

**26 February 2018**

**Clapham Common**  
**in the London Borough of Lambeth**  
**planning application no.18/00058/RG3**

**Strategic planning application stage 1 referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

**The proposal**

Full planning application for temporary use of Clapham Common for a range of temporary events in 2018, including installation and de-installation of temporary infrastructure including fencing, lighting, Public Address Systems (PAS), stages and other temporary structures.

**The applicant**

The applicant is **EventsLambeth - events service of Lambeth Council**.

**Strategic issues summary:**

**Metropolitan Open Land:** The entire site lies within Metropolitan Open Land. The proposal for installation of temporary structures for outdoor sports and recreation use for a temporary period on MOL is acceptable. The requirement for mitigation measures and funding will be secured to ensure that the land is returned to its existing condition. The proposal accords with the NPPF exception test, London Plan Policy 7.17 and draft London Plan Policy G3, (paragraphs 16 to 22).

**Historic environment:** The temporary proposals would not harm the setting or significance of the identified listed buildings. Similarly, there would be no harm to the character or appearance of the Clapham Conservation Area or the adjoining Conservation Area within the London Borough of Wandsworth. Therefore, the application complies with London Plan Policy 7.8 and draft London Plan Policy HC1, (paragraph 23)

**Transport:** There are no strategic transport concerns, and the application complies with the transport policies of the draft London Plan and London Plan, (paragraphs 24 and 25).

**Recommendation**

That Lambeth Council, be advised that the application complies with the London Plan and draft London Plan, for the reasons set out in paragraph 29 of this report and does not need to be referred back to the Mayor.

## **Context**

1 On 16 January 2018 the Mayor of London received documents from Lambeth Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan and draft London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make

2 The application is referable under Category 3D of the Schedule to the Order 2008: "*Development – (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and (b) which would involve the construction of a building with a floor space of more than 1,000 square metres or a material change in the use of such building.*"

3 Once Lambeth Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision, as to whether to direct refusal or allow the Council to determine it itself, unless otherwise advised. In this instance, the Council does not need to refer the application back to the Mayor.

4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

5 Clapham Common (the Common) is a large public open space, designated as Metropolitan Open Land and measures approximately 82 hectares. It is situated on the Borough's western boundary adjacent to the London Borough of Wandsworth. The application site, which is in the eastern part of the Common, measures approximately 35 hectares. It is outlined in red with two parcels of land that are excluded from the application site (shown hatched in red), in Figure 1 below. The remaining area to the west is located within the London Borough of Wandsworth. The borough boundary runs vertically and centrally through the Common on the same alignment of the western boundary of the site.



*Figure 1 – extent of the application site (outlined in red, within Lambeth Council boundary).*

6 The Common is broadly triangular in shape and includes large expanses of open green space, an all-weather games area, tennis courts, a bowling green, grass pitches, a historic bandstand, cafes, ecological areas, as well as two playground areas. The whole of the Common has been managed and maintained by Lambeth Council since 1972.

7 The application site is located within the Clapham Conservation Area and contains a number of statutory listed buildings or structures. There are also a significant number of listed buildings adjoining the application site. The site is also designated as a Site of Borough Nature Conservation Importance (SINC) and an Archaeological Priority Area.

8 The planning application comprises two areas, north and south of the A3 Long Road. The northern area is bound by A3 Long Road to the south, which forms part of the Transport for London Road Network (TLRN), B303 Clapham Common North Side to the west and B303/ B224 The Pavement to the east. The southern area is bordered to the north by A3 Long Road and to the east by A24 Clapham Common South Side, with The Avenue South Circular Road passing through its southern tip. These routes all form part of the TLRN. Clapham Common Underground Station is located adjacent to the site's northeast boundary and Clapham South Underground Station is adjacent to the southern boundary. Both of these stations are served by the Northern Line. Clapham High Street Station is located approximately 600 metres to the northeast of the Common and Clapham Junction Station is located approximately 650 metres to the north-west. Both of these Stations are served by London Overground and National Rail services. There are also numerous bus stops on the routes surrounding the site. As a result, the southern area of the site has a public transport accessibility level (PTAL) ranging from 3 to 6a, and the northern area of the site (north of A3 Long Road) has a PTAL of 6a, on a scale of 1 to 6, where 6 is the most accessible.

## **Details of the proposal**

9 Full planning permission is sought for the temporary use of Clapham Common for a range of events in 2018, including installation and de-installation of temporary infrastructure including fencing, lighting, Public Address Systems (PAS), stages and other temporary structures.

10 The events are categorised as 'major' (over 20,000 attendees), 'large' (up to but not more than 20,000 attendees), 'medium' (up to but not more than 5,000 attendees), and 'small' (up to but no more than 1,000 attendees). The applicant's 2018 Events Schedule anticipates four 'large' and 'major', six 'medium', and seven 'small' events, for a total of 105 event days in 2018.

## **Case history**

11 A planning application for a public event (a one-day event), which involves installation (and de-installation) of temporary structures (LPA ref: 17/06022/RG3) was referred to the Mayor and is currently under consideration by Lambeth Council. The proposal is appropriate development on MOL and does not raise any strategic issues, (GLA ref: D&P/4317a).

12 Planning permission was granted by Lambeth Council (LPA ref: 17/02507/RG4) for a temporary period for temporary installation and use of an area of Clapham Common for Winterville 2017 entertainment festival from 20/11/2017 to 03/01/2018. The application was considered and supported by the Mayor on 2 October 2017, as it was an appropriate development on MOL and appropriate mitigation measures were secured to ensure that the MOL is returned to its existing condition (GLA ref: D&P/4317).

13 Planning permission was granted by Lambeth Council for a planning application on Clapham Common (LPA ref: 17/02093/RG3) for temporary public events from 1 January to 31 December 2017. This consented scheme was not referred to the Mayor.

## **Strategic planning issues and relevant policies and guidance**

14 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the Lambeth Local Plan (2015), and the 2016 London Plan.

15 The following are relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance.
- Draft London Plan (2017).
- Culture and Night Time Economy SPG, 2017.
- Metropolitan Open Land      *London Plan*;
- Historic environment      *London Plan*;
- Transport and parking      *London Plan; the draft Mayor's Transport Strategy*;

### **Metropolitan Open Land**

16 London Plan Policy 7.17 affords Metropolitan Open Land (MOL) the strongest possible protection, whilst Policy G3 of the draft London Plan states that MOL should be protected from inappropriate development and proposals that harm MOL should be refused. Both policies state that national Green Belt policies, set out within the NPPF, apply to MOL and therefore MOL is given the same protection as Green Belt.

17 Chapter 9 of the NPPF ‘protecting the Green Belt land’ also applies equally to MOL. Paragraph 79 states that the fundamental characteristic of the Green Belt is its openness and its permanence and a key purpose of the Green Belt is to prevent encroachment that would reduce green space, as per paragraph 80.

18 Paragraph 87 of the NPPF states that inappropriate development is, by definition, harmful to Green Belt and should not be approved except in ‘very special circumstances’. According to paragraph 88 of the NPPF, when determining applications, LPAs should ensure that substantial weight is given to any harm to the Green Belt; ‘very special circumstances’ will not exist unless the potential harm to Green Belt (MOL) by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations.

19 The construction of new buildings should be regarded as inappropriate development, as set out in paragraph 89, with the following limited exceptions:

- Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries;
- The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- The replacement of a building, provided the new building is the same use and not materially larger than the one it replaces;
- Limiting infilling in villages, and limited affordable housing for local community needs;
- Limited infilling or the partial or complete redevelopment of previously development sites (Brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

20 The proposal for installation (and de-installation) of temporary structures for outdoor sports and recreational events on Metropolitan Open Land, each event for a temporary period, meets the exception test of paragraph 89 of the NPPF, shown in the first bullet point above. Therefore, the proposal is an appropriate development on the MOL. Whilst flexibility has been sought regarding the positioning of the events within the context of the wider common, leading to a larger application boundary, it has been confirmed that the area of the Common to be closed for each temporary event is limited to a defined area of land; 'Major' and 'Large' events up to 8 hectares, 'Medium' events 0.4 – 3 hectares, and 'Small' events 0.2 - 0.8 hectares.

21 The Council has confirmed that, in the event that planning permission is granted for the proposed scheme, a condition will be imposed requiring appropriate event mitigation measures to ensure the quality and openness of the MOL will be retained in the long term. Furthermore, the Council has confirmed that there will be a park infrastructure levy (PIL) deposit paid before the events which will be used to make good any damage to park infrastructure, if necessary.

22 Given the proposed mitigation measures and the funding secured to ensure the land is returned to its existing condition, the proposal for installation (and de-installation) of temporary structures for outdoor sports and recreation use on Metropolitan Open Land is acceptable. The proposal complies with the NPPF, the draft London Plan and London Plan.

## **Historic environment**

23 Paragraph 132 of the NPPF sets out that great weight should be given to the conservation of designated heritage assets and significance can be harmed through development within their setting. It is noted that there are a number of statutory listed buildings and structures within the Common and the surrounding streets. The proposed scheme, and in particular the 'major' and some of the 'large' events include relatively large structures such as stages and tents which would be located within the events site. It is considered that due to the temporary nature of the proposals, the distance of the events site to the listed buildings and structures, and in some cases, the presence of natural shielding from mature trees surrounding the edges of the Common, the proposal would not harm the setting or significance of the identified listed buildings. Similarly, there would be no harm to the character or appearance of the Clapham Conservation Area or the adjoining Conservation Area within the London Borough of Wandsworth. Therefore, the application complies with London Plan Policy 7.8 and draft London Plan Policy HC1.

## **Transport**

24 Events of this scale have been previously held on Clapham Common and there is no transport objection in principle to the proposed temporary events scheduled in 2018. Although planning permission is sought for temporary events, it is noted that all events are scrutinised as part of the subsequent event licensing application process.

25 The TfL Events Team has representation on the Lambeth Events and Safety Advisory Group (LESAG), and TfL is fully consulted on the Event Management Plans (including visitor management), delivery and servicing management plans, transport assessments and travel plans submitted within the licensing applications. The proposal complies with the transport policies of the draft London Plan and London Plan.

## **Local planning authority's position**

26 Lambeth Council's planning officers have confirmed they are recommending approval at their planning committee meeting scheduled for 20 March 2018.

## **Legal considerations**

27 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged or direct the Council under Article 6 of the Order to refuse the application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

28 There are no financial considerations at this stage.

## **Conclusion**

29 London Plan and draft London Plan Policies on Metropolitan Open Land, historic environment and transport are relevant to this application. In general, the application complies with these policies, for the following reasons:

- **Metropolitan Open Land:** The entire site lies within Metropolitan Open Land. The proposal for installation of temporary structures for outdoor sports and recreation use for a temporary period on MOL is acceptable. The requirement for mitigation measures and funding will be secured to ensure that the land is returned to its existing condition. The proposal accords with the NPPF exception test, London Plan Policy 7.17 and draft London Plan Policy G3.
- **Historic environment:** The temporary proposals would not harm the setting or significance of the identified listed buildings. Similarly, there would be no harm to the character or appearance of the Clapham Conservation Area or the adjoining Conservation Area within the London Borough of Wandsworth. Therefore, the application complies with London Plan Policy 7.8 and draft London Plan Policy HC1.
- **Transport:** There are no strategic transport concerns. TfL Events Team have representation on the Lambeth Events and Safety Advisory Group (LESAG) and TfL are fully consulted on the Event Management Plans (including visitor management), delivery and servicing management plans, transport assessments and travel plans submitted within the licensing applications. Therefore, TfL has no objection to the proposal and it complies with the transport policies of the draft London Plan and London Plan.

30 The Mayor does not need to be consulted again on this application.

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