
RECOMMENDATION LDD MONITORING FORM REQUIRED

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	Rydon Construction & Metropolitan Housing Trust	Reg. Number	09-AP-2130
Application Type	Full Planning Permission	Case Number	TP/2575-114
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a three / four storey block consisting of twelve new dwellings (5 x 4 bedroom houses, 1 x 4 bedroom maisonette, 5 x 2 bedroom flats and 1 x 1 bedroom flat) with associated landscaping and cycle parking.

At: LAND ADJOINING 114 WOODLAND ROAD, LONDON, SE19 1PA

In accordance with application received on 24/09/2009

and Applicant's Drawing Nos. WRD AL (0) 001, 002, 010 Rev A, 011 A, 012 A, 013 C, 015, 020 A, 021 A, 023A

Traffic Survey, Extended Phase 1 Habitat Survey, Sustainable Homes Ecological Assessment, Economic Development Appraisal, Noise Assessment, Design & Access Statement REV A, Initial Bat Survey (November 2009); Initial Badger Survey (January 2010)

Subject to the following condition:

- 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: AL (0) 010 A; AL (0) 11 A; AL (0) 12 A; AL (0)13 C; AL (0) 20 A; AL (0)21 A; AL (23) A

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Details of the means of enclosure for all site boundaries 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 approval given. All boundary treatment to the development shall be completed in accordance with the approved details prior to the occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of visual amenity and privacy to future occupiers of the dwellings and in accordance with policies 3.2 'Protection of amenity', 3.12 'Quality in design' and 3.13 'Urban design' of the Southwark Plan 2007.

- 4 Samples of all facing materials, including the brickwork pointing-mortar and landscaping materials, 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. The brickwork and mortar samples should be made available on site.

Reason:

In order that the Local Planning Authority may be satisfied as to the design details of the building and in the interest of the impact of the building upon the streetscene in accordance with Policies: 3.12 Quality in Design 3.13 Urban Design of The Southwark Plan 2007.

- 5 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 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 the interests of visual amenity and biodiversity, in accordance with policies 3.12 'Quality in design', 3.13 'Urban design' and 3.28 'Biodiversity' of the Southwark Plan 2007.

- 6 Prior to the commencement of any work on site the applicant should carry out a contaminated land assessment to determine the extent of any contamination present. The results of assessment shall be submitted to and approved by the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 7 An investigation and risk assessment, in addition to any assessment provided under planning condition 6 of this permission, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - 1 • human health,
 - 2 • property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - 3 • adjoining land,
 - 4 • groundwaters and surface waters,
 - 5 • ecological systems,
 - 6 • archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's '*Model Procedures for the Management of Land Contamination, CLR 11*'.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 8 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 9 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified

in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy 3.1 Environmental effects of the adopted Southwark Plan 2007 and PPS 23.

- 11 Prior to commencement of work on site further tests shall be carried out to ascertain whether there is evidence of badgers on the site. The details of such tests shall be submitted to and agreed in writing with the Local Planning Authority. If evidence of badgers is confirmed then no work shall begin until a mitigation strategy agreed by the Council ecologist and Natural England is implemented.

Reason

In order that the development does not harm the habitats of any protected species and in order in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 12 Prior to the commencement of work on site a detailed rear elevation plan showing the location of bat bricks within the buildings shall be provided to and approved by the Local Planning Authority to encourage and provide habitats for the local bat population. The plans shall be implemented as approved.

Reason

In order that the scheme encourages local bats where it appears they may already have an existing commuting route in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 13 Details of any external lighting [including design, power and position of luminaires] of external areas surrounding the building shall be submitted to (2 copies) and approved by the Local Planning Authority before any such lighting 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 and the impact of any lighting on local wildlife in accordance with Policies 3.2 Protection of Amenity, 3.14 Designing out Crime and 3.28 Biodiversity of the Southwark Plan (2007).

- 14 There is insufficient justification for the felling of the Ash tree identified as T14 in the Preliminary tree report by Landscape Planning. Therefore no works are permitted to the Ash tree (T14) without the submission of further details and the subsequent approval in writing by the Local Planning Authority.

Reason

In order that the scheme retains as many of the existing trees as possible and in accordance with Policy 3.28 'Biodiversity' and 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 15 No tree, bush, bramble, scrub, tall grassland or hedges shall be removed during the critical nesting period between 1st April and 31st August, unless the area is thoroughly checked and any work carried out under the supervision of a qualified ecologist.

Reason

These areas are potential breeding areas for local birds and their removal during the nesting season could affect any breeding birds which are protected by the Wildlife and Countryside Act 1981 as amended. No provisions can be made for the destruction of occupied bird nests, eggs or young for development purposes. This will ensure compliance with Policy 3.28 Biodiversity of the Southwark Plan 2007.

- 16 Notwithstanding the provisions of Part 1 Classes A, B, C D, E and G of the Town and Country Planning General Permitted Development Order 2008 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the 4 single family dwellings hereby approved without the prior written consent of the Council, to whom a planning application must be made.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Policy 3.2 Protection of Amenity and 3.12 Quality in Design of the Southwark Plan 2007

- 17 No meter boxes, flues (including balanced flues), vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the street elevation[s] of the building[s] without the prior written approval of the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied with the external appearance of the building and in the interest of the appearance of the building in accordance with Policy 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007

- 18 The proposed buildings shall be built to the ground levels and heights as shown on the approved plans or lower; if the indicated existing ridge and eaves height levels of the neighbouring properties at nos. 108 and 110 Woodland Road should prove to be erroneous, then the ridge and eaves height of the proposed buildings shall be no higher than the relative height differences between the ridge and eaves height of nos. 108 and 110 Woodland Road.

Reason

To ensure that the proposed buildings are built to the heights relative to adjoining buildings as detailed in the design and access statement, in accordance with Policy 3.2 Protection of amenity and 3.13 Urban design of the Southwark Plan 2007.

- 19 Prior to the occupation of the development, a post construction Code for Sustainable Homes assessment demonstrating how the building has achieved a minimum of Code Level 3 shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that the Local Planning Authority may be satisfied as to the energy efficiency measures and sustainability of the development, in accordance with policy 3.4 'Energy efficiency' of Southwark Plan 2007.

- 20 A minimum of 20% of the development's predicted energy requirements shall be provided by renewable energy on-site (photovoltaic panels), in accordance with the Sustainability Statement dated September 2009 and the Renewable energy statement by Whites Associates, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the renewable energy proposed, in the interest of the environmental sustainability of the development in accordance with policy 4.7A 'Renewable energy' of the London Plan (2008).

- 21 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied 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 policy 3.7 'Waste reduction' of the Southwark Plan 2007.

- 22 The cycle storage facilities as shown on drawing number AL (0) 020 Revision A shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

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 policy 5.3 'Walking and cycling' of the Southwark Plan 2007.

- 23 All residential premises shall be designed to attain the following internal noise levels:

Bedrooms- 30dB LAeq,T* and 45dB LAfmax

Living rooms- 30dB LAeq, T*

A test shall be carried out after completion but prior to occupation to show that the criteria above have been met and the results submitted to the Local Planning Authority for approval.

*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and PPG 24: Planning and Noise.

- 24 The tree protection methods detailed within the Preliminary Tree Report by Landscape Planning (South) shall be implemented in accordance with the details therein. Prior to the commencement of works a site meeting should be held between the developers arboricultural consultant the and Local Authority Arboriculturist to ensure that the protective tree fencing has been properly erected and affords adequate protection to the root protection zones.

Reason

In order that the Local Planning Authority may be satisfied with the details of the scheme in accordance with Policy 3.12 'Quality in Design' and 3.2 'Protection of Amenity' of the Southwark Plan 2007

Reasons for granting planning permission.

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

Reasons for granting planning permission

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

a) **Southwark Plan (2007)**

Policy 2.5 ("Planning Obligations") seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant, in accordance with Circular 05/2005 and other relevant guidance.

Policy 3.1 ("Environmental effects") seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 ("Protection of amenity") protects against the loss of amenity, including disturbance from noise, to present and future occupiers on or in the vicinity of the application site.

Policy 3.3 ("Sustainability assessment") requires major applications to be supported by a sustainability assessment

Policy 3.4 ("Energy Efficiency") states that development should be designed to maximise energy efficiency

Policy 3.5 ("Renewable Energy") states that development should draw on at least 10% of the energy requirements from on-site renewable energy production equipment or renewable energy sources.

Policy 3.6 ("Air Quality") states the permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.11 ("Efficient use of land") states that all developments should ensure that they maximise the efficient use of land

Policy 3.12 ("Quality in design") requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 ("Urban design") seeks to ensure that principles of good urban design are taken into account in all developments.

Policy 3.28 (Biodiversity) seeks to take biodiversity into account in determination of planning applications.

Policy 4.1 ("Density of residential development") provides density ranges for different zones within the borough

Policy 4.4 ("Affordable Housing") seeks to secure affordable housing as part of private development

Policy 5.1 ("Locating developments") states that major developments generating a significant number of trips should be located near transport nodes.

Policy 5.2 ("Transport Impacts") states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.6 ("Car parking") requires all developments requiring car parking to minimise the number of spaces provided

b] The London Plan 2008 (Consolidated with Alterations since 2004):

3A.1 Increasing London's supply of housing, 3A.13 Special needs and specialist housing, 3B.3 Mixed use development, 3C.21 Improving Conditions for Walking, 3C.22 Improving Conditions for Cycling, 3C.23 Parking Strategy, 4A.3 Sustainable Design and Construction, 4A.4 Energy assessment, 4A.7 Renewable energy, 4A.14 Sustainable Drainage, 4A.16 Water Supplies, 4A.19 Improving Air Quality, 4A.20 Reducing Noise, 4B.1 Design Principles for a Compact City, 4B.2 Promoting World Class Architecture and Design, 4B.3 Enhancing the quality of the Public Realm, 6A.5 Planning Obligations

c] Planning Policy Statements

PPS 1: Planning for Sustainable Communities; PPG 13: Transport; PPG 16: Archaeology; PPS 22: Renewable Energy; PPG 23: Planning and Pollution Control; PPG 24: Planning and Noise; PPS 25: Development and Flood Risk; Design and Access Statements SPD (2007); Section 106 Planning Obligations SPD (2007); Residential Design Standards SPD 2008

- Particular regard was had to the principle of the residential development on this site.
- It is considered that the new building has been designed in a manner that integrates with the surrounding area, subject to conditions of consent in particular in relation to materials and detailing. The development is not considered to harm the amenities of surrounding residents, including but not limited to considerations of sunlight and daylight, outlook and privacy, and noise and disturbance.
- The proposal is considered to provide for sustainable development through the appropriate consideration of measures such as energy efficiency, waste management and use of renewable energy.
- Transport and highways impacts of the scheme are considered to be acceptable given the location of the site within an area with good access to public transport.
- Effects of the scheme on the surroundings of the site and public realm have been addressed satisfactorily, subject to conditions of consent relating to submission and implementation of a landscape plan.
- Other policies have been considered, but in this instance were not considered to have such weight as to justify a refusal of permission. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

