
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	Newington Butts Developments Ltd (NBDL)	Reg. Number	14/AP/2207
Application Type	S.73 Vary/remove conds/minor alterations		
Recommendation	Grant subject to Legal Agreement	Case Number	TP/1044-A

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Variation of the approved drawings condition of planning permission 07-AP-0760 (as amended by 14-AP-1017) granted on 1 April 2008 [for: Erection of buildings comprising 1 building of up to 44 storeys (145.5 metres AOD) and a terrace of up to 7 storeys in height to provide 470 residential units (Class C3), theatre (Class D2) and cafe (Class A3 uses) and a pavilion building for retail/marketing suite purposes (Class A1/Sui Generis) with associated public open space, landscaping, underground car parking for 30 cars and servicing space] to secure the following minor material amendments:

Increase the height of the main building to 152.8 metres Above Ordnance Datum (AOD); and
Removal of the two storey building fronting Newington Butts to be used as a marketing sales suite and future retail unit.

The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) 2011.

At: SITE OF THE FORMER LONDON PARK HOTEL, 80 NEWINGTON BUTTS, LONDON, SE1 4QU

In accordance with application received on 23/06/2014

and Applicant's Drawing Nos. SC_P_49_OS RSHP_1281_SC_E_NE Rev H; RSHP_1283_SC_E_SW Rev G; RSHP_1200_SC_P_00 Rev G; RSHP_1200_SC_P_00 Rev H; RSHP_1282_SC_E_SE Rev F; RSHP_1281_SC_E_NE Rev K; RSHP_1283_SC_E_SW Rev I; RSHP_1284_13_E_NW Rev E; RSHP_1283_SC_E_SW Rev I

Architectural Statement (Design, Access and Impact Statement) June 2014; Environmental Statement Volume 1: Main Text June 2014; Environmental Statement Volume 2: Visual Impact Assessment June 2014; Environmental Statement Volume 3: Non Technical Summary June 2014; Clarification CGI from within Tower of London

Subject to the following thirty-seven conditions:**Time limit for implementing this permission and the approved plans**

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

RSHP_1100_SL_P_49 Rev A; RSHP_1200_SC_P_00 Rev H; RSHP_1250_SC_P_B1 Rev L;
RSHP_1281_SC_E_NE Rev K; RSHP_1282_SC_E_SE Rev F; RSHP_1283_SC_E_SW Rev I;
RSHP_1284_SC_E_NW Rev E; RSHP_1300_TW_P_00 Rev J; RSHP_1301_TW_P_01 Rev G;
RSHP_1302_TW_P_02-09 Rev I; RSHP_1310_TW_P_10 Rev J; RSHP_1313_TW_P_14 Rev F;
RSHP_1314_TW_P_15-24 Rev I; RSHP_1332_TW_P_25-41 Rev H; RSHP_1344_TW_P_44 Rev I;
RSHP_1345_TW_P_45 Rev H; RSHP_1349_TW_P_49 Rev F; RSHP_1350_TW_P_B1 Rev H;
RSHP_1360_TE_P_00 Rev J; RSHP_1361_TE_P_01 Rev H; RSHP_1366_TE_P_06 Rev G;
RSHP_1367_TE_P_07 Rev E; RSHP_1368_TE_P_08 Rev D; RSHP_1451_TE_E_NE Rev F;
RSHP_1452_TE_E_SE Rev F; RSHP_1453_TE_E_SW Rev E; RSHP_1454_TE_E_NW Rev E;
RSHP_1643_TW_P_02 Rev H

Reason:

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

- 2 The development hereby permitted shall be begun before the end of 1 April 2008.

Reason

As allowed and required under Section 91 of the Town and Country Planning Act 1990.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3 Water flow rates - submit details

Unless previously discharged under permission reference 07/AP/0760: No development approved by this permission shall be commenced until details of anticipated flow rates, including detailed site plans, have been submitted to and approved in writing by, the Local Planning Authority (in consultation with Thames Water).

Reason

To ensure that the water supply infrastructure has sufficient capacity to cope with the/ this additional demand in accordance with The National Planning Policy Framework 2012, SP 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007

4 Cycle storage - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of the facilities to be provided for the secure storage of cycles (at basement level) shall be submitted to and approved by the local planning authority prior to the commencement of works above ground and the premises shall not be occupied until any such facilities as may have been approved have been provided. Evidence of consultation with Southwark Cyclists should be included with the application. 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.

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 The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

5 Construction Management Strategy - submit details

Unless previously discharged under permission reference 07/AP/0760: 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 and smoke 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.

Accord with London Best Practice Guidance ; Dust and Emissions [Nov 2006] & Southwark Environmental Code of Construction Practice.

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 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..

6 Archaeological foundation design - submit details

Unless previously discharged under permission reference 07/AP/0760: No development shall take place within the proposed development site until a detailed scheme showing the complete scope and arrangement of the foundation design and ground works, has been submitted to the planning authority and approved in writing.

Reason

To ensure that significant archaeological remains are not disturbed or damaged by foundations and related works, but are, where appropriate, preserved in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012..

- 7 Archaeology implementation programme - submit details
Unless previously discharged under permission reference 07/AP/0760: No development shall take place within the proposed development site until a written scheme of investigation to secure the implementation of a programme of archaeological work has been submitted to the planning authority and approved in writing.

Reason

To ensure that the archaeological operations (archaeology evaluation and any subsequent mitigation works) are undertaken to an appropriate standard, that the archaeological interests of the site are appropriately managed, that any findings are appropriately disseminated, that any recovered artefacts are conserved and that the information is archived in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 8 Site contamination - submit details
Unless previously discharged under permission reference 07/AP/0760: No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remediation strategy, together with a timetable of works being submitted to the Local Planning Authority for approval. Any risk assessment should include all pathways by which any contaminant may reach sensitive receptors.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil 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..

- 9 Drainage strategy - submit details
Unless previously discharged under permission reference 07/AP/0760: Prior to the commencement of development, a drainage strategy detailing any on and or off site drainage works shall be submitted to and approved by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public systems until drainage works referred to in the strategy have been completed.

Reason

The development may lead to sewage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007.

- 10 Surface water drainage - submit details
Unless previously discharged under permission reference 07/AP/0760: No development approved by this permission shall be commenced until details of surface water source control measures, incorporating the measures referred to in the Flood Risk Assessment Ref: 44407451/ MARP0001 Issue 3, has been submitted to and agreed in writing by the Local Planning Authority.

Reason

To prevent the increased risk of flooding and to improve water quality in accordance with The National Planning Policy Framework 2012, SP 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 3.9 Water of the Southwark Plan 2007. NOTE: Pursuant to this condition, details should be provided on calculations for surface water attenuation during the 100 year storm event, and to demonstrate the restriction in discharge of surface water to 8 l/s/h.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 11 Energy strategy - submit details
Unless previously discharged under permission reference 07/AP/0760: Prior to the commencement of the development above grade the applicant shall submit details to be approved in writing by the Local Planning Authority, in consultation with the Greater London Authority, of the passive design measures, photovoltaic panels, and DX type heat rejection equipment which shall be in accordance with the energy strategy dated March 2007 and the letter from DP9 dated 22 August 2007. The approved renewable energy technologies shall be implemented and retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 High

Environmental Standards of The Core Strategy 2011, and Saved Policy 3.4 Energy Efficiency of the Southwark Plan 2007.

12 Car club bays - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of the positioning of car club bays shall be submitted to and approved by the Local Planning Authority before any work in connection with landscaping is carried out above grade and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the safety of motorists, cyclists and pedestrians in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

13 Safety measures - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of a speed table or other appropriate safety measure which is to be installed on the cycle/ pedestrian lane adjacent to St Mary's Churchyard entrance points, shall be submitted to and approved by the Local Planning Authority before any work in connection with landscaping is carried out above grade and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the safety of motorists, cyclists and pedestrians in accordance with The National Planning Policy Framework 2012, Strategic Policy 5.2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

14 Designing out crime - submit details

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site in the development. Unless previously discharged under permission reference 07/AP/0760: Details of security measures shall be submitted and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out above grade and any security measures shall be implemented prior to occupation in compliance with this condition and shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason

In pursuance of the Councils duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

15 Wheelchair access - submit details

Unless previously discharged under permission reference 07/AP/0760: Details indicating how shared pedestrian routes within the public realm are safeguarded for the mobility impaired shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out above grade and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the provision of adequate means of access to the building for people with disabilities in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

16 Air quality - submit details

Unless previously discharged under permission reference 07/AP/0760: A site report detailing the proposed methods to minimise future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out above grade and the development shall not be carried out otherwise than in accordance with any such approval given. Any scheme approved 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 The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

17 External lighting - submit details

Unless previously discharged under planning reference 07/AP/0760: Details of any external lighting [including

design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved 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 The National Planning Policy Framework 2012, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

18 BREEAM - submit details

Unless previously discharged under permission reference 07/AP/0760: Prior to the commencement of fit out works to the theatre, the applicant shall provide to the Local Planning Authority an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM Rating and a BREEAM certificate of building performance) for the theatre (and associated space within the tower) to achieve a minimum 'Very Good' rating. The approved scheme shall then be provided in accordance with these details and a certificated Post Construction Review (or other verification process agreed with the Local Planning Authority) shall be provided, confirming that the agreed standards have been met, prior to the commencement of use of the theatre.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

19 Code for Sustainable Homes - submit details

Unless previously discharged under permission reference 07/AP/0760: Before any work in connection with this permission is carried out above grade, the applicant shall provide to the Local Planning Authority an independently verified Code for Sustainable Homes interim certification that seeks to achieve a minimum Excellent or equivalent Code Level rating. The approved scheme shall then be provided in accordance with these details and a certificated Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be provided, confirming that the agreed standards have been met, prior to the first occupation of the development.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

20 BREEAM - submit details

Unless previously discharged under permission reference 07/AP/0760: Prior to the commencement of works to the tower cafe (levels 00 and 01) and offices (level 02), the applicant shall provide to the Local Planning Authority an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM Rating and a BREEAM certificate of building performance) to achieve an 'Excellent' rating. The approved scheme shall then be provided in accordance with these details and a certificated Post Construction Review (or other verification process agreed with the Local Planning Authority) shall be provided, confirming that the agreed standards have been met prior to the first occupation of the commercial premises.

Reason

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

21 Green/brown roofs - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of the green/ brown roof and planted living walls/ vertical gardens 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 the green/ brown roofs and planted living walls/ vertical gardens is carried out 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 compliance with The National Planning Policy Framework 2012, Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; 3.12 Quality in Design, 3.13 Urban design and 3.28

22 Landscaping - submit details

Unless previously discharged under permission reference 07/AP/0760: Detailed drawings (at 1:100) of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings, including details of above grade cycle parking, shall be submitted to and approved by the Local Planning Authority before any work in connection with the landscaping is commenced and the planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of building works and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority. Further, evidence of consultation with Southwark Cyclists in relation to the proposed cycle storage and treatment of the cycleway along Churchyard Row is to be included with the application.

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, and to ensure the provision of adequate means of access to the building for people with disabilities in compliance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

23 Material samples and section detail-drawings - submit details

Unless previously discharged under permission reference 07/AP/0760: Details of the external materials to be used in the carrying out of this permission, including samples of these materials, as well as 1:5/10 section detail-drawings through all principal elements/ details 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 above grade and the development shall not be carried out otherwise than in accordance with any such approval given. Details required include:

- a) Typical sections (scale 1:10) of the tower roof structure;
- b) Typical sections (scale 1:5) and axonometric view of the tower corner-balcony and framing system
- c) Typical sections (scale 1:10) of the tower entrance canopies
- d) Elevations (scale 1:50) of the tower base
- e) Details of the colour and texture (and in the case of glass opacity) of all elevations and facades

Reason

In order that the Local Planning Authority may be satisfied as to the design and details of the external materials in the interest of the appearance of the building in accordance with The National Planning Policy Framework 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. (Note: Condition to be referred to Planning Committee).

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

24 Basement storage management - submit details

Unless discharged under permission reference 07/AP/0760: Details of the allocation of and management arrangements for the basement storage facilities and details of any proposed in built storage arrangements (as may be offered to future occupiers)- particularly for one bedroom units (including the volumetric units) shall be submitted to and approved by the local planning authority prior to the first occupation of the development and the premises shall not be occupied until any such storage facilities as may have been approved have been provided. Thereafter the basement storage 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 the satisfactory provision and allocation of storage facilities is achieved within the development to improve the living environment for future occupiers and minimise detrimental impacts on the external appearance (by reason of storage on balconies) in accordance with The National Planning Policy Framework 2012, Strategic Policies 12 Design and Conservation and 13 High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.12 Quality in Design of The Southwark Plan 2007 and Residential Design Standards 2011.

25 Flue height - submit details

The stack discharge for the Combined Heat and Power Plant shall be of a height to ensure adequate dispersal of

fumes. The method of calculation shall be based upon that detailed in Chimney Heights- Third edition of the 1956 Clean Air Act Memorandum or Her Majesty's Inspectorate of Pollution Technical Guidance Note (Dispersion) D1, whichever is the appropriate method for the type of plant proposed.

Unless previously discharged under permission reference 07/AP/0760: Details of the flue height and calculations from which the height was derived including the method used shall be submitted to the Local Planning Authority for approval prior to the commencement of use of the plant.

Reason

To ensure that occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

26 Sound insulation - theatre use - submit details

The theatre shall be designed to ensure that no amplified music or speech is discernible at the nearest noise sensitive premises:

Criteria: No music or amplified sound or preaching/chanting discernible at nearest noise sensitive premises

Design Range: The L_{Ceq} , 5min shall be 10 dB below the external noise levels of nearest noise sensitive premises.

Unless previously discharged under permission reference 07/AP/0760: After completion of theatre works but prior to occupation or use, a test shall be carried out to show that the standard of sound insulation required shall be met and the results shall be submitted to the Local Planning Authority for approval. The approved scheme is to be completed prior to the commencement of the use and shall be permanently maintained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises in accordance with National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

27 Vibration - submit details

Residential developments must be designed to ensure the following vibration levels are not exceeded due to road, rail or industry, in accordance with BS6472:1992 'Evaluation of human exposure to vibration in buildings' (1Hz to 80 Hz):

- Residential buildings 16 h day- 0.2 to 0.4

- Residential buildings 8 h night- 0.13

Unless previously discharged under permission reference 07/AP/0760: After completion of works but prior to occupation or use, a test shall be carried out to show that the standard of insulation required shall be met and the results submitted to the Local Planning Authority for approval.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

28 Noise from plant - submit details

The noise level from any plant, together with any associated ducting, shall be 10dB L_{Aeq} T* or more below the lowest measured external ambient L_{A90} , T* at the site boundary. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Unless previously discharged under permission reference 07/AP/0760: After completion of works but prior to occupation, a test shall be carried out to show that the above criterion shall be met and the results submitted to the Local Planning Authority for approval.

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 National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

*T. T= 1 hr between 07:00 and 23:00 and 5min between 23:00 and 07:00.

- 29 Internal noise - submit details
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:
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)

Unless previously discharged under permission reference 07/AP/0760: After completion of works but prior to occupation or use, a test shall be carried out to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

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 National Planning Policy Framework 2012, .Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 30 Sound insulation - submit details
Dwelling houses, flats and rooms for residential purposes sharing a party element with 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.

Unless previously discharged under permission reference 07/AP/0760: After completion of works but prior to occupation, a test shall be carried out to show the standard of sound insulation required shall be met and the results submitted to the Local Planning Authority for approval.

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 National Planning Policy Framework 2012, .Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 31 Lifetime Homes standard - as approved
The development hereby permitted shall be built to Lifetime Homes standards and those standards shall be maintained and shall not be removed without the prior written consent of the Local Planning Authority.

Reason

To ensure the proposal satisfies housing quality requirements, in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

- 32 Wheelchair accommodation - as approved
The development hereby permitted shall provide a minimum of 10% of all residential flats as being capable of conversion to wheelchair accessible standards and once converted, those facilities for disabled access shall be retained and shall not be removed without the prior written consent of the Local Planning Authority.

Reason

To ensure the provision of adequate means of access to the building for people with disabilities in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

- 33 Restriction - no telecoms equipment
Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007. .

- 34 Basement parking - as approved
Prior to occupation of the development, the basement parking facilities shown on the approved plans shall be constructed for the sole use of occupiers of the proposed development and thereafter permanently retained and used for no other purpose without the written consent of the Local Planning Authority.

Reason

To ensure that adequate facilities are provided in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, Policy 5.2 Transport Impacts and 5.6 Car Parking of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

- 35 Vehicle splays - as approved
No structures (including freestanding signs, displays or advertisements) or planting, exceeding 0.9m in height overall shall be placed or erected within the area of visibility of the splays hereby approved.

Reason

To ensure the safety of motorists, cyclists and pedestrians in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011, and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 36 Service deliveries - commercial units
Deliveries, unloading and loading to the commercial units hereby approved shall only be between the following hours: Monday to Saturday - 07:00 - 21:00, Sundays/ Bank Holidays - not at all.

Reason

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 37 Refuse storage - as approved
The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the proposed development prior to occupation 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007 .

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The application was determined in a timely manner within the statutory 16 week period.

Informatives

You are reminded that approval of the details of any matter reserved by condition can only be given by the Head of Regeneration Department is not formally given by any other Department of the Council regardless of whether you are advised to discuss your proposal with that Department

The details and/or samples required by the Condition(s) above must be accompanied by a letter stating:

1. the LBS Reference Number which appears at the top of this decision notice;
2. the full address of the application site;
3. which condition(s) you seek to discharge; and
4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.

Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.

All samples submitted must be clearly labelled with the LBS Reference Number of the original application and

the address of the application site.

The developer should consult the Environment & Leisure Department to agree how the Council's Code of Construction Practice will be applied to the proposed development. Please contact the Pollution section, Chaplin Centre, Thurlow Street, SE17 (tel: 020 7525 5000).

The application site lies within a flood risk zone and you are advised that a flood plan, for implementation in the event of a flood or likelihood of a flood, should be prepared by the property owners/occupiers as to how they will manage their own flood risk before the premises are occupied. Further information about flood risk zones and how to prepare a flood plan can be found at www.environment-agency.gov.uk/flood.

The applicant should seek guidance from the Joint Mobility Unit and Guide Dogs for the Blind Association in relation to the detailed design of the pedestrian routes within the public realm to ensure safety for the mobility impaired.

The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although the Highway Authority approves these works in principle, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.

Details of all staff facilities, particularly within the tower, shall be designed in accordance with Building Regulations.

Given the large weekly volume of waste estimated to be generated by the proposed development, it is suggested that consideration be given to the provision of a compactor for non-recyclable waste. Details of any compactor proposed should be agreed in consultation with the Local Planning Authority.

You are advised that notwithstanding the plans hereby approved the tenure changes denoted thereon require a deed of variation to the existing S106 legal agreement.

The planning permission granted includes alterations and amendments to areas of the public highway, which will need to be funded by the developer. Although the Highway Authority approves these works in principle, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer, Infrastructure Group (020 7525 5509), at least 4 months prior to any works commencing on the public highway.

Environment Agency Advice

Pollution Prevention Guidance: The EAs records show that the subject land may have a shallow water table. The applicant should note that this could have a significant effect on aspects of the building design. These can include site drainage, foundation and basement design. In terms of drainage, a shallow infiltration system may be suitable, on a system that discharges surface water to foul sewer may be necessary. The development may even cause groundwater flooding. Under the circumstances, EA recommend that the hydro geological characteristics on the site are investigated. Drainage from covered carparking floors should be connected to the foul sewer.

Water Efficiency and Use: There are many ways to save water. These range from no-cost housekeeping measures to process changes with quick payback times. For more information on water conservation refer to <http://netregs.gov.uk/netregs>

Pollution Prevention: Recommend using a 10 point pollution checklist and good practice guidance on pollution prevention- refer to the Environment Agency Website.

Guide for Developers: new guidance has been produced to highlight key environmental issues and good practice and sustainable construction techniques - refer to Environment Agency website.

Advice from Thames Water

Public sewers cross the site- no building works will be permitted within 3 metres of the sewers without approval. There is an unspecified easement east of the site next to Churchyard Row which cannot be affected by the proposal.

Waste Comments

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to

ground level during storm conditions.

Surface Water Drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contact on 0845 850 2777. Reason - To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water (In this case the development forms part of the overall Elephant & Castle Core Area regeneration proposals and cannot therefore be viewed in isolation.)

Insufficient information has been provided by the Developer to allow Thames Water to determine the water supply infrastructure needs for the proposed development. In order that the development does not detrimentally effect the water supply infrastructure, Thames Water recommend the following condition be imposed: Development should not be commenced until: a) full details, including anticipated flow rates, and detailed site plans have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water) b) Where this development forms part of a larger development, arrangements have been made to the satisfaction of the Planning Authority (in consultation with Thames Water) for the provision of adequate water supplies for the whole of the development. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand. Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

The Archaeology Officer can, on request, provide an archaeological brief detailing the methodology of the archaeological programme and can also provide information on concerning archaeological organisations who work frequently within the Borough and who may be able to carry out the works.

At least 6 months before the occupation of the new buildings or units of accommodation hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development.