

Committee	PLANNING COMMITTEE A	
Report Title	LADYWELL ARENA, SILVERMERE ROAD, LONDON, SE6 4QX	
Ward	RUSHEY GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	31 MARCH 2016

<u>Reg. Nos.</u>	DC/15/94586
<u>Application dated</u>	24.11.15 [as revised on 04.02.16]
<u>Applicant</u>	London Borough of Lewisham
<u>Proposal</u>	The installation of a pre-fabricated 100 seater spectator stand at Ladywell Arena, Silvermere Road SE6
<u>Applicant's Plan Nos.</u>	12015/1 Rev A; P2685 A 01; Proposed Block Plan; Planning Statement; Photographs; Site Plan; Tree Survey
<u>Background Papers</u>	(1) LE/893/K/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Metropolitan Open Land Green Corridor Area of Archaeological Priority Flood Zone 2
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application site is the Ladywell Arena, bordered by Silvermere Road to the south and a public footpath to the north, east and west. River Ravensbourne is located to the north and the Hayes Railway Line is to the west.
- 1.2 The site is classified as Metropolitan Open Land (MOL) and includes a football pitch surrounded by a running track, together with athletic field facilities such as long jump, shot put etc. The site also benefits from a clubhouse close to Doggett Road with leisure facilities.
- 1.3 The surrounding context is primarily residential in nature with Ladywell Fields to the north and west over the railway line. To the east beyond the walkway lies the rear boundary of properties on Albacore Crescent. The site is not located in a conservation area and is not a listed building.
- 1.4 The surrounding street network is comprised of unclassified roads as well as Controlled Parking Zones (CPZ). The CPZ restricts parking to residential permit holders with some pay and display parking Monday to Friday. No on-site car parking is available.

- 1.5 The site has a PTAL rating of 2-3, based on a scale of 0-6b with 6b being the highest. It is situated 900m north of Catford Bridge and Catford Station and 900m south of Ladywell Station. In addition, Lewisham High Street is 400m to the east with numerous bus routes. Therefore the access to public transport is considered to be moderate to good.

2.0 Planning History

- 2.1 In 2001 planning permission was granted for the construction of a single storey extension to the front of the existing building at Ladywell Arena, Ladywell Fields, Doggett Road SE6, to provide additional leisure facilities.
- 2.2 Pre-application advice was sought in 2008 for a 50 seat stand at Ladywell Arena. Advice was also sought in 2014 for the provision of two 50 seat stands at the Arena. In both instances, officers advised that an application for planning permission would be required and it would need to demonstrate how the development would support the sporting use of the site and reduce impact on the openness of the MOL.

3.0 Current Planning Applications

The Proposal

- 3.1 Planning permission is sought for the installation of a pre-fabricated 100 seat stand at Ladywell Arena, Silvermere Road.
- 3.2 The proposed stand would be located towards the western boundary of the site, to the side of the long jump sand pit slightly south of the halfway point of the football pitch. The stand would be 16.7m long, 2.3m wide and 2.6m high in total.
- 3.3 The proposed stand would be finished in metal cladding painted pine green (RAL 6028). The rear and top of the stand would be enclosed whilst the front and sides would be open.
- 3.4 The stand would be used in conjunction with the athletic track and football pitches as under cover facilities for spectators to view sporting events. It is understood that the Football Association (FA) has a requirement for covered seated and standing stands in order to clubs to progress in the league hierarchy.

4.0 Consultation

- 4.1 This section outlines the consultation carried out by the Council following the submission of the application and summarises the responses received. The Council's consultation exceeded the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement.
- 4.2 Site notices were displayed and letters were sent to residents and businesses in the surrounding area and the relevant ward Councillors.

Written Responses received from Local Residents and Organisations

- 4.3 Five responses were received from residents on Silvermere Road, Albacore Crescent and Medusa Road. The following concerns were raised:-

- Parking is an issue in the area and it is considered that the increase in patronage from the stands would impact on parking further;
- An increase in noise and loss of privacy would impact on residential amenity to houses backing onto the arena;
- The stand is not considered necessary given the low attendance and it wouldn't be used in community events;
- There would be an increase in litter;
- The accuracy of the tree survey and report was questioned, together with the impact on the trees around the proposed stand; and,
- Questions were raised regarding an increase in lighting and event hours.

4.4 The letters are available to members for viewing.

Written Responses received from Ward Councillors

4.5 Councillor Walsh made a response requesting the application be decided by planning committee.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

- 5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.
- 5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

- 5.6 On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 3.19 Sports facilities
Policy 6.3 Assessing effects of development on transport capacity
Policy 7.6 Architecture
Policy 7.17 Metropolitan Open Land

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham

Development Management Local Plan

- 5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core

Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

5.9 The following policies are considered to be relevant to this application:

DM Policy 30 Urban design and local character

6.0 Planning Considerations

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

- a) Principle of Development and Impact on MOL
- b) Highways and Traffic Issues
- c) Impact on Adjoining Properties
- d) Trees and Flooding

Principle of Development and Impact on MOL

6.2 London Plan policy 7.17 states that MOL should have the strongest protection. Essential ancillary facilities for appropriate uses will only be acceptable where they maintain the openness of MOL.

6.3 Policy 7.17 also states that MOL should be given the same protection as Green Belt land. Paragraph 89 of the NPPF outlines that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this include the provision of appropriate facilities for outdoor sport, as long as it preserves the openness and does not conflict with the purposes of including land within it.

6.4 In line with the above policies, Core Strategy Policy 12 seeks to protect MOL and Green Corridor land from inappropriate built development to ensure there is no adverse effect on their use.

6.5 It should also be noted that London Plan policy 3.19 states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported. However, it goes on to mention that where this is on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space.

6.6 Ladywell Arena is a multiple use sports arena and run on behalf of the Council by Fusion Lifestyle, a leisure contractor. Ladywell Arena is fully equipped with athletic features, with a six lane 400m all weather running track, county league level football facilities on the centre field and also a modern gym within the clubhouse. The stadium is also floodlit to allow training any time of the year. Currently there is no specialised seating area for the arena, with the exception of park benches.

6.7 Kent Athletics Club and Lewisham Borough Football Club have been based at Ladywell Arena for some time. More recently, Forest Hill Park Football Club and S Factor Athletics Club have started utilising the arena. Members of Blackheath & Bromley Harriers Athletic Club also use the facilities.

- 6.8 Local schools use the area for school athletic competitions, football and to promote physical activity and a healthy interest in sport in general. In addition to this, members of the public can use the gym and track facilities within the arena.
- 6.9 On the whole, the site is considered to provide an important role in meeting social and physical needs for Borough residents through its sporting facilities.
- 6.10 It is understood that the current football clubs both play at Step 6 of the National League. A requirement of the FA is that clubs playing at this level must provide certain facilities for spectators, including a minimum 50 seated and 50 standing covered spectator stand. Without this infrastructure, clubs would be relegated in the National League.
- 6.11 The current application has been submitted in response to this requirement, proposing the installation of a 100 seat capacity spectator stand. With this in mind, the stand would primarily be used during football matches.
- 6.12 Taking the above into account, it considered that the proposed application is ancillary and essential to the operation of the sporting facilities pursuant to the MOL policies.
- 6.13 In addition to the development maintaining the openness of MOL, DM Policy 30 and Core Strategy Policy 15 require development to be of the highest design quality, elements such as open spaces that make a positive contribution to the environment should influence the future character of an area and be treated as key elements in the development of a sense of place.
- 6.14 The proposed stand would be located close to the western boundary. It should be noted that the boundary has an existing high wire fence. The stand would measure 16.7m long, 2.3m wide and 2.6m high, however that would slope down to 2.5m at the rear. The stand would be finished in metal cladding to the rear and top. The sides would remain open.
- 6.15 It is acknowledged that the proposed stand would have an impact on the openness of the MOL, given its length and height. However, given the structure would still be lower than the boundary fence and the large nature of the site, it is considered that the size of the stand would not significantly impact on the openness of the MOL to adversely effect its use.
- 6.16 In addition to the above, the colour scheme for the proposed stand would be pine green (RAL 6028). It is considered that this would ensure the stand appropriately integrates within the existing green space and would not significantly detract from this character.
- 6.17 Therefore the design of the proposed spectator stand is not considered to have an adverse impact on the openness of the MOL as it is compatible with the existing character of the green space.
- 6.18 Overall, considering the benefit of enhancing the existing sporting facilities ancillary to the MOL, together with the appropriate integration within the existing character of the site, it is considered that the principle of the development is acceptable.
- 6.19 Notwithstanding this, the remaining material considerations are discussed below.

Highways and Traffic Issues

- 6.20 The Council Core Strategy Policy 14 seeks to promote sustainable movement where appropriate to improve traffic congestion and reduce carbon emissions. This is in line with the London Plan and NPPF.
- 6.21 The site is well placed in terms of public transport, being between the Ladywell Station and Catford Bridge Station and to the west of Lewisham High Street with numerous bus routes. In addition to the public transport, the site is well connected with pedestrian and cycle routes, including the Waterlink Way running through Ladywell Fields to the north and public footpaths surrounding the site.
- 6.22 The surrounding residential streets are CPZs restricting parking to residential permit holders or pay and display during Monday to Friday 9am-7pm. Parking is unrestricted on the weekends and in the evenings.
- 6.23 Ladywell Arena operates seven days a week with gym and athletic training facilities. The football clubs utilising the arena play on Saturday afternoons primarily, with less frequent mid-week games on an evening. The stand is primarily to be used during football match days.
- 6.24 The supporting planning statement states that players tend to arrive in car pools with supporters primarily being locals and therefore predominately walk or take public transport. The current number of supporters are estimated at 35-50 per home game within the statement.
- 6.25 The spectator stand is proposed to prevent the football clubs currently utilising the site from being relegated in the National League and to provide for the existing need of spectators. It is understood that the proposed development would not alter the number of games per week nor the timing of games. Furthermore, the proposal is considered to formalise seating for the spectators and not considered to increase the existing capacity of the arena, taking into account there is seating available and room for standing spectators to view games.
- 6.26 However, it is noted that the proposal may lead to increase spectator numbers as teams progress through the league, including away spectators. Considering that the teams remain at the lower levels of the competition, it is deemed that the increase would be relatively immaterial. Additionally, the increase would be localised to Saturday afternoons during games, which is considered to be a relatively minor length of time for cars to be parked. It is noted that some games would be during weekday evenings however this would be less frequent, nonetheless the length of time would be small. Finally, taking into account the public transport and walking and cycling links, it is considered that the majority of the spectators would continue to travel via sustainable modes of transport.
- 6.27 Therefore, whilst the concerns regarding impacts on parking and traffic congestion are noted, it is considered that the proposed development would not have a significant impact in this respect. Furthermore, it is considered that any impact would be offset by the benefits of the provision of the spectator stand to the sporting use of Ladywell Arena.
- 6.28 The supporting planning statement states that the proposed structure would be installed in parts utilising the adjoining public footpath. This would include a concrete pump to lay the foundations before a crane lifts the structure in two parts

into place. Overall, the timeframe for construction is understood to be restricted to a few days.

- 6.29 During this stage, the adjoining public footpath would be closed and workers would be on hand to direct pedestrians and cyclists to the remaining paths linking to Ladywell Fields.
- 6.30 Given the short construction timeframe and the method of installation, it is considered that the proposed development would not pose a significant threat to pedestrian and cyclists safety during this stage.
- 6.31 In summary, the proposed development is considered to be acceptable in terms of highway and traffic issues.

Impact on Adjoining Properties

- 6.32 Pursuant to London Plan policy 7.6, buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 6.33 The proposed stand is located on the western boundary, approximately 105m from the rear elevation of the nearest dwellings along Albacore Crescent. The stand would also be approximately 88m from the front elevation of dwellings on Silvermere Road.
- 6.34 The ground is currently utilised by two football clubs and athletic clubs from the Lewisham area. It is understood that the arena is open until 10pm on weekdays and 7pm on weekends with floodlight facilities used in conjunction during these hours where necessary.
- 6.35 The proposed stand would predominately benefit the football clubs, which play on Saturday afternoons with some mid-week games in the evening. It is understood that the installation of the stand would not alter this arrangement. With this in mind, it is considered that the proposed stand would not adversely impact on residential amenity in terms of increased lighting from the established level.
- 6.36 It is recognised that the proposed development may lead to an increase in spectators for football matches. However, given the separation from the nearest residential units, together with the majority of games being played in afternoon hours as existing, it is considered that this increase in spectators would not adversely impact on residential amenity in terms of noise.
- 6.37 There is not considered to be any adverse impact in terms of loss of privacy or sunlight/daylight to residential properties given the distance, together with the small height of the structure.
- 6.38 Overall there would be no adverse impact on adjoining properties as a result of the proposed spectator stand.

Trees and Flooding

- 6.39 Ladywell Arena, being within MOL and Green Corridor, is characterised by a number of large, mature trees within the site and along the adjoining footpaths.

These trees are considered to be important to the character of the site and its surroundings and should be protected from adverse impacts.

- 6.40 The proposed stand is located adjacent to the long jump runway. A tree survey map was submitted with the application and based on that information, it would be adjacent to tree 288 as identified on the survey.
- 6.41 The proposed installation would involve closing the public footpath to the west of the site to allow concrete pumps to lay the foundations, followed by a crane to lift the pre-fabricated structures into place.
- 6.42 It is noted that the proposed development has been sited to ensure trees are not felled by the proposed works. However, given the proximity of trees and potential damage during construction works, together with the importance of the trees to the open character of the MOL, it is considered necessary that a Tree Protection Plan (TPP) adopted during the works.
- 6.43 Whilst a TPP has not been submitted, it is considered that this can be secured through a condition. Therefore, it is considered that the proposed development would not adversely impact on the trees around Ladywell Arena.
- 6.44 It is noted that the site is located in Flood zone 2. However, given the openness of the structure and the relatively minor use, it is considered that the proposed stand would not adversely impact on the flooding risk in the area.

7.0 Equalities Considerations

- 7.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 7.4 Taking into account the above, officers consider there is no impact on equality.

8.0 Conclusion

- 8.1 The proposed development is for the installation of a 100 seat supporters stand at Ladywell Arena. This application has been considered in the light of policies set out in the development plan and other material considerations.

- 8.2 The proposed development is considered to be appropriate and ancillary to the existing outdoor sport use of Ladywell Arena. Furthermore, the development is not considered to unacceptably impact on the openness of the MOL. Therefore the principle of the development is acceptable.
- 8.3 The proposed development is considered to not have significant impacts in terms of highway and traffic and would not adversely effect nearby amenities. Additionally, there is not considered to be any adverse impact on trees or flood risk in the area.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: As required by Section 91 of the Town and Country Planning Act 1990.

- (2) The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

12015/1 Rev A; P2685 A 01; Proposed Block Plan; Planning Statement; Photographs; Site Plan; Tree Survey

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (3) No development shall commence on site until a Tree Protection Plan (TPP) has been submitted to and approved by the local planning authority. The TPP should follow the recommendations set out in BS 5837:2012 (Trees in relation to design, demolition and construction – Recommendations). The TPP should clearly indicate on a dimensioned plan superimposed on the structure layout plan and in a written schedule details of the location and form of protective barriers to form a construction exclusion zone, the extent and type of ground protection measures, and any additional measures needed to protect vulnerable sections of trees and their root protection areas where construction activity cannot be fully or permanently excluded.

Reason: To safeguard the health and safety of trees during building operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (4) (a) The development shall be constructed in those materials as submitted, namely: metal cladding painted pine green (RAL 6028) and in full accordance with 12015/1 A and the Planning Statement hereby approved.

- (b) The scheme shall be carried out in full accordance with those details, as approved.

Reason: To ensure that the design is delivered in accordance with the details submitted and assessed so that the development achieves the necessary high standard and detailing in accordance with Policies 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character Development Management Local Plan (November 2014).

- (5) None of the trees shown as being retained on the permitted plans shall be lopped or felled without the prior written consent of the local planning authority

Reason: To comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

INFORMATIVES

- (1) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (2) The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.
- (3) Condition 3 (TPP) requires details to be submitted prior to the commencement of works due to the importance of the existing trees to the character of MOL site and ensuring the construction of the proposed development would not adversely impact on the trees or their root systems.