

Applicant	Mr Andrew Taylor TaylorBridge	Reg. Number	16/AP/0131
Application Type	Full Planning Permission	Case Number	TP/2732-213
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Partial demolition of existing buildings and redevelopment to provide buildings ranging from 1 to 7 storeys in height accommodating ground floor commercial space (Class A1/B8) with 40 residential units above (Class C3), raised amenity courtyard together with associated blue badge car parking and cycle parking.

At: 213 RYE LANE, LONDON SE15 4TP

In accordance with application received on 14/01/2016

and Applicant's Drawing Nos. Red Line Plan OS, EX-TS, EX_E01, EX-E02, EX-E03, EX_GF_FF, EX_GF_FF Rev A, GA_SP A, GA_00 A, GA_01, GA_02, GA_03, GA_04, GA_05, GA_06, GA_RL, FT-WCH-04 A, FT-WCH-03 A, FT-WCH-01 A, EL-W-B A, EL-W-A A, EL-S-A A, EL-N-I A, EL-N A, EL-E-B A, EL-E-A A, S_AA Rev A, S_BB Rev A, S-CC Rev A, S-DD Rev A, Air Quality Assessment, Daylight/Sunlight Assessment, Daylight/Sunlight and Overshadowing Addendum (July 2016), Design and Access Statement, Contaminated Land Risk Assessment, Energy Statement, Noise Impact Assessment, Planning Statement, Site Location Plan, Viability Report, Waste Management Strategy

Subject to the following fifteen conditions:**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: GA_SP A, GA_00 A, GA_01, GA_02, GA_03, GA_04, GA_05, GA_06, GA_RL, FT-WCH-04 A, FT-WCH-03 A, FT-WCH-01 A, EL-W-B A, EL-W-A A, EL-S-A A, EL-N-I A, EL-N A, EL-E-B A, EL-E-A A, S_AA Rev A, S_BB Rev A, S-CC Rev A, S-DD Rev A

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 A Phase 2 Site Investigation and Risk Assessment shall be conducted and submitted to the Local Planning Authority for approval prior to the commencement of development.
 - a) 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 will 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 works 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 works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.
 - c) In the event that potential 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 off-site 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.

- 4 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.

- 5 Prior to the commencement of works 'above grade' details of privacy screens to the 'private' external balconies and terraces on the second to sixth storeys on the west and north facing elevations of the development shall be submitted to and approved by the Local Planning Authority. The privacy screens approved under this condition shall be provided and permanently retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of a loss of privacy in 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.

- 6 Prior to 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; 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.

- 7 Before any above grade work hereby authorised begins, details of the means of enclosure for the east boundary with the development granted under planning permission 16AP3503 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

To ensure that occupiers of the proposed development do not suffer a loss of amenity by reason of noise nuisance in 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.

- 8 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 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.

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.

- 9 Before the commercial use hereby permitted begins details of the arrangements for the storing of commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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

- 10 Any commercial extract system shall be designed and operated in accordance with DEFRA's 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (2005) - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf.

Prior to the commencement of use, full particulars and details of a scheme for the ventilation of the commercial space (as per Annex B of aforementioned document) shall be 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 any installed ventilation, ducting and ancillary equipment in the interests of amenity will not cause amenity impacts such as odour, fume or noise nuisance and will not detract from the appearance of the building 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

- 11 The use hereby permitted shall not be begun until full particulars and details of a scheme for the internal ventilation of the development which shall include; appropriately located plant, inlets and outlets; filtration and treatment of incoming air to ensure it meets the national standards for external air quality; plant noise output levels; and a management and maintenance plan have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approval given.

Reason

In order that the Local Planning Authority may be satisfied that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity in accordance with 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.

- 12 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.

- 13 The rated noise level from any plant (commercial or domestic), together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, .Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 14 The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR20.

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.

- 15 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T**, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T**

Dining room - 40 dB 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.

Statement of positive and proactive action in dealing with the application

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

Informative

You are advised to consult the Borough Crime Prevention Design Advisor to ensure that the development complies with 'Secured by Design' standards. Please contact John Bluett, Southwark Police Station, 323 Borough High Street, London, SE1 1JL (telephone: 020 7232 6714).