

---

## 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.

---

<b>Applicant</b>	St James Property Investments Ltd	<b>Reg. Number</b>	15/AP/1705
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/321-272
<b>Recommendation</b>	Grant subject to Legal Agreement		

---

### Draft of Decision Notice

---

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

Demolition of existing petrol filling station and erection of building up to 8 storeys with residential accommodation 34 dwellings and 127sqm of flexible use (Class A1 or B1) at ground floor level only together with access, hard landscaping and other associated works.

**At:** 272 ST JAMES'S ROAD, LONDON SE1 5JX

**In accordance with application received on 29/04/2015**

**and Applicant's Drawing Nos.** Existing  
Site location plan; 128\_P\_300

Proposed

128\_P\_000 REV P09; 128\_P\_100 REV P10; 128\_P\_102 REV P08; 128\_P\_103 REV P08; 128\_P\_104 REV P08;  
128\_P\_105 REV P07; 128\_P\_106 REV P07; 128\_P\_107 REV P07; 128\_P\_108 REV P04; 128\_P\_310 REV P08;  
128\_P\_311 REV P10

Documents

Design and Access Statement; Daylight and Sunlight Assessment; Planning Statement; Flood Risk Assessment; Energy Statement; Noise Impact Assessment; Air Quality Assessment; Perspective Illustration; Environmental Assessment

**Subject to the following twenty-three 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:

128\_P\_000 REV P09; 128\_P\_100 REV P10; 128\_P\_102 REV P08; 128\_P\_103 REV P08; 128\_P\_104 REV P08;  
128\_P\_105 REV P07; 128\_P\_106 REV P07; 128\_P\_107 REV P07; 128\_P\_108 REV P04; 128\_P\_310 REV P08;  
128\_P\_311 REV P10

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 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 the NPPF (2012), Strategic Policy SP12 - Design & Conservation of the Core Strategy (2011) and saved policy 3.19 of the Southwark Plan (July 2007).

- 4 a) 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.
- b) 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-b 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.

- 5 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation incorporating an archaeological watching brief, 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 are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with the NPPF (2012), Strategic Policy SP12 - Design & Conservation of the Core Strategy (2011) and saved policy 3.19 of the Southwark Plan 2007.

- 6 Before any work hereby authorised begins, 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) On the basis of the results of the submitted phase 1 and 2 environmental assessment by SLR (dated March 2014) with reference 409.03953.00010, and options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; in particular, measures to deal with the decommissioning and removal of the underground storage tanks (UST's) and associated infrastructure (such as interceptors, pipework and so on) should be included;

2) 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 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason

For the protection of controlled waters. The site is located over Principal and Secondary Aquifers and it has been reported that the site is affected by historic contamination 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..

**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 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 at least 59 bicycles 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

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.

- 8 Before any above grade work hereby authorised begins (excluding demolition) layout plans at 1:50 and 1:10/1:5 detail-sections of the boundary details/features, materials and planting to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural qualities of the existing building and the amenity spaces around it in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; 3.28 Biodiversity; of The Southwark Plan (UDP) July 2007.

- 9 Before any above grade work hereby authorised begins (excluding demolition) 1:20 detailed bay studies through the facades of the development hereby approved shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with Policies: 3.12 Quality in Design; and 3.13 Urban Design of The Southwark Plan (UDP) July 2007.

- 10 Before any above grade work hereby authorised begins (excluding demolition) sample panels of all external facing materials (including window frames) to be used in the carrying out of this permission shall be presented on site to the Local Planning Authority and approved in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied 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 Policies: 3.11 Efficient use of land; 3.12 Quality in Design; and 3.13 Urban Design of The Southwark Plan (UDP) July 2007.

- 11 Before any above grade work hereby authorised begins (excluding demolition) section detail-drawings at a scale of 1:5 through:

parapets;  
roof edges;  
balconies and terraces;  
'Glass box' bay window; and  
heads, cills and jambs of all openings

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with Policies: 3.12 Quality in Design; and 3.13 Urban Design of The Southwark Plan (UDP) July 2007.

- 12 Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good or excellent' rating 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;  
Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

**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.

- 13 Before any above grade work hereby authorised begins, details (including a specification and maintenance plan) of the green/brown roofs 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, and the green/brown roofs are to be retained for the duration of the use.

**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, it in accordance 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 Biodiversity 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.

- 14 Prior to the commencement of the authorised use, an acoustic report detailing the rated noise level from any plant, together with any associated ducting (which shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises) shall be submitted to and approved in writing by the Local Planning Authority and the method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The plant and equipment shall be installed and constructed in accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

To ensure that future occupiers and neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from 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).

- 15 The residential rooms within the development sharing a party wall/ floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the commercial premises, and details demonstrating compliance with this standard shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of above grade works. The approved scheme shall be implemented prior to the commencement of the use hereby permitted/first occupation of dwellings in the scheme and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of

noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 16 Prior to occupation of the proposed units the developer shall submit to the Council for its approval details of an agreement with a Car Club Operator providing for three years free membership of the Car Club for every resident of the dwellings hereby approved meeting the Car Club operator's membership criteria. The housing hereby permitted shall not be occupied at all until the details of the agreement with the Car Club Operator have been approved in writing.

Reason

To promote the use of sustainable transport methods in accordance with saved policy 5.1 locating developments of the Southwark Plan and Strategic Policy 2 Sustainable transport of the Core Strategy 2011

- 17 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced 128\_P\_000 rev P09 shall be provided and made available for use by the occupiers of the dwellings/premises 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 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 18 Prior to occupation details of a privacy screen to a height of 1.7m on the elevation adjoining the boundary with the Whetton's site shall be submitted and approved in respect of the rear balcony to the first floor 3-bed unit marked as 1.1 on the plan.

Reason

In order to protect the privacy of the proposed unit and so as to not prejudice the potential redevelopment of the adjoining site in accordance with SP13 High environmental standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of amenity and 3.11 Efficient use of land 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.

- 19 The proposed units should be built in accordance with the recommendations contained within the Air Quality Consultants report dated April 2015 REF J2186/1/F4 which recommends the use of mechanical ventilation to the ground and first floor units. The proposed units shall be retained as such thereafter.

Reason

To ensure that future occupiers of the building are not unduly affected by poor air quality in accordance with the NPPF 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.6 Air Quality of the Southwark Plan 2007.

- 20 The dwellings 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 21 Any deliveries, unloading and loading to the commercial unit shall only be between the following hours: Monday to Saturday - 08:00 - 20:00, 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 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 of The Southwark Plan 2007

- 22 No infiltration of surface water drainage in to the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval 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. 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.

- 23 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with Environment Agency guidance 'Piling into contaminated sites'. There shall be no piling activities permitted on parts of a site where an unacceptable risk is posed to controlled waters. 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.

**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.