
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	Turnhold Properties Limited	Reg. Number	03-AP-2443
Application Type	Full Planning Permission		
Recommendation	Grant subject to Legal Agreement and SoS	Case Number	TP/129-A

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing buildings replaced with a mixed use development of a part four/part three storey building and a four storey building, comprising of 5 business/light industrial units, 12 'live-work' units, 12 one bed flats, 36 two bed flats and 12 three bed flats (resubmission)

At: 262-284 & 286-302 Lynton Road, SE1. (Falcon Works)

In accordance with application received on 24/12/2003

and Applicant's Drawing Nos. 507/01, 0507/02, , 507/13, 507/14, and 507/15.

507/10 rev.A,507/11 rev. A ,507/12 rev.A received 30.4.2004

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 Samples of all materials and fenestration to be used in the carrying out of this permission shall be submitted to and approved 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 that the Local Planning Authority may be satisfied as to the details of such materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 3 The residential parts of the live/work units hereby approved and shown on the approved drawings shall only be used for residential purposes in association with the Work part of the live/work units and shall not be used for any other purpose.

Reason

In order to protect the residential element on this site in accordance with UDP policies.

- 4 The work part of the live/work units hereby approved and shown on the approved drawings shall only be used for purposes falling within Class B1 (Business) of the Town and Country Planning (Use Classes) Order 1987 in association with the residential parts of the units as shown on the submitted plans hereby approved and shall not be used for any other purpose.

Reason

In order to protect the employment element on this site in accordance with UDP policies.

- 5 In the event that a live/work unit hereby approved ceases to be used for live/work purposes the whole of the unit may be used for purposes falling within Class B1 (Business Purposes) of the Town and Country Planning (Use Classes) Order 1987 provided:
 - (a) no part of the unit shall be used for any purpose other than Class B1 and
 - (b) in the event that the use of a unit changes from live/work to wholly Class B1 use pursuant to this condition the unit may not return to use as a live/work unit without the prior written approval of the Local Planning Authority.

Reason

In order to protect the employment element on this site in accordance with UDP policies.

- 6 In the event that a live/work unit hereby approved ceases to be used for live/work purposes the whole of the unit may be used for purposes falling within Class B1 (Business Purposes) of the Town and Country Planning (Use Classes) Order 1987 provided:
- (a) no part of the unit shall be used for any purpose other than Class B1 and
 - (b) in the event that the use of a unit changes from live/work to wholly Class B1 use pursuant to this condition the unit may not return to use as a live/work unit without the prior written approval of the Local Planning Authority.

Reason

In order to protect the employment element on this site in accordance with UDP policies.

- 7 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse and waste recycling provision measures have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 8 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse and waste recycling provision measures have been submitted to (2 copies) and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 9 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy T.4.1 Measures for Cyclists of the Southwark Unitary Development Plan.

- 10 Details of the means of enclosure for all site boundaries 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. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.

Reason

To ensure a satisfactory standard of development.

- 11 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

To ensure a satisfactory standard of development

- 12 Details of the vehicle and pedestrian accesses to the site and premises, including full details of the visibility of splays, shall be submitted to (2 copies) and approved by the Local Planning Authority before the development hereby permitted is begun and the development shall not be carried out otherwise than in accordance with any approval given. Please note that the eastern access point shall be used for ingress only and the western access point for egress purposes only.

Reason

In order to that the Council may be satisfied that the proposal will not compromise highway safety in accordance with Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls, Policy T.4.1: Measures for Cyclists and Policy T.2.1: Measures for Pedestrians of Southwark's Unitary Development Plan.

- 13 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1: Safety and Security in the Environment of Southwark's Unitary Development Plan.

- 14 Details of facilities for the composting of organic waste and the collection of rainwater for recycling shall be submitted to and approved by the Local Planning Authority. No occupation shall take place until any provision as may have been approved is in place.

Reason

In the interests of sustainability

- 15 Details of all on-site parking provision, including the proper marking out of parking bays and delineation of forecourt areas from the public highway, details of any associated manoeuvring area(s), shall be submitted to and approved by the Local Planning Authority before the development is begun and the development shall not be carried out otherwise than in accordance with any approval given.

Reason

In the interests of on-site safety and to ensure an acceptable form of development

- 16 Prior to the commencement of the works hereby approved the applicant shall provide a full method statement detailing appropriate means of ensuring that existing trees on the public highway will not suffer damage or be impinged upon during implementation. The method statement must be approved in writing by the local planning authority before any works proceed.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies E.2.3, E.3.1, B.1.1, B.2.3 and T.1.2 of the Southwark Unitary Development Plan 1995
- b] Policies 1.5, 1.7, 3.2, 3.10, 4.1, 4.2, 4.3 and 4.4 of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.

Particular regard was had to the partial loss of employment floorspace that would result from the proposed development but it was considered that this would be outweighed by the redevelopment of this brownfield site for more beneficial and efficient use purposes, and a general improvement of the immediate environment for surrounding residential occupiers that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Informatives

- 1 The applicant is advised that a condition survey of the adjacent public highway will be required before works commence on-site.

- 2 The planning permission hereby granted includes alterations and amendments to areas of public highway which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is yet granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. The applicant is advised to contact the Principal (Client) Engineer, Infrastructure Group (7525 5509), at least 4 months prior to any works commencing on the public highway.
- 3 The applicant is urged to contact the Council's Building Control Officer in respect of access provision to the buildings, hereby approved, for wheelchair users.