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## RECOMMENDATION

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

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<b>Applicant</b>	Mrs Hemali Topiwala London Borough of Southwark - Parks and Leisure	<b>Reg. Number</b>	16/AP/3387
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case</b>	TP/139-G
<b>Recommendation</b>	Grant permission	<b>Number</b>	

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

Erection of single-storey building comprising park offices, cafe and public toilets.

**At:** SOUTHWARK PARK, GOMM ROAD, LONDON SE16 2EH

**In accordance with application received on** 18/08/2016 08:01:50

**and Applicant's Drawing Nos.** P001, P002, P003, P004, P005, P006, P007, P008, P009, PO10, PO11, PO12, PO13, PO14, PO15, PO16,

Design and access statement and appendices, accommodation schedule.

**Subject to the following nineteen 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:

P001, P002, P003, P004, P005, P006, P007, P008, P009, PO10, PO11, PO12, PO13, PO14, PO15, PO16.

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 wetland planting described in the application shall be provided in full prior to the new development being first used, or in accordance with a timetable which would need to be agreed in writing by the Local Planning Authority.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved and to comply with policy 3.28 of the Southwark Plan, and Strategic Policy 11 of the Southwark Core strategy

- 4 Details of bird and/or bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No fewer than 3 nesting boxes / bricks facing the boating lake shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 5 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

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. 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.

- 6 Prior to works commencing, full details of all proposed tree planting to mitigate any loss shall be submitted to and approved in writing by the Local Planning Authority. All tree planting shall be carried out in accordance with those details and at those times.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

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 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.

- 7 a) 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.
- b) 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.
- c) 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.

- 8 Prior to the commencement of development, further details of surface water management measures shall be submitted to and approved in writing by the Local Planning Authority in accordance with the specific conclusions and recommendations detailed in sections 8, 9 and 10 of the approved Flood Risk Assessment (Herrington Consulting Limited, August 2016 - see Appendix G of the Design Access Statement), and the scheme shall thereafter be carried out in accordance with the approved details.

Reason

To prevent the increased risk of flooding and to improve water quality in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

**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.

- 9 Before any fit out works to the building 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 'good' 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.

- 10 Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials 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.

- 11 Before any above grade work hereby authorised begins, details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roof 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 roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

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

Discharge of this condition will be granted on receiving the details of the green roof and Southwark Council agreeing the submitted plans, and once the green roof is completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 511 of the London Plan 2011,

saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 12 Before any above grade work hereby authorised begins, detailed drawings 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 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

**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.

- 13 Before the first occupation of the building the external cycle storage facilities shown on the approved plans 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 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.

- 14 Before the first occupation of the building hereby permitted a Service Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

**Reason**

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 15 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawings shall be provided and made available for use by the occupiers of the 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

- 16 Prior to the commencement of use full particulars and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

**Reason**

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity 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.

**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.

- 17 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the measured LA90 level at the nearest noise sensitive premises and shall not cause any loss of amenity to park users.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with 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).

- 18 The security measures and principles outlined in Section 11.7 of the submitted Design and Access Statement and agreed with the Metropolitan Police should be undertaken in full pursuant to achieving Secured by Design accreditation for the proposed development.

Reason

To ensure a safe and secure development, in accordance with saved policy 3.14 'Designing out crime' of the Southwark Plan (2007).

- 19 The use hereby permitted for a cafe shall not be carried on outside of the hours of 0830-1930 Monday to Saturday and 0900-1930 on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties 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.

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

The application has been determined in a timely manner, within a timeframe agreed with the applicant.

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