
RECOMMENDATION

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 M. Mifsud	Reg. Number	11-AP-1495
Application Type	Full Planning Permission		
Recommendation	Grant permission	Case Number	TP/2315-300

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of two residential dwellings to the land at the rear of 300 Lordship Lane (both being two storeys) and refurbishment of the existing front building, with ground floor rear and side extensions and alterations to elevations. Demolition of the existing garages.

At: 300 LORDSHIP LANE, LONDON, SE22 8LY

In accordance with application received on 10/05/2011

and Applicant's Drawing Nos. HW162 P001 REV B, HW162 P002, HW162 P003, HW162 P004 REV C, HW162 P005 REV C, HW162 P006 REV C, HW162 P007 REV B, HW162 P100 REV E, HW162 P101 REV F, HW162 P102 REV E, HW162 P200 REV B, HW162 P201 REV B, HW162 P202 REV B, HW162 P203 REV B, HW162 P106 REV E, HW162 P107 REV E, HW162 P108 REV E, HW162 P109 REV E, HW162 P110 REV E, HW162 P111 REV E, Design and Access Statement, Heritage Statement.

Reasons for granting planning permission.

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

a] The following saved policies of The Southwark Plan 2007 (July);

- Policy 3.1 - Environmental Effects seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.
- Policy 3.2 - Protection of amenity - seeks to protect and enhance amenity standards throughout the borough.
- Policy 3.11 - Efficient use of land - aims to ensure appropriate levels of development on application/development sites.
- Policy 3.12 - Quality in Design - promoted good design for all developments.
- Policy 3.13 - Urban design - seeks to secure a high standard of urban design from all developments.
- Policy 3.14 - Designing out crime - aims to reduce crime and the potential for crime through design.
- Policy 3.15 – Conservation of the historic environment - seeks to protect the heritage assets throughout the borough.
- Policy 3.16 – Conservation areas - seeks to protect the character and setting of conservation areas.
- Policy 3.18 – Setting of listed buildings, conservation areas and world heritage sites - aims to protect the setting of the heritage assets throughout the borough.
- Policy 4.2 - Quality of residential accommodation - promotes a high standard of living accommodation from all developments.
- Policy 5.3 - Walking and cycling - seeks to promote walking and cycling in all developments.
- Policy 5.6 - Car parking - provides the maximum and minimum levels of parking for all developments.

b] The following policies of The Core Strategy 2011 (April);

- 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 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

c] PPS5 - Planning for the Historic Environment, SPD: Residential Design Standards, Dulwich Village Conservation Area Appraisal, Draft Dulwich SPD

Particular regard was had to the scale of the development and the impact on the visual amenity of the area that would result from the proposed development but it was considered that this would be outweighed by the quality of residential accommodation that would be provided and the high standard of design. 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: HW162 P100 REV E, HW162 P101 REV F, HW162 P102 REV E, HW162 P200 REV B, HW162 P201REV B, HW162 P202 REV B, HW162 P203 REV B, HW162 P106 REV E, HW162 P107 REV E, HW162 P108 REV E, HW162 P109 REV E, HW162 P110 REV E, HW162 P111 REV E

Reason:

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

- 3 Material sample-boards of all external facing materials/finishes to be used in the carrying out of this permission 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.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.16 Conservation Areas of The Southwark Plan 2007.

- 4 Section detail-drawings at a scale of 1:5 through all significant elements/details including:

- eaves, gutters and roof junctions;
- heads, sills and jambs of all openings;
- junctions between materials as well as the wall base; and
- boundary walls.

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.

Reason:

In order to ensure that the quality of the design and details is in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design; 3.16 Conservation Areas of The Southwark Plan 2007.

- 5 Details of the means by which the existing trees on the site and on adjoining sites 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 (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The Core Strategy 2011.

- 6 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The Core Strategy 2011.

- 7 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved policy 5.3 - Walking and cycling of The Southwark Plan 2007 (July) and SP2 - Sustainable Transport of The Core Strategy 2011 (April).

- 8 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The Core Strategy 2011 (April).

- 9 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 approval given. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The Core Strategy 2011.

- 10 The three windows on the first floor eastern elevation of both dwellings and secondary bedroom window on the east elevation of house 1 shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The Core Strategy 2011.

- 11 The development will require the removal of existing garages. This department would like the following condition to apply

An investigation and risk assessment, in addition to any assessment provided with the planning application, must 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. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination including possible asbestos;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must 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 policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 12 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 must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will 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.

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 policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 13 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.
Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of 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 policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 14 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

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 policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 15 Notwithstanding the provisions of Schedule 1, Part 1, Class A, B, D, E and F of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out without the prior written consent of the Council, to whom a planning application must be made.

Reason

In the interests of amenity and to retain effective planning control in compliance with saved policy 3.2 - Protection of Amenity of the Southwark Plan 2007 (July) and SP13 - High Environmental Standards of The

Core Strategy 2011.

- 16 Before any work hereby authorised begins, details of an Environmental Management Plan and Environmental 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 demolition (including method and foundation piling) and construction works for each phase of 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.
 - A Delivery and Servicing Plan (all construction access routes and access details also need to be approved by TFL).

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 policies 3.1 Environmental Effects, 3.2 Protection of Amenity, 3.6 Air Quality and 3.10 Hazardous Substances of The Southwark Plan 2007 and PPS23 Planning and Pollution Control