
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 R. Patel Malcolm Pawley Architects	Reg. Number	11- <u>AP</u> -2261
Application Type	Full Planning Permission	Case Number	TP/80-1
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Partial demolition of the existing building to create a part two-storey and part four-storey building to accommodate 2 residential units (2 X 2 bed) at first, second and third floor levels. Partial change of use of existing studio/office unit (B1 Class) to form a self contained 2 storey mews house (C3 Class). The existing monopitch roof is to be removed and replaced with a double pitched roof. Creation of a mezzanine floor between lower ground and upper ground floor level to accommodate B1 class floor space.

At: 5 TYERS GATE, LONDON, SE1 3HX

In accordance with application received on 12/07/2011 08:20:16

and Applicant's Drawing Nos. S01, S02, S03, S04, S05, S06, S07, S08, S09 (X2), S10, S11, S13

PA01, PA02, PA03, PA04, PA05, PA06, PA07, PA08, PA09, PA10

P01 Rev A, P02, P03, P04, P05

Flood risk assessment

Heritage Statement

Design and Access Statement

Archaeology Reports Parts 1 and 2

Reasons for granting planning permission.

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

a] Core Strategy 2011

Strategic Policy 2 - Sustainable transport: We will encourage walking, cycling and the use of public transport rather than travel by car. This will help create safe, attractive, vibrant and healthy places for people to live and work by reducing congestion, traffic and pollution.

Strategic Policy 5 - Providing New Homes: Development will meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive environments, particularly in our growth areas.

Strategic Policy 10 - Jobs and businesses: We will increase the number of jobs in Southwark and create an environment in which businesses can thrive. We will also try to ensure that local people and businesses benefit from opportunities which are generated from development.

Strategic Policy 12 - Design and conservation: Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.

Strategic Policy 13 - High environmental standards: Development will help us live and work in a way that respects the limit's of the planet's natural resources, reduces pollution and damage to the environment and helps us to adapt to climate change.

b] Saved Policies of the Southwark Plan 2007

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): advises that permission will not be granted where it would cause a loss of amenity.

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 3.14 (Designing Out Crime) seeks to ensure that development is designed to improve community safety and crime prevention.

Policy 3.18 (Setting of listed buildings, conservation areas and world heritage sites) states that Permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building; or

Policy 3.19 ("Archaeology") seeks to ensure that the impact of development on any archaeological remains is assessed and preserved, protected and safeguarded.

Policy 4.2 ("Quality of residential accommodation") ensures that good quality housing is provided for the accommodation needs of the borough.

Policy 4.3 ("Mix of Dwellings") requires all major residential new development to provide a mix of dwelling sizes and types to cater for the range of housing needs of the area.

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 5.3 ("Walking and cycling") requires development to provide adequate facilities for pedestrians and cyclists.

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

c] London Plan 2011

Policy 3.3 Increasing Housing Supply, Policy 7.4 Local Character, Policy 7.5 Public Realm, Policy 7.6 Architecture,

d] Planning Policy Statements [PPS] and Guidance Notes [PPG] PPS1 – Delivering Sustainable Development, PPS 3 Housing, PPS5 Planning for the Historic Environment, PPS 25 Development and Flood Risk

Particular regard was had to the impact of the proposal on the amenity of adjoining residents, especially those residents occupying properties on Bermondsey Street. However, it was considered that the impact on the amenity on these properties would not be significantly material. Particular regard also was had to design considerations and the impact of the proposal on the character and appearance of the Bermondsey Street Conservation Area. The proposal was considered acceptable having regard to design and it was not considered that it would have a negative impact on the character and appearance of the Conservation Area. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following conditions:

- 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:

PA01, PA02, PA03, PA04, PA05, PA06, PA07, PA08, PA09, PA10

P01 Rev A, P02, P03, P04, P05

Reason:

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

- 3 Samples of the materials for the walls and roof 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 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 materials in the interest of the appearance of the building in accordance with Strategic Policy 12 Design and Conservation of the Core Strategy (2011) and saved policy 3.12 Quality of Design in the Southwark Plan 2007.

- 4 Details and sampling of the trellis (proposed for the south elevation) as well as a detailed maintenance plan for the 'living wall' shall be submitted to 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 that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Strategic Policy 12 Design and Conservation of the Core Strategy 2011 and saved Policy 3.12 Quality of Design in the Southwark Plan 2007.

- 5 The development permitted by this planning permission shall not be initiated by the undertaking of a material operation as defined in section 56(4) (a)-(d) of the Town and Country Planning Act 1990 in relation to the development until, following negotiation with the local planning authority, a planning obligation pursuant to Section 106 of the said Act relating to the land has been made and lodged with the authority and the persons submitting the same have been notified that it is to the local planning authority's approval. The said obligation shall provide an appropriate contribution towards the costs of amending the Traffic Management Order in order to exempt future occupiers of the premises from applying for parking permits in the area.

Reason

To ensure highway and pedestrian safety and to encourage the use of alternative means of transport and reduce reliance on the use of the private car in accordance with Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and saved Policy 3.2 'Protection of Amenity' and saved policy 5.3 'Walking and Cycling' of The Southwark Plan July 2007.

- 6 Further details of the facilities to be provided for the secure storage of all cycles associated with the commercial and residential use shall be submitted to (2 copies) and approved in writing 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. The drawings should indicate a total of 5 spaces (3 residential and 2 commercial).

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 Strategic Policy 2 Sustainable Transport and saved policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 7 No development shall take place within the proposed development site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation, which has been submitted to the planning authority and approved in writing.

Reason

In order that the Local Planning Authority may be satisfied as to the details of the programme of works for the archaeological project in accordance with Strategic Policy 12 Design and Conservation of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan (July 2007).

- 8 No development shall take place within the proposed development site until the applicant has produced a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works,

which have been submitted to the planning authority and approved in writing. 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 foundations and groundworks accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 Design and Conservation of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan (July 2007).

- 9 The development hereby approved shall not commence until details of a Construction Management Strategy has been submitted to, and approved in writing by the Local Planning Authority. 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 demolition and 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 saved Policy 3.2 'Protection of Amenity' of The Southwark Plan 2007.

- 10 No work shall commence on site until full particulars and details (2 copies) of the condenser units, including details of sound attenuation for any necessary plant, has 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 order to that the Council may be satisfied that the condenser units will not result in an noise nuisance and will not detract from the appearance of the building in accordance with saved Policy 3.2 'Protection of Amenity' and 3.12 'Quality in Design'.

- 11 All demolition and construction work shall not be carried on outside of the hours 0900 to 1730 on Monday to Friday, unless otherwise agreed in writing by the Local Planning Authority. It shall not be carried out on Bank Holiday Mondays, or Saturdays and Sundays.

Reason

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

- 12 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 3.2 Protection of Amenity and 3.7 Waste Reduction of the Adopted Southwark Plan 2007.

- 13 Prior to the commencement of works, details of the refuse storage arrangements for the commercial (B1) use shall be submitted to the local authority for approval in writing. The refuse arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the premises before the use of the premises is commenced 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 saved Policy 3.2 Protection of Amenity and 3.7 Waste Reduction of the Southwark Plan 2007.

- 14 Details of the means by which the existing trees within Leathermarket Gardens 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 to preserve the character and appearance of the Gardens and to protect the trees, in the interests of amenity, in accordance with saved Policy 3.2 Protection of Amenity of the Adopted Southwark Plan 2007.

- 15 Before any work hereby authorised begins, details of the foundation works (including details of any trial hole(s) or trench(es) to check for the position of roots) to be used in the construction of this development showing how the roots of the tree(s) will be protected shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given. All works shall adhere to National Joint Utility Group, Volume 4, 'Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2)'.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area in accordance with Policies 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

- 16 All windows on the east facing elevation of the building on first to third floors shall be obscure glazed and be of restricted opening/fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority. Details of the means by which any of the windows that need to be openable shall have the degree of opening restricted shall be submitted to and approved by the Council prior to occupation of the building.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises to the rear of Bermondsey Street from undue overlooking in accordance with saved Policy 3.2 Protection of Amenity of the Adopted Southwark Plan 2007.

- 17 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the mew house, without the prior written consent of the Council, to whom a planning application must be made.

Reason

The site is very enclosed and control should be retained over any future alterations or extensions to the mews house, in the interests of the amenity of neighbouring occupiers and in accordance with saved policy 3.2 Protection of Amenity of the Southwark Plan 2007 and strategic policy 13 High Environmental Standards of the Core Strategy 2011.

- 18 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 saved Policy 3.1 Environmental Effects of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy.