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Item No. 6.2	Classification: Open	Date: 11 September 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application 23/AP/1956 for: Full Planning Application Address: Dulwich Park, College Road, London, SE21 7EB Proposal: Changing place facility next to existing WC facilities within Dulwich park and relocation of existing bike and bin storage facilities.		
Ward(s) or groups affected:	Dulwich Village		
From:	Director of Planning and Growth		
Application Start Date:			PPA Expiry Date:
Earliest Decision Date			

RECOMMENDATIONS

1. That planning permission be granted subject to conditions.

EXECUTIVE SUMMARY

2. The application proposes to construct a new composting accessible toilet and changing facilities to the east of the existing toilet facilities, as well as the relocation of the existing bin and cycle storage. 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 small scale of the proposal and the proposed design and positioning of the new WC facilities would have little impact on the setting, accessibility, and quality of the MOL, and would not affect its openness or detract from its character. The relocation of the bin and cycle parking facilities would have a similarly negligible impact. The proposal will provide facilities that can be used by visitors to the park. The proposal will also preserve the appearance and character of the area and the Dulwich Wood Conservation Area in which it sits and would not be harmful to the setting of the park which is a registered park and garden.

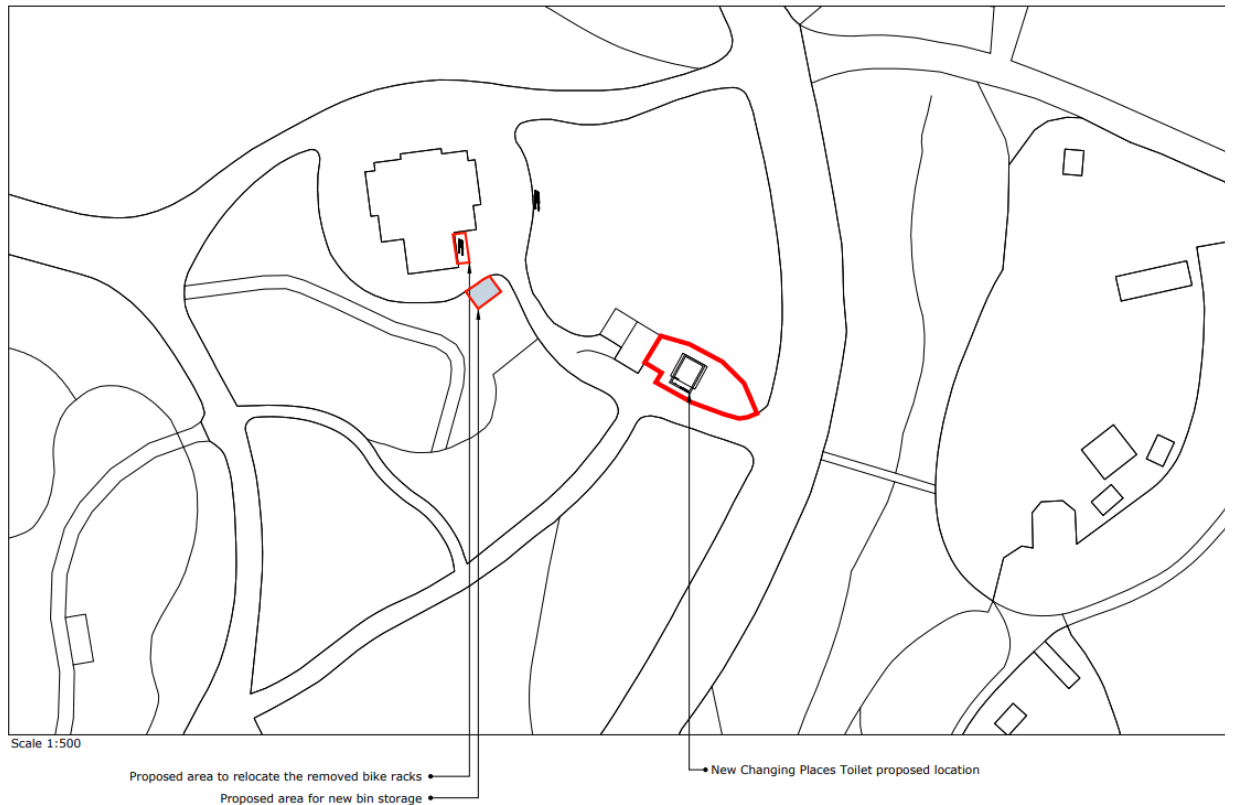
BACKGROUND INFORMATION

Site location and description

4. The area is designated Metropolitan Open Land, within the Dulwich Wood Conservation

Area, a registered park and garden and a Site of Importance for Nature Conservation Area.

5.



Site location plan

6. The site refers to an area to the east of the existing toilet facilities within the park, as well as two areas to the South/rear of the Dulwich Park Café. The area to the east of the toilet is currently in use as the existing bin storage area. The area to the south of the café off the path is currently in use as the cycle parking area, while the area to the rear of the café is vacant, though adjoins the outdoor seating area of the café.

Details of proposal

7. The application seeks to relocate the existing bin stores to the area currently in use as cycle parking, with the cycle parking to be relocated to the area abutting the café. These in turn would enable the construction of a new wheelchair accessible (WA) toilet and changing facility to the east of the existing park toilet facilities.

8. The new WA facilities would be of the following dimensions:

Height (max): 2.8m
Width: 3.5m
Depth: 4.8m

Proposed materials:

Roof – Rubber membrane

Walls – Timber cladding

Door – Plastic

Consultation responses from members of the public and local groups

9. The application has been advertised through site notices and a press notice, though no comments have been received.

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

10. None relevant to the current application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

11. 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 and layout including impact on heritage assets
 - Transport and highways including access arrangements, cycle and car parking
 - Open space, landscaping and trees
 - Ecology and biodiversity
 - Other matters
 - Mayoral and borough community infrastructure levy (CIL)
 - Consultation responses
 - Community impact, equalities assessment and human rights
12. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

13. 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 and the Southwark Plan 2022. 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.
14. 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

15. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. 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.
16. The site is located within the:
 - Air Quality Management Area
 - Site of Importance for Nature Conservation
 - Metropolitan Open Land
 - Dulwich Village Conservation Area
 - Registered Park and Garden

ASSESSMENT

Principle of the proposed development in terms of land use

17. The application proposes a new accessible toilet within Dulwich Park MOL. The London Plan Policy G3 affords MOL the same level of protection as Green Belt. Areas of MOL must be protected from inappropriate development, in accordance with national planning policy tests. Exceptional circumstances where new development would be permitted on MOL are set out within paragraph 149 of the NPPF (2021) and the Southwark Plan Policy P57. This includes the provision of appropriate facilities which are deemed essential for outdoor recreation. Therefore, the proposal meets the policy test for appropriate development in MOL.
18. In respect to the London Plan Policies Policy GG2 'Making the Best Use of Land' highlights that development must protect and enhance London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening. Policy G3 'Metropolitan Open Land' sets out that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. Policy G4 'Open Space' highlights that development proposals should not result in the loss of protected open space.
19. In terms of the Southwark Plan 2022 the relevant policy is Policy P57 Open Space which states 'Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted on MOL or BOL when it consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function.'
20. The toilet would serve visitors to the park and given the small scale nature of the building it will not detract from the openness of the park. It provides ancillary facilities for the users

of the park and is located on an existing grassed/hard surface. The relocated bin store would take the place of the existing bicycle spaces, and the relocated cycle parking spaces would sit behind the café, thereby also preserving the openness of the MOL, while providing facilities for the outdoor enjoyment of the park. As such the proposal is considered compliant with the NPPF, London Plan 2021 and the Southwark Plan 2022.

Impact on openness of MOL

21. The proposed toilet would replace the existing bin store, and would not significantly alter the openness of the MOL. The relocated bin store would replace the bicycle parking, and while slightly larger in terms of footprint, would not significantly affect the openness of the MOL when compared with existing arrangements. This would also enable suitable storage of bins, which if left out would detract from the openness of the MOL. Finally, the relocated cycle parking would sit behind the café in discrete position which would also preserve the openness of the MOL. In summary, the proposal would conserve the openness of the MOL.

Design and layout

22. The proposed toilet block is modest in scale, and largely comprised of timber cladding which would blend into the surrounding area. The block is of an appropriate scale, and relates sensibly to the existing toilet facilities. The overall design is acceptable.

Impact on heritage assets

23. As per the above, the toilet block is of an appropriate scale and material composition and would conserve the setting and character of the Dulwich Wood conservation area and the heritage park. Similarly, the relocated bin and cycle facilities would not significantly impact on the conservation area, also conserving the setting and character of the conservation area and heritage park. In summary, the scheme is acceptable in heritage terms.

Other matters

24. The site also sits within a registered park and garden, though for similar reasoning to that of the above assessment of the impact on the conservation area and MOL, it is not considered to adversely affect the setting or character of the registered park and garden.

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

25. The changing facilities and reoriented bin/cycle storage will not adjoin any residential occupiers. Therefore, there will be no loss of light to any property or any privacy/noise issues.

Transport and Highways

26. The proposal would see the existing 10 cycle parking spaces relocated within close proximity, ensuring there would be no reduction in capacity for users of the park and café.

Landscaping and trees

27. The proposal has been reviewed in consultation with the Council's Urban Forester who has recommended two conditions are included to ensure the proposal would not adversely impact on surrounding trees. The first would require foundation details for the new toilet facility to be submitted to ensure the roots protection areas of surrounding trees would be preserved. The second condition would require a scheme of tree planting to be submitted to secure 4 x 14-16cm trees replacing those lost to facilitate the development. The replacement trees would ensure there would be no net loss of amenity or biodiversity. Subject to these conditions the proposal would be acceptable in respect of impact on trees.

Ecology and biodiversity

28. The toilet would feature 3 x downward facing LED lights on the south elevation though this is minimal in scale and not considered to pose a risk to local ecology.

Mayoral and borough community infrastructure levy (CIL)

29. 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

30. None received.

Consultation responses from internal consultees

Urban Forester

31. SUMMARY

Supports, subject to condition.

OUTLINE

The site is located within Dulwich Park, a Registered Park and Garden, which is located within the Dulwich Village Conservation Area.

The proposed works are for the construction of a Changing Places accessible WC. These facilities are solely intended to support the needs of profoundly disabled users which include washing and changing facilities. The proposed facility is located on the footprint of an existing bin-store and the proposed works include the relocation of the bin-store and provision of a bike parking rack.

The area of works lie within the theoretical root protection areas of a range of mature and also veteran trees.

Standing Advice for Ancient Woodland and Veteran Trees (Natural England and the Forestry Commission, 2017) Guidance issued by Natural England for ancient and veteran trees is a material consideration which should be taken into account when determining planning applications.

The Natural England Standing Advice states 'A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. For other trees, BS:5837:2012 depicts a root protection area of 12 x the diameter of the tree.

2 early mature trees and 2 groups of shrubs are earmarked for removal in order to facilitate the scheme. These specimens comprise Laurel, Holly and Privet and are considered of low amenity value. It is considered that 4 replacement trees with a combined stem girth of 64cm would meet the requirements of policy P61 (Where trees are removed to facilitate development, they should be replaced by new trees which result in no net loss of amenity, taking into account canopy cover as measured by stem girth;) and equate to the recommendations as outlined in the United Bank of Carbon (UBoC) Tree Replacement Strategy for Carbon Sequestration parity.

The applicant should provide details of 4 x 14-16cm trees and their location prior to above grade works with PC26B being amended accordingly to this trigger point. Tree planting should be adaptable to climate change while supporting native species. The selection and position of trees should improve air quality and they should have a long life with a high biodiversity and amenity value.

Plans for foundation design are yet to be finalised and so would be a reserved matter (PC43) and require agreement prior to commencement.

The arboricultural consultant has highlighted the need to employ an arboricultural clerk of works for this scheme given the veteran status of nearby trees and whilst the method statement is suitable to the project proposed, a compliance condition for site supervision (CC36) would be required.

CONDITIONS

PC43 Arboricultural Foundation Design

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).

PC26 Tree Planting (Change to AG)

Prior to works commencing above grade works, 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.

Reason:

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

CC36 Arboricultural Site Supervision

Arboricultural Site Supervision

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved by this planning permission shall be submitted for approval in writing by the Local Planning Authority within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout

construction by the retained or pre-appointed tree specialist.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2021 Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

Design and conservation

32. App no: 23/AP/1956 Site address: Dulwich Park

1. Recommendation: approve

2. Policy context:

NPPF Chapters 12. Achieving well-designed places & 16 Conserving and enhancing the historic environment

London Plan 2021: D3 Optimising site capacity; D4 Delivering good design; D5 Inclusive design; HC1 Heritage conservation and growth

Southwark Plan 2022: P13 Design of places; P14 Design quality; P20 Conservation areas; P21 Conservation of the historic environment and natural heritage.

Heritage SPD 2021

3. Site layout, context and heritage values

The site is at the centre of Dulwich Park, away from nearby residencies, and is within the Dulwich Wood Conservation Area.

4. Proposal

Changing place facility next to existing WC facilities (in the existing bin store area) within Dulwich Park and relocation of existing bike and bin storage facilities.

5. Detailed comments

The proposed changing place/ toilet facility is 3.5mx4.8m, single storey. This is modest in dimension and accords with the prevailing height of the existing toilet block nearby, thus acceptable.

The choice of materials is appropriate. Particular, the toilet will be made of timber frame and composite timber cladding in dark brown, which is sympathetic to the parkland character of the area. Other materials including black uPVC for the pipes and gutters and pale green steel for the door are appropriate for the modern structure.

The bin store will be constructed from the existing metal fencing or materials that

match existing. Although not the most aesthetically pleasing, it is acceptable at the proposed location - it is contextually appropriate against the modern extension of the café and the impact on the front elevation of the café will be minimal.

New cycle store will be of the same style as the existing, thus acceptable.

Given the minimal scale of development and location of the proposed facilities near existing structures, impact on the parkland character of the area is minimal. The height, scale, massing and design of the changing place/ toilet facility is appropriate. The proposal is therefore recommended for approval in line with the relevant design and conservation policies.

Community impact and equalities assessment

33. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
34. 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.
35. 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.
36. 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

37. 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.

38. This application has the legitimate aim of constructing a new accessible toilet for the park. 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

39. 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.
40. 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.

41. **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?	N/A

CONCLUSION

42. The application proposes to construct a new accessible toilet, ancillary to the park and will provide facilities for visitors to the velodrome. There is no loss to the openness of the Metropolitan Land. 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.
43. The proposal will preserve the appearance and character of the conservation area. There are no adjoining occupiers. It is therefore recommended that planning permission is granted, subject to planning conditions to protect surrounding trees.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Environment neighbourhoods and Growth 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

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Glenn Ruane, Planning Team Leader	
Version	Final	
Dated	21 August 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 of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team	24 August 2023	

APPENDIX 1

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.

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

Changing place facility next to existing WC facilities within Dulwich Park and relocation of existing bike and bin storage facilities.

Dulwich Park, College Road, London, SE21 7EB

In accordance with application received on 5 August 2022 and Applicant's Drawing Nos.

1 Proposed Plans

Plans - Proposed RADPT.0001 Version 1 Revision 6 (Date 19.06.2023)

Plans – Proposed RADPT.0001 (Date 25.07.2023)

2 Time limit for implementing this permission and the approved plans

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.

Compliance condition

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).

Pre-Commencement Condition

4 Arboricultural Foundation Design

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 P59 (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).

Above grade condition

5 Tree Planting

Prior to works commencing above grade works, 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.

Reason:

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

Compliance condition

6 Arboricultural Site Supervision

Arboricultural Site Supervision

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved by this planning permission shall be submitted for approval in writing by the Local Planning Authority within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained or pre-appointed tree specialist.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs.

APPENDIX 2

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 15 Conserving and enhancing the natural environment
Chapter 16 Conserving the historic environment

The London Plan 2021

Policy D12 Fire safety
Policy G3 Metropolitan Open Land
Policy G6 Biodiversity and access to nature
Policy HC1 Heritage conservation and growth
Policy SI 1 Improving air quality
Policy SI 13 Sustainable drainage

Southwark Plan 2022

Policy P13 Design of places
Policy P14 Design quality
Policy P16 Designing out crime
Policy P19 Listed buildings and structures
Policy P20 Conservation Areas
Policy P21 Conservation of the historic environment and natural heritage
Policy P45 Healthy developments
Policy P53 Cycling
Policy P56 Protection of amenity
Policy P57 Open Space
Policy P60 Biodiversity

APPENDIX 3

Relevant planning history of the site and nearby sites

Reference and Proposal: N/A

Consultation undertaken

Site notice date: 02.08.2023
Press notice date: 15.08.2023
Case officer site visit date: 02.08.2023
Neighbour consultation letters sent: N/A

Internal services consulted

Environmental Protection Team
Ecology

External services consulted

None

Neighbour and local groups consulted:

None, site notices displayed at entrance

Consultation responses received

Internal services

Ecology – None received
Urban Forester – No objection subject to conditions

External services

The Gardens Trust – No response

Neighbour and local groups:

None