
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	SoJoBo Ltd	Reg. Number	15/AP/3399
Application Type	Full Planning Permission	Case Number	TP/2511-161
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing office building (B1a) and construction of a four-storey terrace comprising 10 dwellinghouses (9no. 3-bed houses and 1no. 4-bed house) together with on-site car parking spaces (integral garages), outdoor amenity space and refuse and cycle storage.

At: 161 DENMARK HILL, LONDON SE5 8EF

In accordance with application received on 18/08/2015

and Applicant's Drawing Nos.

034-X001 Rev.A, 034-X010 Rev.A, 034-X100 Rev.A, 034-X101 Rev.A, 034-X102 Rev.A, 034-X200 Rev.A, 034-X201 Rev.A, 034-P001 Rev.A, 034-P010 Rev.A, 034-P100 Rev.01 (version received by LPA on 14/10/2015), 034-P101 Rev.01 (version received by LPA on 14/10/2015), 034-P102 Rev.01 (version received by LPA on 14/10/2015), 034-P103 Rev.01 (version received by LPA on 14/10/2015), 034-P104 Rev.B, 034-P105 Rev.01 (version received by LPA on 14/10/2015), 034-P200 Rev.A, 034-P201 Rev.A, 034-P202 Rev.A, 034-P203 Rev.A, 034-P300 Rev.01, 034-P301 Rev.A, 034-P303 Rev.01, 034-P304 Rev.01, 034-P500 Rev.A, 034-P501 Rev.A, 034-P502 Rev.A, 034-P503 Rev.00, 034-P504 Rev.A, 034-P600 Rev.A (Daylight Study Pt 1), 034-P601 Rev.A (Daylight Study Pt 2), 034-P900 Rev.A (3D rendered image), 034-P901 Rev.A (3D rendered image), 034-P902 Rev.A (3D rendered image), Highway Access Appraisal Report (Ref: JSA006 by Lillington Consultancy Ltd, dated December 2014), Noise Impact Assessment (Rev.B), Energy Statement, Sustainability Statement, Daylight and Sunlight Impact Assessment and a Design and Access Statement.

Subject to the following twenty-two conditions:

Time limit for implementing this permission and the approved plans

- 1 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.

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

034-P001 Rev.A, 034-P010 Rev.A, 034-P100 Rev.01 (version received by LPA on 14/10/2015), 034-P101 Rev.01 (version received by LPA on 14/10/2015), 034-P102 Rev.01 (version received by LPA on 14/10/2015), 034-P103 Rev.01 (version received by LPA on 14/10/2015), 034-P104 Rev.B, 034-P105 Rev.01 (version received by LPA on 14/10/2015), 034-P200 Rev.A, 034-P201 Rev.A, 034-P202 Rev.A, 034-P203 Rev.A, 034-P300 Rev.01, 034-P301 Rev.A, 034-P303 Rev.01, 034-P304 Rev.01, 034-P500 Rev.A, 034-P501 Rev.A, 034-P502 Rev.A, 034-P503 Rev.00, 034-P504 Rev.A.

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 Detailed drawings (elevations and sections) of;

external doors including garage doors and windows (showing heads, sills, jambs and reveals) at a scale of 1:5/1:10,
eaves, gutters and roof junctions at a scale of 1:5/1:10,
photovoltaic panels at roof level at a scale of 1:20 and manufacturers specifications,

shall be submitted to, and approved in writing by, the Local Planning Authority before any works 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 that the Local Planning Authority may be satisfied that a high quality of design will be achieved that will complement the character and appearance of the local area in accordance with the National Planning Policy Framework (2012), policies 7.4 (Local character) and 7.6 (Architecture) of the London Plan (2015), 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).

- 4
- 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.

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.

- 5
- Prior to any above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission 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 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 (2015), 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).

- 6 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roofs shall be:
biodiversity based with extensive substrate base (depth 80-150mm);
laid out in accordance with agreed plans; 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 roofs shall be carried out strictly in accordance with the approved details and shall be maintained as such thereafter.

Reason:

To ensure that the development provides the maximum possible provision towards the creation of habitats and valuable areas for biodiversity in accordance with sections 7, 8, 11 and 12 of the National Planning Policy Framework (2012), policies 2.18 (Green infrastructure: the network of open and green spaces), 5.3 (Sustainable design and construction), 5.10 (Urban greening) and 5.11 (Green roofs and development site environs) of the London Plan (2015), strategic policy 11 (Open spaces and wildlife) of the Southwark Core Strategy (2011) and saved policy 3.28 (Biodiversity) of the Southwark Unitary Development Plan (2007).

- 7 Notwithstanding the requirements of Condition 5, prior to any above grade works commencing a 1m² sample panel of the brick tile cladding for the elevations to be used in the carrying out of this permission shall be presented on site, 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 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 section 7 of the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2015), 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).

- 8 Prior to any above grade works commencing, a detailed drawing of the rear (east-facing) elevation of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The drawing shall show clearly which, of those windows directly facing the estate road, would be obscure-glazed and which would be clear-glazed. The development shall not be carried out otherwise than in strict accordance with any such approval given and any obscure-glazed windows shall not be replaced or repaired otherwise than with obscure glazing.

In order to protect the privacy and amenity of the residents of Swinburne Court from undue overlooking in accordance with section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) 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) of the Southwark Unitary Development Plan (2007).

- 9 Before any above grade work hereby authorised begins, detailed drawings [select scale 1:50, 1:100 or 1:500] of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, 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 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 sections 7, 8, 11 and 12 of the National Planning Policy Framework (2012), policies 5.3 (Sustainable design and construction),

5.10 (Urban greening), 5.11 (Green roofs and development site environs) and 7.21 (Trees and woodland) of the London Plan (2015), strategic policy 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Southwark 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 Unitary Development Plan (2007).

- 10 Before any above grade work hereby authorised begins, a detailed drawing (at a scale 1:10) of a privacy side screen to be erected along the east (rear) edge of the roof terrace of Unit 10 shall be submitted to, and approved in writing by, the Local Planning Authority. The privacy screen shall be installed in strict accordance with any such approval given before the first occupation of the development and shall be retained thereafter.

Reason:

To safeguard the privacy and amenity of existing occupiers at Swinburne Court in accordance with policy 7.6 (Architecture) 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) of the Southwark Unitary Development 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.

- 11 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body and shall be retained for the lifetime of the development.

Units 1-9 (inclusive): M4(2) - Accessible and adaptable dwellings
Unit 10: M4(3)(2)(a) - Wheelchair adaptable dwellings

Reason:

To ensure the development complies with policy 3.8 (Housing choice) of the London Plan (2015) and strategic policy 5 (Providing new homes) of the Southwark Core Strategy (2011).

- 12 Before the first occupation of any part of the development hereby permitted the cycle storage facilities as shown on drawings 034-P500 Rev.A and 034-P502 Rev.A 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:

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 section 4 of the National Planning Policy Framework (2012), policy 6.9 (Cycling) of the London Plan (2015), strategic policy 2 (Sustainable transport) of the Southwark Core Strategy (2011) and saved policy 5.3 (Walking and cycling) of the Southwark Unitary Development Plan (2007).

- 13 Before the first occupation of any part of the development hereby permitted, the refuse storage facilities shown on drawings 034-P100 Rev.A and 034-P501 Rev.A shall be provided and made available for use by the occupiers of the dwellings and they shall be retained and shall not be used nor 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 section 7 of the National Planning Policy Framework (2012), policy 5.17 (Waste reduction) and 7.6 (Architecture) of the London Plan (2015), policies 12 (Design and conservation) and 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

- 14 Before the first occupation of the development the car parking shown on the drawings hereby approved shall be made available and be retained thereafter for the purposes of car parking for vehicles of residents of the development and no trade or business shall be carried out thereon.

Reason:

To ensure the permanent retention of the integral car parking garages for their intended purpose, to avoid

obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties 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.

- 15 Prior to the first occupation of any part of the development hereby permitted the following environmental sustainability features, as set out in the application, shall be installed and thereafter retained for the lifetime of the development.

Photovoltaic panels

A Mechanical Ventilation with Heat Recovery system

High efficiency gas boilers

Smart meters

CFL (Compact Fluorescent Lamp) and/or LED (Light Emitting Diode) light-fittings

Reason:

To ensure that the development provides the environmental sustainability features that were specified in the energy strategy for the application so as to deliver compliance with section 10 of the National Planning Policy Framework (2012), policies 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable design and construction) of the London Plan (2015), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011) and saved policy 3.4 (Energy efficiency) 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.

- 16 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 section 11 of 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).

- 17 No meter boxes, flues, ducts, soil stacks or vent 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 (2015), 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 Notwithstanding the provisions of Classes A, B, C, D, E, F, G and H 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) the development hereby approved shall not be extended, enlarged or altered without the prior permission in writing of the Local Planning Authority.

Reason:

To safeguard the character and the amenities of the development and the wider local area premises in accordance with sections 7 and 12 of the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) 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) and 3.12 (Quality in design) of the Southwark Unitary Development Plan (2007).

- 19 No structures such as canopies, fences, loggias, trellises or satellite or radio antennae shall be erected on the roof terraces.

Reason:

To make sure that the character and appearance of the building is suitable and that it contributes to the character and appearance of the area in accordance with section 7 of the National Planning Policy Framework (2012), policies 7.4 (Local character) and 7.6 (Architecture) of the London Plan (2015), 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).

- 20 The windows in the flank (north) elevation of Unit 1 shall be obscure-glazed and fixed-shut up to at least 1.8m above the finished floor level of the rooms they serve and they shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of the residents of Mayhew Court from undue overlooking in accordance with section 11 of the National Planning Policy Framework (2012), policy 7.6 (Architecture) 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) of the Southwark Unitary Development Plan (2007).

- 21 Notwithstanding the details shown on approved drawing ref. 034-502 Rev.A or any other approved drawing in which they are similarly represented, the fences to be erected on the side boundaries between the front gardens of each dwellinghouse shall be no higher than 1.1m above the ground and shall be retained such thereafter.

Reason:

In the interests of retaining a visually open frontage to enhance the setting of the development and the appearance of the streetscene in accordance with section 7 of the National Planning Policy Framework (2012), policies 7.4 (Local Character) and 7.6 (Architecture) of the London Plan (2015), 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).

- 22 Any existing trees retained and shown on the approved plans shall be protected by the erection of fencing as recommended by current British Standard BS 5837:(2012) (Trees in relation to demolition, design and construction: recommendations) or in accordance with other specifications agreed in writing with the Local Planning Authority. All fencing shall be in place before any equipment, machinery or materials are brought on to the site for the purpose of development. Within the area of the protective fencing the following is prohibited: -

- a) the placing or storage of any equipment, plant, machinery or materials,
- b) raising or lowering the ground level,
- c) the lighting of fires,
- d) excavation of trenches or pits,
- e) the disposal of any substance above or below ground level.

In the event that any part of the protective fencing is damaged or removed during the course of development it shall be promptly repaired or replaced. No protective fencing shall be removed until all equipment, machinery and surplus materials have been removed from the site.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with sections 7, 8, 11 and 12 the National Planning Policy Framework (2012), policy 7.21 (Trees and woodland) of the London Plan (2015) and policies 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Southwark 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 Unitary Development Plan (2007).

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service.

The scheme was submitted in accordance with guidance following pre application discussions.

Informative

The applicant is advised that the full discharge of condition 6 will only be granted on receiving the details of the green/brown roofs and Southwark Council agreeing the submitted plans, and once the green/brown roofs are completed in full accordance to the agreed plans. A post-completion assessment will be required to confirm that the roofs have been constructed to the agreed specification.