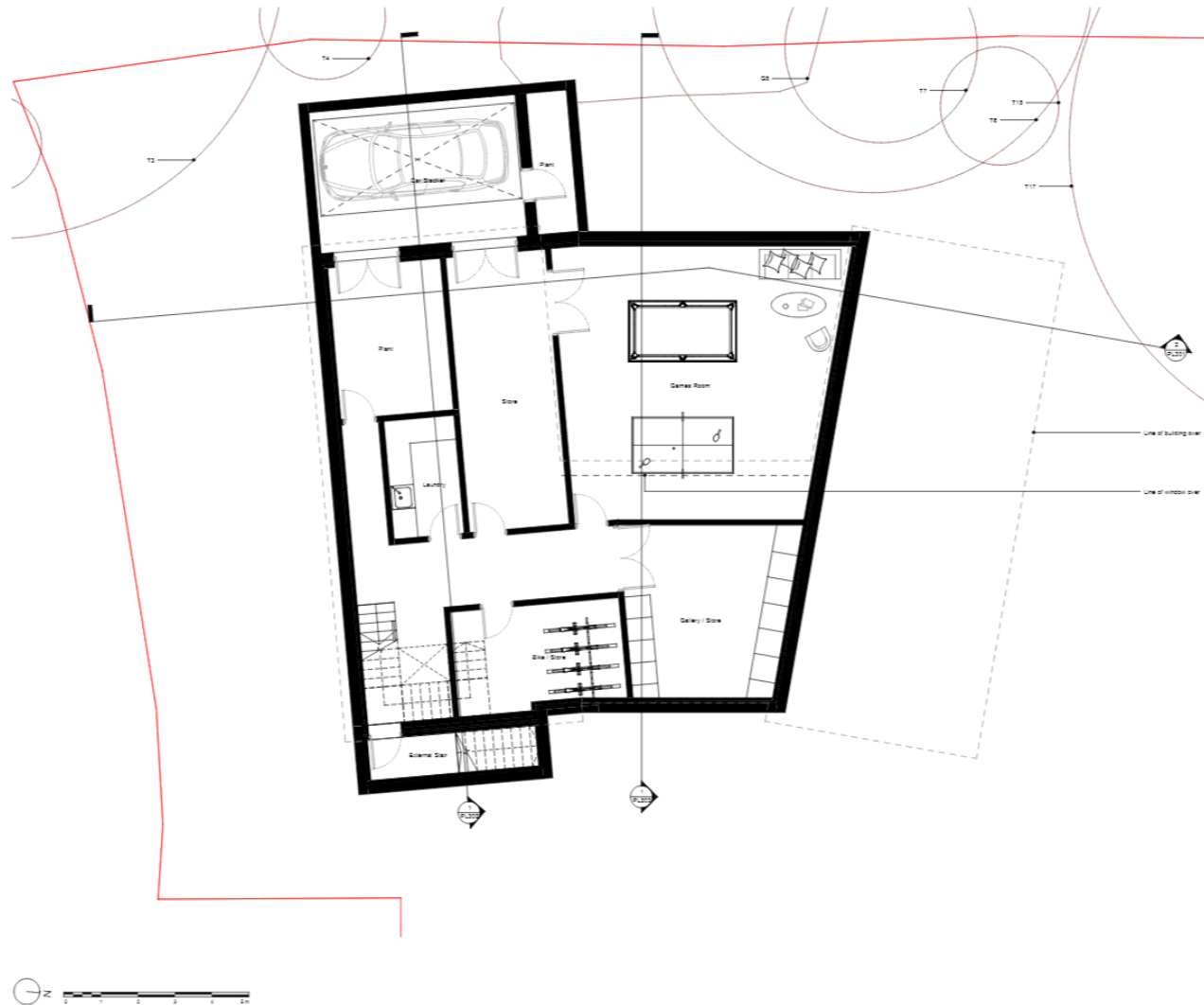
PROPOSED AXONOMETRIC VIEW



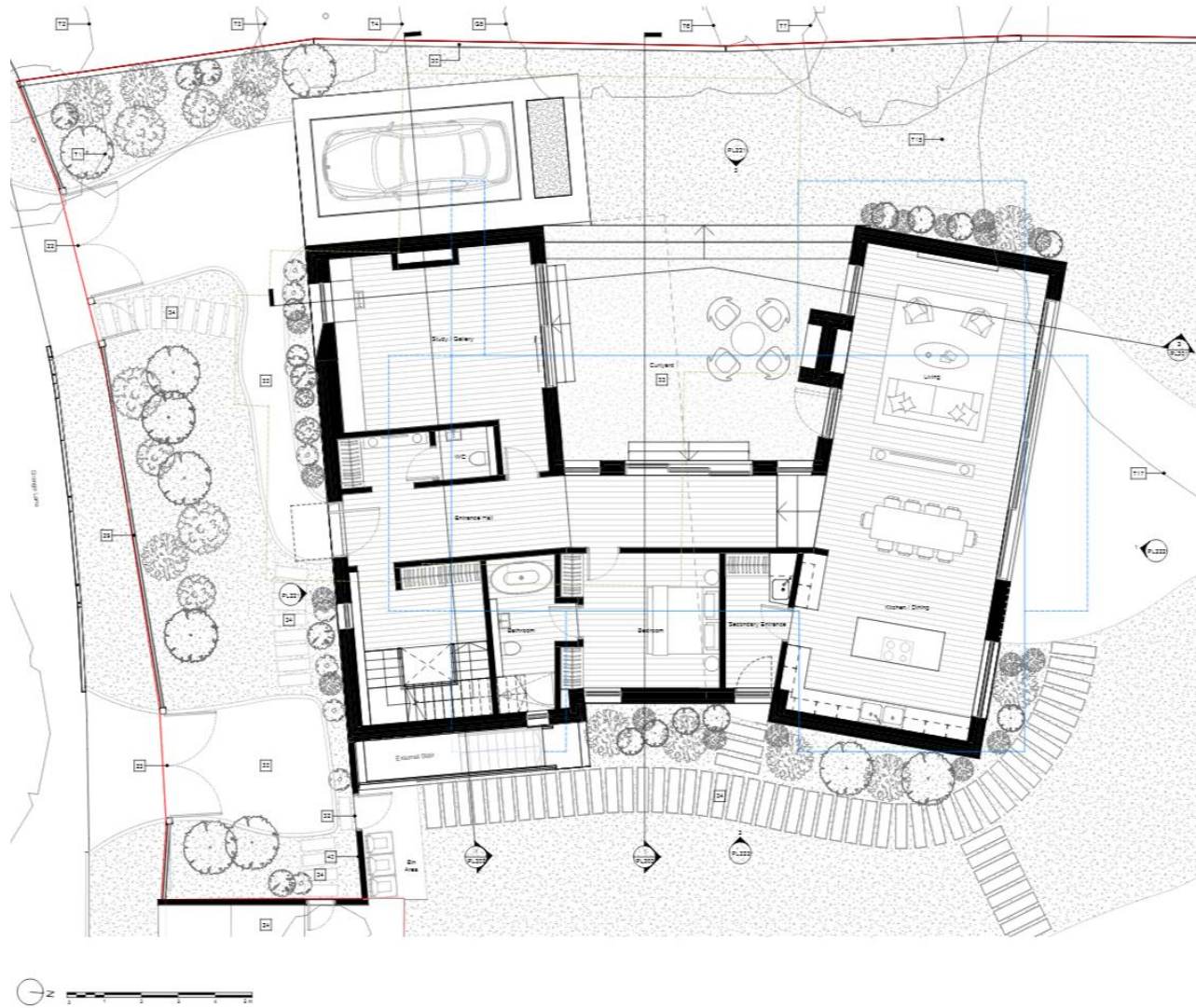




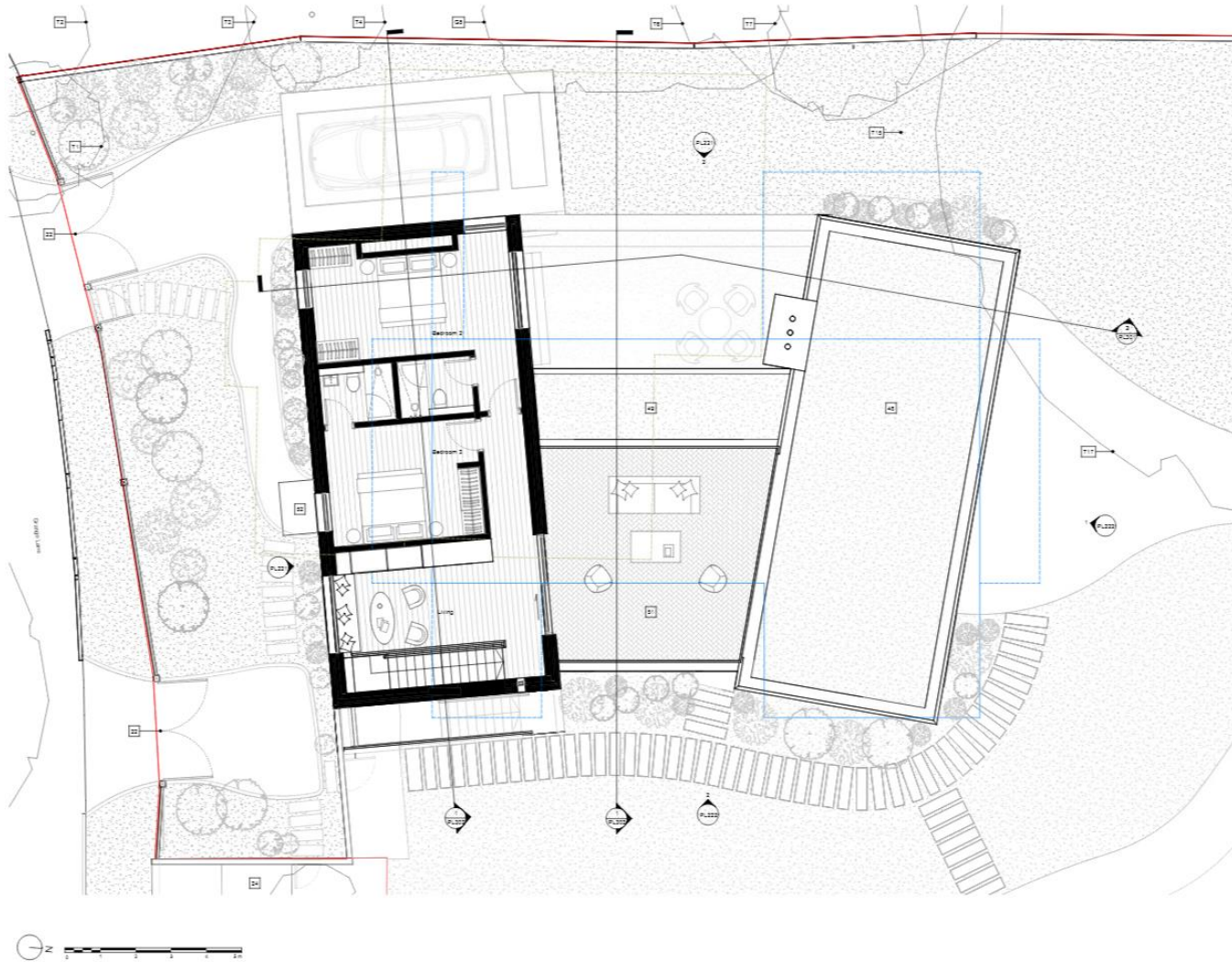
PROPOSED BASEMENT



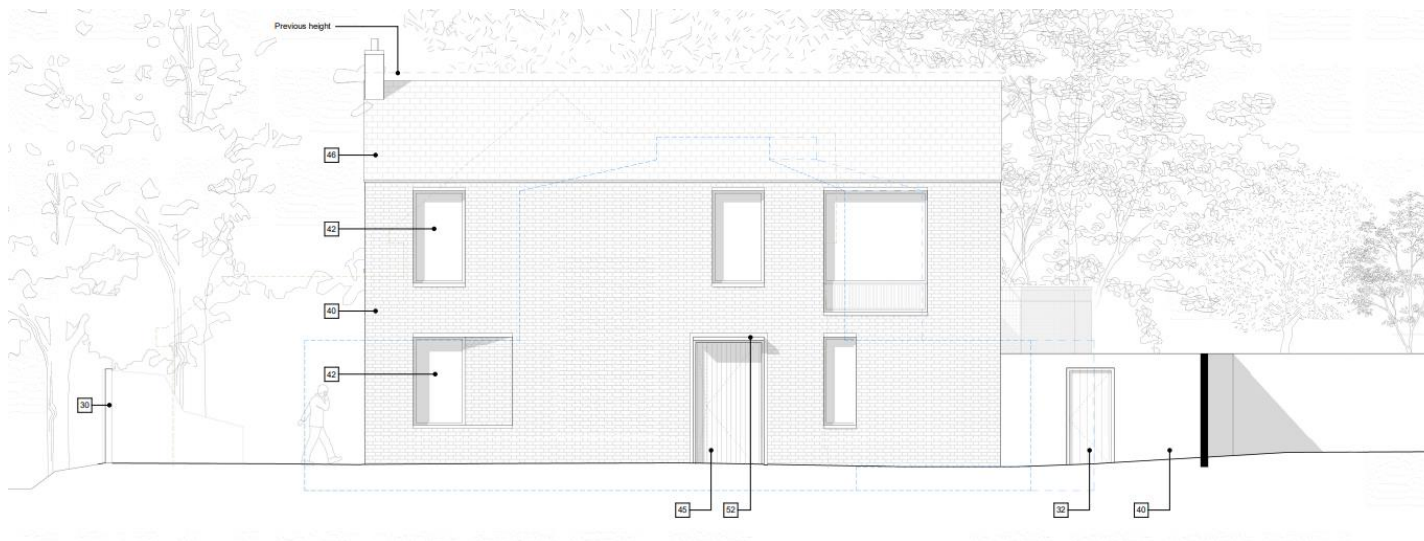
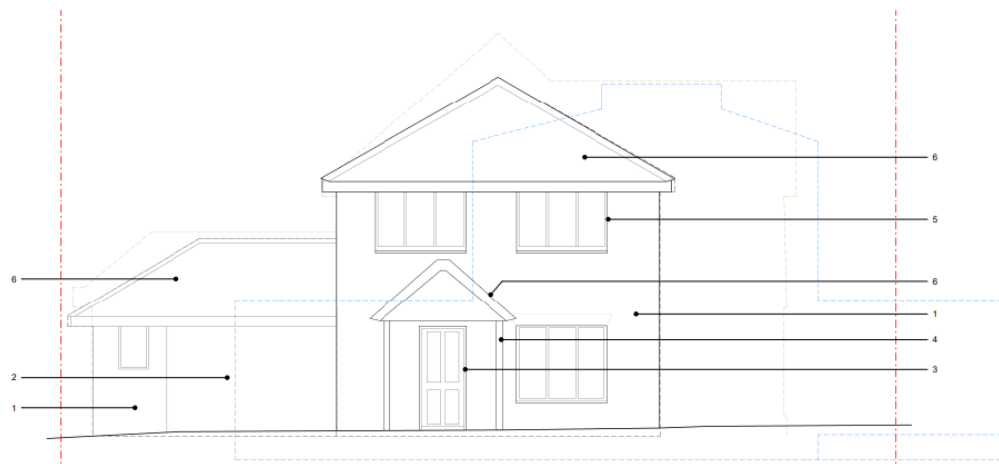
PROPOSED GROUND FLOOR



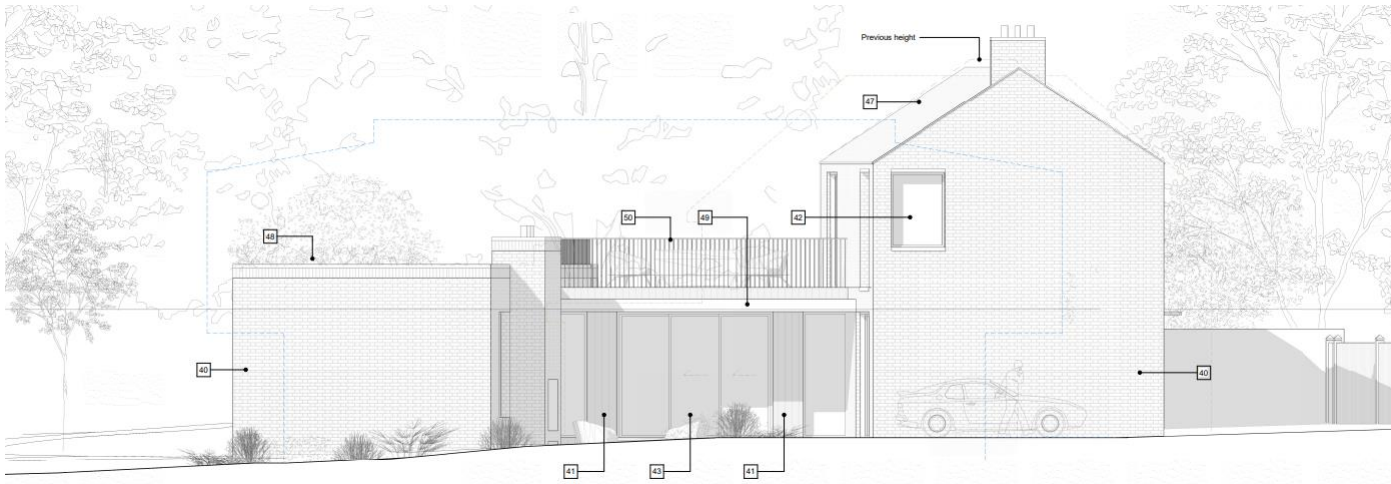
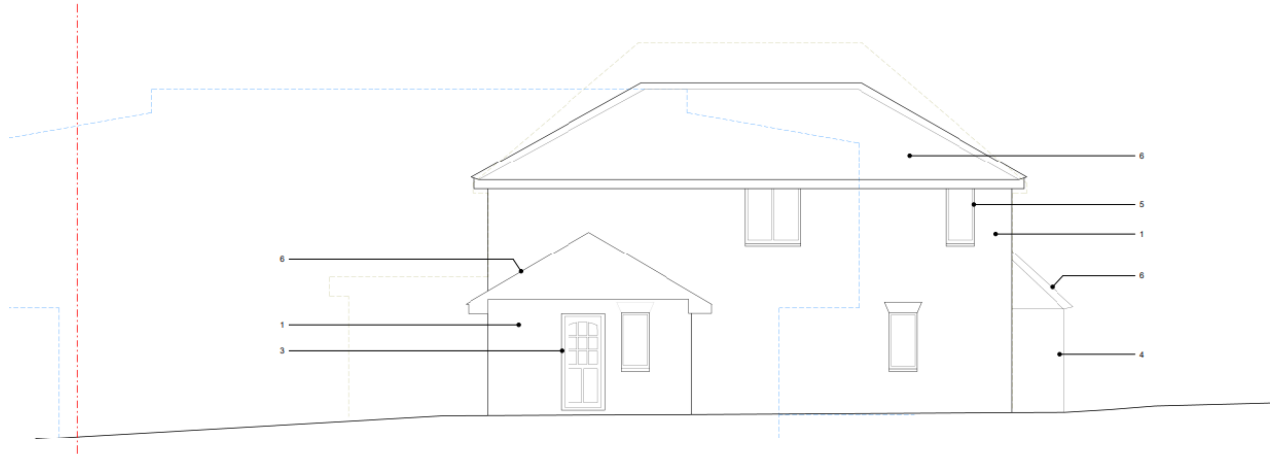
PROPOSED FIRST FLOOR



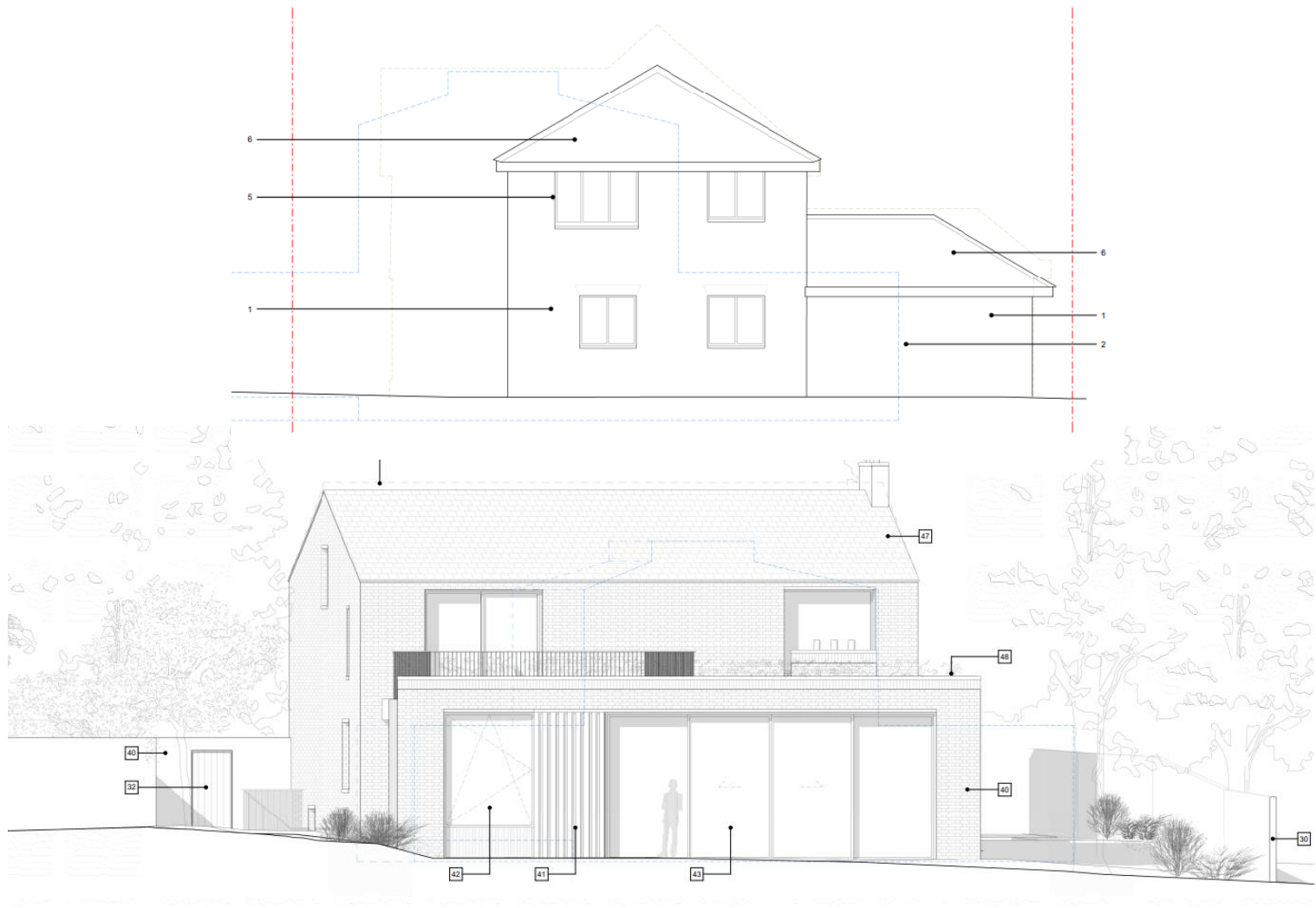
SOUTHERN ELEVATION



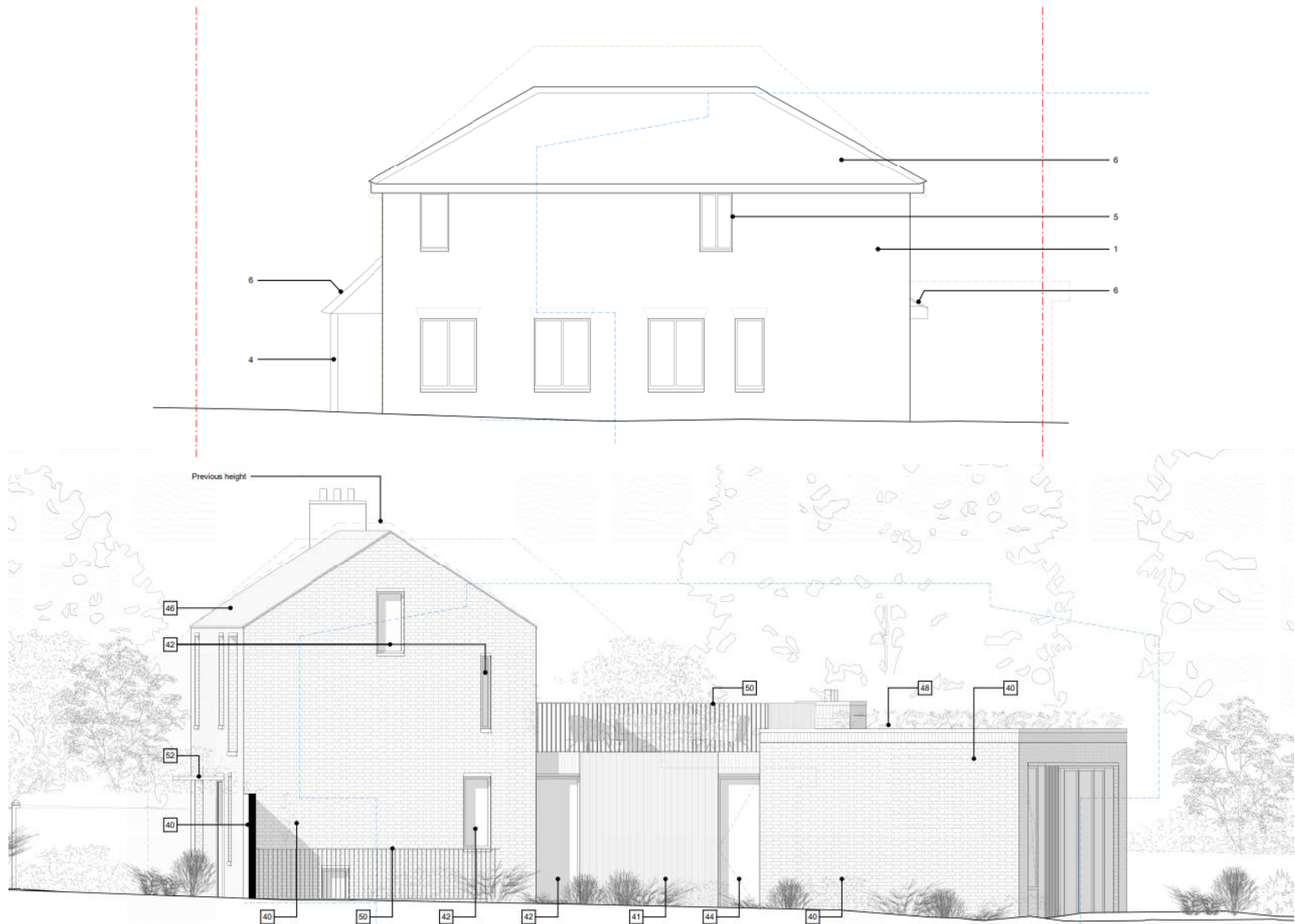
WESTERN ELEVATION



NORTHERN ELEVATION



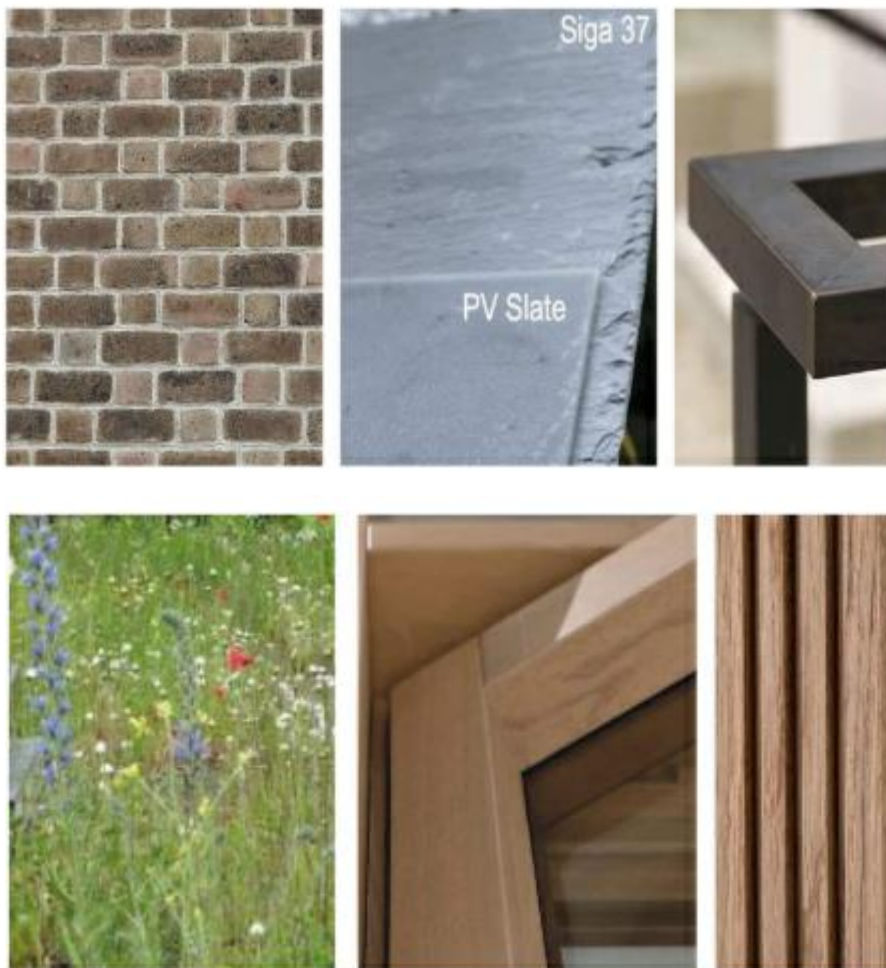
EASTERN ELEVATION



VERIFIED VIEWS



PROPOSED MATERIALS



SUSTAINABILITY

- South facing roofslope will be covered in photovoltaic roofing slates which will optimise the solar gain.
- Ground source heat pump
- Exceeds the current Part L baseline standards



ECOLOGICAL ENHANCEMENT, BIODIVERSITY AND TREES

- Comprehensive landscaping scheme to be conditioned across the whole site.
- Re-wilding of the garden including the creation of wildflower meadow and pond.
- CAVAT Tree mitigation contribution of £33,168.00 to be secured in Legal Agreement.

CONCLUSION

- There has been incremental increase in the scale of development on the site through previous applications 17/AP and 19/AP/1550.
- The scale of the current proposal is considered to be the maximum achievable on the site without causing harm to the openness and character of the MOL.
- The new dwelling would positively contribute to the character and appearance of the area, the Dulwich Wood Conservation Area and sensitive nature of the MOL.
- A number of sustainable design features including PV roof slates, air source heat pump, re-wilding of the garden and mitigation for the loss of trees on site.
- Recommended to grant planning permission subject to the imposition of suitable conditions and a legal agreement to secure the contribution towards tree mitigation.