



Planning Service
Laurence House
1 Catford Road
London SE6 4RU

Mr McTague
Access Sport CIO
3 Durham Yard
Teesdale Street
London
E2 6QF

Direct Line: 020 8314 7400
Fax: 020 8314 3127
Email: Planning@lewisham.gov.uk
Date: 17 May 2017
Property Ref: LE/250/D/TP
Our Ref: DC/16/097594

Dear Mr McTague,

**PERMISSION FOR DEVELOPMENT
Town and Country Planning Act 1990 (as amended)**

Notice is hereby given that the London Borough of Lewisham, in pursuance of its powers as local planning authority under the above Act, Regulations, Rules & Orders made thereunder, permits the development referred to in the Schedule below subject to the conditions set out therein and in accordance with the application and plans submitted, save in so far as may otherwise be required by the said conditions.

Your attention is drawn to the Statement of Applicant's Rights endorsed overleaf.

The grant of planning permission does not relieve developers of the necessity for complying with any local Acts, Public Health Acts & Regulations, Building Acts & Regulations and general statutory provisions in force in the area or modify or affect any personal or restrictive covenants, easements, etc applying to or affecting either the land to which the permission relates or any other land, or the rights of any person or authorities (including the London Borough of Lewisham) entitled to the benefit thereof or holding an interest in the property concerned in the development or in any adjoining property. In this connection applicants are advised to consult the Highways and Transportation team as to any works proposed to, above or under any carriageway, footway or forecourt. Your particular attention is drawn to the Building Acts & Building Regulations which must be complied with to the satisfaction of approved Building Control Inspectors.

SCHEDULE

Application Valid Date: 19 September 2016

Application No: **DC/16/097594**

Development: The construction of a community BMX cycling facility comprising a limestone grit track, landscaped grass mounds and a temporary storage unit at Beckenham Place Park, BR1.

C O N D I T I O N S

1. Time limit

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. Approved Plans

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

LEW-01; 6429_LD_PLN_xxx; Construction Phase Plan; Block Plan; Site Location; Proposed Site Layout 3D Model 1; Proposed Site Layout 3D Model 2; Proposed Site Layout 3D Model 3; Ecological Appraisal, Phase 1 Flood Risk Assessment.

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. Archaeology

a) No development at or below ground level shall take place until a Written Scheme of Investigation (WSI), which has been submitted to and approved in writing by the local planning authority, has been implemented.

b) The WSI to be submitted and approved under part (a) above shall include a statement of significance, research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works and the programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material.

Reason: To ensure adequate access for archaeological investigations in compliance with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011).

4. Storage unit- external treatment

a) Prior to first siting of the storage unit hereby approved on the site, details of the external treatment of the structure (such as artwork or timber cladding to assist its integration within the park setting) shall have been submitted to and approved in writing by the local planning authority.

b) The approved treatment shall be applied and completed within 2 months of the first use of the storage unit and maintained thereafter.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the storage unit and to comply with Policy 7.17 of the London Plan (2016), Policy 12 Open space and environmental assets and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

5. Soft landscaping

(a) A scheme of soft landscaping (including details of species-rich wildflower planting, proposed plant numbers, species and location) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to

first use of the BMX track.

- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

6. Construction hours

No deliveries in connection with construction works shall be taken at or despatched from the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

No work shall take place on the site other than between the hours of 8 am and 6 pm on Mondays to Fridays and 8 am and 1 pm on Saturdays and not at all on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

7. Site investigation

(a) If during any works on the site, contamination is encountered which has not previously been identified ("the new contamination") the Council shall be notified immediately and the terms of paragraphs (i) (ii) below shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraphs (i) and (ii) below have been complied with in relation to the new contamination.

- i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site) and a conceptual site model shall have been submitted to and approved in writing by the local planning authority; and
- (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted (including subsequent correspondences as being necessary or desirable for the remediation of the site) to and approved in writing by the Council.
- (iii) The approved remediation scheme arising from (i) and (ii) shall be implemented in full.

(b) All imported or reused soil material to be used in the formation of the BMX track facility shall conform to relevant soil quality requirements, namely S4UL's, C4SL's, SGV's as appropriate.

Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

8. Control of external lighting
Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no lighting shall be installed or operated on the site.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

9. Storage Unit- temporary siting
The temporary storage structure hereby permitted shall be removed and the land restored within 5 years of the date of this permission.

Reason: The type of building is not such as the local planning authority is prepared to approve, other than for a limited period, in view of its appearance in the interest of the visual amenity of the area and in accordance with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban Design and local character of the Development Management Local Plan (November 2014).

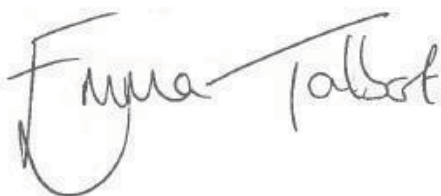
10. Management plan
Prior to first use of the BMX track hereby approved, a management plan shall be submitted to and approved in writing by the local planning authority. The management plan shall be developed in conjunction with the Council as landowner and operator of Beckenham Place Park and, as part of the Councils wider park access and security plans, shall include measures to prevent use of the BMX track by motorised vehicles (mopeds and quad bikes) together with a timetable for the implementation of the proposed measures. The approved measures shall be maintained until such time as the BMX track ceases to operate and the earth mounds are removed.

Reason: To safeguard the amenities of neighbouring occupiers and park users and to comply with Policy 12 Open space and environmental assets and Policy 15 High quality design for Lewisham of the Core Strategy (2011).

I N F O R M A T I V E S

- A. **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.
- B. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.

Yours sincerely



Emma Talbot

Statement of Applicant's Rights arising from Grant of Planning Permission subject to conditions:-

Appeals to the Secretary of State

- If you are aggrieved by the decision of the London Borough of Lewisham to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0303 444 5000, Email: enquiries@pins.gsi.gov.uk or fill in a form online via <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Planning Inspectorate that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Planning Inspectorate.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the London Borough of Lewisham. This notice will require the London Borough of Lewisham to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 Part VI of the Town and Country Planning Act 1990.