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## RECOMMENDATION

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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.

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<b>Applicant</b>	The Dulwich Estate.	<b>Reg. Number</b>	15/AP/0156
<b>Application Type</b>	S.73 Vary/remove conds/minor alterations	<b>Case Number</b>	TP/2292-B
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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#### Planning Permission was GRANTED for the following development:

Variation of condition 2 (approved plans) of planning permission dated 15/04/2013 [application no.12/AP/2620 for the 'Refurbishment and extension of existing building comprising erection of rear extensions at basement, ground and first floor levels and external alterations to main building, demolition of existing rear garage and erection of 2-storey building in its place, to provide a restored public house and function rooms and 20 bedroom hotel with associated landscaping and car parking (Use Class A4/C1)'] to include reconfigured car parking spaces and the introduction of an electrical substation and gated access to the wilderness garden from the car park.

**At:** THE CROWN AND GREYHOUND, 73 DULWICH VILLAGE, LONDON SE21 7BJ

**In accordance with application received on** 19/01/2015

#### and Applicant's Drawing Nos.

Site Location Plan; Agent's Letter 15 January 2015 (prepared by Daniel Watney LLP); 2016-T-01-0005-ZXX Rev 03; 2016-4-00-9010-ZXX Rev 01; 2016-1-00-9011-ZXX Rev 01; and 2016-T-01-0100-ZYY Rev 10.

#### Subject to the following eighteen conditions:

##### Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall be begun before 15 March 2016.

**Reason**

As allowed and required under Section 91 of the Town and Country Planning Act 1990, the standard 3 year period being inappropriate in this case because the development has been implemented in part.

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

2016-T-01-0005-ZXX Rev 03; 2016-T-01-0100-ZXX Rev 07, 2016-T-01-0100-ZYY Rev 10, 2016-T-01-0110-Z00 Rev 08, 2016-T-01-0111-Z01 Rev 06, 2016-T-01-0112-Z02 Rev 06, 2016-T-01-0113-Z03 Rev 05, 2016-T-01-0114-Z04 Rev 05, 2016-T-01-0115-ZB1 Rev 06, 2016-T-01-0120-Z00 Rev 03 2016-T-01-0200-ZNO Rev 04, 2016-T-01-0201-ZSO Rev 05, 2016-T-01-0202-ZEA Rev 05, 2016-T-01-0203-ZSW Rev 03, 2016-T-01-0300-ZAA Rev 04, 2016-T-01-0301-ZBB Rev 05, 2016-T-01-0302-ZCC Rev 03, 2016-T-01-0303-ZDD Rev 03, 2016-T-01-0304-ZEE Rev 00, 2016-T-01-0400-Z00 Rev 03, 2016-T-01-0401-Z01 Rev 03, 2016-T-01-0402-ZXX Rev 03, 2016-T-01-0500-ZYY Rev 02, 2016-T-01-0501-ZYY Rev 02, 2016-T-01-0600-ZXX Rev 04, 2016-T-00-9000-ZXX Rev 01, 2016-4-00-9010-ZXX Rev 01 and 2016-1-00-9011-ZXX Rev 01

**Reason:**

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

**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.

- 3 Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:  
biodiversity based with extensive substrate base (depth 80-150mm);  
laid out in accordance with plan 2016-T-01-0111-Z01 Rev 06 & 2016-T-01-0112-Z02 Rev 05 hereby approved;

and

planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage of the London Plan 2008 saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy 2011.

- 4 Before any above grade work hereby authorised begins, detailed drawings scale 1:50 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 3996 Nursery stock specification, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity, adaptation to climate change, in addition to the attenuation of surface water runoff, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening, Policy 5.11 Green roofs and development site environs; Policy 5.13 Sustainable drainage; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; 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 3.13 Urban Design: Policy 3.2 Protection of amenity; Policy 3.28 Biodiversity.

- 5 Details of the external finishes of the sub-station 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 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 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.

**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.

- 6 Details of any external lighting [including design, power and position of luminaires, including bat friendly lighting] and security surveillance equipment of external areas surrounding the building shall be submitted 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 other 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 with 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

**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.

- 7 The approved development shall be carried out in accordance with the approved written scheme of investigation for a programme of archaeological building recording (under application 14/AP1076), which shall be approved and implemented in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 8 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Report dated 14/02/2013 by Keith Macgregor. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around. Excavation must adhere to the guidelines set out in the National Joint Utilities Group (NJUG) publication Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'. In any case, all works must adhere to BS5837: (2012) and BS3998: (2010).

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of screening, local biodiversity and adaptation to climate change, in accordance with NPPF Parts 7, 8, 11 & 12, London Plan 2011 Policy 2.18 Green infrastructure; Policy 5.1 Climate change mitigation; Policy 5.10 Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; 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 3.28 Biodiversity. Urban greening; Policy 6.1 Strategic approach; Policy 7.4 Local character; Policy 7.21 Trees and woodlands; 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 3.28 Biodiversity.

- 9 The the cycle parking facilities (approved under application ref: 14/AP/2041) be installed prior to occupation of the development approved and shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

- 10 The residential living accommodation hereby approved shall be used as a self-contained unit of occupation, ancillary to the associated hotel or public house, and shall not be severed as an independent and unconnected residence.

Reason:

Occupation of the residential accommodation other than by persons engaged in the management or operation of the hotel or public house business would result in a property of inadequate internal and external amenity area that is detrimental to the amenities of future occupants, contrary to Saved Policy 3.2 Protection of amenity and Saved Policy 4.2 Quality of residential accommodation of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and the Residential Design Guidance SPD 2011.

- 11 All demolition and construction work shall be undertaken in strict accordance with the approved Environment Management Plan and code of practice (approved under application 14/AP/1688) unless otherwise agreed in writing by the Local Planning Authority. For the avoidance of doubt there is a limitation to the hours of working to

8:00am to 6:00pm on Mondays to Fridays and 8:00am to 1:00pm on Saturdays (No works on Sundays or public holidays)

**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 Policies 3.1 'Environmental Effects' and 3.2 'Protection of Amenity' of The Southwark Plan 2007.

- 12 The rated noise level from any plant, together with any associated ducting, shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. 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 any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, you are required to submit a further noise report confirming previous details and subsequent measurement data of the installed plant to demonstrate compliance with the above requirements. The supplementary acoustic report must include:

A schedule of all plant and equipment installed;

Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;

Manufacturer specifications of sound emissions in octave or third octave detail;

The location of all most affected noise sensitive receptor locations and the most affected windows;

Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

The lowest existing LA90, T measurement as already established.

New noise monitoring data, measurement evidence and any calculations demonstrating that plant complies with the planning condition.

**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

- 13 The courtyard serving the garden wing shall only be used for sitting out between the hours of 7am and 11pm without the prior written approval of the Local Planning Authority.

**Reason:**

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 67 Dulwich Village from undue noise and disturbance 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

- 14 The conservation roof-lights to the northern sloping roof of the garden wing (Drwg no. 2016-T-01-0112-Z02 Rev 06) shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

**Reason:**

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 67 Dulwich Village from undue overlooking 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

- 15 The approved vehicular access gate (between the car parking area and area marked as 'The Wilderness') as shown on Drawing No. 2016-T-01-0100-ZYY Rev 10 shall be kept locked at all times other than for access for maintenance purposes only.

**Reason:** To protect the amenity of nearby residential properties and to preserve the open character of this part of the site.

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 16 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 Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 17 Dwelling houses, flats and hotel 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 sound insulation of the party element shall be sufficient to ensure that NR25 is not exceeded in residential premises due to noise from the commercial premises. Any scheme approved is to be completed prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter.  
A test shall be carried out after completion but prior to occupation to show the criterion above have been 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 Saved Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011

- 18 All residential bedrooms shall be designed to attain the following internal noise levels:  
Bedrooms- 30dB LAeq,T\* and 45dB LAfmax

A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results submitted to the Local Planning Authority for approval.

\*T- Night-time 8 hours between 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.

**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.