

TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION

Applicant Mr R. Powell
Camberwell United Reformed Church

LBS Registered Number 11-AP-1561**Date of Issue of this decision** 08/08/2011**Planning Permission was GRANTED for the following development:**

Demolition of existing church building and perimeter hardstanding and steel fence and erection of 8 x 3 bedroom apartments in four-storey block along Grove Lane, with 3 storey 4-bed house on corner (Use Class C3) and erection of 2-storey church and community hall building on Love Walk (Use Class D1).

At: CAMBERWELL GREEN UNITED REFORM CHURCH, 64 GROVE LANE, LONDON, SE5 8SN**In accordance with application received on** 16/05/2011 08:00:35 **Your Ref. No.:**

and Applicant's Drawing Nos. CGURC/01, CGURC/02 Rev D, CGURC/03 B, CGURC/04 A, CGURC/05 B, CGURC/06 D, CGURC/06b D, CGURC/06.1 D, CGURC/07 D, CGURC/07.1 D, CGURC/08 D, CGURC/09 E, CGURC/10 D, CGURC/11 D, CGURC/12 D, CGURC/13 D, CGURC/15 D, CGURC/18 B, CGURC/19 A

Energy Statement, Code for Sustainable Homes, Transport Assessment, Parking Provision Statement, Schedule of Areas Rev D, Preliminary BREEAM Assessment, Internal Daylight & Sunlight Assessment, Arboricultural Constraints Report, Planning Statement

Reasons for granting permission.

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

a) Saved Policies of The Southwark Plan 2007:

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, avoiding 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 3.16 (Conservation Areas) advises that within conservation areas, developments should preserve or enhance the character or appearance of the area.

Policy 3.18 (Setting of Listed Buildings, Conservation Areas and World Heritage Sites) advises that planning permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building.

Policy 4.2 (Quality of Residential Development) aims to achieve good quality housing to provide for the accommodation needs of the borough.

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) seeks to ensure that car parking is minimised, but also to control overspill parking in order to prevent loss of amenity.

b] Core Strategy (2011):

Strategic policy 1 - Sustainable development (which requires development to improve the places we live and work in and enable a better quality of life for Southwark's diverse population, in a way that respects the limits of the planet's resources and protects the environment);

Strategic policy 2 - Sustainable transport (which seeks to encourage sustainable modes of transport within the borough)

Strategic policy 4 - Places to learn and enjoy (which seeks to provide a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas);

Strategic policy 5 - Providing new homes (which requires developments to meet the needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments, particularly in our growth areas);

Strategic policy 12 - Design and conservation (which seeks to secure high quality developments and to protect the borough's historic environment)

Strategic policy 13 - High environmental standards (which requires development to help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change.

c] Policies 3A.3 - Maximising the potential of sites, 3B.3 - Mixed use developments, 3C.1 - Integrating transport and development, 3C.2 - Matching development to transport capacity, 3C.3 - Sustainable transport in London, 3C.17 - Tackling congestion and reducing traffic, 3C.21 - Improving conditions for walking, 3C.22 - Improving conditions for cycling, 3C.23 - Parking strategy, 4B.1 - Design principles for a compact city, 3A.18 Protection and enhancement of social infrastructure and community facilities, 4B.5 - Creating an inclusive environment, 5B.1 - The strategic priorities for Central London, 4B.8 - Respect local context and communities, of the London Plan (consolidated with alterations since 2004 (2008)).

d] Planning Policy Statements

PPS 1 - Delivering Sustainable Development

PPS 3 - Housing

PPG 13 - Transport

PPG 15 - Planning and the Historic Environment.

Particular regard was had to the impact of the development on the character and appearance of the Camberwell Grove Conservation Area and the setting of the adjacent Listed terrace at nos. 18-62 Grove Lane and the impact upon the amenity of neighbouring properties. It was considered that the quality of the proposed development would preserve the character and appearance of the conservation area and the setting of the listed terrace of properties at nos.18-62 Grove Lane. It was considered that the proposal would be of an appropriate design which would preserve the visual amenities of the streetscene and would ensure the amenities of neighbouring residential properties having regard to loss of privacy and light infringement is not compromised. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following twenty-two conditions:

- 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

Continued overleaf...

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PLANNING PERMISSION

LBS Reg. No. 11-AP-1561

Date of Issue of this decision 08/08/2011

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: CGURC/02D, 06D, 06.1D, 06bD, 07D, 07.1D, 08D, 09E, 10D, 11D, 12D, 13D, 15D, 18B and 19A

Reason:

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

- 3 Samples of all external facing materials including paving materials and sample panels for the brickwork to be used in the carrying out of this permission shall be provided on site and approved in writing by the Local Planning Authority prior to the commencement of any works above ground, 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 materials in the interest of the appearance of the building and the character and appearance of the Grove Lane Conservation Area in accordance with Saved Policy 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (July 2007) and Strategic Policies 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy (April 2011) and PPS 5 'Planning and the Historic Environment'.

- 4 No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevations of the buildings without the prior written approval of the Local Planning Authority.

Reason

In order that the Council may be satisfied with the quality of the external appearance of the development in the interest of visual amenity and to preserve the character and appearance of the Camberwell Grove Conservation area in accordance with Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (July 2007) and Strategic Policies 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy (April 2011) and PPS5 'Planning and the Historic Environment'.

- 5 Section detail-drawings at a scale of 1:5 or 1:10 through the window frames and glazing bars shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and 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 Saved Policies 3.12 'Quality in Design' 3.13 'Urban Design' and 3.16 'Conservation Areas' of The Southwark Plan (July 2007) and Strategic Policy 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy (April 2011) and PPS 5 'Planning and the Historic Environment'.

Continued overleaf...

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PLANNING PERMISSION

LBS Reg. No. 11-AP-1561

Date of Issue of this decision 08/08/2011

- 6 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

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 (July 2007) and Strategic Policy 13 'High Environmental Standards' of the Core Strategy (April 2011).

- 7 Details of the means by which the existing trees on the site 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 by the Local Planning Authority before commencement, and such protection shall be installed and retained throughout the period of the works.

Reason

In order to ensure that the trees on site are protected as they are considered to be of amenity value to the area, in accordance with Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan (July 2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 8 The landscaping and planting shown on the drawings hereby approved shall be carried out in the first appropriate planting season following the completion of the building works unless otherwise agreed in writing by the Local Planning Authority. Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision or arising from a condition imposed as part of this decision, that is found to be dead, dying, severely damaged or seriously 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 by specimens of similar or appropriate size and species in the first suitable planting season.

Reason

In order that the Council may be satisfied with the quality of the external appearance of the development in the interest of visual amenity and to preserve the character and appearance of the Camberwell Grove Conservation area in accordance with Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (July 2007), Strategic Policies 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy (April 2011) and PPS5 'Planning for the historic environment'.

- 9 Detail drawings showing the means of enclosure for all site boundaries at a scale of 1:50 shall be submitted to and approved 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 fully completed.

Reason

In order that the Council may be satisfied with the quality of the external appearance of the development in the interest of visual amenity and to preserve the character and appearance of the Camberwell Grove Conservation area in accordance with Saved Policies 3.12 'Quality in Design', 3.13 'Urban Design', 3.16 'Conservation Areas' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of the Southwark Plan (July 2007) and Strategic Policies 12 'Design and Conservation' and 13 'High Environmental Standards' of the Core Strategy (April 2011) and PPS 5 'Planning and the Historic Environment'.

Continued overleaf...

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TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

PLANNING PERMISSION

LBS Reg. No. 11-AP-1561

Date of Issue of this decision 08/08/2011

- 10** The windows along the west elevation of the church building shall be obscure glazed and fixed shut at all times and the escape door at first floor level shall be for emergency access only and shall remain shut at all other times.

Reason

In order to safeguard the amenities of the adjoining residents at no.10 Love Walk from noise and disturbance in accordance with Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan (July 2007) and Strategic Policy 13 'High Environmental Standards' of the Core Strategy (April 2011).

- 11** The church hereby permitted shall achieve at least BREEAM 'very good' and shall not be occupied until a final BREEAM certificate confirming at least BREEAM very good has been submitted to and approved by the Local Planning Authority in writing.

Reason

In order to reduce the environmental impact of the development, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 12** The use of the church hereby permitted shall not be carried on outside of the hours of 08:00-23:00 Monday to Saturday and 09:00-22:00pm on Sundays.

Reason

In order to protect the amenity of neighbouring residential occupiers, 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).

- 13** The dwellings hereby permitted shall achieve at least Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that at least Code Level 4 has been achieved, and has been submitted to and approved in writing by the Local Planning Authority.

Reason

In order to reduce the environmental impact of the development, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 14** The cycle storage facilities as shown on the approved plans shall be provided before the development hereby approved is occupied and thereafter such 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).

Continued overleaf...

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TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION

LBS Reg. No. 11-AP-1561

Date of Issue of this decision 08/08/2011

- 15** An 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 contents of the scheme are subject to the approval in writing of the Local Planning Authority prior to commencement. 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;
 - (ii) an assessment of the potential risks to:
 - 1 • human health,
 - 2 • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - 3 • adjoining land,
 - 4 • groundwaters and surface waters,
 - 5 • ecological systems,
 - 6 • 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:

In order to protect the health of future occupiers of the site, 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).

- 16** A detailed remediation scheme (if required by condition 15) 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 prior to commencement. 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:

In order to protect the health of future occupiers of the site, 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).

- 17** The approved remediation scheme (if required by conditions 15 and 16) 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:

In order to protect the health of future occupiers of the site, 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).

Continued overleaf...

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PLANNING PERMISSION

LBS Reg. No. 11-AP-1561

Date of Issue of this decision 08/08/2011

- 18 The development shall not commence until details of an Environmental Management Plan has been submitted to, and approved in writing by the Local Planning Authority. The Environmental Management Plan 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 plant emissions emanating from the site during demolition and construction 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011).

- 19 Prior to commencement of the development a scheme shall be submitted to the Local Planning Authority for approval in writing demonstrating that the L_{fmax} noise level from amplified music and speech will be no greater than the existing $L_{90, 15 \text{ min}}$ 1m from the facade of the nearest noise sensitive premises at all third octave bands between 31.5Hz and 8kHz.

Within one month of the completion of sound insulation measures, you are required to submit a noise report confirming previous details and subsequent measurement data of the sound insulation to demonstrate compliance with the above requirements for approval in writing by the Local Planning Authority. The supplementary acoustic report must include:

- i) Distances between equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- ii) The lowest existing L_{90} measurements as already established.
- iii) New noise monitoring data, measurement evidence and any calculations demonstrating compliance with the planning condition.

Reason

To ensure that nearby noise sensitive premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from amplified music and speech 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).

Continued overleaf...

PLANNING PERMISSION

LBS Registered Number: 11-AP-1561

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IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application from and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DFEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a