
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	Hyde Housing Association	Reg. Number	04-AP-0102
Application Type	Outline Planning Permission		
Recommendation	Grant subject to Legal Agreement and GLA	Case Number	TP/321-28

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Outline application for demolition of Carton, Giles & Darnay Houses & the redevelopment of all 5 sites to create a mixed-use development comprising a mix of 605 residential units, with commercial & community uses including a retail foodstore, health centre & associated uses & facilities & a fitness centre, in new buildings between 3 & 10 storeys high; total of 217 new off-street car parking spaces (182 for residents & 35 for non-residential accommodation) together with all associated landscaping, infrastructure & ancillary development works.

At: Sites E, F, H, S & U Bermondsey Spa Regeneration area-land bounded by Jamaica Rd, Old Jamaica Rd, Thurland Rd, Spa Rd, & Abbey St, & adjacent to Lupin Point, SE16

In accordance with application received on 20/01/2004

and Applicant's Drawing Nos. 2408-d-000-p1, 2408-d-001-p1, 2408-d-002-p1, 2408-d-003-p1, 2408-d-004-p1, 2408-d-005-p1, 2408-d-006-p1, 2408-d-007-p1, 2408-d-008-p1, 2408-d-009-p1, 2408-d-010-p1, 2408-d-011-p1, 2408-d-012-p1, 2408-d-013-p1, 2408-d-020-p1, 2408-d-021-p1, 2408-d-022-p1, 2408-d-023-p1, 2408-d-024-p1, 2408-d-025-p1, 2408-d-026-p1, 2408-d-027-p1, 2408-d-030-p1, 2408-d-031-p1, 2408-d-032-p1, 2408-d-040-p1, 2408-d-041-p1; all as amended by revised site plan 2408-d-016 and 2408-d-017;

2408-x-233; 2408-d-014-p1; 2408-d-015-p1; 2440/D/003_1 Rev B and _2 Rev B;

Planning Statement; Architectural Design Statement; Daylight and Sunlight Study; Socio-Economic Statement; Sustainability Statement; Retail Planning Statement; Transport Assessment; Preliminary Ecological Survey; Noise Assessment; Air Quality Assessment; Arboricultural Implication Assessment; and Statement of Community Involvement, all dated January 2004; Access Statement dated April 2004; Transport Technical Notes 1 and 2 received 23.4.04; Schedule of Provision of Private/Communal Amenity Space by Site and by Phase dated 6th May 2004; Floorspace Schedule and Housing Mix Summary dated 30.11.04 (revision H 28.4.04)

Subject to the following conditions:

- 1 Application for the approval of the external appearance (including samples of materials) and details of landscaping and other treatments and layout of any part of the site not covered by buildings, which were Reserved Matters in this approval, as well as the detailed design of the buildings including the internal layouts (annotated to identify the units that are designed to be wheelchair accessible as required by Condition 8 below) and access arrangements, shall be submitted to the Local Planning Authority as follows:
 - a) for Phase 1 (sites E (East) and H) within two years of the date of this permission;
 - b) for Phase 2 (Site E (West)) within three years of the date of this permission;
 - c) for Phase 3 (Site F) within four years of the date of this permission; and
 - d) for Phase 4 (Sites S and U) within five years of the date of this permission;

and the development hereby permitted shall be begun

EITHER: within 5 years from the date of this permission;

OR: before the end of 3 years from the date of the approval of the last of the reserved matters for Phase 1, whichever is the later.

The development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason

As allowed and required under Section 92 of the Town and Country Planning Act 1990, the standard periods being inappropriate in this case because of the need to allow the development to be built in phases.

- 2 The residential accommodation in Block E (West) hereby permitted shall not be occupied until the Class D1 health centre accommodation on the ground and first floors of that Block has been completed and made ready for occupation.

Reason

To ensure that the health centre accommodation is provided in accordance with policy C.2.2 'Health, Social and Educational Facilities' and policy T.1.1 'Locally Based Facilities' of the Southwark Unitary Development Plan adopted July 1995.

- 3 Notwithstanding the provisions of Class D1 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted as a health centre shall only be used for this purpose and no other use within Class D1.

Reason

To ensure that the health centre accommodation is provided in accordance with policy C.2.2 'Health, Social and Educational Facilities' and policy T.1.1 'Locally Based Facilities' of the Southwark Unitary Development Plan adopted July 1995.

- 4 The uses hereby permitted for residential and live-work purposes in the Blocks facing the railway and Jamaica Road shall not commence until a) a full noise assessment has been submitted with full particulars and details of a scheme of suitable acoustic attenuation measures to insulate the premises against the transmission of airborne and impact sound 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 the amenity of the future occupiers from noise nuisance in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan and Planning Policy Guidance 24 'Planning and Noise'.

- 5 In the event of the ground floor of Block S being used for Class D2 purposes, the use shall not be carried on outside of the hours 07.00 hours to 23.00 hours on Monday to Saturday or 08.00 hours to 22.00 hours on Sundays or Bank Holidays.

Reason

To protect the amenity of occupiers of adjoining residential properties, in compliance with policy E.3.1 'Protection of Amenity' of the South Unitary Development Plan adopted July 1995.

- 6 Detailed drawings showing the internal layout of the live/work units hereby approved shall be submitted to (3 copies) 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 protect the employment element on this site in accordance with UDP policies.

- 7 The work part of the live/work units hereby approved 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 ensure the provision of the Class B1 use in accordance with policy B.1.1 'Protection of Employment Areas and Identified Sites' and policy B.1.2 'Protection Outside Employment Areas and Sites' of the Southwark Unitary Development Plan adopted July 1995, and taking account of the amenity restrictions on the proposed residential environment in accordance with policy H.1.8 'Standards for New Housing' of the adopted Southwark Unitary Development Plan.

- 8 All new residential units hereby approved shall be constructed to comply with Lifetime Homes Standards to the satisfaction of the Council as Local Planning Authority, and a minimum of 10% of the total number of residential units (namely 61) will be designed to be wheelchair accessible, these units to be clearly identified on the detailed drawings submitted in accordance with Condition 1 above.

Reason

To ensure that the accommodation is provided in accordance with policy H.1.8 'Standards for New Housing', policy E.2.4 'Access and Facilities for People with Disabilities', policy C.7.1 'Accessibility' and policy H.1.10 'Provision of Housing to Mobility and Wheelchair Standards' of the Southwark Plan adopted July 1995.

- 9 Construction of each phase shall not commence until details (2 copies) of the arrangements for the storing of domestic (and where relevant the commercial) refuse within each phase have been submitted to and approved by the local planning authority (either separately or in association with the details required for Condition 1), including details of a waste management scheme and recycling facilities, and the facilities approved have been provided and are available for use by the occupiers of the dwellings/commercial 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 adopted July 1995.

- 10 Details (2 copies) of the facilities to be provided for the secure storage of cycles (to a standard of one cycle space for each residential unit and separate cycle storage space for the commercial uses) shall be submitted to and approved by the local planning authority (either separately or in association with the details required by Condition 1) before the development of each phase 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 adopted July 1995 and policy 5.3 'Walking and Cycling' of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

- 11 Details (2 copies) of the vehicle and pedestrian accesses to each block, including full details of the visibility of splays at all road junctions, car park accesses and ramps, shall be submitted to and approved by the Local Planning Authority before the development of each phase hereby permitted is begun and the development shall not be carried out otherwise than in accordance with any approval given.

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 adopted July 1995.

- 12 No structures (including freestanding signs, displays or advertisements) or planting, exceeding 0.9m height overall shall be placed or erected within the area of visibility of any of the splay(s) hereby approved.

Reason

To ensure that sightlines are not encroached upon, in the interests of pedestrian and vehicular highway safety.

- 13 Details (2 copies) of the following shall be submitted to and approved by the Local Planning Authority before the development of Phase 3 (Site F) is begun and the development shall not be carried out otherwise than in accordance with any approvals given. Thereafter the access barrier shall be permanently maintained to the satisfaction of the Council as local planning authority and shall only allow access to service vehicles to the Class A1 foodstore, or emergency vehicles, entering from Jamaica Road:

- a) plans at a scale of 1:200 showing the turning movements of service vehicles from Jamaica Road to Marine Street;
- b) plans showing the location, and details of the operation and security arrangements, for the access barrier on the northern section of Marine adjacent to the service area of the Class A1 foodstore;
- c) plans at a scale of 1:200 showing the tracking movements of service vehicles along the whole length of Marine Street, demonstrating the movement of service vehicles from the foodstore's loading bay along Marine Street and onto Old Jamaica Road.

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 adopted July 1995.

- 14 The whole of the car parking shown on Drawing Nos 2440/D/003_1 Rev B and _2 Rev B hereby approved, or approved subsequently in accordance with any condition of this permission, shall be made available as shown on these drawings, and retained for the purposes of car parking for vehicles of the occupiers of the residential accommodation (including Lupin Point, Casby House and Bowley House), health centre, foodstore and Urbigo parking, and no trade or business shall be carried on therefrom. The parking for the new residential accommodation shall be allocated on a basis of a maximum of one car parking space per residential unit.

Reason

To ensure that on-site parking is maintained for its intended use, to minimise blocking of the surrounding streets and in the interests of highway and pedestrian safety, in accordance with Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Southwark Plan adopted July 1995.

- 15 Details (2 copies) of (a) the means by which the existing mature Plane trees along Spa Road are to be protected, in accordance with BS5837:1991 'Trees in Relation to Construction', from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment and (b) of how the new front garden walls/fences and front of the new buildings are to be constructed to minimise damage to the roots of these trees, shall be submitted to and approved by the Local Planning Authority before any work is begun on this Phase of the development, and such protection shall be installed and retained throughout the period of the works. Prior notice shall be given to the Arboricultural Officer before excavation proceeds so that he can be available to be on site to advise accordingly.

Reason

To ensure that the trees on and adjoining the site are adequately protected during building works, in accordance with policy E.3.1 'Protection of Amenity' and Objective E.6 'Ecology and Trees' of the Southwark Unitary Development Plan 1995 and policy 3.2 'Protection of Amenity', policy 3.28 'Biodiversity' and 'Open Spaces' SPG of The Southwark Plan (Revised Deposit UDP) March 2004.

- 16 Details (2 copies) of a survey and investigation of the soil conditions of the site, 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 for each phase of the development hereby approved and thereafter shall be carried out before any works for that phase of the development 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 adopted July 1995.

- 17 No development shall take place on either Site F or Site U until the applicant has secured the implementation of a programme of archaeological work for each site in accordance with a written scheme of investigation which has been submitted (2 copies) by the applicant and approved by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.

- 18 No development shall take place on either Site F or Site U until a detailed scheme (2 copies) showing the scope and arrangement of foundation design and all new groundworks for each site, which may have an impact on archaeological remains, has been approved in writing by the Local Planning Authority and that the scheme will be monitored by the Council.

Reason

To ensure that archaeological remains are not disturbed or damaged by foundations and other groundworks but are, where appropriate, preserved in situ.

- 19 Details of the sustainable design and construction measures, including recycling and renewable energy facilities to be incorporated into the development as set out in the Sustainability Statement dated January 2004 shall be submitted for each phase of the development for approval by the Local Planning Authority before construction works begin on that phase. No occupation shall take place until any provision as may have been approved is in place.

Reason

The ensure that the development incorporates the sustainable proposals in accordance with policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan adopted July 1995 and policies 3.2 'Protection of Amenity', 3.3 'Sustainability Appraisal', 3.4 'Energy Efficiency', 3.5 'Renewable Energy' and 3.7 'Waste Reduction' of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

- 20 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.

- 21 Prior to the commencement of any development of Sites H or F, a detailed survey of the existing buildings on the sites shall be carried out to establish the presence or otherwise of any bat roosts, and in the event that bats are found a detailed mitigation strategy shall be agreed with English Nature and a licence obtained from DEFRA. Details of the survey (and mitigation strategy and copy of the licence from DEFRA if bats have been found on the site) shall be submitted to and approved by the Local Planning Authority before any works commence on the sites.

Reason

In order to protect any bats that may be found on the sites, in accordance with policy E.6.3 'Protection and Creation of Sites of Ecological Importance' of the Southwark Unitary Development Plan adopted July 1995 and policy 3.28 'Biodiversity' of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

- 22 Prior to the commencement of any development of the site:
- a) a detailed survey of the whole site shall be carried out to establish the presence or otherwise of any protected or rare species, in particular black redstarts. Details of the methodology, findings and conclusions of the survey (including a data search with relevant organisations) shall be submitted to the local planning authority within one month of the completion of the survey.
 - b) Should the results of the survey referred to in a) above indicate that black redstarts are present within the application site, details of a scheme of mitigation or enhancement works to minimise the adverse effects of the development on the protected species and a programme of timings for these works, shall be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

The development shall thereafter not be carried out otherwise than in accordance with any approval given.

Reason

In order to protect any protected species that may be found on the sites, in accordance with policy E.6.3 'Protection and Creation of Sites of Ecological Importance' of the Southwark Unitary Development Plan adopted July 1995 and policy 3.28 'Biodiversity' of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

- 23 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.

Reasons for granting planning permission.

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

- a) Policies R.2.2, E.1.1, E.2.1, E.2.2, E.2.3, E.2.4, E.2.5, E.3.1, E.3.2, E.3.4, E.3.5, E.5.1, C.2.2, C.5.2, C.7.1, H.1.2, H.1.3, H.1.4, H.1.5, H.1.7, H.1.8, H.1.10, B.1.1, B.1.2, S.2.1, T.1.1, T.1.2, T.1.3, T.4.1, T.5.3, T.6.1 and T.6.3 of the Southwark Unitary Development Plan 1995
- b) Policies 1.1, 1.2, 1.7, 1.8, 2.2, 2.5, 3.2, 3.3, 3.6, 3.7, 3.10, 3.11, 3.14, 3.19, 3.28, 5.1, 4.2, 4.3, 4.4, 5.1,

5.2, 5.3, 5.6, 5.8 and draft Bermondsey Spa Action Area Supplementary Planning Guidance of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.

- c] Policies 2A.1, 2A.4, 3A.1, 3A.4, 3A.7, 3B.4, 3C.22, 3D.12, 4A.7, 4B.1, 4B.4, and 4B.6 of the London Plan [February 2004].
- d] Planning Policy Guidance Notes PPG1, PPG3, PPG9, PPG13 and PPG24.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Informatives

- 1 You are reminded that the permission hereby approved is subject to a S106 legal agreement to secure the affordable housing, works to the highway, a car sharing scheme for future residential occupiers, new entrance facilities to Casby House and Lupin Point, a skills audit and investigation of potential local employment and training initiatives, and financial contributions towards children's play equipment, improvements to Bowley House, local tree planting, review and amendments to the Controlled Parking Zone and the realignment of Marine Street.
- 2 You are advised that a licence must be obtained from the Council prior to any hoarding or works adjacent to the public highway or footway. Please consult the Director of Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 3 You are advised that a licence must be obtained from the Council for any projections or structure (including canopies, balconies etc) over or above the highway or footway. Please apply to the Director of Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 4 Refuse storage accommodation must conform to BS 5906 and be formally approved by Council. You are advised to consult the Council's Waste Management, Manor Place Depot, 34-36 Penrose Street, SE17 3DW telephone (020) 7525 2399 with regard to how best comply with the terms of Condition 9 of this permission.
- 5 Prior to the commencement of works you are advised that you must enter into an agreement with the Council if it is intended that the road(s) serving the development will be adopted by the Council. Please contact the Director of Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 6 Prior to the commencement of works you are advised that you must enter into an agreement with the Council if it is intended that the sewer(s) serving the development will be adopted by the Council. Please contact the Director of Regeneration Department, Chiltern, Portland Street, London SE17 2ES. (tel: 020 7525 5000).
- 7 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).
- 8 You are reminded that the B1 use hereby permitted (including the live-work units) falls within Class B1 of the Town and Country Planning (Use Classes) Order 1987 which is restricted to office, research and development, or light industrial activities (other than professional or financial services) that can be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 9 You are advised to consult the Council's Head of Public Protection with regard to how best to comply with the terms of Conditions 4 and 16 on this permission. Please contact the Head of Public Protection, Chaplin Centre, Thurlow Street, SE17 2DG (tel. 020-7525 5000).
- 10 You are reminded that approval of the details of any matter reserved by condition can only be given by the Head of Regeneration Department and is not formally given by any other Department of the Council regardless of whether you are advised to discuss your proposal with that Department.
- 11 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. This should include details of how the private and public areas are to be clearly delineated. You are advised to contact the Principal (Client) Engineer Infrastructure Group (020 7525

5509), at least 4 months prior to any works commencing on the public highway.

- 12 You are advised to consult the Council's Senior Archaeology Officer for more detailed advice on the implications of the redevelopment of the site. The officer can be contacted at the Regeneration Department, Council Offices, Chiltern, Portland Street, London SE17 2ES (020 7525 5448)
- 13 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).
- 14 The details and/or samples required by the Condition(s) above must be accompanied by a letter stating:
 1. the LBS Reference Number which appears at the top of this decision notice;
 2. the full address of the application site;
 3. which condition(s) you seek to discharge; and
 4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.
- 15 You are advised to consult the Council's Arborculturalist, Oliver Stutter, Council Offices, Chiltern, Portland Street, London SE17 2ES telephone (020) 7525 2090 with regard to how best comply with the terms of Condition 1 (landscaping) and 15 of this permission.
- 16 You are advised to consult the Borough Crime Prevention Design Advisor prior to the submission of the details required under condition 1 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).
- 17 You are reminded of the need to comply with the details set out in Network Rail's letter dated 12.2.04 ref. NR/P/XTD/2-53.
- 18 With regard to condition 22, you are advised to contact English Nature and the London Wildlife Trust for advice on the information that should be submitted.