

Item No. 6.1	Classification: Open	Date: 15 February 2012	Meeting Name: Rotherhithe Community Council
Report title:	Development Management planning application: Council's own development Application 11-AP-2306 for: Council's Own Development - Reg. 3 Address: OPEN SPACE BEHIND FLORENCE HOUSE AND THE LINKS COMMUNITY CENTRE, BETWEEN ROTHERHITHE NEW ROAD AND RYDER DRIVE, LONDON SE16 Proposal: Refurbishment of under 8 years play area comprising the installation of metal climber with slide, rope net, metal see-saw and spring toy on green rubber crumb surfacing with associated bench, litter bin and two new gates in existing perimeter railing.		
Ward(s) or groups affected:	Livesey		
From:	Victoria Lewis		
Application Start Date 25 August 2011		Application Expiry Date 20 October 2011	

RECOMMENDATION

- 1 That planning permission be granted. This application is referred to Rotherhithe Community Council because it is a 'Council's own' application and objections have been received.

BACKGROUND INFORMATION

Site location and description

- 2 The application relates to a grassed area located in the centre of a group of residential properties, to the south of the Links Community Centre. It was formerly used as a play area but this was closed in 2005 owing to subsidence and the play equipment removed. The area was subsequently landscaped but the original perimeter railings remain in place.
- 3 Ryder Drive is to the south of the site, Verney Way is to the south-west, and Rotherhithe New Road is to the north-west. The site is located in the urban density zone, an air quality management area and an archaeological priority zone.

Details of proposal

- 4 Full planning permission is sought to reinstate a play area in this location (for under 8's), comprising:
 - a low level metal climber with slide (maximum 2.5m high);
 - a metal springer toy;

- a rope net climber (2.4m high);
- a metal seesaw;
- a bench and a litter bin.

5

The equipment would be set upon green rubber matting. The existing 1m high railings would remain in place, but would be altered to close up an existing 3m gap to the south side, and the provision of two new self-closing gates, one in the north-western corner and one in the south-western corner. All existing trees and shrubs on the site would remain.

Planning history

6 None.

Planning history of adjoining sites

7 None.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- a) principle;
- b) amenity;
- c) design;
- d) trees.

Planning policy

Core Strategy 2011

9 Strategic policy 1 - Sustainable development
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

10 3.2 - Protection of amenity
3.12 - Quality in design
3.13 - Urban design
3.14 - Designing out crime
3.28 - Biodiversity

London Plan 2011

7.5 - Public realm
7.6 - Architecture

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

12 The draft National Planning Policy Framework (NPPF) was published at the end of July 2011 for consultation until 17 October 2011. The Government has set out its

commitment to a planning system that does everything it can do to support sustainable economic growth. Local planning authorities are expected to plan positively for new development. All plans should be based on the presumption in favour of sustainable development and contain clear policies that will guide how the presumption will be applied locally.

The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation in the UK. This is set out as a clear and current Government objective (and accordingly should attract significant weight).

Principle of development

- 13 The proposal is to reinstate play area on the site following the removal of a former play area owing to subsidence, and this does not raise any land use issues.

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

- 14 Saved policy 3.2 of the Southwark Plan seeks to ensure that developments achieve an adequate standard of amenity for existing and future occupiers; saved policy 3.14 'Designing out crime' seeks to ensure that development is designed to improve community safety and should contribute to crime prevention.
- 15 Concerns have been raised that the former play area on the site was unused and vandalised, and that there are other play areas in the vicinity. Whilst this is noted, this is not in itself considered to be grounds for refusing planning permission. The Design and Access Statement submitted with the application states that the Tenants and Resident's Association lobbied the Council on behalf of residents for the reinstatement of the play area, and were successful in obtaining Cleaner, Greener, Safer funding from the community council for this project. It is unfortunate that some play areas are subject to vandalism, but not to provide them for this reason would be to fail to provide facilities for local children in the area. Signage could be displayed preventing people from taking dogs into the play area.
- 16 The site is overlooked by many residential properties ensuring that there would be good natural surveillance of the play area. The Design and Access Statement states that the proposed equipment would be small enough to deter use by older children, and that there are already benches in the area upon which people can sit, and that there have been no reported incidents of anti-social behaviour arising from use of the existing benches.
- 17 Concerns have been raised regarding increased noise and incidents of anti-social behaviour, particularly when people leave events at the Links Community Centre and could sit on the play equipment and congregate in this area, causing noise and disturbance to residents. Again whilst this is noted, it is considered that this is more a matter for the management of the community centre in ensuring that those using the facility leave the premises in a quiet and orderly manner and do not cause undue disturbance to residents.

Design issues

- 18 Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design.
- 19 The proposal would be typical of much playground equipment located in residential areas, and would not appear out of keeping or detract from the visual amenities of the area. As such, no objections are raised on design grounds.

Impact on trees

- 20 There are four trees within the application site which would be retained. A tree survey has been submitted with the application which concludes that subject to adequate safeguards in the contract specification, the likelihood of damage to the trees should be minimised. In order to ensure this, a condition requiring details of tree protection measures to be submitted for approval is recommended.

Other matters

- 21 There are no other matters arising from the application.

Conclusion on planning issues

- 22 The proposal raises no land use issues. It would reinstate a play area which would provide a free facility for local children. No demonstrable loss of amenity would occur, the design of the proposal would be acceptable and any potential impact on the trees on the site could be adequately mitigated through a planning condition. It is therefore concluded that the proposal would comply with the relevant saved policies of the Southwark Plan and those of the Core Strategy, and that planning permission should be granted.

Community impact statement

- 23 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

- 24 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 25 A petition containing 29 signatures has been received objecting to the proposal, together with an objection from 43 Ryder Drive (two letters of objection received from this property), objecting to the proposal on the following grounds:

- 26 - The original play area was not wanted in the first place, was vandalised and cost tax payers a lot of money;
- Increased anti-social behaviour;

- Increased noise and disturbance, particularly late at night;
- There are 3 other play areas nearby, one of which is underused and rusting;
- It will encourage dog owners to let their dogs loose;
- The area formerly had more trees on it and was well used by local children without the need for play equipment.

Human rights implications

- 27 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.
- 28 This application has the legitimate aim of providing a play area. 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H2053 Application file: 11-AP-2306 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Victoria Lewis, Senior Planning Officer	
Version	Final	
Dated	19 January 2012	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Leisure	No	No
Date final report sent to Constitutional Team		1 February 2012

Consultation undertaken

29 **Site notice date:** 08/09/2011

Press notice date: Not required.

Case officer site visit date: 08/09/2011

Neighbour consultation letters sent: 08/09/2011

Internal services consulted: None.

Statutory and non-statutory organisations consulted: None.

30 **Neighbours and local groups consulted:**

FLAT 2 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 1 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 4 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 3 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
43 RYDER DRIVE LONDON SE16 3BB
40 RYDER DRIVE LONDON SE16 3BB
39 RYDER DRIVE LONDON SE16 3BB
42 RYDER DRIVE LONDON SE16 3BB
41 RYDER DRIVE LONDON SE16 3BB
FLAT 11 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 10 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 12 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 9 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 6 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 5 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 8 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
FLAT 7 FLORENCE HOUSE 357 ROTHERHITHE NEW ROAD LONDON SE16 3HF
27 RYDER DRIVE LONDON SE16 3BB
26 RYDER DRIVE LONDON SE16 3BB
29 RYDER DRIVE LONDON SE16 3BB
28 RYDER DRIVE LONDON SE16 3BB
25 RYDER DRIVE LONDON SE16 3BB
22 RYDER DRIVE LONDON SE16 3BB
355 ROTHERHITHE NEW ROAD LONDON SE16 3HF
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32 RYDER DRIVE LONDON SE16 3BB

APPENDIX 2

Consultation responses received

Internal services N/A.

Statutory and non-statutory organisations N/A.

Neighbours and local groups

- 31 A petition containing 29 signatures has been received which states 'no to proposed playground development opposite Florence House'.

43 Ryder Drive

(15th September 2011)

- 32 Object to the application on the following grounds:
- 33 - The play area was never wanted in the first place, it was vandalised by older children the first time around, became dangerous and had to be removed, and residents were left with a big hole in its place for a very long time which must have cost a lot of tax payer's money.
- 34 - There is already an under 8 play area half way down Ryder Drive which is very underused. It is mainly used by dog owners that like to close the gates and let their dogs run freely in the enclosed play areas.
- 35 - The play area will attract older children that will have a place to 'play' in until late at night in very close proximity to bedrooms and homes where the elderly are housed, which will create a lot of confrontation and possibly aggravate incidents of anti-social behaviour.
- 36 - The close proximity to the Links Community Centre means that every time there is a private party in the hall young people will spill out and congregate outside in the play area, especially if there are benches or equipment to sit on well into the evening, creating a lot more noise which we have already when people leave the hall late at night.
- 37 - Why can't it just be green space as it is now? Why is furniture needed for every green space? There are three play areas on the Masters Drive and one on Ryder Drive. The money could be better spent elsewhere. The play area was unloved and vandalised the first time around.

(28th November 2011)

Object to the application on the following grounds:

- 38 - The play area proposed already existed and was never wanted by any of the local residents. The process took many months, the area became unsafe, unusable and unsightly;
- 39 - It will encourage more dogs users to let their dogs free in the enclosed space as already happens in other play areas along Ryder Drive;

- 40 - A play area already exists along Ryder Drive which is underused and rusting, a clear sign that such a space is not needed;
- 41 - It would be located behind the Links Community Centre which hosts a large number of parties most days of the week which end around 11pm. Often people spill out onto the street and hang around for a long time and children would be attracted to the play area and would be around it until very late making a lot of noise;
- 42 - All the houses facing the site have bedrooms directly overlooking the proposed play area and there are also homes for the elderly facing the square that already have to put up with noise coming from the community centre most nights;
- 43 - Increased incidents of anti-social behaviour as the play area would act as a meeting point for children of all ages;
- 44 - This proposed redevelopment plan does not change in any significant way the original proposal. It is strongly suggested that the Council should save some money instead of developing, or spoiling a perfectly pleasant green area as it was originally planned. Originally the green area had more trees and was used by children very regularly without the need for any costly equipment which is already in abundance.