
RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Mr J. Edgley Edgley Design	Reg. Number	11-AP-0006
Application Type	Full Planning Permission	Case Number	TP/2592-E
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a single family dwelling on basement, ground and first floor levels; access adjacent to 190 Friern Road; 2 parking spaces.

At: REAR OF 168-190 FRIERN ROAD, LONDON, SE22 0BA

In accordance with application received on 04/01/2011 08:09:29

and Applicant's Drawing Nos. 1002- 0101 B; 0102 rev B, 0101 B, 0110 F, 0111 C, 0120 E, 0121 F, 0122 G, 0130 B, 0131 F, 0140 D, 0160 C, 0161 C, 0162 C, 0201 B, 0220 B, 0230 E, 0231 E, 0320 D, 0321 D; Design and access statement; Extended Phase 1 Habitat Survey Report (London Wildlife Trust August 2010); Tree Survey Report (Wassells Arboricultural Services October 2010); Eco Control Solutions Proposal to eradicate Japanese Knotweed (17/08/2010).

Reasons for granting planning permission.

This planning application was considered with regard to various Saved Southwark Plan policies including, but not exclusively:

a] Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.4 (Energy Efficiency) advises that development should be designed to maximise energy efficiency.

Policy 3.6 (Air Quality) advises that permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.7 (Waste reduction) states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities, and in relation to major developments this will include addressing how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.9 (Water) seeks to ensure that all developments should incorporate measures to reduce the demand for water, recycle grey water and rainwater, and address surface run off issues, and have regard to prevention of increase in flooding and water pollution.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments.

Policy 3.14 (Designing out Crime) seeks to ensure that development in both the private and public realm is designed to improve community safety and crime prevention.

Policy 4.1 (Density of residential development) states that residential development will be expected to comply with a range of density criteria taking into account the quality and impact of any non residential uses, and in relation to efficient use of land, having regard to factors such as location and public transport accessibility levels, facilitating a continuous supply of housing in London, but subject to high quality housing being provided and balanced against the need for other

uses which also contribute to the quality of life.

Policy 4.2 (Quality of residential accommodation) states that planning permission will be granted for residential accommodation provided that they achieve good quality living conditions; and include high standards of accessibility, including seeking to ensure that all new housing is built to Lifetime Homes Standards; privacy and outlook; natural sunlight and daylight; ventilation; space including suitable outdoor/green space; safety and security; protection from pollution, including noise and light pollution

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

Core Strategy 2011 Policies

Strategic Policy 1 Sustainable Development which requires developments to improve the places we live in and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 Sustainable Development which seeks to encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 5 Providing new homes, requires that developments meet the housing needs of people by providing high quality new homes in attractive environments, particularly in growth areas.

Strategic Policy 11 Open Spaces and Wildlife protects important open spaces, trees and woodland from inappropriate development.

Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces.

Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

b) Planning Policy Statements [PPS] and Guidance Notes [PPG] PPS 1 Sustainable development, PPS3 Housing; PPS9 Biodiversity and Geological Conservation.

Particular regard was had to:

- objections in relation to character and appearance and the foregoing design policies, where it is considered that the new building have been designed in a sensitive and sympathetic manner that integrates with the surrounding area, subject to conditions of consent in particular in relation to materials and detailing.
- objections in relation to impacts on amenities and the foregoing urban design policies. The development is not considered to harm the amenities of surrounding residents, including but not limited to considerations of sunlight and daylight, outlook and privacy, and noise and disturbance.
- Sustainable Development. The proposal is considered to provide for sustainable development having regard to environmental criteria in accordance with the policies summarised above, through the appropriate consideration of measures such as energy efficiency, carbon dioxide reduction through on site renewables, materials, waste, and green roof,
- transport and highways impacts of the scheme which are considered to be acceptable having regard to the with the policies summarised above.
- objections in relation to the effects of the scheme on trees and wildlife both on the site and surrounding the site and in terms of landscaped amenity which have been addressed satisfactorily particularly having regard to visual amenity and biodiversity, subject to conditions of consent.
- concerns about and effects of the scheme in terms of the overall loss of open space on the site which are considered to have been addressed satisfactorily having had regard to the redevelopment of the site which would continue to provide a good level of openness within the site.
- objections received in relation to, and other matters relating to, the impacts of the scheme on the surrounding area during the construction phase such as noise and traffic impacts which can be adequately mitigated through compliance with conditions of consent
- other policies which may have been considered, but in this instance are not considered to have such weight as to justify a refusal of permission. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following condition:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

1002 - 0120 E; 1002 - 0121 F; 1002 - 0122 G; 1002 - 0130 B; 1002 - 0131 F; 1002 - 0140 D, 1002 - 0220 B; 1002 - 0230 E; 1002- 0231 E; 1002 - 0320 D; 1002 - 0321 D

Reason:

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

- 3 Samples of the timber cladding to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the material and in the interest of the appearance of the building in accordance with Saved Southwark Plan Policy 3.12 Quality in design and Strategic Policy 12 Design and conservation of the Core Strategy 2011.

- 4 Before any above grade work hereby authorised begins, detailed drawings [*scale 1:50*] of a hard and soft landscaping scheme to include a total of 9 new replacement trees as well as showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority and the landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason

In order that the Local Planning Authority may ensure that the design and details are in the interest of the special architectural qualities of the existing building and the public spaces around it in accordance with Saved Southwark Plan Policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

- 5 An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site, prior to works commencing on site. The contents of the scheme shall be subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings shall be produced. The written report shall be subject to the approval in writing of the Local Planning Authority. The report of the findings shall include:

a survey of the extent, scale and nature of contamination;
an assessment of the potential risks to:

- i) human health,
- ii) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- iii) adjoining land,
- iv) groundwaters and surface waters,
- v) ecological systems,
- vi) archaeological sites and ancient monuments;
- vii) an appraisal of remedial options, and proposal of the preferred option(s).

This shall be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Southwark Plan policy 3.1 Environmental effects, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and PPS 23 Planning and Pollution Control.

- 6 Subject to the findings of Condition 5, (Site Characterisation), if deemed necessary pursuant to Condition 5, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The scheme shall be implemented in accordance with the remediation details as approved in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Southwark Plan policy 3.1 Environmental effects, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and PPS 23 Planning and Pollution Control.

- 7 Before any work hereby authorised begins, details of an Environmental Management Plan and Code of Practice (which shall oblige the applicant/developer and its contractors to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site) which shall include the following information:
- A detailed specification of construction works for each phase of the development including consideration of environmental impacts and the required remedial measures;
 - A detailed specification of engineering measures, acoustic screening and sound insulation measures required to mitigate or eliminating specific environmental impacts;
 - Details of arrangements for publicity and promotion of the scheme during construction;
 - A commitment to adopt and implement of the ICE Demolition Protocol and Southwark's Environmental Code of Construction and GLA Best Practice Guidance.

shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the demolition and construction work shall be undertaken in strict accordance with the approved Management Plan and Code of Practice.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Saved Southwark Plan Policies 3.1 Environmental Effects, 3.2 Protection of Amenity, 3.6 Air Quality, 3.10 Hazardous Substances, Strategic Policy 13 High environmental standards of the Core Strategy 2011 and PPS23 Planning and Pollution Control.

- 8 Prior to works commencing on site, details of the means by which any existing trees are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted to and approved in writing by the Local Planning Authority, and the protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Arboriculturalist. Within the protected area, no fires may be lit, no materials may be stacked or stored, no cement mixers or generators may be used, no contractor access whatsoever is permitted without the explicit written permission of the Local Authority Arboriculturalist under the supervision of the developer's appointed Arboriculturalist. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of [1 year ([see endnote 10](#))] from [the date of the occupation of the building for its permitted use].

(a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard

[3998 (Tree Work)].

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the

Reason

To ensure the protection of the existing trees in accordance with Saved Southwark Plan Policies 3.2 Protection of Amenity, 3.28 Biodiversity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

- 9 The existing trees on the site, which are to be retained, shall be protected and the site and the trees shall be managed in accordance with the recommendations contained in the submitted Arboricultural Report by Wassells Arboricultural Services. In any case, notwithstanding the presence of or validity of an arboricultural report, all works must adhere to BS5837: Trees in relation to construction and BS3998: Recommendations for tree work.

Location of trees on and adjacent to development sites

The plans and particulars submitted in accordance with condition [9] above shall include:

(a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;

(b) details of the species, diameter (measured in accordance with [paragraph \(a\)](#) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs [\(c\)](#) and [\(d\)](#) below apply;

(c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];

(e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in [paragraph \(a\)](#) above.

The plans and particulars submitted in accordance with condition [9] above shall include details of the size, species, and positions or density of all trees to be planted, and the proposed time of planting.

These works and measures shall include compliance with the details as set out in the Arboricultural Report and a pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site.

All tree protection measures and subsequent works required pursuant to that pre-commencement meeting and the Arboricultural report shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of preserving the health of the tree and to maintain the visual amenity of the site, in accordance with Saved Southwark Plan Policies 3.2 Protection of amenity, 3.13 Urban design, 3.28 Biodiversity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

- 10 Before any work hereby authorised begins, details of the foundation works [to include details of a trial hole(s) or trench(es) to check for the position of roots] to be used in the construction of this development showing how the roots of the tree(s) will be protected shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval

given. All works shall adhere to National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area in accordance with Saved Southwark Plan Policy 3.28 Biodiversity and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

- 11 Before any above ground work hereby authorised begins, details of the green brown roofs (including a specification and maintenance plan) to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with Saved Southwark Plan Policies 3.2 Protection of amenity and 3.28 Biodiversity and Strategic Policy 13 High environmental design of the Core Strategy 2011.

- 12 Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In the interests of visual and residential amenity in accordance with Saved Southwark Plan Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design and Strategic Policy 12 Design and conservation of the Core Strategy 2011.

- 13 Before the first occupation, the refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan and Strategic Policy 13 High environmental standards of the Core Strategy 2011.

- 14 The car parking spaces shown on the drawings hereby approved, shall be made available, and retained for the purposes of car parking for vehicles of residents of the development and no trade or business shall be carried out thereon.

Reason

To ensure the permanent retention of the parking areas, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties in accordance with Saved Southwark Plan Policies 3.2 Protection of Amenity, 5.2 Transport Impacts, 5.6 Car Parking and Strategic Policy 2 Sustainable transport of the Core Strategy 2011.

- 15 Notwithstanding the provisions of Classes A, B, C, D, E, F and H of Part 1 of the Town and Country Planning (General Permitted Development) Order 2008 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwelling.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Saved Southwark Plan Policy 3.2 Protection of Amenity and 3.12 Quality in Design and Strategic Policy 12 Design and conservation of the Core Strategy 2011.

- 16 No tree, bush, bramble, scrub, tall grassland or hedges shall be removed during the critical nesting period between 1st April and 31st August, unless the area is thoroughly checked and any work carried out under the supervision of a qualified ecologist.

Reason

These areas are potential breeding areas for local birds and their removal during the nesting season could affect any breeding birds which are protected by the Wildlife and Countryside Act 1981 as amended. No provisions can be made for the destruction of occupied bird nests, eggs or young for development purposes. This will ensure compliance with Saved Policy 3.28 Biodiversity of the Southwark Plan and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

- 17 The development shall be undertaken in accordance with the recommendations of the Bat assessment report for the London Wildlife Trust dated 20 September 2010.

Reason

In order that the development complies with PPS 9 Biodiversity and Geological Conservation and other legislation relating to Wildlife and Conservation of habitats and to ensure compliance with Saved Policy 3.28 Biodiversity of the Southwark Plan and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

- 18 The tree trunks of the felled trees shall be retained to be used to build a stag beetle loggery within the wooded area to the rear of the site.

Reason

In order that the scheme encourages local wildlife, in accordance with Saved Southwark Plan Policies 3.28 'Biodiversity' and 3.2 'Protection of Amenity' and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

- 19 Prior to the commencement of work on site a detailed plan showing the location of bat houses to the trees at the rear of the site shall be provided to and approved by the Local Planning Authority to encourage and provide habitats for the local bat population. The plans shall be implemented as approved.

Reason

In order that the scheme encourages local bats where it appears they may already have an existing commuting route in accordance with Saved Southwark Plan Policies 3.28 'Biodiversity' and 3.2 'Protection of Amenity' and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

- 20 Prior to the commencement of work on site a detailed plan showing the location of six bird boxes spread between the building and the mature trees. The developer should work with an experienced ecologist to determine the best location for these boxes. The boxes should be made from woodcrete to protect them from greater spotted woodpeckers. The plans shall be implemented as approved.

Reason

In order that the scheme encourages local birds in accordance with Saved Southwark Plan Policies 3.28 'Biodiversity' and 3.2 'Protection of Amenity' and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

- 21 Before the first occupation of the building cycle storage facilities shall be provided within the site and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Saved Southwark Plan Policy 5.3 Walking and Cycling and Strategic Policy 2 Sustainable transport of the Core Strategy 2011.

- 22 Details of any external lighting [including design, power and position of luminaires] of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the residential amenity of the area and the impact of any lighting on local wildlife in accordance with Saved Southwark Plan Policies 3.2 Protection of Amenity, 3.14 Designing out Crime and 3.28 Biodiversity and Strategic Policies 11 Open Spaces and Wildlife, 12 Design and conservation and 13 High environmental standards of the Core Strategy 2011.