Item No. 7.6	Classification: Open	Date: 27 June 2018	Meeting Name: Planning Sub-Committee A
Report title:	**Development Management planning application:** Application 17/AP/4769 for: Full Planning Application **Address:** ADVENTURE PLAYGROUND, DOG KENNEL HILL, LONDON SE22 8AA **Proposal:** Removal of existing buildings and creation of a single storey community centre (D2) for Dog Kennel Hill Adventure Playground.		
Ward(s) or groups affected:	Champion Hill		
From:	Director of Planning		
Application Start Date 15/01/2018		**Application Expiry Date** 12/03/2018	
Earliest Decision Date 16/03/2018			

RECOMMENDATION

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

BACKGROUND INFORMATION

2. This application is being presented to committee for consideration due to the location of the site within Metropolitan Open Land (MOL).

3. Dog Kennel Hill Adventure Playground (DKHAP) was established in the early 1970s. It is a voluntary sector organisation located in the South Camberwell ward principally serving children and young people of the community council area of Camberwell and Dulwich, but not exclusively.

4. The organisation offers safe, staffed play provision in both an indoor and outdoor environment. It works to an adventure play model in which children and young people are enabled to explore imaginatively in a safe space that supports mental, physical and social development through active play. Not only does it help individual development, but it also helps children and young people to make friends and build relationships with others in their neighbourhood. It acts as a community hub and a place in which to engage young people in a place they have chosen to be. Play opportunities are supported and enhanced by being integrated within the structure of the outdoor environment. There are currently over 100 regular users of the facility.

Site location and description

5. Dog Kennel Hill Adventure Playground is located to the south of Dog Kennel Hill, and comprises green space with a variety of fixed play equipment. The existing building for indoor play was built in the early 1970s, with further outbuildings for storage and additional facilities. The existing buildings are considered to be in poor condition with no architectural merit.

6. The site is overlooked by a six storey residential building to the north. To the south is Sainsbury's supermarket car park and to the west is a small open space. Dog Kennel Hill runs parallel to the site's north east boundary.

7. A public footpath runs parallel to the north-west site boundary, connecting Dog Kennel Hill with Monclar Road, Arnould Avenue and Champion Hill to the west. The footpath also loops south through a small wooded area and provides pedestrian access to the large supermarket car park.

8. The site is designated as Metropolitan Open Land and as a site of Local Nature Conservation Importance (SINC) in The Southwark Core Strategy (2011). The MOL designation is made up of two distinct parts, the adventure playground which is fenced with managed access, and the open MOL to rear (west) of the site which is publicly accessible at all times. The latter area provides a through route between local neighbourhoods.

Details of proposal

9. The proposal is for removal of three existing buildings (171m^2) and storage container (15m2) which are in poor and dilapidated state. A new modern, single storey L-shaped replacement building (186m^2) would then be erected on the site of an existing climbing frame in the South-east corner of the site towards Dog Kennel Hill Frontage. The existing climbing frame would be dismantled and re-assembled elsewhere on the site.

10. The new building would provide a main multifunction hall (85m^2) that could be used for sport, performance and functions, two creative spaces (28m^2 and 10m^2), storage areas, an office, a kitchen and toilets. The proposed building would provide a flexible space encompassing all of the existing facilities currently provided within the existing buildings to be removed.

11. The building would have a pitched roof with height of 2.7m to the eaves level and 5.005m to ridge level when measured from the south-east elevation. It would be constructed using a simple steel portable frame, timber cladding, aluminium frame windows and doors of different shapes, sizes, colour and heights to create a child friendly environment. Externally it would have traverse climbing walls, a metal roof profile and external canopy. The external walls would be highly insulated to ensure a very low heat loss, whilst the internal walls can be altered in the future to suit changing requirements.

12. The proposed building would be sited 20.80m away from the neighbouring residential building located at no.8 Dog Kennel Hill, 9.36m from the site boundary facing Dog Kennel Hill, 2.75m from the boundary facing the adjacent nursery and 72.40m from the site boundary adjacent to the woodland to the rear. The building would be accessed via a front and rear door off of the proposed main hall.

Planning history

13.

14/EQ/0161 Application type: Pre-Application Enquiry (ENQ) Demolition of existing facility (D2 use class) and erection of new facility (D2 use class) Decision date 02/09/2014 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

14. None relevant to the proposal

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

a) The principle of the development in terms of land use and conformity with strategic policies for Metropolitan Open Land,

b) Design, appearance, siting, and impact on accessibility, trees and biodiversity.

c) The impact of the development on the amenity of local residents

d) The impact of the development on park users

Planning policy

National Planning Policy Framework (the Framework)

16. Section 7 - Requiring good design
Section 8 - Promoting healthy communities
Section 11 - Conserving and enhancing the natural environment

The London Plan 2016

17. Policy 2.18 - Green Infrastructure
Policy 3.16 - Protection and enhancement of social infrastructure
Policy 3.19 Sports facilities
Policy 7.2 - An inclusive environment
Policy 7.4 - Local character
Policy 7.5 - Public realm
Policy 7.6 - Architecture
Policy 7.17 - Metropolitan Open Land
Policy 7.18 - Protecting open space and addressing deficiency
Policy 7.19 - Biodiversity and access to nature
Policy 7.21 - Trees and woodlands
Policy 6.9 - Cycling
Policy 6.10 - Walking

Core Strategy 2011

18. Strategic Targets Policy 2 - Improving places
Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles
Strategic Policy 11 - Open spaces and nature conservation
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

19. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the polices and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due

weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Saved Policy 3.1 - Environmental effects
Saved Policy 3.2 - Protection of Amenity
Saved Policy 3.11 - Efficient use of land
Saved Policy 3.12 - Quality in design
Saved Policy 3.25 - Metropolitan Open Land
Saved Policy 3.28 - Biodiversity
Saved Policy 3.15 - Conservation of The Historic Environment
Saved Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites
Saved Policy 5.2 - Transport impacts
Saved Policy 5.3 - Walking and Cycling

Principle of development

20. The application site is located within Metropolitan Open Land (MOL); as such saved policy 3.25 is applicable to the consideration of this proposal. This states that planning permission will only be permitted for the following purposes:

    i) Agriculture or forestry; or
    ii) Essential services for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of MOL and which do not conflict with the purposes of including land within MOL; or
    iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or
    iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger then the dwelling it replaces.

21. Policy 7.17 Metropolitan Open Land of The London Plan states that the strongest possible protection should be given to London's MOL, the same level of protection as is given to Green Belt, and further that inappropriate development should be refused except in very special circumstances. The supporting text states that appropriate development should be limited to small scale structures to support open space uses and minimise any adverse impact on the openness of MOL.

22. Strategic Policy 11 ‘Open Spaces and Wildlife’ of the Core Strategy commits the council to protect open spaces against inappropriate development.

23. The existing Dog Kennel Hill adventure playground at present comprises 3 buildings and a large metal shipping container (with a total floor area of 186m2) which are scattered around the site. These existing building are in a poor and dilapidated state. Currently they are failing to fulfil their potential to cater for the community in the best way possible. In particular the existing buildings do not comply with the Equalities Act 2010 in terms of accessibility and the continued maintenance of these buildings has become expensive.

24. The proposed single L-shaped modern replacement building would be the same size as the combined total of the existing buildings (186m2) on the site and would re provide all of the present facilities in an improved and flexible space. Its use as a supporting facility for the Adventure Playground is in accordance with the requirements of save policy 3.25, in that it is considered to be an essential service for outdoor sport and outdoor recreation on the site. It is therefore an appropriate development on MOL in principle.

25. The modest and low profile new building is considered to preserve the openness of

the MOL and has been appropriately located such as to not result in any sense of enclosure. No change of use would take place and the installations would be consistent with the existing recreational and cultural use of existing Dog Kennel Hill Adventure Playground. The new building would not conflict with the purposes of including land within MOL and as such the development would be in accordance with local, regional and national policy with regard to MOL.

Environmental impact assessment

26. The proposal is not EA development as defined in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 as it is not for a new athletic centre new pavilion building but for works to an existing facility. Its impact would not be of more than local significance, and the impacts of the development would not give rise to significant environmental impacts.

Neighbour Amenity

27. The front of the existing Dog Kennel Hill Adventure Playground has its frontage to Dog Kennel Hill and its rear is adjacent to the small woodland area. To the north of the playground lies a block of flats at No. 8 Dog Kennel Hill which is separated from the playground site by a small path in between. To the south of the site lies a children's day nursery which is well set-back from both the Dog Kennel Hill and the proposed replacement building on the site. The existing nursery is also screened by trees located along the shared boundary with the existing adventure playground.

28. The proposed new single storey building with height of 5m to a pitched roof would be sited 20.80m away from the neighbouring residential building located at No. 8 Dog Kennel Hill, 9.36m from the site boundary facing Dog Kennel Hill, 2.75m from the boundary facing the adjacent nursery and 72.40m from the rear site boundary adjacent to rear woodland. Its location therefore is not considered to have any adverse impact on the amenity of the occupiers of the neighbouring block of flats and the nursery with regards to loss of light, outlook and privacy.

29. No increased noise or disturbance is anticipated as a result of the proposed development.

Transport

30. As a result of the proposed development, the existing servicing, vehicular and pedestrian access to the site would remain unaffected. The new building would be no larger than the combined total of the existing buildings on the site. The proposal therefore would not result in any increased capacity and an increase in users/staff is not anticipated. The development is not considered to give rise to any new transport issues and is therefore considered to be acceptable on transportation grounds.

Design

31. The application buildings on the site to be removed are not listed and the site is not located within Conservation Area, their loss is therefore not resisted.

32. The proposal is for a modestly sized timber clad building which will fit well into its landscaped setting of the MOL. It is divided into a series of boxes, each with their own pitched roof. This will further break down its scale and adds interest to the elevations. Features such as child height windows and a climbing wall fixed to one façade add further interest. In conclusion this is a well designed building which is appropriate for its location.

Trees

33. The applicant has submitted arboricultural report, together with tree survey plan and Tree Protection Plan which have been reviewed by the council's urban forester. All trees on and adjacent to the site are to be retained and protected.

CIL

34. Section 143 of the Localism Act states that any financial contribution received in terms of 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 (MCIL) is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL (SCIL) will provide for infrastructure that supports growth in Southwark. This application is not CIL Liable because no new floor area is being created.

Ecology

35. The applicant has submitted a Bat Survey Report following an initial Preliminary Ecological Assessment (EA) and Preliminary Bat Roost Assessment (PBRA). Two of the buildings to be removed were assessed as possessing low potential to support roosting bats.

36. The buildings present within the site identified as having bat roost potential were subject to further detailed surveys and no evidence of a bat roost was identified during the surveys. Moderate levels of foraging activity by common pipistrelle *Pipistrellus pipistrellus* and soprano pipistrelle *Pipistrellus pygmaeus* bats was identified within the west of the site south and common pipistrelle foraging was identified to the east of the site. There was less foraging activity recorded around the trees.

37. The proposal would involve the demolition of all buildings on the site including those identified as having potential for supports roosts. Although no roosts are present, it is recommend the precautionary mitigation in the form of sensitive lighting design to ensure that areas used for foraging by bats are not affected by light spillage. Additionally, habitat enhancements in the form of planting of native flora and the installation of bat boxes are recommended to ensure conformity with national and local planning policy.

38. It is considered that if the recommendations above are followed then there would be no bat related ecological issues that would affect the principle of development at the site. It is considered that a net gain in biodiversity at the site can be achieved through including native nectar rich species within the planting scheme.

39. The above Bat Survey Reports have been reviewed by the council's ecology officer who is satisfied with the findings and recommendations. The recommendations will be secured through the use of conditions.

Conclusion on planning issues

40. The proposal would preserve and enhance the openness of the site which would be achieved by removal of the existing unsightly and scattered buildings. The replacement new building would ensure that the needs of the existing community are met and protected. The use, character and appearance of the building is consistent

with the inclusion of the land within MOL and its openness.

41. The development is in accordance with adopted national, regional and local policy, and it is therefore recommended that planning permission be granted subject to appropriate conditions.

Community impact statement

42. 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.

Consultation

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

Consultation replies

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

Summary of consultation responses

45. Following consultation with the local residents, 37 letters of support have been received.

Ecology officer comments

46. Ecology Officer is satisfied with the submitted Phase 2 Bat Survey Report that there was no evidence found of a roost in any of the buildings to be demolished on the site. However, recommended that lighting and bat boxes conditions should be imposed.

Urban forester comments

47. All trees on and adjacent to the proposed new building site are to be retained. Tree protection measures can be conditioned

Human rights implications

48. 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.

49. This application has the legitimate aim of providing a single storey community centre (D2) for Dog Kennel Hill Adventure Playground. 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2134-E Application file: 17/AP/4769 Southwark Local Development Framework and Development Plan Documents	Chief Executive's 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 0585 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning
Report Author	Mumtaz Shaikh, Planning Officer
Version	Final
Dated	12 June 2018
Key Decision	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	**Comments Sought**	**Comments included**
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		14 June 2018

APPENDIX 1

Consultation undertaken

Site notice date: 21/02/2018

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

Ecology Officer
Public Realm Comments on Developments Where Trees are Affected

Statutory and non-statutory organisations consulted:

Garden History Society

Neighbour and local groups consulted:

21 Bromar Road London SE5 8DL
53 East Dulwich Road London SE22 9AP
St. John'S Hse London SE17 2PW
30 Bonnington Tower Turpington Lane BR2 8JY

Whateley Road London SE22 9DE
12 Shelbury Road London SE22 0NL
9 Hetley Gardens London SE19 2UW
148 Copleston Rd London SE15 4AF
355 Crystal Palace Road 355 SE22 9JL
21 Denman Road London SE15 5NS
43 Burrow Road East Dulwich Se22 8Du
81 Fenham Road Peckham Se15 1ab
Flat 1 Birdsall House London SE5 8DP
58 Avondale Rise London se154l
12 Marsden Road London SE15 4EE
8 Shelbury Road London SE22 0NL
36 Ondine Road London SE154EB
60 Hindmans Road London SE22 9NG
218 Bellenden Road Peckham SE15 4BY
51 Champion Grove London SE5 8BN
79 Grove Hill Road London SE5 8DF
5 Walkynscroft, Brayards Road Estate Brayards Road Estate se15 2bz
233 Bellenden Road London SE15 4DQ
20 Worlingham Road East Dulwich SE22 9HD
144 Elmhurst Mansions Edgeley Road SW4 6EX
45b Avondale Rise London SE154AJ
2 The Hamlet Champion Hill SE5 8AW
7 The Hamlet Champion Hill SE5 8AW
16 Tidworth House Albrighton Road SE22 8AW
28 Forestholme Close Taymount Rise SE233UQ
65 Ivanhoe Road London SE5 8DH
298 Lordship Lane Dulwich SE22 8LY
4 Pelham Close London SE5 8LW
51 Burrow Road London SE22 8DU
11 Burnfoot Court 7 Woodvale Se23 3ds
57a Choumert Rd London SE15 4AR
5 Grove Hill Road London

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Email representation
Flat 1 Birdsall House London SE5 8DP
St. John'S Hse London SE17 2PW
Whateley Road London SE22 9DE
Whateley Road London SE22 9DE
11 Burnfoot Court 7 Woodvale Se23 3ds
12 Marsden Road London SE15 4EE
12 Shelbury Road London SE22 0NL
144 Elmhurst Mansions Edgeley Road SW4 6EX
148 Copleston Rd London SE15 4AF
16 Tidworth House Albrighton Road SE22 8AW
2 The Hamlet Champion Hill SE5 8AW
21 Bromar Road London SE5 8DL
21 Bromar Road London SE5 8DL
21 Denman Road London SE15 5NS
218 Bellenden Road Peckham SE15 4BY
233 Bellenden Road London SE15 4DQ
28 Forestholme Close Taymount Rise SE233UQ
298 Lordship Lane Dulwich SE22 8LY
30 Bonnington Tower Turpington Lane BR2 8JY
355 Crystal Palace Road 355 SE22 9JL
36 Ondine Road London SE154EB
4 Pelham Close London SE5 8LW
43 Burrow Road East Dulwich Se22 8Du
45b Avondale Rise London SE154AJ
5 Walkynscroft, Brayards Road Estate Brayards Road Estate se15 2bz
51 Burrow Road London SE22 8DU
51 Champion Grove London SE5 8BN
53 East Dulwich Road London SE22 9AP
57a Choumert Rd London SE15 4AR
58 Avondale Rise London se154l
60 Hindmans Road London SE22 9NG
65 Ivanhoe Road London SE5 8DH
7 The Hamlet Champion Hill SE5 8AW
79 Grove Hill Road London SE5 8DF
8 Shelbury Road London SE22 0NL
81 Fenham Road Peckham Se15 1ab
9 Hetley Gardens London SE19 2UW