
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	Finest Properties & Metropolitan Housing Trust	Reg. Number	04-AP-0116
Application Type	Full Planning Permission		
Recommendation	Grant subject to Legal Agreement	Case Number	TP/2013-I

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of part 5 and part 12 storey building for mixed use to provide 56 flats [29 one bedroom, 23 two bedroom and 4 three bedroom] on part of the ground floor and the upper floors and 214m² of retail [Use Class A1 -retail] or office use [Use Class B1 - business use] on the ground floor together with associated external landscaping.

At: Wyndham Garage, Wyndham Road SE5

**In accordance with application received on 21/01/2004
and revisions/amendments received on 18/05/2004
15/10/2004**

and Applicant's Drawing Nos. 0337(PL)00, 0337(PL)02C, 0337(PL)03, 0337(PL)04, 0337(PL)05, 0337(PL)06, 0337(PL)07, 0337(PL)08, 0337(PL)09, 0337(PL)10, 0337(PL)11, 0337(PL)12, 0337(PL)13, 0337(PL)20, 0337(PL)21, 0337(PL)22A, 0337(PL)23, Noise Assessment Report November 2003 and 31.8.2004 and Parking Report

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 Detailed drawings of the proposed windows and balcony railings (2 copies) 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 the windows and balcony railings 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 use hereby permitted shall not be begun until full particulars and details (2 copies) of a scheme for the mechanical ventilation of habitable rooms affected by high level noise from Wyndham Road and the nearby railway line have 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 the interests of amenity in accordance with Policy E.3.1: Protection of Amenity and Planning Policy Guidance 24 Planning and Noise.

- 4 Samples of all the facing materials, including the film to provided to the panel balconies, 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 the facing materials and balcony panels in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 5 The scheme of sound attenuation measures outline in the noise assessment report in paragraphs 6.2, 6.2.1 & 6.2.2 shall be carried out and provided before the use hereby permitted is commenced and those sound insulation works shall thereafter be retained and shall not be removed without the prior written consent of the Local Planning Authority.

Reason

To ensure that the occupiers and users of the proposed residential element of the proposal do not suffer a loss of amenity by reason of noise and vibration nuisance and disturbance from Wyndham Road and the adjoining high level railway line, in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary development Plan.

- 6 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

In order that the Local Planning Authority may be satisfied as to the details of the external appearance of the development in the interest of the appearance of the proposal in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995).

- 7 Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision or arising from a condition imposed as part of this decision, that is found to be dead, dying, severely damaged or seriously diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced by specimens of similar or appropriate size and species in the first suitable planting season.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the external appearance of the development in the interest of the appearance of the proposal in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995).

- 8 The development hereby permitted shall not be occupied until the landscaping approved, either as part of this consent or by subsequent approval, has been carried out.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the external appearance of the development in the interest of the appearance of the proposal in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995).

- 9 Details of the means by which the existing trees on the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

In order that the Local Planning Authority can be sure that the two mature trees to be retained are not lost as the result of the proposed development in the interest of the visual amenity of the area in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995).

- 10 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.

- 11 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.

- 12 Details of the means of enclosure for all site boundaries shall be submitted to and approved by the local planning authority and attention will need to be given to the issue of sightlines in respect to Comber Grove 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

In order that the Local Planning Authority may be satisfied as to the details of the external appearance of the development in the interest of the appearance of the proposal and road safety in accordance with Policy E.2.3 'Aesthetic Control' and Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Southwark Unitary Development Plan (1995).

- 13 Details of any external lighting [including design, power and position of luminaires] and security surveillance equipment of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting or security equipment is installed and the development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with Policies E.1.1 'Safety and Security in the Environment' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 14 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 15 The dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse 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.

- 16 The use hereby permitted shall not be commenced before details of the arrangements for the storing of refuse 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.

Reasons for granting planning permission.

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

- a] Policies E.2.3 Aesthetic Control, Policy E.3.1 Protection of Amenity, B.1.2 Protection Outside Employment Areas and Sites, E.2.1 Layout and Building Line, H.1.4 Affordable Housing, H.1.5 Dwelling Mix of New Housing, H.1.8 Standards for New Residential Development, H.1.7 Density of New Residential Development, T.6.3 Parking Space in New Developments, E.2.2 Tall Buildings of the Southwark Unitary Development Plan 1995
- b] Policies 3.11 Quality in Design 3.13 Urban Design, 3.2 Protection of Amenity, 4.4 Affordable Housing, 4.1 Density, 5.6 Car Parking, Tall Buildings, 1.5 Mixed Use Developments March 2004.
- c] Planning Policy Guidance Notes Planning Policy Guidance Note 1: General Policy & Principles; Planning Policy Guidance Note 13: Transport; Planning Policy Guidance Note 24: Planning and Noise:insert PPG references.

Particular regard was had to provision of a high building, a low car parking provision, and high density that would result from the proposed development but it was considered that this would be outweighed by the loss of a 'bad neighbour' use, better visual amenity and provision of new retail/office units and additional residential accommodation 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 planning permission 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 hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer, Infrastructure Group (7525 2153), at least 4 months prior to any works commencing on the public highway.
- 2 The developer should consult the Environment & Leisure Department to agree how the Council's Code of Construction Practice will be applied to the proposed development. Please contact the Pollution section, Chaplin Centre, Thurlow Street, SE17 (tel: 020 7525 5000).
- 3 All samples submitted must be clearly labelled with the LBS Reference Number of the original application and the address of the application site.