
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	M.E.(Trinity) Ltd	Reg. Number	12/AP/1230
Application Type	Full Planning Permission	Case	TP/1140-301 & 1254-
Recommendation	Grant permission	Number	1

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

The demolition of the existing building and the erection of a predominantly part 5/part 6 storey building with three storey rear element comprising of 222.5 sqm of commercial floor space, flexible A1 retail/A2 financial and professional services at ground floor level and B1 office space at basement level; provision of 4 x 2 bedroom apartments with balconies above; along with a two bedroom, three storey house with basement and associated cycle parking facing Trinity Street.

At: 301-303 BOROUGH HIGH STREET AND 1-3 TRINITY STREET, LONDON, SE1 1DB

**In accordance with application received on 17/04/2012
and revisions/amendments received on 27/06/2012**

and Applicant's Drawing Nos. AE-013-103, AL013-OOL, AL-013-OOS, AL-013-00B rev 002, AE-013-00B, AE-013-00G, AE-013-001, AE-013-002, AE-013-00R, AE-013-101, AE-013-102, AL-013-00B rev 002, AL-013-00G rev 002, AL-013-001 rev 001, AL-013-002 rev 001, AL-013-003 Rev 001, AL-013-004 rev 001, AL-013-005 rev 001, AL-01300R rev 001, AL-013-101 rev 002, AL-013-102 rev 002, AL-013-103 rev 002, AL-013-104 rev 001, AL-013-105 rev 001, AL-013-106 rev 001, AL-013-107 rev 002
Design and Access Statement, Planning Statement, Daylight and Sunlight reports dated 9 February 2007 and 21.3.2011, Noise Surveys and Assessment reference RP02-07541 dated 28 March 2012, Museum of London Archaeology report dated November 2006, Flood Risk Assessment reference CC/mq/0016, Combined Energy and Sustainability Statement dated April 2012

Reasons for granting permission.

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

a] Strategic policies of the Core Strategy 2011

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 10 Jobs and Businesses which seeks to protect business floorspace and supports the provision of additional floorspace in defined locations in the borough.

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] Saved policies of the Southwark Plan 2007

Policy 1.4 (Employment Sites outside Preferred Office and Industrial Locations) advises that for all developments located outside POLs and PILs which have an established B Class Use, subject to certain criteria, development will be permitted provided there is no net loss of floorspace in Class B, subject to a number of exceptions.

Policy 1.7 (Development within Town and Local Centres) seeks to ensure that most new development for retail and other town centre uses are accommodated within existing town and local centres. Within the centres, developments providing a range of uses will be permitted providing a defined set of criteria is met.

Policy 2.5 (Planning Obligations) seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant, in accordance with Circular 05/2005 and other relevant guidance.

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

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 3.11 (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 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 4.3 (Mix of dwellings) seeks to ensure that all major new-build development and conversions should provide for a mix of dwellings sizes and types to cater for the range of housing needs of the area.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

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.

Policy 7.4 (Bankside and Borough Action Area) sets out policies to support this unique place in London as a thriving location for a wide range of activities, where culture, history, business, residential communities and a diverse built environment co-exist.

c] Policies of the London Plan 2011

Policy 3.3 Increasing Housing Supply; Policy 4.2 Offices; Policy 7.1 Building London's neighbourhoods and communities; Policy 7.4 Local character and Policy 7.6 Architecture

d] National Planning Policy Framework [NPPF] 2012

The proposal is considered to be acceptable in land use terms, notwithstanding that some Class B1 office floorspace will not be retained, given the re-provision of upgraded office floorspace and the upgraded A Class floorspace at ground floor to provide an active frontage. Particular regard was had to the potential impact on neighbours' amenities that could result from the proposed development, however given the revisions now made to the scheme and with the conditions included, these impacts are not considered to be significant as to warrant refusal. The scheme was considered to provide a high quality contemporary building which will preserve the setting of adjacent listed buildings and the Trinity Church Square Conservation Area and more distant Borough High Street Conservation Area. Consideration was also given to the benefits to the area of the new commercial floorspace and additional housing that would follow from the proposed development. 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: AL-013-00B rev 002, AL-013-00G rev 002, AL-013-001 rev 001, AL-013-002 rev 001, AL-013-003 Rev 001, AL-013-004 rev 001, AL-013-005 rev 001, AL-01300R rev 001, AL-013-101 rev 002, AL-013-102 rev 002, AL-013-103 rev 002, AL-013-104 rev 001, AL-013-105 rev 001, AL-013-106 rev 001, AL-013-107 rev 002,

Reason:

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

- 3 Prior to works commencing, material sample-panels of the proposed brickwork/mortar/pointing to a scale of at least 1m high x 2m wide, including both edge-details to the splayed window-recesses, to be used in the carrying out of this permission shall be presented on site 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 The NPPF 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 4 a) Prior to the commencement of any development, a site investigation and risk assessment 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. The phase 1 site investigation (desk study, site categorisation;

sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, A detailed remediation strategy 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 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 approved remediation scheme (if one is required) shall 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 shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

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 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 5 Prior to the commencement of works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.

Reason:

To ensure that end users of the premises do not suffer a loss of amenity by reason of pollution in accordance with saved policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 and strategy policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 6 The development shall not commence until details of a Construction Management Strategy has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The Management Scheme and Code of Practice shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and TV reception emanating from the site and will include the following information for agreement:

- A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures.
- The specification shall include details of the method of piling.
- Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.
- Arrangements for publicity and promotion of the scheme during construction.
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.

All demolition and construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

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 policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 and strategy policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 7 All residential premises shall be designed in accordance with BS8233:1999 'Sound insulation and noise

reduction for buildings-Code of Practice' to attain the following internal noise levels at all times:

Criterion	Typical situations	Design range $L_{Aeq, T}$
Good resting conditions	Living rooms	30 dB (day: T =16 hours 07:00 – 23:00)
Good sleeping conditions	Bedrooms	30 dB (night: T = 8 hours 23:00 – 07:00) L_{Amax} 45 dB (night 23:00 – 07:00)

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 8 Dwelling houses, flats and rooms for residential purposes sharing a party element with a commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound. The minimum airborne sound insulation of the party element shall be $D_{nT'w}$ of 60 dB. The approved scheme is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with saved policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 9 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured L_{A90} level at the nearest noise sensitive premises – a positive indication that complaints are unlikely. The method of assessment shall be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The equipment shall be installed and constructed in accordance with the above noise limits, and retained as such thereafter.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with saved policy 3.2 'Protection of Amenity' of The Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 10 Notwithstanding the details shown on plan no. AL - 013 - 00G, prior to commencement of development details shall be submitted of separate commercial and residential refuse and recycling storage arrangements to the local planning authority and approved in writing. The approved details shall be provided and available for use by the occupiers of the premises before any occupation of the premises is commenced 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

In order that the Council may be satisfied 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 3.7 'Waste Reduction' of The Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 11 The cycle storage facilities shown on submitted application drawing No. AL-013-00G, shall be provided before the occupation of the buildings and thereafter the cycle storage facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

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 policy 5.3 'Walking and cycling' of The Southwark Plan 2007 and strategic policy 2 'Sustainable Transport' of the Core Strategy 2011.

- 12 The development hereby permitted shall not be commenced until an Interim Certificate of Compliance with the Code for Sustainable Homes has been submitted to and approved in writing by the Local Planning Authority. The certificate shall demonstrate that the dwellings will attain a minimum standard of level 4 in accordance with the code. The development shall be carried out only in accordance with the details the subject of the

certificate and before any dwelling is occupied, a post-construction review shall have been carried out by a licensed assessor and submitted to the Local Planning Authority for final approval which shall confirm that the dwelling meets the required standard.

Reason

To ensure the proposal would not significantly impact on sustainability and complies with saved policies 3.1 'Environmental Effects', 3.4 'Energy Efficiency' and 3.9 'Water' of the Southwark Plan 2007 and strategic policies 1 'Sustainable Development' and 13 'High Environmental Standards' of the Core Strategy 2011.

- 13 The development hereby permitted shall not be commenced until a BREEAM Assessment has been submitted to and approved in writing by the Local Planning Authority. The assessment shall demonstrate that the development will attain a minimum standard of Excellent BREEAM rating. The development shall be carried out only in accordance with the details the subject of the assessment and before the building is occupied, a post-construction review shall have been carried out by a licensed assessor and submitted to the Local Planning Authority for final approval which shall confirm that the building meets the above standard.

Reason:

To ensure the proposal would not significantly impact on sustainability and complies with saved policies 3.1 'Environmental Effects', 3.4 'Energy Efficiency' and 3.9 'Water' of the Southwark Plan 2007 and strategic policies 1 'Sustainable Development' and 13 'High Environmental Standards' of the Core Strategy 2011.

- 14 Prior to commencement of above grade works details of the Sedum roof to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority and shall thereafter be constructed in accordance with the approval details prior to the first occupation of the scheme, and retained as such thereafter.

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 compliance with saved policies 3.13 'Urban Design' and 3.28 'Biodiversity' of the Southwark Plan 2007 and strategic policies 1 'Sustainable Development' and 13 'High Environmental Standards' of the Core Strategy 2011.

- 15 Details of any external lighting [including design, power and position of luminaries] and security surveillance equipment of external areas surrounding the building shall be submitted to and approved in writing by the Local Planning Authority before any such lighting or security equipment 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 visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance saved policies 3.2 'Protection of Amenity' and 3.14 'Designing Out Crime' of The Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 16 No development shall take place until a Delivery and Servicing Plan detailing how the site is to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall be occupied in accordance with the recommendations of the Delivery and Servicing Plan.

Reason:

In order that the safe operation of the transport network is maintained and to ensure compliance with saved policy 5.2 'Transport Impacts' of the Southwark plan 2007 and strategic policy 2 'Sustainable Transport' of the Core Strategy 2011.

17

Archaeological Evaluation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with saved policy 3.18 'Archaeology' of the Southwark Plan [UDP] 2007 and strategic policy 12 'Design and Conservation' of the Core Strategy 2011.

18

Archaeological Mitigation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with saved policy 3.18 'Archaeology' of the Southwark Plan [UDP] 2007 and strategic policy 12 'Design and Conservation' of the Core Strategy 2011.with policy 3.19 of the Southwark Plan 2007.

19

Archaeological Reporting

Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with saved policy 3.18 'Archaeology' of the Southwark Plan [UDP] 2007 and strategic policy 12 'Design and Conservation' of the Core Strategy 2011.policy 3.19 of the Southwark Plan (July 2007).

20

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works 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 order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with saved policy 3.18 'Archaeology' of the Southwark Plan [UDP] 2007 and strategic policy 12 'Design and Conservation' of the Core Strategy 2011.

21

The windows on the rear and rear flank elevations of the building, above ground floor level, shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises in Hulme Place from undue overlooking in accordance with Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and the strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

Informatives

- 1 You are advised to consult the Borough Crime Prevention Design Advisor to ensure that the development complies with 'Secured by Design' standards. Please contact Mark Biggs, Southwark Police Station, and 323 Borough High Street, London, SE1 1JL (telephone: 020 7232 6714).
- 2 The applicant be advised that Transport for London would recommend that you use freight operators and construction companies who are members of FORS: <http://www.tfl.gov.uk/microsites/fors/>
- 3 This application granted is subject to the Mayoral Community Infrastructure Levy. The Liability Notice issued by Southwark Council will state the chargeable floor space and current rate. The relevant parties will need to submit an Assumption of Liability Notice and a Commencement Notice to Southwark Council prior to Commencement. There are a number of legal requirements for the relevant parties to adhere to. For more information on this see the DCLG website at <http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

