
RECOMMENDATION

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	Mr Noel Serrano Pope Street SE1 Ltd	Reg. Number	16/AP/3020
Application Type	Full Planning Permission	Case Number	TP/79-B
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use from a car park (Sui Generis) to residential (Use Class C3) involving the demolition of a 3 metre high boundary fence and the erection of a four storey terrace comprising six 3 bed terraced dwellinghouses

At: CAR PARK, 5-11 POPE STREET, LONDON SE1

**In accordance with application received on 22/07/2016 08:00:41
and revisions/amendments received on 21/10/2016**

and Applicant's Drawing Nos. POP2-02, POP2-03 REV.D, POP2-04 REV.D, POP2-05 REV.D, POP2-07, POP2-08, a Planning Statement, a Flood Risk Assessment, a Design and Access Statement, a Daylight and Sunlight Assessment and a Report of a Programme of Archaeological Evaluation Works.

Subject to the following thirteen 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:

POP2-03 REV.D
POP2-04 REV.D
POP2-05 REV.D
POP2-08

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 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each of the six dwellinghouses in the detailed construction plans meet the M4(2) (Adaptable dwellings) standard of Approved Document M of the Building Regulations (2015) and the development shall only be carried out in accordance with the details thereby approved by the appointed building control body.

Reason:

To ensure the development complies with strategic policy 5 (Providing new homes) of the Southwark Core Strategy (2011) and policy 3.8 (Housing choice) of the London Plan (2016).

- 4 The approved remediation scheme (LBS application ref. 16/AP/2279 dated 22/08/2016) must 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 must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, 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.

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 the National Planning Policy Framework (2012), policy 5.21 (Contaminated land) of the London Plan (2016), 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).

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 Samples of the 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 before any work 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 to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a high quality of design and detailing that will preserve the character and appearance of Bermondsey Street Conservation Area, in accordance with section 7 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 (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policies 3.12 (Quality in Design), 3.13 (Urban Design), 3.15 (Conservation of the historic environment) and 3.16 (Conservation Areas) 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.

- 6 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing ref. POP2-03 REV.D 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), policy 5.17 (Waste capacity) 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 3.7 (Waste reduction) of the Southwark Unitary Development Plan (2007).

- 7 Before the first occupation of any of the dwellinghouses hereby approved the cycle storage facilities as shown on the approved drawing ref. POP2-03 REV.D 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.

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.

- 8 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.

- 9 Notwithstanding the provisions of Classes A or B 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 extension, enlargement or external alteration of the dwellinghouses hereby permitted shall be carried out without the prior permission in writing of the local planning authority.

Reason:

To safeguard the character of the area and the amenities of adjoining properties, 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) and 3.12 (Quality in Design) of the Southwark Unitary Development Plan (2007).

- 10 Each dwelling in the development hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason:

To ensure the development complies with the National Planning Policy Framework (2012), policy 5.15 (Water use and supplies) of the London Plan (2016), strategic policy 13 (High environmental standards) of the Southwark Core Strategy (2011), saved policies 3.3 (Sustainability) and 3.4 (Energy Efficiency) of the Southwark Unitary Development Plan (2007).

- 11 Notwithstanding the details shown on the approved drawing ref. POP2-05 Rev.D, the second-floor bedroom windows in the rear (east) elevation of the development hereby permitted shall be both obscurely-glazed and fixed shut up to a height of no less than 1.5m above the internal finished floor level of the bedrooms they serve.

Reason:

To protect the privacy of neighbouring residential occupiers in accordance with the National Planning Policy Framework (2012), policy 7.6 (Architecture) of the London Plan (2016), 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).

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must 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), all with the aim of ensuring that no part of the site would qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation, shall be submitted to the Local Planning Authority for approval in writing.

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 the National Planning Policy Framework (2012), policy 5.21 (Contaminated land) of the London Plan (2016), 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).

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).

- 13 Within three months of the date of this decision, 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 National Planning Policy Framework (2012), policy 7.8 (Heritage Assets and Archaeology) of the London Plan (2016), strategic policy 12 (Design and Conservation) of the Southwark Core Strategy (2011) and saved policy 3.19 (Archaeology) 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.

Initially the scheme did not comply with guidance and no pre-application discussions were entered into. However, the local planning authority's suggested improvements were adopted by the applicant.