

RECOMMENDATION LDD MONITORING FORM REQUIRED

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	c/o agent McCullochs	Reg. Number	14/AP/4337
Application Type	Full Planning Permission	Case Number	TP/271-562
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing building and the erection of replacement four storey building comprising a retail unit (Use Class A1) at ground floor and basement level and 6 flats on first, second and third floors, associated car parking and amenity area.

At: THE CLIPPER, 562 ROTHERHITHE STREET, LONDON SE16 5EX

In accordance with application received on 18/11/2014 08:02:24

and Applicant's Drawing Nos. 611-101 (Existing site plan), P795 1 (Site Survey), P795 2 (Outline Elevations), U480TCP R1 (Tree Constraints Plan), 611-102 (Existing Outlines), 611-107 (Proposed 3D Views).

611-103 E (Proposed site plan), 616-104 E (Proposed floor plans), 611-105 E (Proposed elevations), 611-106 A (Proposed Sections), U480TPP R1 (Tree Protection Plan)

Subject to the following fifteen 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:

611-103 E (Proposed site plan), 616-104 E (Proposed floor plans), 611-105 E (Proposed elevations), 611-106 A (Proposed Sections), U480TPP R1 (Tree Protection Plan)

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 three years from the date of this permission.

Reason
As required by Section 91 of the Town and Country Planning Act 1990 as amended.

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 The development hereby approved shall not be commenced until the Local Planning Authority has received confirmation of an arrangement approved by the relevant Highway Authority for the addition of preventative parking restrictions on Patina Walk adjacent to the two on-site parking spaces within the approved development. The first occupation of the development shall not be begun until such approved works have been completed.

Reason
To ensure that vehicles can conveniently enter and exit the site in accordance with the National Planning Policy Framework 2012 and saved policy 5.2 (Transport Impacts) of the Southwark Plan 2007.
- 4 Before any work hereby authorised begins, details of an archaeological watching brief, including details of archaeological recording, shall be submitted to and approved in writing by the Local Planning Authority. The

works shall be carried out in accordance with such approved details.

Reason

In order that the details of the archaeological watching brief for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of any archaeological remains on site 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.

- 5
- a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
 - b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
 - c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.
 - d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), Strategic Policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

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- Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.
- a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.
 - b) The Arboricultural Method Statement shall show the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.
 - c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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 contained in the method statement. Following the pre-commencement meeting 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. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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 avoid damage to the existing trees which represent an important visual amenity in the area, in accordance 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.

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.

- 7 Prior to above grade works commencing, a material samples board(s) of all external facing materials, including window frames, to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The 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.

- 8 Before the first occupation of the retail premises hereby permitted, details of the arrangements for the storing of commercial refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse facilities shall be provided and thereafter be retained for the duration of the retail use.

Reason

To ensure 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

- 9 Before the first occupation of the building hereby permitted, the residential refuse storage arrangements shown on the approved drawing 611-103 E shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure 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

- 10 Prior to the first occupation of any part of the development hereby permitted, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including new planting, surfacing materials of any parking, access, pathways layouts, materials and edge details, boundary details, screening of refuse area), 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. Planting in the visibility splay to the adjacent to the proposed parking area shall not exceed 0.6m in height and shall be maintained as such.

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 the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, 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

So that the Council may be satisfied with the details of the landscaping scheme in accordance 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.

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.

- 11 The windows in the south elevation (elevation C) of the development hereby permitted shall be fitted with obscure glazing and be permanently retained as such.

Reason

In order to protect the privacy of neighbouring residents in accordance with saved Policy 3.2 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 lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery 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).

- 13 Any deliveries, unloading and loading to the commercial unit hereby approved shall only be between the following hours: Monday to Saturday - 08:00 to 20:00, Sundays/Bank Holidays 09:00 to 18:00.

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

- 14 The retail premises hereby permitted shall be designed, constructed, fitted out and operated to achieve a minimum 'very good' BREEAM rating.

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.

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).

- 15 a) Before any above grade work hereby authorised begins details (including 1:50 scale drawings) of the facilities to be provided for the storage of cycles for the retail use shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the spaces used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

b) Before the first occupation of the residential elements of the development hereby permitted, the residential cycle storage facilities as shown on drawing 611-103 E shall be provided and thereafter such facilities 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 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.

Statement of positive and proactive action in dealing with the application

The applicant has been determined following negotiations at both the pre-application and application stages, resulting in amendments to the proposals necessary to overcome the issues raised.

Informative

- If the proposed development requires alterations to public highways and/or parking layout, the applicant should contact the Highways Development Control department at least four months prior to any works commencing to enter into a s278 highways agreement. Please contact Iaan Smuts iaan.smuts@southwark.gov.uk and Tel: 020 7525 2170. The applicant should familiarise themselves with Southwark's Streetscape Design Manual which is available on the website.
- Highways Development Control will need confirmation that all new statutory services are complete prior to footway and/or carriageway works commencing.
- If part of the adopted highway will need to be stopped up in order to enable this development to proceed, a highway stopping up order will need to be applied for under the provisions of the Town and Country Planning Act 1990. This process is likely to take a minimum of 4 months for a straightforward unopposed order. If there are any objections the timeframe may extend significantly beyond this. Please contact Iaan Smuts, Development Control Manager at the earliest convenience iaan.smuts@southwark.gov.uk and Tel: 020 7525 2170.
- Compliance with S168 to S175 of the Highways Act 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways" - any item and/or structure placed on or adjacent to the public highway may require a license. Please contact Highways Licensing on highwayslicensing@southwark.gov.uk to obtain this. All licenses should be in place prior to works commencing.
- Compliance with S59 and S60 of the Highway Act, 1980 - Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Council development control team to catalogue condition of streets and drainage gullies. Please contact Iaan Smuts, Development Control Manager on 020 7525 2135 to arrange. Approval by highways is required and a copy of findings and condition survey document to be sent to planning case officer for development in question.
- Compliance with S178 of the Highways Act, 1980 - The applicant is advised that they must apply for a license if there is a proposed overhang on the public highway. The applicant should be advised to contact the Development Control Team, Public Realm, specifically iaan.smuts@southwark.gov.uk and Tel: 020 7525 2170. No projection should be below 2.4m in height in accordance with Section 178, Highways Act 1980.
- Compliance with S153 of the Highways Act 1980 - all doors or gates must be hung so that they do not open over or across the road or pavement.
- Compliance with S100 of the Highways Act 1980. Any damage or blockages to drainage will be repaired at the cost of the developer. All works to be undertaken by Southwark Council Highways Service.