
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 | Mulberry Park Investment Ltd | Reg. Number | 04-AP-0338 |
| Application Type | Full Planning Permission | | |
| Recommendation | Grant subject to Legal Agreement | Case Number | TP/403-A |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Redevelopment of site to provide a part 7, part 8 and part 9 storey buildings for mixed use development comprising office (Class B1) space, 14 live/work units, 434 flats and a gymnasium together with associated car parking and landscaping.

At: Mulberry Business Centre, Quebec Way SE16.

**In accordance with application received on 27/02/2004
and revisions/amendments received on 04/08/2004**

24/09/2004

19/10/2004

and Applicant's Drawing Nos. WW 439 L 003A, 004A, 005C, 006B, 007B, 008B, 009C, 010C, 011, 015C, 020A, 021A, 030A, 031, 032, 102, 120, 121,

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 the materials 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 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 use hereby permitted for commercial and residential development shall not be begun until full particulars and details of a scheme to insulate the premises against the transmission of airborne and impact sound from adjoining industrial/commercial premises has been submitted to (2 copies) 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 protect occupiers of the development from noise nuisance thereby protecting the amenity in accordance with Policy E.3.1: Protection of Amenity of Southwark's Unitary Development Plan and Planning Policy Guidance 24 Planning and Noise.

- 4 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.

- 5 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.

- 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 Council may be satisfied with the external appearance of the development and in the interest of visual amenity.

- 7 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.

- 8 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.

- 9 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

In order that the Council may be satisfied with the external appearance of the development and in the interest of visual amenity.

- 10 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.

- 11 Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

12 **Reasons for granting planning permission.**

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

- a] Policies H.1.3 - New housing, H.1.4 - Affordable Housing, H.1.7 - Density of New Development, H.8 - New Housing Standards, B.1.2 - Protection Outside Employment Areas and Sites, T.6.3 - Parking Space in New Developments, E.1.1 - Safety and Security in the Environment, E.2.1 - Layout and Building Line, E.2.2 - Heights of Buildings, E.2.3 - Aesthetic Control, E.3.1 - Protection of Amenity of the Southwark Unitary Development Plan 1995
- b] Policies 1.5 - Mixed Use Developments, 2.5 - Planning Obligations, 3.2 - Protection of Amenity, 3.3 - Sustainability Appraisal, 3.11 - Quality in Design, 3.13 - Urban Design, 3.14 - Designing Out Crime, 3.20 - Tall Buildings, 4.1 - Density of Residential Developments, 4.2 - Quality of Residential Accommodation, 4.3 - Mix of Dwellings, 4.4 - Affordable Housing of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.
- c] Policies 3A.5 - Large Residential Developments, 3A.8 - Negotiating Affordable Housing in Private Residential and Mixed Use Schemes, 3B.4 - Mixed Use Development, 4B.9 - Large Scale Buildings, 3C.22 Parking Strategy & 4C.21 - Design Statements of the London Plan [February 2004].
- d] Planning Policy Guidance Notes PPG 24 - Planning and Noise.

Particular regard was had to the impact on the development from the adjoining industrial use particularly with regards to noise but it was considered that this would be outweighed by the design, layout and adequate sound attenuation measures of 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 At least 6 months before the occupation of the new buildings or units of accommodation hereby permitted you are advised that you must obtain the Council's approval for the numbering and naming of buildings and the naming of any new streets created by the development. Application forms can be obtained from the Street Naming and Numbering service at the Council's Regeneration Department, Council Offices, Chiltern, Portland Street, London SE17 2ES (Tel: 020 -7525-5403).
- 2 Any existing gas vents that are covered or encroached on by new construction shall be extended clear of the building and without restriction, so that flammable gases do not accumulate. You are advised to contact Southwark Building Control for guidance (020 7525 5500).
- 3 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).
- 4 You are advised to consult the Borough Crime Prevention Design Advisor to ensure that the development complies with 'Secured by Design' standards. Please contact Steve Mumford, Southwark Police Station, 323 Borough High Street, London, SE1 1JL (telephone: 020 7232 6714).
- 5 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 (0207 525 2153), at least 4 months prior to any works commencing on the public highway.