

Item No: 7.	Classification: Open	Date: 21 January 2014	Meeting Name: Planning Sub-Committee A
Report title:		Addendum - Late observations, consultation responses, and further information.	
Ward(s) or groups affected:		Peckham Rye	
From:		Head of Development Management	

PURPOSE

1. To advise Members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

2. That Members note and consider the late observations, consultation responses and information received in respect this item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:
 - 3.1 **Item 7.1 - 97 Crystal Palace Road, London SE22 9EY**
 - 3.2 Comments have been received from the council's environmental protection team. They have recommended that the application be approved with four conditions relating to environmental protection issues.
 - 3.3 Conditions concerning internal noise and contaminated land have already been included in the recommended list of conditions. The third condition recommend is for an improvement in sound insulation (between dwellings) of 5dB above the requirement of the Building Regulations. Such a condition is not considered to be necessary because the stacking of rooms is good, with no conflicting room uses next to each other. The sound insulation requirements of the building regulations are sufficient to ensure a good level of acoustic privacy.
 - 3.4 The fourth condition recommended relates to the submission of an Environmental Management Plan. Such a condition is normally imposed on major schemes and is not considered necessary for this scheme as the scope of the works should be readily controlled by good practice. Furthermore, should neighbours be disturbed, the council can take action under the Control of Pollution Act 1974 for noise and the Environmental Protection Act 1990 for any dust nuisance.

- 3.5 Late amendments to drawings have been received. Drawings A-072-DPS-PRO-EL-200 and A-072-DPS-PRO-EL-201 have been amended to remove the part of annotation 4 that states that drawings should not be scaled from. These are now revisions P3 and P4 respectively. Additionally, the reference to drawing A-72-PRO-PL-101 in the draft decision notice should read P3 rather than revision P2. The drawings are otherwise identical to those in the Members' pack.

Reasons for lateness

4. The comments and amendments reported above have all been received since the agenda was printed. They all relate to an item on the agenda and Members should be aware of the objections and comments made.

Reason for urgency

5. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the sub-committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications/enforcements and would inconvenience all those who attend the meeting

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403

APPENDICES

No.	Title
Appendix A	Comments from the environmental protection team

AUDIT TRAIL

Lead Officer	Gary Rice, Head of development control	
Report Author	Dipesh Patel, Team leader major applications team	
Version	Final	
Dated	21 January 2014	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic director of finance and corporate services	No	No
Strategic director of environment and leisure	No	No
Strategic director of housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	21 January 2014	

Appendix A

Comments from the environmental protection team

To : Development Management From: Environmental Protection					
Planning Ref No	13-AP-3048	Case officer	Dipesh Patel	Date referred	9 October 2013
EHTS App No	744828	EPT Officer	Mark Prickett	Date replied	14 January 2014
Address: 97 Crystal Palace Road, London, SE22 9EY					
Proposal: Change of use and conversion of former police station to x 4 flats (Use Class C3) (2 x one bedroom and 2 x two bedroom) including the erection of rear roof extension, remodelling of elevations and the erection of a single storey side extension with roof terrace above; erection of a terrace of 5 four bedroom houses on land to the rear facing Upland Road, each arranged over four storeys (basement, ground, first and second floor).					
EPT Officers Recommendation		Approval with conditions			
Noise & Vibration					
<p>To ensure good levels of noise are provided within the new habitable dwellings, the following conditions are recommended to be attached onto any planning permissions granted;</p> <ul style="list-style-type: none"> • Residential standard- internal noise levels The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise: <p>Bedrooms - 30dB L_{Aeq, T} * and 45dB L_{AFmax} Living rooms- 30dB L_{Aeq, T} †</p> <p>*- Night-time 8 hours between 23:00-07:00 †Daytime 16 hours between 07:00-23:00.</p> <p>Reason To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.</p> <ul style="list-style-type: none"> • Residential standard – Horizontal sound transmission between properties The habitable rooms within the development sharing a party wall element adjoining residential property habitable rooms shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall is constructed to meet a minimum of 5dB improvement compared with the Building Regulations standard set out in Approved Document E. A report shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given. <p>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 strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.</p>					
Land Contamination					
<p>The Fairhurst GGA phase 1 report (ref: 97249, dated: Nov 2012) has been reviewed.</p> <p>The report acknowledges that there is potential for sub-surface contamination to be present at the application site from historic on-site and off-site factors. The report states that future works will be required in the form of a site investigation to determine the risks associated with potential sub-soil contamination. If contaminants are encountered then suitable remediation measures need to be proposed in order to remove the risk to allow for residential use with gardens.</p> <ul style="list-style-type: none"> • Site Contamination <ol style="list-style-type: none"> 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. <ol style="list-style-type: none"> i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. ii) Any 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 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. 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 works 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 works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that potential 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 off-site 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) and the National Planning Policy Framework 2012.

Construction Management

While not a major scheme, there is a relatively large amount of works planned given the size of the plot. As long as good construction practices are adopted to ensure the control of noise and dust emanating from the site, then the impact of the redevelopment will be minimised. A condition requiring the applicant to advise of construction methods, delivery scheme, control measures etc is required to ensure a nuisance does not arise during the works.

- **Environmental Management Plan**

No development shall take place, including any works of demolition, until an Environmental Management Plan for the demolition/construction phases has been submitted to and approved in writing by the Local Planning Authority. The approved EMP shall be adhered to throughout the construction period. (Guidance on expected content of any EMP is available from EP Team)

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.