
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	Mr. John Reid James Allen Girls School	Reg. Number	10-AP-1510
Application Type	Full Planning Permission	Case Number	TP/2120-C
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of 3-storey plus basement building to provide a community music centre for use by school and local community (Use Class D1).

At: JAMES ALLEN'S GIRLS SCHOOL, 144 EAST DULWICH GROVE, LONDON, SE22 8TE

In accordance with application received on 01/06/2010

and Applicant's Drawing Nos. 526_1000 Rev P, 526_1010 Rev P1, 526_1020 Rev P1, 526_1100 Rev P1, 526_1101 Rev P1, 526_1102 Rev P1, 526_1103 Rev P1, 526_1104 Rev P1, 526_1120 Rev P1, 526_1121 Rev P1, 526_1110 Rev P1, 526 - 1111 Rev P1, 526 - 1112 Rev P1, 526 - 1040 Rev A, 526 - 1041 Rev A, 526 - 1045, BREEAM Pre-Assessment, Acoustic Planning Report/Environmental Noise Survey, Arboricultural Impact Appraisal and Method Statement, Transport Statement (Amendment Sept 2010), Southwark Sustainability Questionnaire, Energy Statement, Design and Access Statement, Travel Plan / Event Management (Amendment September 2010), Parking Statement.

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:

526_1000 Rev P, 526_1010 Rev P1, 526_1020 Rev P1, 526_1100 Rev P1, 526_1101 Rev P1, 526_1102 Rev P1, 526_1103 Rev P1, 526_1104 Rev P1, 526_1120 Rev P1, 526_1121 Rev P1, 526_1110 Rev P1, 526 - 1111 Rev P1, 526 - 1112 Rev P1, 526 - 1041 Rev A, 526 - 1045

Reason:

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

- 3 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 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 4 The building shall be designed to ensure that no noise is audible at the nearest noise sensitive premises, and shall meet the following standard:

Criteria	Design range
No music or amplified sound or preaching/chanting audible at nearest noise sensitive premises	The LAeq, 5min shall be 10 dB below the external noise levels of nearest noise sensitive premises.

The development shall be completed to this standard prior to the first use of the building, and shall be maintained as such thereafter.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the premises in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 5 Details of a lobby system (2 sets of doors with self closers) to be installed at the main entrance to the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the building, in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 6 The noise level from any plant (e.g. refrigeration, air conditioning), together with any associated ducting, shall be 10dB (LAeq, 5min) or more below the lowest measured external ambient LA90, 1hr* at any area of the public realm. The equipment shall be installed and constructed in accordance with any approved scheme and be permanently maintained thereafter.

Within one month of the installation of the plant and equipment, a further acoustic report to demonstrate compliance with the requirements approved at (a) shall be submitted to and approved in writing by the Local Planning Authority, and the report shall include:

- i) A schedule of all plant and equipment installed;
- ii) Location of the plant, associated ducting, attenuation and damping equipment;
- iii) Manufacturer specifications of sound emissions in octave or third octave detail;
- iv) Location of the most affected noise sensitive receptor locations and most affected windows;
- v) Distance between plant, equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location/s;
- vi) The lowest existing LA90, T measurement as already established;
- vii) Noise monitoring data, measurement evidence, calculations demonstrating compliance with this condition.

Reason

To ensure that users of the surrounding area not suffer a loss of amenity by reason of noise nuisance and other excess noise from plant and that the operation of plant does not add by cumulative effect to the existing sound environment in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 7 The building hereby permitted shall not be open to the public outside the hours of 07:30-22:00 Monday to Friday; 07:30-22:00 on Saturdays and 12:00-22:00 on Sundays.

Reason

To ensure no loss of amenity to neighbouring residential occupiers, in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 8 Details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure no loss of amenity to neighbouring residential occupiers as a result of light pollution, in accordance with policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

- 9 All parking spaces shown on drawing number 526_1041 (Revision A) shall be completed prior to the commencement of development and thereafter shall be kept free of obstruction and available for the parking of vehicles only.

Reason

To ensure that there are adequate replacement parking facilities available on the site before the existing staff car park on East Dulwich Road is removed, in accordance with policy 5.2 'Transport impacts' of the Southwark Plan 2007.

- 10 Prior to the commencement of development a parking strategy for all staff parking, which shall include staff being allocated specific areas in which to park, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In order to reduce the likelihood of staff from the school parking on-street, in accordance with policies 5.2 'Transport impacts' and 5.6 'Car parking' of the Southwark Plan 2007.

- 11 The development shall not commence until details of a Construction Management Strategy has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The Management Scheme and Code of Practice shall oblige the applicant, or developer and its contractor to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and TV reception emanating from the site and will include the following information for agreement:
- A detailed specification of demolition and construction works at each phase of development including consideration of environmental impacts and the required remedial measures.
 - The specification shall include details of the method of piling.
 - Engineering measures, acoustic screening and the provision of sound insulation required mitigating or eliminating specific environmental impacts.
 - Arrangements for publicity and promotion of the scheme during construction.
 - A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme registration.

All construction work shall be undertaken in strict accordance with the approved management scheme and code of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Policy 3.2 'Protection of Amenity' of The Southwark Plan 2007.

- 12 Samples of all facing materials and sample panels of the brickwork 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 the interests of the visual amenities of the streetscene and the character and appearance of this part of the Dulwich Village Conservation Area, in accordance with policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 13 Detailed drawings of all windows to the building including sections showing how they would adjoin the external walls, 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 the interests of the visual amenities of the streetscene and the character and appearance of this part of the Dulwich Village Conservation Area, in accordance with policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 14 The windows to the East Dulwich Grove elevation shall not be used for the display of advertisements or other displays and shall remain completely unobscured at all times.

Reason

Obscuring these windows would result in a dead frontage which would be harmful to the visual amenities of the streetscene and the character and appearance of this part of the Dulwich Village Conservation Area, contrary to policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 15 Detailed drawings of all external plant to be mounted on the roof of the building hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of the visual amenities of the streetscene and the character and appearance of this part of the

Dulwich Village Conservation Area, in accordance with policies 3.12 'Quality in design', 3.13 'Urban design' and 3.16 'Conservation areas' of the Southwark Plan 2007.

- 16 The existing trees which are to be retained on the site shall be protected and the site shall be managed in accordance with the recommendations contained in the submitted Arboricultural Impact Appraisal and Method Statement dated May 2010. In any case, notwithstanding the presence of or validity of an arboricultural report, all works must adhere to BS5837: Trees in relation to construction and BS3998: Recommendations for tree work.

Location of trees on and adjacent to development sites

The plans and particulars submitted in accordance with this condition shall include:

- (a) a plan showing the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 metres above ground level, exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree;
- (b) details of the species, diameter (measured in accordance with [paragraph \(a\)](#) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs [\(c\)](#) and [\(d\)](#) below apply;
- (c) details of any proposed topping or lopping of any retained tree, or of any tree on land adjacent to the site;
- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree];
- (e) details of the specification and position of fencing [and of any other measures to be taken] for the protection of any retained tree from damage before or during the course of development.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the plan referred to in [paragraph \(a\)](#) above.

The plans and particulars submitted shall include details of the size, species, and positions or density of all trees to be planted, and the proposed time of planting.

These works and measures shall include compliance with the details as set out in the Arboricultural Report and a pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site.

All tree protection measures and subsequent works required pursuant to that pre-commencement meeting and the Arboricultural report shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason

In the interests of preserving the health of the trees and to maintain the visual amenity of the site, in accordance with Policies 3.2 Protection of amenity, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

- 17 Prior to works commencing on site, including any demolition, details of the means by which any existing trees 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 to and approved in writing by the Local Planning Authority, and the protective measures shall be installed and retained throughout the period of the works in accordance with any such approval given and protective fencing must not be moved or removed without the explicit written permission of the Local Authority Arboriculturalist. Within the protected area, no fires may be lit, no materials may be stacked or stored, no cement mixers or generators may be used, no contractor access whatsoever is permitted without the explicit written permission of the Local Authority Arboriculturalist under the supervision of the developer's appointed Arboriculturalist. Within the protected area, any excavation must be dug by hand and any roots found to be greater than 25mm in diameter must be retained and worked around.
- (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
 - (b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority. Reference will be made to an assessment of tree value using CAVAT

(capital asset valuation for amenity trees).

(c) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority.

Reason

To ensure the protection of the existing trees in accordance with Policies policy 3.2 Protection of Amenity and 3.28 Biodiversity of The Southwark Plan 2007.

18

Prior to the commencement of development, detailed drawings (scale 1:50), of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping) and a replacement tree to the East Dulwich Grove frontage, shall be submitted to and approved in writing by the Local Planning Authority and the landscaping shall not be carried out otherwise than in accordance with any such approval given. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or 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 in the next planting season by specimens of similar size and species in the first suitable planting season. Planting shall comply to BS:4428 Code of practice for general landscaping operations, BS:3996 Nursery stock specification, BS:5837 Trees in relation to construction and BS:7370 Recommendations for establishing and managing grounds maintenance organisations and for design considerations related to maintenance.

Reason

In order that the Local Planning Authority may ensure that the design and details are in the interest of the special architectural qualities of the existing building and the public spaces around it in accordance with Policies 3.12 Quality in Design, 3.13 Urban Design and 3.28 Biodiversity of The Southwark Plan 2007.

19 The development hereby permitted shall be completed in accordance with the Energy Statement dated May 2010.

Reason

To reduce the carbon dioxide emissions associated with the proposed development, in accordance with policy 4A.7 'Renewable energy' of the London Plan (2008).

20 Prior to the occupation of the development, a post construction BREEAM assessment demonstrating how the building has achieved a minimum of a very good rating 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.

Reasons for granting planning permission.

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

- a] Policies SP7 - Arts, culture and tourism which states that all developments should, where appropriate, support regeneration and wealth creation through arts, culture and tourism uses, 2.2 - Provision of new community facilities which requires new community facilities to be accessible to all and not to result in any loss of amenity or adverse highway impacts, 2.3 - Enhancement of educational establishments which seeks to protect existing D class educational establishments, 3.2 - Protection of amenity which seeks to ensure an adequate standard of amenity for existing and future occupiers, 3.3 - Sustainability assessment which requires major developments to be accompanied by a sustainability assessment, 3.4 - Energy efficiency which requires developments to maximise energy efficiency and minimise carbon dioxide emissions, 3.6 - Air quality which states that planning permission will not be granted for developments that would lead to a reduction in air quality, 3.12 - Quality in design which seeks to ensure that developments achieve a high standard of architectural design, 3.13 - Urban design which seeks to ensure that developments achieve a high standard of urban design, 3.15 - Conservation of the historic environment which seeks to conserve the historic environment, 3.16 - Conservation areas which seeks to preserve or enhance the character or appearance of conservation areas, 3.18 - Setting of listed buildings, conservation areas and world heritage sites which seeks to preserve or

enhance the character or appearance of listed buildings, conservation areas and world heritage sites, 3.28 - Biodiversity which states that the Local Planning Authority will take biodiversity into account in determining all planning applications, 5.2 - Transport impacts which seeks to ensure that developments do not result in adverse highway conditions, 5.3 - Walking and cycling which requires developments to make adequate provision for pedestrians and cyclists, and 5.6 - Car parking which establishes maximum parking standards, of the Southwark Plan 2007.

- b] Policies 3A.18 - Protection and enhancement of social infrastructure and community facilities which requires Local Authorities to assess the need for social infrastructure and community facilities in their area, 3A.24 - Education Facilities which requires development plan policies to reflect the demands for pre-school, school and community learning facilities, 3C.C - Sustainable transport in London which seeks to support more sustainable modes of transport, 3D.4 - Development and promotion of arts and culture which seeks to promote London's cultural and arts facilities, 4A.7 - Renewable energy which seeks to reduce carbon dioxide emissions from developments and 4B.12 - Heritage conservation which seeks to protect and enhance London's historic assets of the London Plan [consolidated with alterations since].
- c] Planning Policy Statements [PPS] and Guidance Notes PPS5: Planning for the Historic Environment, PPG13: Transport and PPG24: Planning and Noise.

Particular regard was had to

- Objections in relation to character and appearance and the foregoing design policies, where it is considered that the new buildings have been designed in a sensitive and sympathetic manner that integrates with the surrounding area, and which would not harm the character and appearance of the Dulwich Village conservation area, subject to conditions of consent in particular in relation to materials and detailing.
- Objections in relation to impacts on amenities and the foregoing urban design policies. The development is not considered to harm the amenities of surrounding residents, including but not limited to considerations of privacy, noise and disturbance.
- Transport and highways impacts of the scheme which are considered to be acceptable having regard to the with the policies summarised above and the transport assessment submitted in particular including justification for the proposed amount of on site car parking, and having regard to the mitigation afforded in relation to transport planning issues through the conditions of consent.
- Objections in relation to the effects of the scheme on trees both on the site and surrounding the site and in terms of landscaped amenity which have been addressed satisfactorily particularly having regard to visual amenity and biodiversity, subject to conditions of consent relating to submission of an Arboricultural method statement, tree protection, mitigation of the loss of trees by way of replacement tree planting, monitoring of the health of retained trees, and the submission of a further landscape plan and implementation of the landscape plan;
- Objections received in relation to, and other matters relating to, the impacts of the scheme on the surrounding area during the construction phase such as noise and traffic impacts which can be adequately mitigated through compliance with conditions of consent.
- Other policies which may have been considered, but in this instance are 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.