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Item No. 6.3	Classification: Open	Date: 30 July 2024	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application for: Full Planning Application 24/AP/0050 Address: MALBOROUGH CRICKET CLUB, DULWICH COMMON, SOUTHWARK, SE21 7EX Proposal: Demolition of existing pavilion including removal of three trees; and erection of a new single storey cricket pavilion along with refuse / recycling stores, cycle parking facilities, hardstanding, landscaping and associated works.		
Ward or groups affected:	Dulwich Wood		
From:	Director of Planning and Growth		
Application Start Date 09/01/2024		PPA Expiry Date 31/07/2024	
Earliest Decision Date 20/09/2024			

RECOMMENDATION

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

BACKGROUND INFORMATION

Site location and description

2. The Marlborough and Streatham Cricket Club is located immediately south of the South Circular (A205), close to the junction of Dulwich Common and Lordship Lane. Its grounds are part of a series of sports grounds and allotments that run alongside the main road. A private golf course and several private residential gardens form its southern boundary; whilst a wooded public footpath, Cox's Walk, forms its eastern boundary. The footpath is part of the Green Chain Walk and connects through to Dulwich Woods that covers much of the hillside that forms the backdrop to Dulwich Common. The site and its surroundings have a green, open appearance that combines with the adjacent woodland to provide a pleasant, semi-rural landscape.
3. The site is subject to the following designations:
 - Cox's Walk Green Chain Park
 - Metropolitan Open Land (MOL)
 - Dulwich Wood Conservation Area
 - Alexandra Palace viewing terrace to St Paul's Cathedral

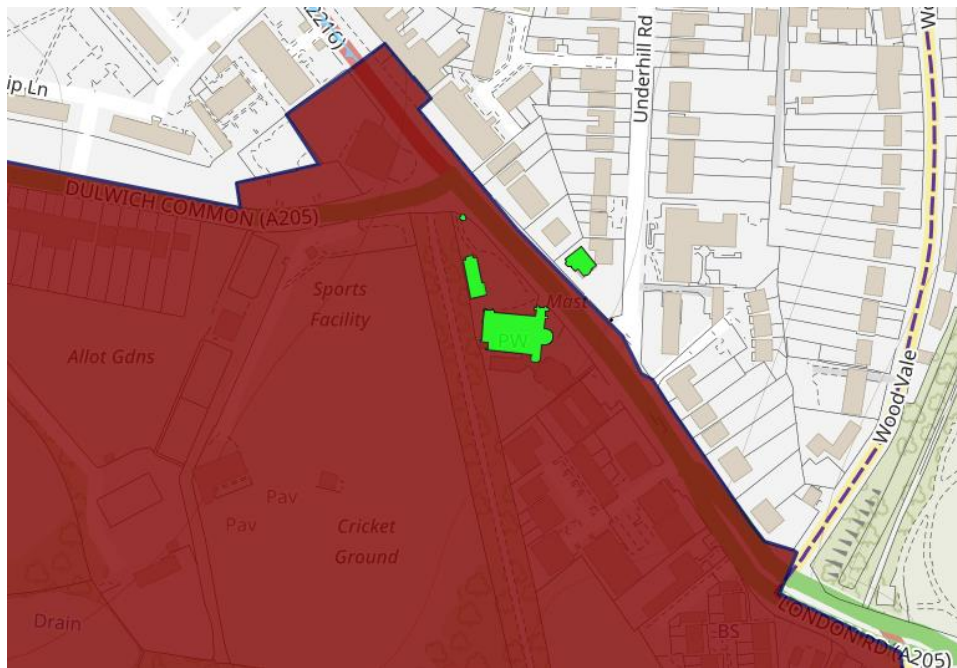
- Air Quality Management Area
- Herne Hill Critical Drainage Area
- Suburban Zone South

Figure 1: Site location plan



4. The red line boundary itself refers to two areas within the club, to the east and west. The blue line boundary covers the entirety of the Marlborough and Streatham Cricket Club.

Figure 2: Conservation area / listed buildings



5. There are Grade II listed buildings to the north east of the site, across Cox's Walk: the Church of St Peter, St Peters Parish Hall, 549 Lordship Lane and the Dulwich (St Peter's) War Memorial. Cox's Walk is designated as a Site of Importance for Nature Conservation (SINC).

Details of proposal

6. The proposed development is for the demolition of the existing pavilion and the erection of a new single storey cricket pavilion. Supporting works include the removal of three trees and the provision of refuse / recycling stores, cycle parking facilities, hardstanding and landscaping.

Figure 3: Existing pavilion looking north (footprint of 369 square metres)



Figure 4: Internal main club room



Figure 5: CGI of proposed new pavilion (footprint of 250 square metres)



Consultation responses from members of the public and local groups

7. Site notices were erected on 08/02/2024 and 162 neighbour letters were also sent out on 08/02/2024.
8. 1 objection was received and raise the following material planning considerations:
 - Loss of trees
9. 114 comments were received in support and raise the following material planning considerations:
 - New facilities will enhance community provision and inclusive environment
 - Existing pavilion is beyond repair
 - New design is sensitive to the local area and visually attractive
 - Biodiversity net gain
 - The proposal promotes active travel

KEY ISSUES FOR CONSIDERATION

Summary of main issues

10. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use;
 - Fire safety;
 - Design, layout and heritage assets;
 - Landscaping and trees;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Transport and highways;
 - Energy and sustainability;
 - Ecology and biodiversity;
 - Ground conditions and contamination;
 - Water resources and flood risk;
 - Planning obligations (S.106 undertaking or agreement);
 - Mayoral and borough community infrastructure levy (CIL);
 - Community involvement and engagement;
 - Consultation responses from internal and divisional consultees;
 - Consultation responses from external consultees;
 - Community impact and equalities assessment;
 - Human rights;
 - Positive and proactive statement, and;
 - Other matters
11. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

12. 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.
13. 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

14. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2023 and emerging policies constitute material considerations

but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 3. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

15. Policy G3 (Metropolitan Open Land) of the London Plan 2021 affords Metropolitan Open Land (MOL) the same status and level of protection as the Green Belt. Policy G2 (London's Green Belt) of the London Plan 2021 states that development proposals that would arm the Green Belt should be refused except where very special circumstances exist.
16. Policy P57 (Open space) of the Southwark Plan 2022 states that development will not be permitted on Metropolitan Open Land (MOL). In exceptional circumstances development may be permitted when:
 1. It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be essential for outdoor sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or
 2. It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building or
 3. It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.
17. The proposed development is for a cricket pavilion (Use Class F1) which is essential for outdoor sport. Furthermore, it is for the replacement of an existing facility. The proposal would preserve the openness of the MOL and would not conflict with its function.
18. The amount of open space would actually increase as the replacement building has a footprint of 250 square metres which is smaller than the existing footprint of 369 square metres, albeit the building would be of a slightly different orientation and pushed 5-10 metres to the south, as below.

Figure 6: Existing pavilion to be demolished

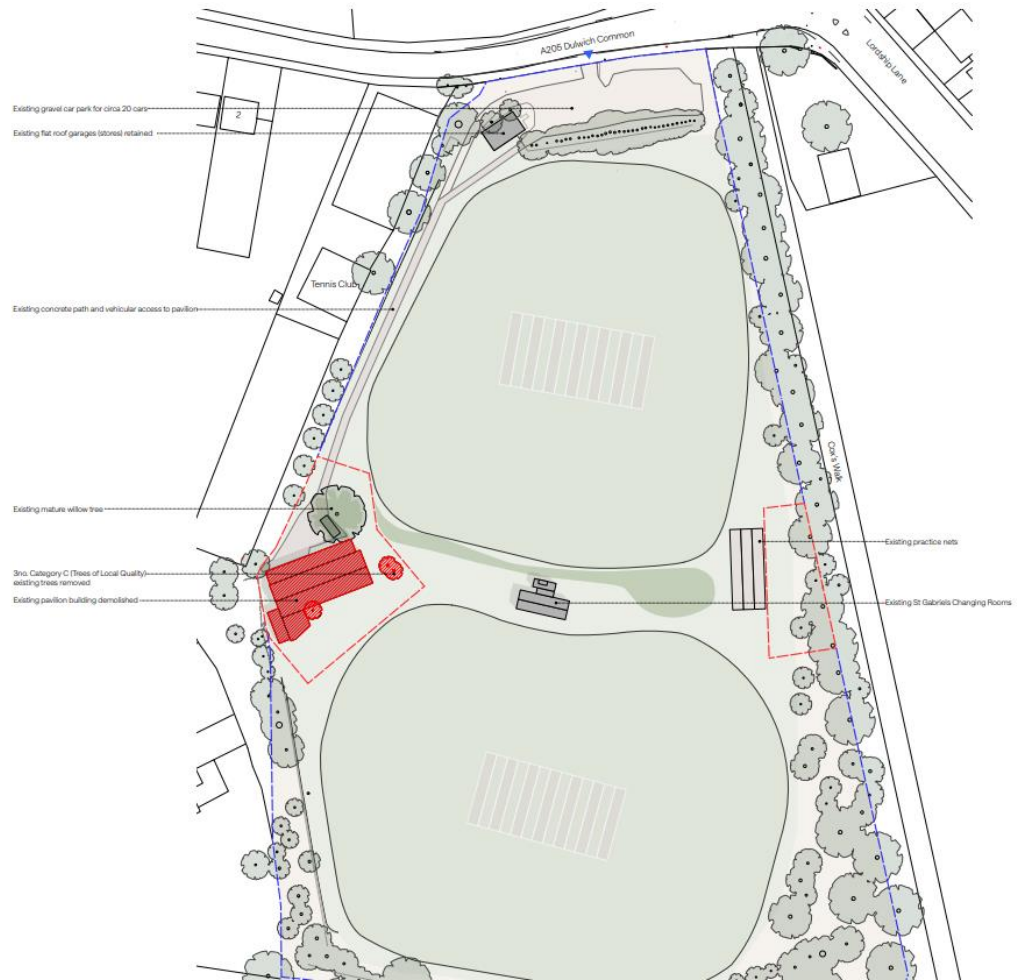


Figure 7: Proposed pavilion



19. The principle of development is acceptable as the proposed development would positively contribute to the setting, accessibility and quality of the open space through a replacement essential outdoor sport facility.

Fire safety

20. Policy D12 (Fire safety) of the London Plan 2021 requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
21. Paragraph 3.12.9 of the policy explains that Fire Statements should be produced by someone who is “third-party independent and suitably-qualified”. The council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.
22. A Fire Strategy has been submitted with the application. This identifies that smoke alarms, heat detection, a fire blanket and CO2 extinguisher are to be provided within the pavilion. Multiple escape routes would be available and access for firefighting emergency vehicles would be from the south west of

sample materials to be submitted prior to any above grade works, excluding demolition.

26. The main design considerations of the revised approach are two-fold:
 - The change in built form and position its consequential impact on its setting, and
 - The quality of the new architecture.
27. The new building remains single storey, but has a smaller footprint than the existing building, comprising 280 square metres, a reduction of 110 square metres. The more compact form is welcome as it results in more open space within the MOL, maintaining the green, open landscaped appearance. The replacement building would be 5.5 metres to ridge height, which is only marginally taller than the current building (5.1 metres), but would likely appear slightly lower with the design of the overhanging eaves. Given the more compact form and slight reduction in apparent size, the new building would sit comfortably as a replacement building in terms of its built form.
28. The new structure would be pushed slightly forward into the open and slightly spun on its axis in comparison to the existing building. The effect is to present more of the main elevation to the east, with head-on views from Cox's Walk, while the gable end would be presented more to the north and views from the South Circular. In both instances, while the building would be more visible, the change would be minor and the replacement building would continue to read as low-rise and incidental within the wider landscape, with the heavily treed backdrop remaining. Furthermore, its architecture would support its appearance, with its notable vernacular design.
29. The proposed design works well both in terms of its appearance but also functional quality. The designs have a vernacular quality with the black vertical cladding, and metalwork roof and overhanging eaves combining well, lending quasi-agricultural appearance to the new pavilion building. The black finish eases the building's appearance against its wooded backdrop, while the vertical detailing would provide texture and visual interest when seen up close. The large metal framed windows and gutterless metal roof offsets the timber and add a crisp modern detail. The roof should be verified through samples and final detailing. Lastly, the inclusion of the clock and scoreboard confirm the character of the building as a cricket pavilion, and are welcome features.
30. Overall, the architecture of the new building is engaging in its modern take on a traditional cricket pavilion/ clubhouse, and works well in its vernacular appearance. Its modest footprint and low-lying form sit well within the landscape, while dark timber cladding and metalwork finishes are of an appropriate quality for an ancillary building within its semi-rural setting. The new building is an attractive replacement building that would enhance the character and appearance of this part of the Dulwich Wood Conservation Area. It would also preserve the open character of the MOL, subject to landscaping and a revised location for the refuse storage. The intervening distance and tree coverage are such that the new building would not be visible or only marginally visible from the Grade II listed St Peter's church and church hall, preserving their heritage settings.

Landscaping and trees

31. The proposed development includes the removal of four trees. These trees are two Goat Willows (Category U), one Contorted Willow (Category U) and one Ash (Category C). These are low and poor quality trees; the removal of these trees is acceptable, subject to replacement planting.
32. Conditions are recommended for an updated Arboricultural Method Statement to be submitted prior to works commencing and for full details of all proposed tree planting totalling 64cm girth to be submitted prior to works commencing.

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

33. The proposed development is for the replacement of an existing cricket pavilion. The new structure would be of a smaller footprint of 250 square metres and slightly taller at 5.5 metres, with a slightly different orientation to existing. The proposed development would not add any significant height, bulk or massing that would impact on neighbouring properties. Furthermore, the application site is a significant distance from neighbouring properties. The closest residential properties are over 120 metres to the north west. There would be no potential for daylight and sunlight or privacy impacts as a result of the proposed development.
34. The proposed development, being for replacement facilities, would not intensify the use of the site and would not result in any impacts in this regard. The plans include a club room and external deck.
35. A Noise Impact Assessment has been submitted which concludes that noise levels on the terrace would be below the 'present and not intrusive' noise levels and any internal music noise break-out would be below the existing evening background sound level, even with rear windows open. It is recommended that permission be subject to a plant noise condition to ensure that there would not be a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery.
36. New external lighting is proposed to the new pavilion. No additional lighting would be provided to the car park or footpath. A statement has been submitted noting that the lighting will comply with standards appropriate to the setting.

Transport and highways

37. Given that the proposed development replaces an existing pavilion on site it is not anticipated that it would result in an increase in the number of trips generated.
38. A total of 10 external cycle parking spaces are proposed, comprising 6 uncovered spaces and 4 covered spaces in a Sheffield format. The quantum of spaces proposed complies with the requirements of Policy P53 (Cycling) of the Southwark Plan 2022. The location of the storage is acceptable and a

condition has been recommended for compliance with the cycle storage proposed.

39. 2 wheelchair accessible car parking spaces are proposed immediately adjacent to the pavilion which is appropriate to the scale of development, and a swept path analysis has been provided which indicates that the spaces are fully accessible.
40. The proposal includes the retention of the existing car park accessed from South Circular Road, providing around 20 spaces. There would be no additional car parking spaces provided which is in line with Policy P54 (Car parking) of the Southwark Plan 2022.
41. A swept path analysis has been provided which demonstrates that a 7 metre box van can access and egress the pavilion and adjacent loading area in forward gear, albeit requiring multiple manoeuvres, for servicing and delivery. Any vehicles larger than this would be required to park in the car park to the north and walk deliveries to the pavilion.

Energy and sustainability

42. Policy P70 (Energy) of the Southwark Plan 2022 states that all development must minimise carbon emissions on site in accordance with the energy hierarchy: Be Lean, Be Clean and Be Green.
43. The energy strategy includes using high performance targets for insulation using building fabric with careful consideration of the glazing area, openable fenestration and the inclusion of central mechanical ventilation. All lighting shall be LED and internally controlled. An Air Source Heat Pump (ASHP) would be used to provide the domestic hot water. All systems would be metred.

Ecology and biodiversity

44. The woodland on site is a London Biodiversity Action Plan (BAP) habitat and constitutes a part of Cox's Walk Site of Importance for Nature Conservation (SINC). The proposed development would not affect this part of the site. The Preliminary Ecological Appraisal (PEA) finds that the remaining habitats on site have little to no ecological value and any loss or removal would be negligible.
45. A condition has been recommended for an updated Preliminary Ecological Appraisal to be submitted prior to any work begins on site, which must also cover the existing buildings on site.
46. A Bat Roost Assessment found no evidence of roosting bats, although that one building on site was considered to hold moderate suitability for roosting bats during the active season and low suitability for roosting bats during hibernation. As a result, a Nocturnal Survey and General Bat Activity Survey were carried out which did in fact find one bat emerging from one of the buildings, meaning it is a confirmed bat roost. The tree line to the west of this building was also noted to be a commuting corridor of local importance.

47. The submitted Bat Survey identifies mitigation measures as requiring a European Protected Species Mitigation License before any works take place and for artificial lighting to be managed sensitively during the consideration and operational phases of development, as well as to use locally sourced native species within the soft landscaping to mitigate the loss of trees. As an enhancement, it identifies that planting of native species night-flowering plants to attract insect prey should be incorporated. Subject to complying with the mitigation measures, the proposed development would not unacceptably impact on bat species. A condition has been recommended requiring the proposed development to be carried out in accordance with the recommendations.

Ground conditions and contamination

48. A condition has been recommended requiring a remediation strategy to be submitted if any contamination is found present on site during construction.

Water resources and flood risk

49. The application site is not within a Flood Zone, however it is within Herne Hill Critical Drainage Area. This means it is an area where, when there is heavy rainfall, local flooding occurs. Given that the proposal is for a minor development, an assessment of flood risk is not required.
50. Furthermore, the reduction in the building footprint would result in more permeable areas.

Planning obligations (S.106 agreement or undertaking)

51. No planning obligations are required for the proposed development.

Mayoral and borough community infrastructure levy (CIL)

52. The site is located within Southwark CIL Zone 2 and MCIL2 Band 2. Based on CIL form 1 dated 5 January 2024, the development would not incur liability for CIL due to no new build over 100 square metres and no new dwellings being created.

Community involvement and engagement

53. Prior to submission of the planning application, the applicant undertook consultation with key stakeholders including the England and Wales Cricket Board and the Dulwich Estate. Members of the club have been consulted, as have a number of local community groups, local Councillors and MPs.

Consultation responses from internal and divisional consultees

54. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response where necessary.
55. Environmental Protection Team:
- Satisfied with acoustic report
 - Advise conditions.
56. Ecologist:
- Updated PEA is required
 - Bat survey is acceptable.
57. Urban Forester:
- Removal of trees acceptable subject to planting of equivalent trees
 - Recommend conditions for an updated AMS and tree planting details.
58. Design and Conservation Team:
- The proposal is acceptable in design terms and would not impact on heritage assets
 - Advise conditions for sample materials and details of the finishes.
59. Transport Planning Policy Team:
- Cycle parking and car parking acceptable
 - Delivery and servicing acceptable.

Consultation responses from external consultees

60. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.
61. Sport England:
- No objection - the proposed development is for ancillary facilities supporting the principal use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
62. Transport for London:
- In terms of trip generation there is unlikely to be a significant adverse impact on the TLRN.
 - Lighting could promote more active travel.

Community impact and equalities assessment

63. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
64. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
65. 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.
66. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
67. An Equality Impact and Needs Analysis has been submitted. This highlights that the replacement pavilion would allow the cricket club to continue to provide and expand its offering to a range of different age groups. The replacement pavilion would reduce the running costs, allowing the potential to further expand the opportunities provided to a range of socio-economic groups. The new pavilion would further enhance accessibility for those with disabilities, which is currently constrained by the condition and facilities available within the existing pavilion.

Human rights implications

68. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
69. This application has the legitimate aim of providing flood risk improvements to the park and common. 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

70. The council has published its development plan on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
71. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	YES

CONCLUSION

72. The proposed development is for the demolition of an existing pavilion at the Marlborough and Streatham Cricket Club. The application site is designated as Metropolitan Open Land (MOL). The new pavilion would be of a smaller footprint than the existing pavilion by 110 square metres, although it would be slightly taller by 0.4 metres. The scale and design of the proposed pavilion are considered to preserve the openness of the MOL. Furthermore, the proposal is for a replacement building that is an essential facility for outdoor sport. The proposed development would not impact on the amenity of neighbouring occupiers or local biodiversity. Replacement tree planting is proposed. It is recommended that the application is approved, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Corporate Services, Finance And Governance 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

APPENDICES

No.	Title
Appendix 1	Recommendation - Draft Decision Notice
Appendix 2	Relevant planning history
Appendix 3	Planning policies
Appendix 4	Consultation responses received
Appendix 5	Consultation undertaken

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Abbie McGovern, Planning Officer	
Version	Final	
Dated	16 July 2024	
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	18 July 2024	

APPENDIX 1

Recommendation

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

This document is not a decision notice for this application.

Applicant	Streatham & Marlborough Cricket Club (SMCC)	Reg. Number	24/AP/0050
Application Type	Minor application		
Recommendation	Approve	Case Number	PP-12701637

Draft of Decision Notice

for the following development:

Demolition of existing pavilion including removal of three trees; and erection of a new single storey cricket pavilion along with refuse / recycling stores, cycle parking facilities, hardstanding, landscaping and associated works.

Marlborough Cricket Club Dulwich Common London Southwark

In accordance with application received on 8 January 2024 and Applicant's Drawing Nos.:

Plans - Proposed 059-1502 Site demolition plan L1 received

Plans - Proposed 059-2001 Proposed block plan L1 received

Plans - Proposed 059-2002 Proposed site plan L3 received

Plans - Proposed 059-2100 Proposed floor plan L3 received

Plans - Proposed 059-2200 Proposed Building Sections L2 received

Time limit for implementing this permission and the approved plans

2. The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason:

As required by Section 91 of the Town and Country Planning Act (1990) as amended.

Permission is subject to the following Pre-Commencements Conditions

3. Prior to works commencing (including any demolition), an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.
 - a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.
 - b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering, foundation or construction details and any proposed activity within root protection areas or the influencing distance (30m) of local trees required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with the National Planning Policy Framework 2023, Policies G1 (Green infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021 and Policies P13 (Design of places), P56 (Protection of amenity), P57 (Open space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

4. Prior to works commencing (including any demolition), an updated Preliminary Ecological Appraisal, covering the whole application site including the existing buildings, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that there are no ecological impacts as a result of the development hereby approved in accordance with the National Planning Policy Framework 2024, Policies G4 (Open space), G6 (Biodiversity and access to nature) and G7 (Trees and woodlands) of the London Plan 2021 and Policies P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

5. Prior to works commencing (excluding demolition), full details of all proposed tree planting totalling 64cm girth 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.

Details of a management plan, responsibilities and maintenance schedules shall be submitted to and approved by the Local Planning Authority. This shall include an irrigation schedule for all trees to ensure successful establishment.

For stem girths of up to 20cm the schedule shall be a minimum of three years, and five years for stem girths greater than 20cm. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

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; BS 8545:2014 Trees: from nursery to independence in the landscape; BS: 5837 (2012) Trees in relation to demolition, design and construction; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard, and Trees and Design Action Group guidance.

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:

So that the Council may be satisfied that the proposed tree planting scheme is in accordance with the National Planning Policy Framework 2023, Policies G1 (Green infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021 and Policies P13 (Design of places), P56 (Protection of amenity), P57 (Open space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

Permission is subject to the following Grade Condition

6. Prior to above grade works commencing (excluding demolition), material samples of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

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

Permission is subject to the following Compliance Conditions

7. The Rated sound level from any plant, together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019. Suitable acoustic treatments shall be used to ensure compliance with this standard.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2023 and Policies P56 (Protection of amenity) and P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan 2022.

8. Before the first occupation of the development hereby approved, the cycle facilities as shown on the drawings hereby approved shall be provided and made available to the users of the development. Thereafter, such facilities shall be retained and maintained in perpetuity.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework 2023, Policy T5 (Cycling) of the London Plan 2021 and Policy P53 (Cycling) of the Southwark Plan 2022.

9. The development hereby approved shall be carried out in accordance with the Bat Survey Report prepared by David Archer Associates dated June 2024.

Reason:

To ensure that the mitigation measures identified in the Bat Survey Report are complied with in accordance with the National Planning Policy Framework 2024, Policy G6 (Biodiversity and access to nature) of the London Plan 2021 and Policy P60 (Biodiversity) of the Southwark Plan 2022.

Permission is subject to the following Special Condition

10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason:

There is always the potential for unexpected contamination to be identified during development ground works. The Environment Agency and the Environmental Protection Team should be consulted should any contamination be identified, in accordance with the National Planning Policy Framework 2023 and Policies P56 (Protection of amenity) and P64 (Contaminated land and hazardous substances) of the Southwark Plan 2022.

Informatives

- 1 Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is:

"third-party independent and suitably-qualified" The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.

APPENDIX 2

Relevant planning history

Reference and Proposal	Status
13/AP/1451 Demolition of existing Cricket Pavilion and removal of three trees and the erection of a new pavilion in connection with Streatham and Marlborough Cricket Club	Granted 27/02/2014
17/AP/3720 Demolition of existing cricket pavilion and replacement with new pavilion	Granted 28/03/2018
20/AP/1341 Demolition of existing cricket pavilion and small changing facility and erection of new cricket pavilion (class D2) and new day nursery (class D1).	Application withdrawn 24/09/2020

Planning policies

National Planning Policy Framework (the Framework) 2023

The revised National Planning Policy Framework ('NPPF') was published on 19 December 2023 and 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 224 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications. The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed and beautiful places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

The London Plan 2021

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

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy HC1 Heritage conservation and growth
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy T5 Cycling
- Policy T6 Car parking
- Policy S12 Minimising greenhouse gas emissions
- Policy S1 12 Flood risk management
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking

Southwark Plan 2022

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

- Policy P13 Design of places
- Policy P14 Design quality
- Policy P20 Conservation areas
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P56 Protection of amenity
- Policy P57 Open space
- Policy P60 Biodiversity
- Policy P61 Trees
- Policy P64 Contaminated land and hazardous substances
- Policy P65 Improving air quality
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy

SPDs

Of relevance in the consideration of this application are:

- Heritage SPD 2021
- Dulwich SPD 2013

Consultation undertaken

Site notice date: 08/02/2024

Press notice date: 18/01/2024

Case officer site visit date: 08/02/2024

Neighbour consultation letters sent: 08/02/2024

Internal services consulted

LBS Community Infrastructure Levy Team

LBS Environmental Protection

LBS Waste Management

LBS Design & Conservation Team

LBS Ecology

LBS Transport Policy

LBS Flood Risk Management & Urban Drain

LBS Transport Policy

LBS Urban Forester

Statutory and non-statutory organisations

Transport for London

Sport England

Neighbour and local groups consulted

10 St Peters Vicarage 522A Lordship Lane London

5 St Peters Vicarage 522A Lordship Lane London

1 Epping Court Highwood Close London

14 Mercia Court Highwood Close London

15 Epping Court Highwood Close London

13 Epping Court Highwood Close London

9 Highwood Close London Southwark

11 Mercia Court Highwood Close London

4 Savernake Court Highwood Close
London

24 Mercia Court Highwood Close
London

1 St Peters Vicarage 522A Lordship
Lane London

5 Epping Court Highwood Close London

10 Highwood Close London Southwark

2 Caledonian Court Highwood Close
London

6 Stoke Court Highwood Close London

3 Stoke Court Highwood Close London

3 Savernake Court Highwood Close
London

12 Mercia Court Highwood Close
London

13 Sherwood Court Highwood Close
London

7 Sherwood Court Highwood Close
London

20 Dulwich Common London Southwark

26 Dulwich Common London Southwark

13 Mercia Court Highwood Close
London

Flat 13 524 Lordship Lane London

Flat 11 524 Lordship Lane London

Grove House Dulwich Common London

22 Mercia Court Highwood Close
London

12 Dulwich Common London Southwark

4 Epping Court Highwood Close London

9 Caledonian Court Highwood Close
London

14 Sherwood Court Highwood Close
London

8 Sherwood Court Highwood Close
London

14 Ashdown Court Highwood Close
London

19 Mercia Court Highwood Close
London

16 St Peters Vicarage 522A Lordship
Lane London

11 St Peters Vicarage 522A Lordship
Lane London

6 St Peters Vicarage 522A Lordship
Lane London

Flat 1 524 Lordship Lane London

Flat 14 524 Lordship Lane London

28 Dulwich Common London Southwark

7 St Peters Vicarage 522A Lordship
Lane London

4 St Peters Vicarage 522A Lordship
Lane London

9 Epping Court Highwood Close London

10 Caledonian Court Highwood Close
London

7 Caledonian Court Highwood Close
London

8 Savernake Court Highwood Close
London

16 Mercia Court Highwood Close
London

15 Mercia Court Highwood Close
London

17 Mercia Court Highwood Close
London

Flat 10 526 - 532 Lordship Lane London

24 Dulwich Common London Southwark

8 Highwood Close London Southwark

4 Mercia Court Highwood Close London

Flat 15 524 Lordship Lane London	22 Dulwich Common London Southwark
11 Caledonian Court Highwood Close London	14 Dulwich Common London Southwark
2 Ashdown Court Highwood Close London	18 St Peters Vicarage 522A Lordship Lane London
21 Mercia Court Highwood Close London	12 Caledonian Court Highwood Close London
4 Dulwich Common London Southwark	10 Ashdown Court Highwood Close London
2 Dulwich Common London Southwark	3 Ashdown Court Highwood Close London
9 St Peters Vicarage 522A Lordship Lane London	3 Mercia Court Highwood Close London
2 St Peters Vicarage 522A Lordship Lane London	9 Sherwood Court Highwood Close London
3 Sherwood Court Highwood Close London	6 Sherwood Court Highwood Close London
14 Epping Court Highwood Close London	Dulwich Common Allotments Dulwich Common London
2 Epping Court Highwood Close London	2 Sherwood Court Highwood Close London
5 Savernake Court Highwood Close London	5 Mercia Court Highwood Close London
7 Mercia Court Highwood Close London	6 Savernake Court Highwood Close London
6 Mercia Court Highwood Close London	20 Mercia Court Highwood Close London
16 Dulwich Common London Southwark	4 Sherwood Court Highwood Close London
2 Stoke Court Highwood Close London	2 Highwood Close London Southwark
10 Dulwich Common London Southwark	16 Sherwood Court Highwood Close London
Flat 3 524 Lordship Lane London	11 Sherwood Court Highwood Close London
Flat 10 524 Lordship Lane London	8 Dulwich Common London Southwark
3 Caledonian Court Highwood Close London	Camber Lawn Tennis Club Dulwich Common London
1 Caledonian Court Highwood Close London	15 St Peters Vicarage 522A Lordship Lane London
1 Savernake Court Highwood Close London	4 Highwood Close London Southwark
8 Ashdown Court Highwood Close London	
Flat 9 524 Lordship Lane London	

1 Highwood Close London Southwark

7 Ashdown Court Highwood Close
London

6 Ashdown Court Highwood Close
London

10 Sherwood Court Highwood Close
London

6 Highwood Close London Southwark

4 Caledonian Court Highwood Close
London

4 Ashdown Court Highwood Close
London

Flat 6 524 Lordship Lane London

2 Mercia Court Highwood Close London

11 Ashdown Court Highwood Close
London

8 St Peters Vicarage 522A Lordship
Lane London

Flat 16 524 Lordship Lane London

13 St Peters Vicarage 522A Lordship
Lane London

12 St Peters Vicarage 522A Lordship
Lane London

11 Epping Court Highwood Close
London

8 Epping Court Highwood Close London

6 Epping Court Highwood Close London

3 Epping Court Highwood Close London

7 Highwood Close London Southwark

3 Highwood Close London Southwark

4 Stoke Court Highwood Close London

1 Stoke Court Highwood Close London

7 Savernake Court Highwood Close
London

2 Savernake Court Highwood Close
London

12 Ashdown Court Highwood Close
London

9 Mercia Court Highwood Close London

5 Highwood Close London Southwark

5 Sherwood Court Highwood Close
London

6 Dulwich Common London Southwark

18 Dulwich Common London Southwark

10 Epping Court Highwood Close
London

7 Epping Court Highwood Close London

St Peters Vicarage 522A Lordship Lane
London

6 Caledonian Court Highwood Close
London

5 Ashdown Court Highwood Close
London

14 St Peters Vicarage 522A Lordship
Lane London

3 St Peters Vicarage 522A Lordship
Lane London

8 Caledonian Court Highwood Close
London

9 Ashdown Court Highwood Close
London

1 Ashdown Court Highwood Close
London

Flat 8 524 Lordship Lane London

1 Mercia Court Highwood Close London

12 Sherwood Court Highwood Close
London

18 Mercia Court Highwood Close
London

30 Dulwich Common London Southwark

5 Caledonian Court Highwood Close
London

12 Epping Court Highwood Close
London

1 Sherwood Court Highwood Close
London

8 Mercia Court Highwood Close London

5 Stoke Court Highwood Close London

9 Savernake Court Highwood Close
London

Flat 7 524 Lordship Lane London

Flat 5 524 Lordship Lane London

Flat 4 524 Lordship Lane London

Flat 2 524 Lordship Lane London

Flat 12 524 Lordship Lane London

32 Dulwich Common London Southwark

17 St Peters Vicarage 522A Lordship
Lane London

16 Epping Court Highwood Close
London

13 Ashdown Court Highwood Close
London

10 Mercia Court Highwood Close
London

15 Sherwood Court Highwood Close
London

23 Mercia Court Highwood Close
London

APPENDIX 5

Consultation responses received

Internal services

LBS Community Infrastructure Levy Team

LBS Environmental Protection

LBS Design & Conservation Team

LBS Ecology

LBS Transport Policy

LBS Transport Policy

LBS Urban Forester

Statutory and non-statutory organisations

Transport for London

Sport England

Neighbour and local groups consulted

3 DASSETT ROAD West Norwood
LONDON

30A Hemberton Road London SW99LJ

16 Niederwald Road Sydenham London

30 Bramdean Crescent Lee London

85 Gleneldon Road Streatham SW16
2BH

Flat 3 Crib Apartments London SE26
6UH

55 Pendle Road London SW166RT

61 Ivydale Road London SE15 3DS

67 Jerningham Road London SE14 5NH

18 The Gardens London SE22 9QE

73 Melbourne Grove London SE22 8RJ

72 Palace Road London SW2 3JX

72 Palace Road London Sw2 3jx

14 Amott Road Peckham Rye London
SE15 4jd

3, Woodcombe Crescent London SE23
3BG

30 Tylney Avenue London SE19 1LN

157 Gipsy Road London SE27 9QT

29 abbotswood rd London Se228dj

114 Westwood Park Forest Hill London

35 Girton Road Sydenham SE26 5DJ

Oaktree Cottage, North Lane West
Hoathly EAST GRINSTEAD

44 Queenswood Road London SE23
2QS

36, Tyrwhitt Road London SE4 1QG

16 Lapse Wood Walk Forest Hill London

66a penwith road London SW18 4QD

16 Trevelyan House John Ruskin Street
London

76 Friern Road London SE22 0AX

16 Sherwood Court London

80 Ormeley Rd Balham SW12 9QG

3 Minehead Road London SW162AW

198 Leigham Court Road London SW16
2RB

327 Crewe road Nantiwch Cheshire

11 Lancaster Road London SE25 4BJ

17 Holdenhurst Avenue LONDON N12
0JA

11 Champion Grove London SE58BN

158 Ivydale Road London SE15 3BT

10 Blythe Hill Place London Se23 1pw

18 Hamilton Road Sidcup DA15 7HB

17 Rydal Road London SW16 1QF

56 Criffel Avenue London SW2 4BN

15A Colfe Road London SE232ES

14b Wroxton Rd Southwark SE15 2BN

Flat 19 The Alders Aldrington Road
London

212 Ivydale Road London SE153BU

55 Eden Road Beckenham Br3 4as

26 Beverstone Road London SW2 5AN

36 Fortismere Avenue London N10 3BL

Flat 10 Kenmore House 47B Boundaries
Road London

Flat 11, 18-22 Grove Vale London SE22
8EF

Flat 4 112 Thurlow Park Road LONDON

40 Pine Avenue West Wickham BR4
0LW

15 Leithcote Gardens Streatham SW 16
2UX

3 Kingsthorpe Road London SE26 4PG

144 upland road London SE22 0DQ

20 Falkland Park Avenue London SE25
6SH

57 Appach Road London SW2 2LE

90 Torridon Rd London SE6 1RD

79 hurstbourne road London SE23 2aq

18a Crebor st London Se220hf

93 Idlecombe Road London SW17 9TD

35 greystoke gardens Gateshead Ne9
6pb

19 Wedgwood Way London SE19 3ES

161 Upland Road London SE22 0DF

19 Babbage court London Se17 3DA

75 Woolstone Road London SE23 2TQ

62 Gloucester court Kew road Richmond

Flat A, 1A Tyrwhitt Road London SE4
1QD

Flat 4 41 Saltoun Road London

158 Birkbeck Road Beckenham Br3 4ss

56 Colfe Road London SE23 2ER

22 grange avenue Bangor Bt20 3qf

128 Crystal Palace road London
Se229er

99 Pepys Road London SE14 5SE

49 Vestry Road London SE5 8PG
140 Beauchamp Road London SE19
3DB
15 Congreve Road Eltham SE9 1LP
119 Helix Road London SW2 2JR
31 Groveway London SW90AH
21 Champion Grove London SE58BN
25, Nairne Grove LONDON SE24 9PU
13 Waverley Road London SE25 4HT
105 Grierson Road London SE231NY
301 Brunel House Greenwich SE109FJ
47 Beeton way West Norwood SE27
9BD
149 Crowborough Road London
SW179QD
75 leigham court road London SW16
2NR
109 Tooting Bec Road Flat 3 Tooting
15a Colfe Road London SE232ES
116 Perry Rise London SE23 2QP
Flat 16, 107 Tulse Hill, London
58 Siddons Road London SE23 2JQ
40 Kirkstall Road London Sw2 4hf
14 Hindsleys Place London SE23 2NF
6 Mundania Road London SE22 0NG

6 Walters Way London Se233IH
3 Apley Rd Stourbridge Stourbridge
51 Sydenham Rise London SE23 3XL
158 Birkbeck Road Beckenham BR34SS
12 Alexandra road London Se265nl
12 Arona House Oakwood Avenue
Bromley
18 The Gardens London SE22 9QE
19 Liverpool Road St. Albans AL1 3UN
103 Venner Road London SE265HU
99 Camberwell Grove London SE5 8JH
55 Valley Road London SW16 2XL
Flat 4, 52 Canadian Ave London SE6
3BP
90 Nutbrook St London SE15 4JU
349a lordship lane London Se22 8JH
14 Stanley Avenue Beckenham BR3
6PX
Flat 1 2 Collyer Place London
Flat 11 18-22 Grove Vale London
24 ADARE WALK LONDON SW16 2PN
117 St Julian's Farm Rd London SE27
0RP
10b Wyneham Road London SE24 9NT
Flat 105 Apt Living Brentford

