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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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.

<b>Applicant</b>	Mr Russell Gray SHIVA LTD	<b>Reg. Number</b>	15/AP/0988
<b>Application Type</b>	Outline Planning Permission	<b>Case Number</b>	TP/11-51
<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:**

Erection of a two-storey terrace comprising of 4no. live/work studios.

**At:** SATI, THE TANNERY, BERMONDSEY STREET, LONDON SE1 3XN

**In accordance with application received on** 19/03/2015 8:01:42 AM  
**and revisions/amendments received on** 01/06/2015

**and Applicant's Drawing Nos.** Drawings Pack Document No. 2015TAN-RED-Rev.B

**Subject to the following twenty-one conditions:**

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

- 1 An application for the approval of access, appearance, landscaping, layout, and scale, which were reserved matters in this approval, shall be submitted to, and approved in writing by, the Local Planning Authority within three years of the date of this permission and the development hereby permitted shall be begun either before the end of five years from the date of this permission or before the end of two years from the date of the approval of the last of the reserved matters, whichever is the later, and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: Outline Application Drawings Pack Document No. 2015TAN-RED-Rev.B

Reason:

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

**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 Prior to the commencement of any development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority:
  - 1) a Preliminary Risk Assessment (PRA) which has identified:
    - (i) all previous uses;
    - (ii) potential contaminants associated with those uses;
    - (iii) a conceptual model of the site indicating sources, pathways and receptors;
    - (iv) potentially unacceptable risks arising from contamination at the site;
  - 2) a site investigation scheme, based on (1), to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;
  - 3) the results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they

are to be undertaken;

4) a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall only be implemented as approved.

Reason:

For the protection of controlled waters as the site is located over a secondary aquifer and may be affected by historic contamination and therefore to ensure that risks from land contamination to 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 3.1 (Environmental effects) of the Southwark Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 4 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of 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 Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and 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.

**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.

- 6 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been 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), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2011), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

- 7 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided 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:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic

**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 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

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 3.1 (Environmental effects) of the Southwark Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 9 No unit shall be occupied until the 1100L Euro-bins (2 x Refuse and 1 x Dry Recyclables) shown on the approved plans, Document No. 2015TAN-RED-Rev.B, have been provided.

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), policy 5.17 (Waste capacity) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) and 3.7 (Waste reduction) of the Southwark Unitary Development 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.

- 10 Notwithstanding the provisions of Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no construction or excavation of a basement and no other form of extension, enlargement or other alteration to the development hereby permitted shall be carried out without the prior permission in writing of the local planning authority.

Reason:

To safeguard the character and the amenities of the premises and adjoining properties and to ensure that the archaeological potential of the site is dealt with appropriately, in accordance with sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology) of the London Plan (2015), strategic policies 13 (High environmental standards) and 12 (Design and conservation) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) and 3.19 (Archaeology) of the Southwark Unitary Development Plan (2007).

- 11 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason:

For the protection of controlled waters as the site is located over a secondary aquifer and may be affected by historic contamination and therefore to ensure that risks from land contamination to 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 3.1 (Environmental effects) of the Southwark Unitary

Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 12 No piling or any other foundation designs using penetrative methods shall be employed in the construction of the development hereby approved other than with the prior written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated through the submission and approval of appropriate details that there will be no resultant unacceptable risk to groundwater. The development shall only be carried out in accordance with the approved details.

Reason:

As piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters and therefore 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 3.1 (Environmental effects) of the Southwark Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 13 No infiltration of surface water drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority which may be given for those parts of the site where it has been demonstrated through the prior submission and approval of appropriate details that there will be no resultant unacceptable risk to controlled waters. The development shall only be carried out in accordance with the approved details.

Reason:

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater and therefore 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 3.1 (Environmental effects) of the Southwark Unitary Development Plan (2007), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), policy 5.21 (Contaminated Land) of the London Plan (2015) and Section 11 of the National Planning Policy Framework (2012).

- 14 The first-floor residential parts of the live/work units hereby approved and shown on the approved drawings: Doc.No.2015TAN-RED-Rev.B shall only be used for residential (Class C3 of the Town and Country Planning (Use Classes) Order 1987) purposes in association with the work part of the live/work units and shall not be used for any other purpose.

Reason:

In order to ensure that the live/work unit operates effectively and to protect the employment element on this site in accordance with the National Planning Policy Framework (2012), policies 4.1 (Developing London's economy) and 4.2 (Offices) of the London Plan (2015), strategic policy 10 (Jobs and Businesses) of the Southwark Core Strategy (2011) and saved policy 1.6 (Live/work units) of the Southwark Unitary Development Plan (2007).

- 15 The ground-floor work part of the live/work units hereby approved and shown on the approved drawings: Doc.No.2015TAN-RED-Rev.B shall only be used for purposes falling within Class B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 in association with the residential parts of the units as shown on the submitted plans hereby approved and shall not be used for any other purpose.

Reason:

In order to ensure that the live/work unit operates effectively and to protect the employment element on this site in accordance with the National Planning Policy Framework (2012), policies 4.1 (Developing London's economy) and 4.2 (Offices) of the London Plan (2015), strategic policy 10 (Jobs and Businesses) of the Southwark Core Strategy (2011) and saved policy 1.6 (Live/work units) of the Southwark Unitary Development Plan (2007).

- 16 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 17 No meter boxes, flues, vents or pipes (other than rainwater pipes) or other appurtenances not shown on the approved drawings shall be fixed or installed on the front (west) elevation of the building, without the prior written consent of the Local Planning Authority.

Reason:

In order to ensure that approved design is not later compromised by the proliferation of such appurtenances and thus to ensure that the design and detailing of the building will remain of a high quality in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2011), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Unitary Development Plan (2007).

- 18 The first-floor residential parts of the live/work units hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T \* and 45dB LAFmax

Living rooms - 30dB LAeq, T \*\*

\* - Night-time 8 hours between 23:00-07:00

\*\* - Daytime 16 hours between 07:00-23:00.

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 the National Planning Policy Framework (2012), policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Unitary Development Plan (2007).

- 19 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or other openings, other than those shown on the approved plans, shall be installed in the east-facing rear elevation of the development hereby permitted, without the prior permission in writing of the local planning authority.

Reason:

To safeguard the amenity of existing residents in accordance with policy 7.6 (Architecture) of The London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011), saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document: Residential Design Standards (2011).

- 20 The first-floor windows in the east-facing rear elevation of the development hereby permitted shall be glazed with purpose-made obscure glass and shall be fixed shut up to a height of 1.8m above the internal finished floor level of the rooms they serve and shall be retained as such in perpetuity, as shall any future replacements or repairs.

Reason:

To safeguard the amenity of existing residents in accordance with policy 7.6 (Architecture) of The London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011), saved policy 3.2 (Protection of Amenity) of the Southwark Unitary Development Plan (2007) and the Council's adopted Supplementary Planning Document: Residential Design Standards (2011).

**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).

- 21 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 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.

### **Statement of positive and proactive action in dealing with the application**

To assist applicants the Local Planning Authority has produced policies, provided written guidance, all of which is available on the Council's website and which has been followed in this instance.

The local planning authority delivered the decision in a timely manner.

### **Informatives**

**1 Information for the applicant from Thames Water Ltd.**

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

With regard to surface water drainage Thames Water would advise that 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 groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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.

- 2** Notwithstanding the indicative first-floor layout shown within the approved plans pack, it is suggested that the internal layout at first-floor level could be improved by moving the proposed WC/shower room from the rear to the niche in front of the stairwell. The two-fold benefit of this would be, (1) the removal of four windows on the boundary with Whites Ground Estate (thus reducing the perception of being overlooking on the part of existing residents of Whites Grounds Estate [notwithstanding that these windows are conditioned to be obscure-glazed and to have restricted opening], and (2) creating a more usable/flexible square floorplan for the main studio room. Such revised details could be proposed within a subsequent reserved matters application.