
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.

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|-------------------------|--|--------------------|------------|
| Applicant | Mr Atif Riaz Reality Holdings Limited | Reg. Number | 16/AP/2051 |
| Application Type | Full Planning Application | Case | TP/2732-44 |
| Recommendation | Grant subject to Legal Agreement | Number | |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from four to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage

At: 38-44 RYE LANE, LONDON, SE15 5BY

In accordance with application received on 18/05/2016 16:01:52

and Applicant's Drawing Nos. Existing

276/P201; 276/P/202; 276/203; 276/P204; 276/P/211; 276/P212;

Proposed

276_A_301 REV A; 276_P_302; 276_P_303; 276_P_304; 276_A_305 REV A; 276_A_306 REV A; 276_0361 REV A_VISUALISATIONS; 276_A_311 REV A; 276_A_312 REV A; 276_A_321 REV A; 276_A_322 REV A; 276_A_331 REV A

Documents

Design and access statement including Heritage Statement; Planning Statement including Statement of Community Involvement; Daylight and Sunlight Assessment; Energy Statement; Transport Statement, Visibility Report Summary, Commercial Rent Analysis Report

Subject to the following twelve 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:

276_A_301 REV A; 276_P_302; 276_P_303; 276_P_304; 276_A_305 REV A; 276_A_306 REV A; 276_0361 REV A_VISUALISATIONS; 276_A_311 REV A; 276_A_312 REV A; 276_A_321 REV A; 276_A_322 REV A; 276_A_331 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 Prior to the commencement of works, a Construction Method Statement detailing measures to protect the trees on Highshore Road and to measures to avoid highway conflict shall be submitted to the local planning authority for approval.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area and to protect highway safety in accordance with The National Planning Policy Framework 2012 strategic policies 1 sustainable transport, 11 open spaces and wildlife, 12 design and conservation and 13 High environmental standards of the Core Strategy 2011; saved policies 3.2 protection of amenity, 3.28 biodiversity and 5.2 transport impacts 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.

- 4 Before any above grade work hereby authorised begins, details of the screen wall to the first floor amenity areas 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 the interests of visual and residential amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

- 5 1:5/10 section detail-drawings through the building proposed:
the facades;
parapets;
roof edges;
junctions with existing buildings; and
heads, cills and jambs of all openings;
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; 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 or historic qualities of the listed building in accordance with part 7 of the NPPF (2012); Policy SP12 Design & Conservation of the Core Strategy (2011); and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (July 2007) .

- 6 1m x 1m sample panels of the brick and glass and aluminium cladding as well as samples of all external facing materials, to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with part 7 of the NPPF (2012); Policy SP12 Design & Conservation of the Core Strategy (2011) and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (July 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.

- 7 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 276_P_301 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 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 the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing/s referenced 276_P_301 REV A 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 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 9 Prior to the commencement of use a scheme of sound insulation shall be submitted to the local planning authority to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90,5min 1m from the facade of the nearby residential premises at all third octave bands between 31.5Hz and 8kHz. 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 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 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.

- 10 With the exception of existing flats numbered 1 to 11 inclusive 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.

- 11 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.

- 12 The specifications for each dwelling identified in the detailed construction plans shall be constructed in accordance with 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

Unit reference numbers

Access to and use of building standard

All other units

M4(2)

Units 14 and 16

M4(3a)

Reason

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

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.