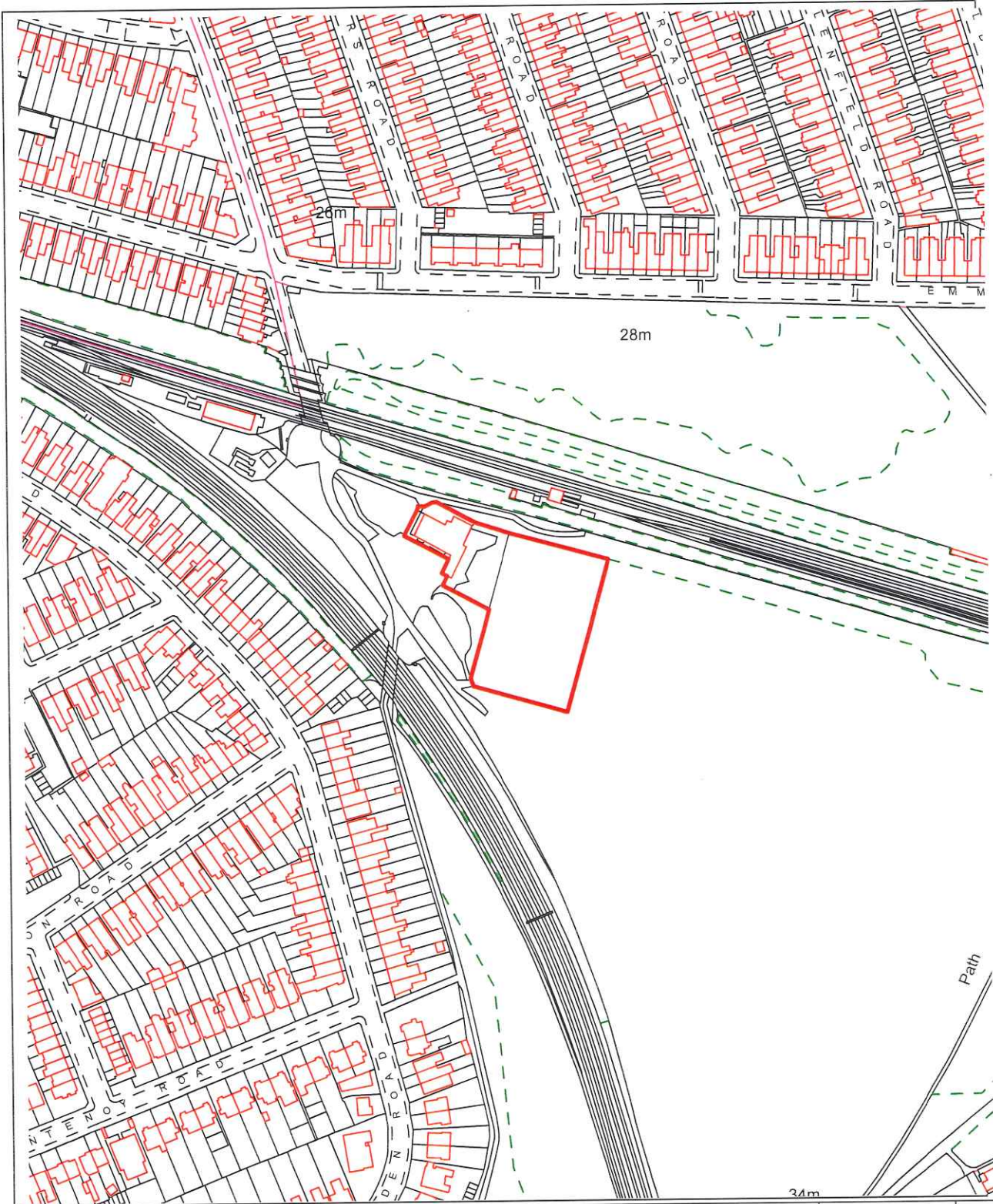



<b>Committee Date:</b>	19/05/2020		
<b>Item No.</b>	7		
<b>Site Address:</b>	Balham Boxing and Youth Club 366 Cavendish Road and Football Pitch East of 366 Cavendish Road SW12 0PP		
<b>Application Number:</b>	2019/4206	<b>Date Validated:</b>	06/03/2020
<b>Ward:</b>	Bedford	<b>Officer:</b>	Araba Brew-Hammond
<b>Application Type:</b>	Application for Full Permission		
<b>Proposal:</b>	Alterations including internal refurbishments and ancillary cafe; erection of single storey rear and side extensions; installation of replacement roof and retractable awning; installation of replacement doors and platforms with disabled access ramps; installation of replacement all-weather football pitches with associated perimeter fencing and replacement floodlights.		
<b>Recommendation Summary:</b>	Approve with Conditions		

**SITE DETAILS:**

The application relates to a 0.5hectare site on the south-east end of Cavendish Road, to the south of the national rail network. The site consists of an existing single storey building (Balham Boxing and Youth Club Pavilion) and existing football pitch (50m x 76m) with 8 x floodlights.

An open children's playground (approx. 0.3hectare site) borders the Pavilion to the south, and the application site, together with this playground is often referred to as the Tooting Triangle. The site is located on Tooting Common Metropolitan Open Land which is also a Site of Importance for Nature Conservation and a Locally Listed Heritage asset.



 <b>Wandsworth</b>	<p><b>Application No:</b> 2019/4206</p> <p><b>Address:</b> Balham Boxing And Youth Club 366 Cavendish Road and Football Pitch East of 366 Cavendish Road SW12 0PP</p>	<p><b>Scale:</b> 1:2718</p>	<p>N ↑</p>
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**CONSTRAINTS:**

Metropolitan Open Land - Tooting Common  
Site of Importance for Nature Conservation - Tooting Common  
Locally Listed - Tooting Common  
High Risk of Surface Water Flooding (1 in 30 flood event)

**REASON FOR REFERRAL:**

The Council's Constitution does not give the Assistant Director of Environment & Community Services (Planning & Transport Strategy) delegated powers to determine the application in the way recommended and must be determined by the Planning Applications Committee.

**RELATED PLANNING APPLICATIONS:**

Application Site:  
No recently determined applications

Children's Play Area, south of site:

11/04/2011: 2011/0617 Approved: Refurbishment of an existing playground; including removal of tarmac safety surface and play equipment, installation of new hard and soft landscaping, construction of new timber play equipment (max height of posts 5m), and installation of new pedestrian access points.

**APPLICATION DETAILS:**

Planning permission is sought for alterations to the existing site, including internal refurbishments and ancillary café provision. The proposed works would consist of;

- Erection of single storey rear/side extension to the north elevation (female & male w/cs and storeroom as shown on existing plans) of the building. The proposed extension would increase the length of this north most elevation from approximately 10m-12.5m to 16.2m, with a total width of 5.8m, to match the overall width of this existing projecting elevation. The proposal would alter the existing pitched roof form of this north section and introduce a flat roof of approximately 3.2m in total height.
- Erection of single storey rear/side extension to the west elevation of the building (proposed plant and office/storerooms off the existing boxing hall). The proposed extension would have a flat roof of approximately 2.8m in height and would measure approximately 2.5 in length and 12.2m in width, to match the existing width of this section.
- Enclosure of existing covered corridor (between the existing boxing hall and One-o'clock Club as shown on existing plans) and raising of roof to match that of the existing building (3.8m), in order to create additional internal floor area.
- Installation of a retractable awning to the east elevation of the building. The proposed awning would be situated at approximately 2.9m in total height and measure approximate 2.2m in length and 8.0m in width.
- Installation of replacement doors on the south and west elevations and erection of platforms (approx. 0.4m in total height) to provide disabled access ramps along the south elevation of the site.

- Installation of replacement football pitches (hardstanding and artificial grass) with associated perimeter fencing. The existing single football pitch would be sub-divided into 1 x 7-a-side pitch (approx. 37m by 50m) and 3 x 5-a-side pitches (approx. 16.5m by 35m each). The proposed perimeter fencing would surround the proposed football pitches of approximately 4.5m in height.
- Installation of replacement floodlighting. The proposal would replace the existing 8 x floodlights in the same positioning along the perimeter of the existing football pitch and install 1 x new floodlight in the centre of the proposed pitches. The proposed LED floodlights would be approximately 8.3m in total height.

Materials to be used: Painted brick and painted metal cladding, felt roofing, aluminium glazed doors, coated wire perimeter fencing.

The initial submission of this application was made invalid due to insufficient information, the requirement of which was not able to be identified at the registration stage. The application was subsequent re-registered and consultation letters reissued (06/03/2020) with the following suite of documents in support of the application:

- Existing and Proposed Drawings
- Thames Water Sewage Information and Flooding History
- Drainage Schematic
- Green Transport Plan
- List of Sporting Initiatives
- Revised Design and Access Statement (ref:2019/4206) and Appendix
- Lighting Assessment – Dec. 2019
- Flood Risk Assessment – Feb. 2020
- Revised Tree Survey and Arboricultural Method Statement – 26th Nov. 2019
- Bat Habitat Assessment Survey Report – Mar. 2019

#### **Community Infrastructure Levy CIL**

On initial assessment this development is not considered liable for the Mayoral or Wandsworth CIL however this is subject to confirmation by the CIL Administration Team.

#### **CONSULTATION (23/10/2019):**

Number of letters sent	34
Site Notice	Y
Press Notice	Y
Number of responses received	427
Number of neighbour objections	165
Number of neighbour comments	10
Number of neighbour support	252

Neighbour comments received can be read in full on the Council's web site (until a decision is made).

#### **Neighbour Consultation Summary**

**OBJECTIONS:** summarised as:

- Loss of the one o' clock club and the current free provision for local children.

- The children's centre provides vital support for parents and for less fortunate members of our community.
- The proposed small 'Soft Pay ' facility would not be a replacement for the well organised and much used supervised play facility for under 5s.
- The cafe seems unnecessary as there is already one a short walk away on the Woodfield site, and could be replaced by a free, under-5s play area.
- Proposed facilities fail to encourage greater female participation in sport.
- Proposed male and female changing rooms should be the same size.
- The football pitches would significantly impingement on common lands.
- There have not been working floodlights in the area for years.
- Replacement floodlights will lead to light pollution and detrimentally affect the atmosphere of the common after dark.
- Proposed floodlit times should be less and restricted.
- Detrimental impact on local wildlife.
- Loss of mature trees.
- Over-crowding and associated noise and disturbance from facility use.
- Increased crime and anti-social behaviour.
- The proposal does support the mental health & well-being of many local residents.
- Loss of privacy.
- Increased pressure on local parking, transport management and safety issues. A travel/parking management plan should be required.
- Area prone to flooding.
- There are already many pitches already on the common and other facilities in the immediate area.
- The space is hugely important to those people who don't have gardens.
- The Triangle part of Tooting common is one of the very few public open spaces in Wandsworth and Lambeth where there is no bordering road, so it is less exposed to car noise and light impact.
- The existing cinder area can currently be used by anyone, free of charge at any time. The proposal would exclude many people and pigeon-hole facilities for football use only.
- The Common has no rugby pitch and other sports should be promoted.
- Public land should be kept as accessible for all. The proposal is a profit-making enterprise and a commercialisation of public space.
- The proposed fencing would detrimentally impact the openness, look and feel of the common land.
- The proposal is out of keeping with the area and an inappropriate development on a common. There are no very special circumstances demonstrated to justify the proposal.
- The negative visual impact of the hard surfacing and fencing on the common should be avoided.
- The proposal would breach national and local planning policies.
- Residents not properly consulted.
- Few local residents (people living less than 500-1000m) from the common support this scheme.
- A community engagement and access plan should be required, to be agreed with the MAC and FOTC, consulted on more widely with local community and monitored to ensure implementation

**SUPPORTS:** summarised as

- The existing sports facility is in bad state and is largely unusable. The current football pitch is pretty much unusable in the winter months and often stands empty.
- The proposal would therefore be a much needed improvement.
- The proposal would not encroach on the use of the adjoining common land.
- The proposal would be a community benefit.
- Lack of local sports facilities and all existing ones are heavily oversubscribed.
- There are currently no modern, all weather pitches available in Tooting Common at all so the proposal is welcomed.
- The proposal is forward thinking and would future proof our facilities for the coming generations.
- The proposal would encourage physical activity, health and fitness.
- The proposal would prevent anti-social behaviour.
- The proposal would provide opportunities to children, men and women to train and play on high-quality pitches.
- The proposal would cut down on commutes for families and players in local clubs.
- The other facilities that are part of this provider are well run and attract a lot of business for the local area.
- The proposal is a very good idea as long as all local sports clubs have access to the pitches in equal proportion.
- This proposal is superior to the previous proposals to the site in that it does not take any further common land and is supported by local clubs.
- The proposal would support local clubs and provide a home base for training, competition and player development.
- The proposal would provide public toilets which the site was lacking, and the refurbishment of the existing football pitch.

**GENERAL:** summarised as

- Ambivalent to the proposal provided the council is satisfied that the proposal is sustainable, having no negative impacts on the natural environment and the developers/managers of the facility comply with any future abatement notices with which they are served (they forfeit their right to appeal against any abatement notice).
- Query on whether this proposal could be altered to include provision of some free facilities, or whether the soft play area be provided free of charge or at a reduced cost.
- Query on why the council cannot just upgrade the facilities, including some street lighting and some dedicated wardens to make the area safer in the evenings.
- Query on if proposed pitches can be used for other sports, such as hockey.
- The café should be accessible by all users of the Common, including those with dogs or the other café on the Common is made dog friendly to cater for this large section of the Common-using community.
- It would make sense for Wandsworth Council to make some agreement with Lambeth Council to protect their co-habiting local residents from the inevitable parking and traffic problems this facility will cause.
- Balham FC are struggle to find all year round pitches to train on. However, it is the larger pitch size that is harder to find rather than the smaller sizes in this proposal.
- It's unclear from the proposal whether the pitches will be permanently closed to non-payers.

**Other consultation responses:** summarised as

Friends of Tooting Common (FOTC): The FOTC welcome in general the intention of improving the Triangle site. The intended 25 year lease to a private contractor should include review and 'break' provisions to assess the running of the site every 5 years. Otherwise, 25 years is a very long time to be committing this area of the Common. FOTC consider that there is much to welcome in the proposed development, however there are significant concerns, including: charging; new fencing meaning the loss of the pitch to impromptu free public use; the lack of clarity about the One O'Clock Club/Stay & Play facility; use of floodlights for considerably longer than the current ad hoc usage; noise from games, particularly in the evening; and, possibly, increased parking in nearby streets.

Tooting Commons Management Advisory Committee (TCMAC):

TCMAC recognises the advantages promised by the development. It notes, however, considerable public disquiet at the prospect of the site being 'privatised'. Planning documents treat the Tooting commons not as parks or recreation grounds but as a common. The Triangle area in which the site is located is geographically, hydrologically, aesthetically and ecologically unsuited to the development proposed. TCMAC supports the application with reservations, as to: The unwanted generation of noise, and the use of floodlighting at any time.

Cllr Clare Fraser (Bedford Ward): Although this planning application brings improvements to the site, there remain areas of concern for me as a local councillor. Specifically of concern is what happens to stay and play and the wonderful staff who work there, something which we feel has still not been properly addressed. There also remain concerns as to how those using the centre will access it in terms of transport and the over commercialisation and fencing off of the area to users of the Common, taking away the close community which has developed there over the years.

Cllr Fleur Anderson (Bedford Ward): Although it's good to see interest being taken in the Triangle site, this should not be undertaken at the expense of the local community and users of the One o'clock club stay and play centre. Local councillors were encouraged by some of the concessions made at the FCROSC meeting where stay and play was discussed, but have since received no information, even regarding when to expect this planning application. Although the future of Stay and Play and its staff is not considered as part of these planning documents, it is an oversight to have ignored this issue and to not have engaged.

Cllr Hector Denfield (Bedford Ward): The current Tooting Triangle building provides a stay and play facility which has six staff-led sessions per week and is free to all users. It would be a terrible loss to the community if this service was lost as part of the redevelopment. It is noted that a "soft play area" has been included in the plans, but it is important that this area is free to use for all parents and children and is led by the excellent, fully trained staff that currently run the sessions. As a condition of granting planning permission, the current stay and play service should be retained in exactly the form it is now.

Sporting FC: It is noted that there are three 5-a-side pitches and one 7-a-side pitch planned. However, grass roots clubs in South West London are desperately short of 9 a side pitches. Due to the lack of supply, one or maybe two 9 a side pitches should be made at the triangle.

Broomwood Football Club: This proposal has our support for several reasons. The area is in ongoing need of floodlit sports facilities. The location of this facility bounded by rail tracks on two sides and open Common on another is ideal. It presents the least possible likelihood for

noise or light disturbance. Many other potential sites are directly bounded by residential streets which can present issues which are clearly not present here. One recommendation however would be for both 7x7 but also 9x9 pitch markings as floodlit 9x9 pitches are in least supply in our experience.

Balham FC (formerly Balham Blazers FC): Balham FC fully supports this proposal. It will be fantastic for the local community and will offer good opportunities for many different sports clubs, and local schools. Wandsworth does not currently meet its required quota for sports facilities, and the floodlit football pitch, which has fallen into disrepair, is currently dangerous to play on, and was originally a floodlit football pitch used by local clubs. What is being proposed is merely reinstating what was there originally and modernising it to make it a top facility for community and school use. Those behind building it, who have experience in creating other top sporting sites for all, are doing it because they believe in sport in the community.

**External Consultation Responses:**

Historic England - Archaeology: Having considered the proposals, it is concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Network Rail: The proposed flood lighting should not affect any train drivers' ability to see signals etc. No further assessment or conditions are therefore necessary.

**Internal Consultation (and external consultants on behalf of Council) Responses:**

Ecology/Biodiversity: Bat Habitat Assessment Report is acceptable and key recommendations are covered by recommended conditions. The submitted Arboricultural Report, Design & Access Statement (DAS) and Outdoor Lighting Design contain inconsistencies and require further detailing.

**RE-CONSULTATION (06/03/2019):**

Number of letters sent	34
Site Notice	Y
Press Notice	Y
Number of responses received	9
Number of neighbour objections	7
Number of neighbour comments	1
Number of neighbour support	1

21-day consultation letters issued with the revised scheme. Neighbour comments received can be read in full on the Council's web site (until a decision is made)

**Neighbour Consultation Summary**

**OBJECTIONS:** correspondence reiterate concerns raised under previous consultation.

**SUPPORTS:** correspondence reiterate statements received under previous consultation.

**General Comments:** summarised as

- The all-weather football pitches should be lit for as long as possible during winter afternoons and evenings.

**Other consultation responses:** summarised as



Friends of Tooting Common (FOTC): We appreciate the considerable work that has gone into producing this application. However, initial concerns remain. If it is decided to approve this planning application, further details are required regarding these concerns and specific planning conditions should be added regarding floodlight use and the number and times of events and parties on site. FOTC support comments and conditions recommended by Enable (biodiversity) including those on floodlighting. We are not clear to what extent these conditions are met in the revised application but consider that these conditions should in any case be included.

Tooting Commons Management Advisory Committee (TCMAC): TCMAC notes the much-improved application, however the development should not proceed at all if floodlights are to remain on the site. TCMAC continues to note considerable public disquiet at the prospect of the site being 'privatised'. The renewed application does not add much to the original application except as to the flooding problem and arboricultural questions. Little account is taken of the amenity of eastern neighbours and passing-by users during the evenings. Mitigation by way of tree planting does not seem adequate to approach the increased urbanisation of the site. The ecological effect of the eastern drain is not satisfactorily addressed, and it is not clear who would bear the cost of the modifications to the drains and sewers under the control of Thames Water. The periodical flooding could simply be allowed, to the joy of children in Wellington boots and of more sober adult cyclists and walkers.

Cllr Clare Fraser (Bedford Ward): Although the commitment by the applicant to stay-and-pay facilities is welcome; the concern is to ensure that this provision remains free of charge to parents. It is strongly recommended that should the committee see fit to grant this application, it does so on the condition that the new stay-and-play provision costs no more than £1 per visit. The applicant is encouraged to hold discussions with the council as to how this can be implemented and enforced. As noted in the FOTC comment, the applicant should clarify that the children's playground is able to remain open during the construction works.

Cllr Hector Denfield (Bedford Ward): It is important to note that the current stay-and-play service is entirely free of charge to parents. If the applicant charges too much for the new stay-and-play service then it will prevent low income families from using the new service and reduce social mobility and social integration and cohesion,. A condition is encouraged that the new stay-and-play service is no more than £1 per visit.

**Internal Consultation (and external consultants on behalf of Council) Responses:**

Ecology/Biodiversity: Revised ecological assessments are acceptable, and key recommendations covered by recommended conditions including a construction environment management plan (CEMP), post completion light spillage report, restricted flood lighting hours and details of any additional trees/planting and boundary treatments

Arboriculture: Officers agree to removals T3, 4, 5 & 6 along the Railway path. Species and accurate locations to be confirmed. A pre-commencement site meeting is therefore recommended with their Arboriculturalist to confirm absolute clarity on all proposed tree works. All tree constraints, RPAs and tree protective measures as described to be adhered to, and a tree planting plan is an integral part of the scheme and should be given due consideration, in particular where semi mature tree need to be ordered for the eastern boundary.

Environmental Services - Noise and Nuisance: Restricted hours (0900 and 2100hrs) of use of the pitches or a temporary permission (18 months) for the proposed operational hours recommended in order to gauge impact and protect surrounding residential properties from noise disturbance arising from the use of the external areas and sports pitches.

Waste Manager: The proposed layout drawing shows refuse and recycling bins by the referee's changing room which is an improvement over the existing plan. Dealing with any potential for increased littering within the site as a result of this proposed development isn't specifically covered by our waste SPD so if the planning process is able to cover this in terms of requirements for dealing with on-site litter, reasonable proposals for this should be considered acceptable.

Lead Local Flood Authority: The site is within Flood Zone 1 and suffers from surface water flooding as evidenced by recent floods and the EA predicted surface water flooding map. The proposals to introduce land drainage are satisfactory and should resolve the problems. However, there is no correspondence from TWU consenting to the proposal. Informative recommended to remind the applicant that Thames Water approval is required before connecting land drainage systems to the public sewer network.

#### **RELEVANT PLANNING POLICIES:**

##### **National Planning Policy Framework (NPPF) (2019)**

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 8: Promoting healthy and safe communities

Section 11: Making effective use of land

Section 12: Achieving well-designed places

Section 13: Protecting Green Belt land

Section 14: Meeting the challenge of climate change, flooding and coastal change

Section 15: Conserving and enhancing the natural environment

Section 16: Conserving and enhancing the historic environment

#### **Other National Guidance**

PPG

#### **London Plan (Adopted)**

London Plan (adopted 2016):

Policy 1.1 (Delivering the strategic vision and objectives for London);

Policy 2.18 (Green infrastructure: the multi-functional network of green and open spaces);

Policy 3.1 (Ensuring life chances for all);

Policy 3.2 (Improving health and addressing health inequalities);

Policy 3.6 (Children and young people's play and informal recreation facilities);

Policy 3.16 (Protection and enhancement of social infrastructure);

Policy 5.12 (Flood risk management);

Policy 5.13 (Sustainable drainage);

Policy 7.8 (Heritage assets and archaeology);

Policy 7.18 (Protecting open space and addressing deficiency);

Policy 7.19 (Biodiversity and access to nature);

Policy 7.21 (Trees and woodlands).

#### **London Plan (2019 - Intend to publish)**

**Wandsworth's Local Plan:**

**Wandsworth's Core Strategy (2016):**

- PL2 (Flood risk);
- PL3 (Transport);
- PL4 (Open space and the natural environment);
- IS3 (Good quality design and townscape);
- IS4 (Protecting and enhancing environmental quality);
- IS6 (Community services and the provision of infrastructure).

**Wandsworth's Development Management Policies Document (2016):**

- DMS1 (General development principles),
- DMS2 (Managing the historic environment);
- DMS5 (Flood risk management);
- DMS6 (Sustainable drainage systems);
- DMO1 (Protection and enhancement of open spaces)
- DMO2 (Playing fields and pitches, sport, play and informal recreation)
- DMO4 (Nature conservation);
- DMO5 (Trees);

**Wandsworth's Supplementary Planning Documents (SPD's):**

- Historic Environment SPD (2016);

**PLANNING CONSIDERATIONS:**

The main considerations material to the assessment of this application have been summarised as follows:

- Principle of Development
- Design and visual impact on the Metropolitan Open Land and Local Heritage Asset
- Impact on Neighbouring Amenity
- Flood Risk and Sustainable Drainage Systems
- Arboriculture. Ecology and Landscaping

**1 Principle of Development**

- 1.1 The site falls within the Tooting Common Metropolitan Open Land (MOL). As detailed in the London Plan (2016), the Council's Core Strategy (2016) and the DMPD (2016), a MOL is a strategically important open space which affords it the same protection as the Green Belt.
- 1.2 DMO1 of the DMPD (2016) states that the Council will continue to protect MOL from inappropriate development in accordance with the London Plan (2016) and NPPF (2019).
- 1.3 As outlined within the NPPF (2019), the majority of new development within the Green belt are considered inappropriate with exceptions including the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, etc, as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

- 1.4 The NPPF (2019) also allows exceptions relating to the extension or alteration of an existing building within the Green Belt, if it does not result in disproportionate additions over and above the size of the original building.
- 1.5 In this instance, Tooting Triangle is considered as an established sports and youth pavilion and football pitch, with children's playground, since the mid-20th Century.
- 1.6 The proposed alterations and extensions to the existing single-storey pavilion are of moderate scale and would remain within the fenced curtilage of the site. The proposal would not further encroach into the adjoining children's playground directly to the south and west of the existing structure or extend further into the surrounding open Common area.
- 1.7 The proposed development would therefore not further impinge of the open space within the MOL and is considered to be the improving of sport and recreational facilities which are ancillary to and complement the functioning of the MOL.
- 1.8 It is noted that the proposal includes internal reconfigurations, including the provision of a 'soft play' area and café. A 'soft play' area is considered an appropriate element of a sports and youth facility and the provision of refreshment services within sports/youth facilities is not uncommon and based on the proposed drawings and information given, the proposed café is considered to be an acceptable ancillary use of the site within the context.
- 1.9 The proposal would retain the existing boxing hall and football pitches and further improve the facilities with the provision of changing rooms, toilets and disabled ramp access. The proposed development on site would therefore not lead to the loss of any existing indoor or outdoor sporting facilities or prejudice the land's future use for sport.
- 1.10 Based on the above, the proposed alterations would remain subservient to the existing single-storey structure and would be linked to the functional use of the existing Pavilion and football pitch, it is considered that the proposed land use and development would remain policy compliant.

## **2 Design and visual impact on the Metropolitan Open Land and Local Heritage Asset**

- 2.1 As previously mentioned, Tooting Common is a designated MOL. There is a general presumption against development on MOL unless the proposal provides essential facilities for appropriate uses and that very special circumstances can be demonstrated.
- 2.2 It is also acknowledged that the effect of several small ancillary developments on the MOL may have a cumulative impact on character, appearance, and openness of the protected public open space.
- 2.3 Tooting Common is also recognised as a Local Heritage Asset. The Historic Environment SPD (2016) outlines that historic parks and gardens in the Borough provide a valuable resource for recreation and enjoyment. These assets represent nature landscapes which have matured over many years and feature layers of historical significance.

- 2.4 Council policy DMS2 relates to the conservation and management of the historic Environment. Policy DMS2 (iii) seeks the conservation and, where appropriate, the enhancement of the space in between and around buildings as well as front, side and rear gardens.
- 2.5 The existing 'L-shaped' single-storey structure is situated within the Tooting Triangle, which forms the north-west most end of Tooting Common. The curtilage of the existing building is largely enclosed by a mix of low level (1.1m -2.0m high) metal, wire and timber fencing. The south east section of the existing 'L-shaped' single-storey structure would remain as existing in terms of scale. The proposed extensions to the north/west section of the existing building and would be of moderate additional floor area (58sqm) in comparison to the overall size of the existing building (approx. 397sqm).
- 2.6 The proposed design of the extensions are also well-considered and positioned to be of moderate overall additional depth (2.m) to the main west elevation and would not extend further than the widest point (18.0m) of the existing north-west section of the 'L-shaped building, thereby not encroaching on the public footpath along the north of the site or the children's playground to the south.
- 2.7 Proposed alterations include the installation of a retractable awning along the south-east elevation of the building to allow for a section of outdoor seating. It is noted the outdoor area directly to the south east of the building the proposed awning would extend approximately 2.2m and comprises a fenced outdoor play an area with seating and buggy parking (approx. 200sqm in area) associated with the 'stay and play' centre currently on site. The awning would cover an area of existing hardstanding of approximately 17sqm within this section and as such, the proposed minimal outdoor seating area within this existing fenced area is not considered to negatively impact the appearance and open public views within the MOL and Local Heritage asset, over and above the existing situation onsite.
- 2.8 The proposal includes new felt roofing and painted brick and metal cladding. These materials are considered to appropriately complement the existing metal/brickwork appearance of the Pavilion and a condition(condition 3) is recommended for further details and specifications of external materials, to ensure that these design elements are of suitable quality and would not harm the character and appearance of the MOL and the locally listed historic park.
- 2.9 Perimeter fencing and Floodlighting
- 2.10 The proposal would replace 8 x floodlights within the same positioning as existing, however, the proposals would also introduce and additional floodlight within the centre of the existing football pitch. These floodlights would be 8.3m in total height, which approximately 2.0m low ever in height than existing flooding on site. Given their similar appearance and appropriate design/positioning of the proposed 9 x floodlights when compared to the existing situation on site, the proposal is not considered to harm the character and openness of the wider MOL and local heritage assets in comparison to the current site conditions.
- 2.11 The proposal includes wire perimeter fencing to surround the existing football pitch and the subdivision of the pitch into 4 x smaller football pitches.

- 2.12 Given that the area of the existing football pitch would not be further extended to provide the smaller pitches, and that the space would be used for the same purpose as a sports pitch, the proposed subdivision is considered to have a neutral impact on the openness and character of the wider area.
- 2.13 Concerns have been raised by local residents about the enclosure of this space and the impact on the MOL. It has also been brought to officers attention that this pitch was previously enclosed with wire fencing, part of which is retained along the west elevation of the existing football pitch (approximately 3.7m height), however it is unclear the precise date the previously existing wire fencing to surround the site was removed.
- 2.14 Nonetheless, the existing football pitch has been recognised as such since the mid-20th Century and can be visually differentiated from the remaining natural open grass land of the wider Common. The proposed perimeter fencing, although of significant height (4.5m) would be of coated wire material which appears lightweight and semi-transparent, as opposed to a solid structure which would significantly alter the open views across the Tooting Triangle and the wider Tooting Common.
- 2.15 The proposed perimeter fencing is therefore considered to present limited visual impact. It is acknowledged that the fencing is considered necessary for the safe and functional use of the existing football pitch and given the existing established use of this football pitch, the proposal would not harm the existing open views of the Tooting Common.
- 2.16 Overall, the cumulative impact of the proposal would be of acceptable quality, design and appearance and on balance, would not harm the character and appearance of the locally listed historic Tooting Common and the designated MOL.

### **3 Amenity Impact**

- 3.1 Policy DMS1 of the DMPD (2016) requires new developments to not harm the amenity of occupiers/users of nearby properties through unacceptable noise, overshadowing, being overbearing, unsatisfactory outlook, privacy or sunlight/daylight.
- 3.2 The existing structure is located approximately 60m away from the nearest neighbouring properties and given the moderate additions made to the existing single-storey structure, the proposal is considered to not negatively impact on nearby residential properties in terms of loss of outlook, daylight/sunlight or overshadowing.
- 3.3 In the same vein, the proposal would not create any new opportunities for direct overlooking or loss of privacy for nearby residential properties.
- 3.4 Concerns have been raised regarding increased noise and disturbance coupled with the potential increase of use of the site due to the proposed refurbishments. However, the site is approximately 50m away from the property boundaries of the nearest residential sites and is further separated from nearby residential streets by railway embankments to the north and south of the site. The Council's Environmental Services team have recommended a temporary period for the running of the facility. As no material change of use would occur, Planning officers consider the imposition of such a condition to be ultra vires and it would not be necessary or reasonable to control a facility that has operated from the site for many years.

- 3.5 The existing football pitch would remain the same overall size and considering the site circumstances and the proposed moderate increase in floorspace (58sqm) of the pavilion, it is not considered that the proposed would materially alter the levels of noise disturbance over and above what is currently attainable on site.
- 3.6 In regard to the proposed replacement floodlighting, the submitted lighting assessment is considered to be acceptable and would not lead to directly light spill into nearby residential properties.
- 3.7 Subject to the recommended conditions, Officers are satisfied that the proposed continued use of the building would not have an unacceptable impact on residential amenity in accordance with policy DMS1 (c).

#### **4 Flood Risk and Sustainable Drainage Systems**

- 4.1 The property is located in Flood Zone 1. In terms of policy DMS5, a sequential test and an exceptional test is therefore not required.
- 4.2 However, the site is identified by the Environmental Agency's flood map as an area with a high risk of surface water flooding and therefore, a flood risk assessment has been submitted.
- 4.3 Further to its assessment, the proposed mitigation and drainage solutions proposed are acceptable and would not harm the natural environment and ecology within the MOL.
- 4.4 The proposed drainage solutions would require discharge into the existing Thames Water Sewage system for which approval is outside the remit of the local planning authority.
- 4.5 Officers are therefore satisfied that with the appropriate approvals sought from Thames Water, the flood risk assessment and mitigation measure proposed would be acceptable within the context.

#### **5 Arboriculture, Ecology and Landscaping**

- 5.1 The application is identified as an MOL and a SINC. Council policies DMO1, DMO4 and DMO5 seek to protect existing ecology and biodiversity within the Site.
- 5.2 The applicant has submitted satisfactory revised assessments in regard to drainage, arboriculture and flood light lighting impacts on existing ecology and protect species habitats on the site and within the immediate area.
- 5.3 Condition no. 4 has been recommended for an environmental construction management plan to protect the existing vegetation and wildlife as well as allow safe public access to the Common during the construction phase.
- 5.4 Condition no 5 has been recommended to ensure that floodlighting is restricted to appropriate hours (turned off by 10pm) and the submission of light spillage report to ensure the protection of bats and other wildlife within the Common.
- 5.5 The submitted arboricultural method statement also refer to the removal of 4 x existing mature trees and the pruning/crown-lifting of others near the site. The

proposed works to the identified trees is considered acceptable subject to a site pre-inspection (condition 6) with the applicants lead arboriculturist to ensure full adherence to measures approved.

- 5.6 Conditions no. 7 and 8 have also been recommended for details of any replacement or additional trees/planting on site, as well as the adherence to the tree protection measures in line with the submitted arboricultural method statement and in order to protect existing wildlife on site.
- 5.7 Subject to these recommended conditions, the proposal is considered to comply with policies DMO1, DMO4 and DMO5 of the DMPD (2016).

## **6 Other Matters**

- 6.1 Concerns have been raised regarding the loss of an existing 'stay and play' children's centre (One o'clock Club) within the pavilion. It should be noted that this application does not relate to a change of use of the site and the property would remain classified as a sport and youth recreational facility (Class D2). The loss of this particular community service provided by the Council within the facility is therefore not a material planning consideration for this application.
- 6.2 Outside of material planning considerations to this application, it is however acknowledged that the proposal would re-provide a 'soft play' and 'stay and play' seating area within the facility. In addition, further to discussions with the Council and Enable Leisure and Culture, the provider has committed to working towards providing 6 hours of stay and play provision per week at a cost of approximately £2.50 per hour.
- 6.3 Concerns have been raised regarding increased transportation pressures and littering due the proposal. It should be noted that the application does not relate to material change of use of the existing sports and youth centre and therefore does not necessitate assessment of transport and waste impacts. Nonetheless, it is noted that the applicant has shown adequate space for onsite waste and recycling storage and submitted a 'Green Transport Plan,' which are considered to be acceptable considering the continued use of the site as a sports and youth centre.
- 6.4 The Council has fulfilled its statutory obligations in terms of issuing consultation letters to neighbouring properties within the immediate area as well as the publication of press notices and site notices regarding this application.

## **7 Conclusion**

- 7.1 The principle of the proposed alterations and extensions to the existing sports and youth facility is considered acceptable would not encroach upon the surrounding open space within the MOL and would therefore accord with the NPPF (2019), the London Plan (2016), the Wandsworth Core Strategy and policies DMS1, DMO1 and DMO2 of the DMPD (2016).
- 7.2 Considering that the existing facility is already established on site and subject to recommended conditions, the design and scale of the proposed developments on site would present no harm to the existing openness, character and appearance of the MOL and the locally listed heritage asset. The proposed development would accord with the NPPF (2019), the London Plan (2016), the Wandsworth Core Strategy



policies DMS1, DMS2, DMH5, DMO1 and DMO2 of the DMPD (2016), and the guidance within the Historic Environment SPD (2016).

- 7.3 Subject to conditions, the proposed developments, would have no material harm on the amenity of neighbouring residential occupiers within the vicinity, complying with the NPPF (2019), the London Plan (2016), and the Council's policy DMS1 of the DMPD (2016).
- 7.4 Subject to conditions, the proposed developments, including replacement floodlighting would have no material harm on the existing natural environment and biodiversity within the MOL and SINC and the proposal is considered to be in line with the NPPF (2019), the London Plan (2016), and the Council's policies DMS1, DMO1, DMO2, DMO4, and DMO5 of the DMPD (2016).
- 7.5 For the reasons set out above, this application falls to be determined in accordance with the test under section 38(6) of the 2004 Act, the proposal is in general conformity with the Development Plan overall and there are no material considerations of sufficient weight to justify refusal.

## **RECOMMENDATION: Approve with Conditions**

### **1. Condition AC01 - 3 years**

The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to meet the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

### **2. Condition AC02 - In accordance**

The development shall be carried out in accordance with the reports, specifications and drawings detailed [Block Plan (366 Cavendish Road), Location Plan (Balham Boxing Club, 366 Cavendish Road), 2878 rev 6, 2881 rev 2, 2885 rev 1, 2920 rev 2, 2901 rev 0, Thames Water Sewage Information and Flooding History, Drainage Schematic, Green Transport Plan, Revised Design and Access Statement (ref:2019/4206) and Appendix, Lighting Assessment - Dec. 2019, Flood Risk Assessment - Feb. 2020, Tree Survey and Arboricultural Method Statement - 26th Nov. 2019, Bat Habitat Assessment Survey Report - Mar. 2019].

Reason: To ensure a satisfactory standard of development and to allow the local planning authority to review any potential changes to the scheme.

### **3. Condition AC18 - Details of materials pre commencement**

No development shall take place until details and samples of materials proposed to be used on all external surfaces of the development shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved materials and thereafter so retained.

Reason: In order to assess the suitability of the proposed materials, in the interests of the appearance of the locality, in accordance with Council policy DMS1 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the

National Planning Policy Framework 2019. It is necessary for the condition to be discharged prior to the commencement of works to ensure suitable materials are used in the construction.

#### **4. Condition AC78 - Ecological Conservation Management Plan**

Prior to commencement of any preparatory works, including but not limited to demolition and / or stripping, submit for approval a Construction Environment Management Plan (CEMP) including:

- details of measures to minimise detrimental environmental impacts (eg dust, noise etc) on the surrounding Tooting Common Site of Metropolitan Importance for wildlife;
- methods to prevent tree root desiccation including source of any topsoil to be used;
- method for tree removal and timing of these works;
- method of any works to trees to be retained and timing of these works;
- detail and timing of any and all works to the garden area;
- methods to prevent the entrapment of mammals during construction;
- for all and any works to take place in the vicinity of the alcove eaves situated between the current children's centre and the boxing club buildings a toolbox talk regarding bats and details of a licenced bat worker to be called if signs of bats are found.
- details of the routing of construction vehicles, time of arrival and departure, measures to be implemented to ensure the safety of the public when using the footpath immediately to the north of the construction sites, and whilst using the public playground adjoining and whilst using the area to the immediate south of the playground and to the east of the site; and
- any proposed temporary traffic and pedestrian management measures during the course of construction

No development shall commence until such time as the Construction Environment Management Plan (CEMP) has been approved in writing by the local planning authority. The development shall be carried out in accordance with the approved Construction Environment Management Plan (CEMP).

Reason: To retain accessible use of Metropolitan Open Land throughout construction and in the interests of traffic, general amenity of the area; to prevent harm to protected and priority species and retain the ecological interest of the site in accordance with Council policies DMT1, DMO1 And DMO4a of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019. The details are required prior to the commencement of works to ensure existing biodiversity is protected and the landscaping measures are incorporated in the layout and construction of the development.

#### **5. Condition AC11 - Post Completion Light Spillage Report**

Post construction completion, but prior to operation, a Post Completion Light Spillage Report demonstrating that the "as built" lighting is in accordance with condition 2 and condition 5 of this decision notice, shall be submitted and approved in writing by the local planning authority. Any and all sports pitch floodlights, should be turned off by no later than 21.00. Any additional external lighting (except emergency lights) should be on a timer and be turned off no later than 22:00 (to allow staff safe egress from the premises) or on a motion sensor activation. Floodlighting may not be used between 15th May and 15th September each year.

Reason: to prevent harm to protected and priority species in accordance with policy DMO4a of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.

#### **6. Condition AC70 - Pre-Site Arboriculture Inspection**

No development shall take place until tree protection measures as detailed in the submitted report titled Tree Survey and Arboricultural Method Statement - 26th Nov. 2019 as approved pursuant to condition 2 are installed and have been inspected by the local planning authority. The applicant shall arrange a pre-commencement meeting with the local planning authority and the project arboriculturalist, with at least five working day's notice, to allow inspection of the installed tree protection measures.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, in accordance with Council policy DMO5 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019. The details are required prior to the commencement of development to ensure the construction works do not harm trees.

#### **7. Condition AC69 - Landscaping**

Prior to commencement of the above groundworks, details of any and all additional tree, shrub and hedge planting proposed including species, size, provenance and timing of planting shall be submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and retained thereafter unless agreed in writing by the local planning authority.

Reason: To prevent harm to wildlife in accordance with Council policy DMO4a of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019. The details are required prior to the commencement of works to ensure the landscaping measures are incorporated in the layout and construction of the development.

#### **8. Condition AC71 - Tree Protection Measures**

Prior to the commencement of the development, Tree Protection measures in line with Tree Survey and Arboricultural Method Statement - 26th Nov. 2019 and BS5837:2012 shall be installed and no works or materials/plant storage shall be undertaken within the protected area, unless otherwise agreed in writing. The protection measures will be retained until completion of the development.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area, in accordance with Council policy DMO1 and DMO5 of the Development Management Policies Document (adopted March 2016) coupled with the requirements of the National Planning Policy Framework 2019.

