

Your Ref:
Our Ref: 18/04221/VOC

Core Document

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Girls Day School Trust
c/o Ms Amy Stone
Nexus Planning Ltd
1 Poultry
London
EC2R 8EJ

DRAFT DECISION NOTICE

Dear Girls Day School Trust

DETERMINATION OF APPLICATION UNDER SECTION 73. TOWN AND COUNTRY PLANNING ACT 1990

The London Borough of Lambeth hereby approves the following application for the variation of condition as set out below under the above mentioned Act.

In accordance with the statutory provisions your attention is drawn to the statement of Applicant's Rights and General Information attached.

Application Number: 18/04221/VOC **Date of Application:** 02.10.2018 **Date of Decision:**

Development At: Streatham Hill And Clapham High School 42 Abbotswood Road London SW16 1AW

For: Variation of Condition 3 (School Use) of planning permission 08/02118/RG4 (Formation of an all-weather hockey pitch and associated fencing comprising 4.5m high weldmesh fencing behind the goals and 3m high weldmesh around the remainder of the pitch including formation of three pedestrian gates to replace existing grass football pitch) granted 28.07.2008.

Original condition 3 states:

The development herewith approved shall not be used other than as ancillary to and in association with the general school use of the property, without prior permission in writing by the Local Planning Authority.

Amendment sought states:

3. The development herewith approved shall not be used other than in association with the general use of the Streatham and Clapham High School (including for the avoidance of doubt, other state and private schools), apart from between the hours of 18:00 to 21:00 Monday to Friday (in April to August only); and 10:00 to 16:30 on Saturdays; and 10:00 to 14:30 on Sundays; when it can be used by groups and associations other than the Streatham and Clapham High School.

Lambeth Planning
PO Box 734
Winchester
SO23 5DG

Telephone 020 7926 1180
Facsimile 020 7926 1171
www.lambeth.gov.uk
planning@lambeth.gov.uk

Approved Plans

CLS/08/19495/02A; 208475_LP; Planning Statement dated September 2018; Parking Assessment dated 10 April 2019; Pitch Management Plan; Addendum to Planning Statement dated March 2019.

Conditions

1 The development hereby permitted shall be managed in accordance with the Pitch Management Plan.

Reason: To protect the amenities of neighbouring properties and to ensure the impact on the surrounding highways is appropriately managed (Policies T6 and Q2 of the Lambeth Local Plan 2015).

2 The development hereby permitted shall be retained in accordance with the approved plans and documents listed in this notice, other than where those details are altered pursuant to the requirements of the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 The development herewith approved shall not be used other than in association with the general use of the Streatham and Clapham High School (including for the avoidance of doubt, other state and private schools), apart from between the hours of 18:00 to 21:00 Monday to Friday (in April to August only); and 10:00 to 16:30 on Saturdays; and 10:00 to 14:30 on Sundays; when it can be used by groups and associations other than the Streatham and Clapham High School.

Reason: To protect the amenities of neighbouring properties and to ensure the impact on the surrounding highways is appropriately managed (Policies T6 and Q2 of the Lambeth Local Plan 2015).

4 Vehicular access to the development herewith approved shall not be other than directly from Abbotswood Road for coaches.

Reason: In order to protect the character of the nearby designated Conservation Area and the amenities of neighbouring properties (Policies T6, Q2 and Q22 of the Lambeth Local Plan 2015).

5 The car park gates at the end of The Spinney shall not be other than locked shut between the hours of 7pm and 8am daily.

Reason: In order to protect the character of the nearby designated Conservation Area and the amenities of neighbouring properties (Policies T6, Q2 and Q22 of the Lambeth Local Plan 2015).

6 There shall be no artificial illumination of the pitch at any time.

Reason: To ensure the ecological importance of Tooting Bec Common is protected (Policy EN1 of the Lambeth Local Plan 2015).

Notes to Applicants:

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework (2012) to work with the applicant in a positive and proactive manner. The council has made available on its website the policies and guidance provided by Lambeth Local Plan (2015) and its supplementary planning documents. We also offer a full pre-application advice service in order to ensure that the applicant has every opportunity to submit an application that's likely to be considered acceptable.

Yours sincerely

Rob Bristow

Assistant Director Planning, Transport & Development
Growth, Planning and Employment Directorate

INFORMATION FOR APPLICANTS GRANTED PLANNING PERMISSION SUBJECT TO CONDITIONS, OR WHERE PERMISSION HAS BEEN REFUSED.

General Information

This permission is subject to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your attention is drawn to the provisions of the Building Regulations 1985 and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer, Phoenix House, 10 Wandsworth Road, SW8.

The Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

STATEMENT OF APPLICANT'S RIGHTS ARISING FROM THE REFUSAL OF PLANNING PERMISSION OR FROM THE GRANT OF PERMISSION SUBJECT TO CONDITIONS.

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of this notice. Appeals must be made on a form which is obtainable from Room 3/13 Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively an Appeal form can be downloaded from their website at www.gov.uk/government/organisations/planning-inspectorate. The Secretary of State has power to allow longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and not to any directions given under the order.

Purchase Notice

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for the Environment on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 120 and related provision of the Town and Country Planning Act 1990.

Appendix 2: List of consultees (statutory and Other Consultees)

- Network Rail
- Education Estate Team
- Parks and Open Spaces
- Sports (Internal)
- Sport England
- London Borough of Wandsworth
- Streatham Society
- Highways Team
- Environmental Health
- Abbotswood Road Residents Association
- Ward Councillors

Appendix 3: List of relevant policies in London Plan, Lambeth Local Plan. Reference to SPGs, SPD and other relevant guidance

London Plan (Consolidated with alterations since 2011)

- 3.19 Sports facilities
- 7.17 Metropolitan open land
- 7.19 Biodiversity and access to nature

Lambeth Local Plan (2015)

- S2 New or improved community premises
- S3 Schools
- T1 Sustainable travel
- T2 Walking
- T3 Cycling
- T6 Assessing impacts of development on transport capacity
- T7 Parking
- EN1 Open space and biodiversity
- Q2 Amenity
- Q22 Conservation areas

Guidance

- Streatham Park and Garrads Road Conservation Area Statement (draft 2016)

