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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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.

<b>Applicant</b>	Lend Lease (Elephant and Castle) Ltd	<b>Reg. Number</b>	12/AP/1092
<b>Application Type</b>	Outline Planning Permission	<b>Case</b>	TP/H1064A
<b>Recommendation</b>	Grant subject to Legal Agreement and GLA	<b>Number</b>	

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### Draft of Decision Notice

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#### Planning Permission was GRANTED for the following development:

Outline application for: Redevelopment to provide a mixed use development comprising a number of buildings ranging between 13.13m (AOD) and 104.8m (AOD) in height with capacity for between 2,300 (min) and 2,469 (max) residential units together with retail (Class A1-A5), business (Class B1), leisure and community (Class D2 and D1), energy centre (sui generis) uses. New landscaping, park and public realm, car parking, means of access and other associated works.

The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) 2011.

**At:** THE HEYGATE ESTATE AND SURROUNDING LAND BOUND BY NEW KENT ROAD (A201) TO THE NORTH, RODNEY PLACE AND RODNEY ROAD TO THE EAST, WANSEY STREET TO THE SOUTH AND WALWORTH ROAD (A215) AND ELEPHANT ROAD TO THE WEST. LONDON SE17

**In accordance with application received on 02/04/2012  
and revisions/amendments received on 04/05/2012  
28/09/2012**

#### **and Applicant's Drawing Nos. Parameter Plans**

P01 Rev P-0; P03 Rev P-1; P04 Rev P-1; P05 Rev P-1; P06 Rev P-1; P07 Rev P-1; P08 Rev P-1; P09 Rev P-1; P10 Rev P-1; P20 Rev P-0

Design Strategy Document (March 2012) and Addendum (September 2012); Development Specification (Revised September 2012); Design & Access Statement (March 2012) and Addendum (September 2012); Transport Assessment (March 2012) and Addendum (September 2012); Planning Statement (March 2012) and Addendum (September 2012); Tree Strategy (March 2012) and Addendum (September 2012); Landscape Strategy (March 2012) and Addendum (September 2012); Vision and Destination Statement (March 2012); Travel Plan (Revised September 2012); Access Statement (March 2012); Housing Statement (March 2012) and Addendum (September 2012); Retail Assessment (March 2012); Draft Section 106 Heads of Terms (Revised September 2012); Statement of Community Involvement (March 2012); Sustainability Statement (March 2012); Energy Strategy (March 2012) and Addendum (September 2012); Waste Strategy (March 2012); Utilities and Services Infrastructure Strategy (March 2012); Health Impact Assessment (March 2012) and Addendum (September 2012); Equalities Impact Assessment (Revised September 2012); Estate Management Strategy (March 2012); Glossary of Terms (March 2012) Design User Guide (September 2012); Summary of Revisions to the Outline Planning Application (September 2012); Environmental Statement & Appendices (March 2012) and Addendum (September 2012).

#### **Reasons for granting permission.**

The planning application accords with the provisions of the development plan, and in particular with the relevant policies of the Core Strategy (2011), Southwark Plan (2007) and the London Plan (2011) as listed below. The planning application is also considered acceptable in the light of the provisions of the National Planning Policy Framework. This planning application was considered with regard to various policies, but not exclusively:

#### **Strategic policies of the Core Strategy 2011**

Strategic Policy 1 – Sustainable development requires development to improve the places we live and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 – Sustainable transport states that we will encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 3 - Shopping, leisure and entertainment states that we will maintain a network of successful town centres which have a wide range of shops, services and facilities, to help meet the needs of Southwark's population.

Strategic Policy 4 - Places for learning, enjoyment and healthy lifestyles advises that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 5 – Providing new homes requires development to 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 6 – Homes for people on different incomes seeks to ensure that developments provide homes including social rented, intermediate and private for people on a wide range of incomes. Developments should provide as much affordable housing as is reasonably possible whilst also meeting the needs of other types of development and encouraging mixed communities.

Strategic Policy 7 – Family homes states that development will provide more family housing with 3 or more bedrooms for people of all incomes to help make Southwark a borough which is affordable for families. New homes will have enough space for the needs of occupants.

Strategic Policy 10 – Jobs and businesses encourages the increase in the number of jobs in Southwark and create an environment in which businesses can thrive.

Strategic Policy 11 - Open spaces and wildlife states a commitment to improve, protect and maintain a network of open spaces and green corridors that will make places attractive and provide sport, leisure, and food growing opportunities for a growing population. We will protect and improve habitats for a variety of wildlife.

Strategic Policy 12 – Design and conservation requires development to 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 requires development to respect the limit's of the planet's natural resources, reduce pollution and damage to the environment, and help us adapt to climate change.

Strategic Policy 14 - Implementation and delivery advises that planning obligations will be used to reduce or mitigate the impact of developments.

#### Saved policies of the Southwark Plan 2007

Policy 1.1 "Access to employment opportunities" seeks to ensure that for all developments over 1,000 sqm of new or improved floorspace that provide or generate employment, the LPA will enter into planning obligations to improve employment participation within Southwark.

Policy 1.7 "Development within Town and Local Centres" states that most new developments for retail and other town centre uses should be accommodated within the existing town centres.

Policy 2.2 "Provision of new community facilities" states that planning permission will be granted for new community facilities provided that provision is made to enable the facility to be used by all members of the community and that the facility is not detrimental to the amenity of present and future occupiers of the surrounding area.

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.

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 in the surrounding area or on 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 and to minimise and reduce energy consumption and CO2 emissions.

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

Policy 3.7 "Waste reduction" states that all developments are required to ensure adequate provision of recycling, composting, and residual waste disposal, collection and storage facilities as well as demonstrate how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.9 "Water" requires all developments to incorporate measures to reduce the demand for water, and recycle grey

water and rainwater. In addition all new developments must use preventative measures to ensure that they do not lead to a reduction in water 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 3.14 "Designing out crime" states that developments, in both the private and public realm, should be designed to improve community safety and crime prevention.

Policy 3.15 "Conservation of the historic environment" states that developments should preserve or enhance the special or historic character or appearance of buildings or areas of historic or architectural significance. Planning proposals that have an adverse effect on the historic environment will not be permitted.

Policy 3.17 "Listed buildings" states that development proposals involving a listed building should preserve the building and its features or special architectural or historic interest.

Policy 3.18 "Setting of listed buildings, conservation areas, and world heritage sites" requires developments to preserve or enhance the setting or important views of a listed building, the setting or views into and out of a conservation area, and the setting or important views of or from a world heritage site.

Policy 3.19 "Archaeology" advises there is a presumption in favour preservation in situ, to protect and safeguard archaeological remains of national and local importance.

Policy 3.20 "Tall buildings" states that planning permission may be granted for buildings that are significantly taller than their surroundings or have a significant impact on the skyline, on sites which have excellent accessibility to public transport facilities and are located in the Central Activities Zone (particularly in Opportunity Areas) outside landmark viewing corridors.

Policy 3.21 "Strategic views" states that the LPA will seek to protect and enhance the strategic views of St. Paul's Cathedral.

Policy 3.22 "Important local views" advises that the LPA will seek to protect and enhance identified views, panoramas, prospects and their settings that contribute to the image and built environment of the borough and wider London.

Policy 3.28 "Biodiversity" states that the LPA will take biodiversity into account in its determination of all planning applications and will encourage the inclusion in developments of features which enhance biodiversity.

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

Policy 4.2 "Quality of residential accommodation" advises that permission will be granted for residential development provided that they achieve good quality living conditions and high standards of accessibility, privacy and outlook, natural daylight and sunlight, ventilation, outdoor space, safety and security, and protection from pollution.

Policy 4.3 "Mix of dwellings" states that all major residential development should provide a mix of dwelling sizes and types to cater for the range of housing needs of the area.

Policy 4.4 "Affordable housing" seeks to secure affordable housing as part of private development.

Policy 4.6 "Loss of residential accommodation" advises that development will not be permitted where it results in the net loss of residential floorspace except in certain circumstances.

Policy 5.1 "Locating developments" states that the location of development must be appropriate to the size and trip-generating characteristics of the development.

Policy 5.2 "Transport impacts" states that planning permission will be granted for development unless there is an adverse impact on transport networks, and/or adequate provision has not be made for servicing, circulation and access to and from the site, and/or consideration has not been given to impacts on the Transport for London road network.

Policy 5.3 "Walking and cycling" advises that planning permission will be granted for development provided there is adequate provision for pedestrians and cyclists within the development and where practicable within the surrounding area.

Policy 5.6 "Car parking" states that all developments requiring car parking should minimise the number of spaces

provided.

Policy 5.7 "Parking standards for disabled people and the mobility impaired seeks to ensure that developments provide adequate parking for disabled people and the mobility impaired.

#### Policies of the London Plan 2011

Policy 2.13 "Opportunity Areas and Intensification Areas" seeks to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and, where appropriate, contain a mix of uses.

Policy 2.15 "Town Centres" advises that development proposals should sustain and enhance the vitality and viability of the centre.

Policy 3.1 "Ensuring Equal Life Chances For All" states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities.

Policy 3.2 "Improving Health And Addressing Health Inequalities" advises that new developments should be designed, constructed and managed in ways that improve health and promote healthy lifestyles to help reduce health inequalities.

Policy 3.3 "Increasing Housing Supply sets out the housing targets for London and individual boroughs.

Policy 3.4 "Optimising Housing Potential" advises that development should optimise housing output for different types of location within specified density ranges.

Policy 3.5 "Quality And Design Of Housing Developments" states that the design of all new housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure and land use mix; and provision of public, communal and open spaces.

Policy 3.6 "Children And Young People's Play And Informal Recreation Facilities" requires housing development to include provision for play and informal recreation based on the expected child population generated by the scheme and an assessment of future needs.

Policy 3.7 "Large Residential Developments" states that proposals for large residential developments, including complementary non-residential uses are encouraged in areas of high public transport accessibility.

Policy 3.8 "Housing Choice" states that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments.

Policy 3.9 "Mixed And Balanced Communities" requires a more balanced mix of tenures in London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

Policy 3.11 "Affordable Housing Targets" seeks to maximise affordable housing provision.

Policy 3.12 "Negotiating Affordable Housing On Individual Private Residential And Mixed Use Schemes states that the maximum reasonable amount of affordable housing should be sought and that negotiations on site should take account of their individual circumstances, including development viability, availability of public subsidy, and the implications of phased development.

Policy 3.14 "Existing Housing" advises that loss of housing, including affordable housing, should be resisted unless the housing is replaced at existing or higher densities with at least equivalent floorspace.

Policy 4.1 "Developing London's Economy" seeks to promote and enable the continued development of a strong, sustainable and increasingly diverse economy across London, ensuring the availability of sufficient and suitable workspaces in terms of type, size, and cost, supporting infrastructure and suitable environments for larger employers and small and medium sized enterprises.

Policy 4.7 "Retail And Town Centre Development" seeks to ensure that certain principles are applied in assessing planning decisions on proposed retail and town centre development, including that the scale of retail, commercial, culture, and leisure development is related to the size, role and function of a town centre and its catchment.

Policy 5.1 "Climate Change Mitigation" sets out the Mayor's requirements for an overall reduction in London's carbon dioxide emissions of 60% by 2025.

Policy 5.2 "Minimising Carbon Emissions" requires development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy.

Policy 5.3 "Sustainable Design And Construction" states that development should demonstrate that sustainable design

standards are integral to the proposal, including its construction and operation, and ensure that they are considered at the beginning of the design process.

Policy 5.6 "Decentralised Energy In Development Proposals" states that development proposals should evaluate the feasibility of combined heat and power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.

Policy 5.7 "Renewable Energy" sets out that major development proposals should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation.

Policy 5.11 "Green roofs And Development Site Environs" states that major development proposals should be designed to include roof, wall and site planting, especially green roofs and walls where feasible.

Policy 5.12 "Flood Risk Management" states that major development proposals must comply with flood risk assessment and management requirements.

Policy 5.13 "Sustainable Drainage" states that development should utilise sustainable urban drainage systems (SUDS) and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy 6.3 "Assessing Effects Of Development On Transport Capacity" states that development proposals should ensure that impacts on transport capacity and the transport network are fully assessed.

Policy 6.9 "Cycling" supports the increase in cycling in London.

Policy 6.10 "Walking" supports the increase in walking in London.

Policy 6.13 "Parking" states that maximum standards to parking levels should be applied to planning applications.

Policy 7.2 "An Inclusive Environment" requires all new development to achieve the highest standards of accessible and inclusive design.

Policy 7.3 "Designing Out Crime" seeks to create safe, secure and appropriately accessible environments.

Policy 7.6 "Architecture" that architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.

Policy 7.7 "Location And Design Of Tall And Large Buildings" advises that tall and large buildings should be part of a plan-led approach to changing or developing an area by the identification of appropriate, sensitive and inappropriate locations. Tall and large buildings should not have an unacceptably harmful impact on their surroundings.

Policy 7.8 "Heritage Assets And Archaeology" states that development affecting heritage assets and their settings should conserve their significance by being sympathetic to their form, scale, materials and architectural detail.

Policy 7.10 "World Heritage Sites" states that development should not cause adverse impacts on World Heritage Sites or their settings. In particular, it should not compromise a viewer's ability to appreciate its Outstanding Universal Value, integrity, authenticity, or significance.

Policy 7.12 "Implementing The London View Management Framework" advises that new development should not harm and where possible should make a positive contribution to the characteristics and composition of the strategic views and their landmark elements. It should also preserve or enhance the viewer's ability to recognise and appreciate strategically important landmarks in these views.

Policy 7.14 "Improving Air Quality" advises that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.

Policy 7.15 "Reducing Noise And Enhancing Soundscapes" advises that development proposals should seek to reduce noise.

Policy 7.18 "Protecting Local Open Space And Addressing Local Deficiency" states that the Mayor supports the creation of new open space to ensure satisfactory levels of local provision and address areas of deficiency.

Policy 7.19 "Biodiversity And Access To Nature" states that development proposals should make a positive contribution to the protection, enhancement, creation, and management of biodiversity.

Policy 7.21 "Trees And Woodlands" states that existing trees of value should be retained and any loss as the result of development should be replaced following the principle of 'right place right tree'. Wherever appropriate, the planting of

additional trees should be included in new developments, particularly large-canopied trees.

Policy 8.2 "Planning Obligations" states that development proposals should address strategic as well as local priorities in planning obligations.

#### National Planning Policy Framework

Section 1: Building a strong competitive economy

Section 2: Ensuring the vitality of town centres

Section 4: Promoting sustainable development

Section 6: Delivering a wide choice of good quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

Regard was had to the principle of the proposed redevelopment of the Heygate Estate taking account of its location within the Elephant and Castle Opportunity Area and that it forms part of designated Proposal Site 39P which is identified for comprehensive redevelopment. The Heygate Estate has been identified as being in need of redevelopment and as such it forms a key component of the regeneration of the Elephant and Castle. The proposal would provide a high density mixed use development on a brownfield site in a central and highly accessible location and in this respect redevelopment of the application site fully accords with the policy objective of accommodating large scale development in Opportunity Areas.

In terms of land uses the proposal would deliver a varied mix of land uses consistent with this central London and town centre location. The proposal will help to consolidate the Elephant and Castle as a Major Town Centre through an enhanced retail offer, additional business accommodation, and the provision of new community and leisure facilities. A key component of the scheme is the provision of a new public Park which is particularly supported given that the area is deficient in open space.

The proposal will make a significant contribution towards providing new homes, including family dwellings, which will help towards meeting London-wide and local housing targets. The application is committed to providing a range of dwelling types and sizes to maximise housing choice and would be built to a high standard and provide improved standards of living accommodation, including outdoor amenity space.

The proposal would provide much needed affordable housing. It is acknowledged that the level of affordable housing proposed (at 25%) is below the 35% provision normally required by policy and this has been considered very carefully. A detailed financial appraisal to demonstrate that a scheme providing 35% affordable housing would not be viable accompanies the application and officer's consider that the proposed level of affordable housing is as much as can reasonably be delivered. The S106 Agreement will require a review of the viability situation in the event that circumstances change, for example an upturn in economic climate or the availability of public funding. The proposed tenure split of 50% rented (inclusive of social and affordable rents) and 50% shared ownership (intermediate) housing complies with policy and will contribute towards the objective of securing mixed and balanced communities.

To facilitate the redevelopment of the Heygate Estate, the Council in 2007 implemented an off-site "Heygate Replacement Programme" which was designed to accelerate the re-housing of tenants and leaseholders from the estate. This programme will, when complete, deliver 512 affordable housing units from 10 nearby development schemes. This, together with the proposed affordable on-site provision, would ensure that the requirement to replace the existing affordable housing units on the Heygate Estate will be met.

Regard was also had to the impacts of the proposal on heritage assets, including strategic and local views and World Heritage Sites. It has been adequately demonstrated at this outline stage that the proposal would not have a significantly harmful affect on the setting of local and strategic heritage assets, including the Protected Vista of the Palace of Westminster in designated Townscape View 23A.1 from the Serpentine Bridge. Matters such as the design and appearance of the new buildings will be dealt with at Reserved Matters stage where the detailed design of the development and how it affects the setting and viewer's appreciation of designated heritage assets will be important considerations. The Grade II listed K2 Telephone Kiosk that is located on New Kent Road, and within the application site boundary, can be adequately protected during construction and a condition is attached to ensure this.

The site enjoys a high level of public transport accessibility. Whilst the council normally seeks car free developments in this location (other than disabled parking) this proposal includes a small proportion of additional car parking on account of viability reasons. Whilst short term impacts will result from construction traffic, once operational the scheme is not considered to result in significant impacts on highway safety or local highway conditions. The development will assist in the delivery of public transport improvements on both buses and the underground.

The application seeks to retain as many trees as possible and replace all those required to be lost so to ensure there would be no net loss of trees on the application site. The completed scheme will result in an enhancement of biodiversity

with the inclusion of measures such as green and brown roofs, living walls, and the provision of nesting and foraging opportunities for birds and bats. The scheme incorporates a Combined Heat and Power (CHP) system and District Heat Network which will also provide the opportunity for the extension of the network to other sites in the immediate vicinity. The proposed energy strategy for the development will require further review, particularly in respect of biomethane and renewable energy technologies, but this is acceptable given the long term programme of implementation and ongoing development of policy in this respect. This can be secured as part of the S106 legal agreement. On this basis the proposed development is concluded to accord with sustainability and energy related policies.

It is recognised that the application (due to its size and scale) has the potential for significant environmental effects and these potential impacts have been identified in the Environmental Statement that was submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In coming to a decision on the application, the council had full regard to the Environmental Statement and all submissions relating to considerations in the Environmental Statement. It is acknowledged that following mitigation measures, there are likely to be adverse impacts affecting the amenity for local residents and surrounding occupiers, particularly in relation to increased noise, dust, vibration, construction traffic as well as visual impacts on townscape character. However, these impacts will be of short to medium term duration and would not amount to such significant harm that would justify the refusal of planning permission. Moreover they would not outweigh the wider long term regenerative benefits of the scheme.

Other policies have been considered but no impacts and/or conflicts with planning policy have been identified that couldn't be adequately dealt with by planning obligation or condition. It was therefore considered appropriate to grant planning permission having regard to all the policies considered and any other material planning considerations.

#### **Subject to the following condition:**

##### **Definitions**

a) "Advance Infrastructure and Enabling works" means initial enabling and site set-up works required for the development in accordance with details to be submitted to and approved by the Local Planning Authority (in consultation with TfL) which may include:

- site establishment and temporary welfare facilities and temporary site accommodation;
- installation of construction plant;
- utilities diversions and reinforcements insofar as necessary to enable the construction of the development to commence;
- temporary drainage, power, and water supply for construction; and
- construction access and egress and/or site roads.

b) "Development Plot or Plot" means the Development Plots identified on Drawing Reference: P03 P-1. For the avoidance of doubt, these Plots comprise separate parts of the development (and therefore separate chargeable developments) for the Community Infrastructure Levy (CIL) Regulations 2010 (Regulations 2, 3, and 9) in defining the individual development phases by which the outline permission can be implemented. The Development Plots identified on P03 P-1 are:

Development Plot H1; Development Plot H2; Development Plot H3; Development Plot H4; Development Plot H5; Development Plot H6; Development Plot H7; Development Plot H10; Development Plot H11a; Development Plot H11b; Development Plot H12; Development Plot H13; PAV.1

c) "Indicative Construction Programme" (March 2012) means the five phases of comprehensive regeneration as assessed within the Environmental Statement (March 2012) and Addendum (September 2012).

d) "Construction Phase" means an individual phase of construction as identified by the Phasing Plan required by Condition X which for the avoidance of doubt may include development within and outside of a Development Plot.

e) "Design Strategy Document (Consolidated Version January 2013)" means a consolidated version of the Design Strategy Document (March 2012) and its Addendum (September 2012) which has been prepared for ease of reference but does not contain any additional material that was not already contained in the two separate documents.

#### **SITE WIDE CONDITIONS**

##### **1 Planning Permission Outline - Approval of details**

a) Details of the access, appearance, landscaping, layout and scale (hereinafter called "the Reserved Matters") in relation to the first Development Plot shall be submitted to the Local Planning Authority (for approval by the Local Planning Authority in consultation with the GLA and Transport for London) within three years of the date of this permission and the development hereby permitted shall be begun either before the end of five years from the date of this permission or before the end of two years from the date of the final

approval of the last Reserved Matters for the first Development Plot, or in the case of approval on different dates, the final approval of the last such matter to be approved. The development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

b) Submission of all Reserved Matters in respect of all other Development Plots, publically accessible realm, infrastructure works, and highway works shall submitted to and approved in writing by the Local Planning Authority (in consultation with the GLA and Transport for London) within 13 years from the date of this permission and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

c) Each Development Plot shall be begun before the end of two years from the date of the approval of the last Reserved Matters in respect of that Development Plot and thereafter the development shall not be carried out otherwise than in accordance with this permission and any such approvals given.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990 as amended and to ensure that the development is carried out in accordance with the programme assumptions underpinning the Environmental Impact Assessment process.

## 2 **Development Plots**

The Development Plots hereby permitted and identified on Drawing Reference: P03 P-1 are:

a) Development Plot H1; Development Plot H2; Development Plot H3; Development Plot H4; Development Plot H5; Development Plot H6; Development Plot H7; Development Plot H10; Development Plot H11a; Development Plot H11b; Development Plot H12; Development Plot H13; PAV.1

b) The Reserved Matters for these respective Development Plots shall be in accordance with all plot related parameters and principles hereby approved, including those set out in the Parameter Plans, Design Strategy Document and Development Specification and such further relevant plot-specific parameters and principles as are referred to elsewhere in these Conditions.

Reason

For the avoidance of doubt and to identify the Development Plots to which Reserved Matters Applications need to be submitted and approved and to ensure that the Reserved Matters Applications are in accordance with the relevant approved parameters and principles.

## 3 **Detailed Phasing Plan - details to be submitted**

Before the submission of the first Reserved Matters Application, a Detailed Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the GLA and Transport for London) The Detailed Phasing Plan shall include justification for the proposed Construction Phases, the order and timing of the proposed Construction Phases, all Development Plots prescribed in Condition 2, and details of all publically accessible realm, infrastructure works, including the Heygate Heat Network (and connections thereto) and Energy Centre, pedestrian and cycle routes, and highway works. The phasing details shall be in accordance with the Indicative Construction Programme (March 2012) or any subsequent Detailed Phasing Plan that supersedes it that is approved by the Local Planning Authority pursuant to this condition or Condition 5. The construction phasing shall not be carried out otherwise than in accordance with the approved Detailed Phasing Plan.

Reason

To allow for the progressive phasing of the development hereby permitted and in the interests of proper planning.

## 4 **Detailed Phasing Plan - Environmental Statement**

In the event that the Local Planning Authority considers that any proposed revisions to the Detailed Phasing Plan submitted pursuant to Condition 3 and/or Condition 5 may cause significant unassessed environmental effects compared to the Detailed Phasing Plan and the Indicative Construction Programme (March 2012), then the Detailed Phasing Plan shall be submitted to the Local Planning Authority together with an appropriate Environmental Statement and the application for such proposed revisions to the Detailed Phasing Plan shall be considered and determined in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Reason

To ensure that any proposed new and/or different environmental effects relating to any proposed changes to the phasing of the Development have been properly assessed in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.



5 **Detailed Phasing Plan Amendments**

The Detailed Phasing Plan approved pursuant to Condition 3 may be amended on occasions to reflect changes to the phasing of the development that were not foreseen at the time when the Detailed Phasing Plan was approved, subject to obtaining the prior written approval of the Local Planning Authority, and providing that the submission of any updated Detailed Phasing Plan shall comply with the requirements of Condition 4 in respect of the Environmental Statement.

Reason

To allow for revisions to the approved Detailed Phasing Plan to enable development to be delivered in the interests of proper planning.

6 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans and documents:

- P01 P-0 Outline Planning Application Boundary
- P03 P-1 Proposed Maximum and Minimum Plot Extents at Ground & Mezzanine Levels
- P04 P-1 Proposed Maximum and Minimum Plot Extents at Upper Levels
- P05 P-1 Proposed Minimum Publicly Accessible Realm
- P06 P-1 Proposed Uses at Ground, Mezzanine & Basement Levels
- P07 P-1 Proposed Uses at Upper Levels
- P08 P-1 Proposed Maximum Plot Extent and Heights
- P09 P-1 Proposed Minimum Plot Extent and Heights
- P10 P-1 Proposed Vehicular Access Plan

Development Specification (September 2012)

Design Strategy Document (Consolidated Version January 2012)

Reason:

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

7 **Advance Infrastructure and Enabling Works - details to be submitted**

No Advance Infrastructure and Enabling Works shall take place until details of the proposed Advance Infrastructure and Enabling Works have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include plans (at an appropriate scale) which show the proposed works in context, both existing and proposed, and shall, where relevant, be in accordance with the approved Parameter Plans and the Design Strategy Document and shall not prejudice or undermine the subsequent approval of Reserved Matters and/or other matters to be subsequently approved in accordance with these Conditions for the purposes of carrying out the Development or any of its Phases. The Advance Infrastructure and Enabling Works may (subject as aforementioned to their not prejudicing or undermining subsequent approvals) be carried out prior to the submission and/or approval of the Reserved Matters Applications and the works shall not be carried out otherwise than in accordance with the approved details.

Reason

In order to ensure that all the necessary infrastructure and enabling works are carried out to the satisfaction of the Local Planning Authority and to allow the early undertaking of these works to facilitate the construction of the Development.

8 **Flood Risk – Approved Plans**

The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by Arup with project reference number 215367/FRA Rev C dated 14 March 2012.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

9 **Tree Planting - details to be submitted**

The development hereby permitted shall not commence (save for any Advance Infrastructure and Enabling works) until details of a Site Wide Tree Strategy have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Strategy shall accord with the principles set out in the Tree Strategy (March 2012) and Tree Strategy Addendum (September 2012) and will include details of how the development will be designed and constructed to ensure that there is no net loss of trees on or in the vicinity of the the application site and the trees to be retained as identified in the Tree Strategy and its Addendum are retained. The development shall not be carried out otherwise than in accordance with the

approved Site Wide Tree Strategy.

**Reason**

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

**10 Tree Protection - site supervision**

The development hereby permitted shall not commence (save for any Advance Infrastructure and Enabling Works) until an Arboricultural Method Statement describing a programme of site monitoring to be implemented has been submitted and approved in writing by the Local Planning Authority (in consultation with Transport for London). The Arboricultural Method Statement shall provide details of a scheme for arboricultural supervision whenever construction and development activity is to take place within or within or adjacent to any root protection area in accordance with BS: 5837 (2012) Trees in relation to design, demolition and construction sections 6.1, 6.3 and 8.8.4.1

**Reason**

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

**11 Development on adopted highway - New Kent Road and Wansey Street**

Notwithstanding the details shown on Parameter Plan P03 P-1, no part of any building or associated commercial spill out space on Development Plots H4, H5 and H11a on New Kent Road and Development Plots H6 and H10 on Wansey Street shall be permitted on the existing southern adopted highway along New Kent Road and the northern adopted highway along Wansey Street.

**Reason**

In order to ensure that the development does not spill out onto the public highway and in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

**12 Separation distance - Wansey Street**

a) A minimum distance of 15m between new and existing building faces (excluding any balcony projection) shall be maintained on Wansey Street in accordance with the approved Design Strategy Document.

b) A minimum distance of 10m shall be maintained between the maximum parameter extent of Development Plot H10 and the application boundary to the south of Wansey Street in accordance with Parameter Plan P04 P-1.

**Reason**

In order to protect the privacy and amenity of occupiers and users of the adjoining premises on Wansey Street from undue overlooking in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

**13 Electric vehicle charging points**

a) A minimum of 20% of the overall number of residential car parking spaces shall be equipped with electric vehicle charging facilities with a further 20% with passive provision.

**Reason**

To encourage more sustainable travel in accordance with Strategic Policy 2 - Sustainable transport of the Core Strategy 2011 and Saved Policies 3.1 Environmental effects and 5.2 Transport impacts of the Southwark Plan 2007.

**RESERVED MATTERS AND OTHER MATTERS APPROVALS REQUIRED FOR PLOT DEVELOPMENT**

Conditions 14-16 are applicable to each individual Construction Phase or Development Plot as set out in the Phasing Plan pursuant to Condition 3 of this permission. Within the following conditions "Construction Phase"

or "Development Plot" shall relate to a single Construction Phase or Development Plot only and shall be interpreted accordingly.

- 14 No development within a Development Plot shall commence (save for any Advance Infrastructure and Enabling Works) until written approval of Reserved Matters comprising access, scale, appearance, layout, and landscaping for that Development Plot has been obtained from the Local Planning Authority . The development shall be undertaken in accordance with the approved details.

Reason

As required by Section 92 of the Town and Country Planning Act 1990 and in the interests of proper planning.

- 15 No development in a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until written approval of any Reserved Matters comprising access, layout, and landscaping outside of the Development Plots contained in that Construction Phase has been obtained from the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason

As required by Section 92 of the Town and Country Planning Act 1990 and in the interests of proper planning.

- 16 Each Reserved Matters Application shall be accompanied, as appropriate, by the following documents and/or information:

(i) A Reconciliation Plan or statement showing how the proposed Plot development complies with the approved site wide development controls (i.e. Parameter Plans / Development Specification / Design Strategy Document) and Site Wide Strategies and Plot specific strategies in relation to:

- number and mix of residential units
- quantum and location of affordable housing and the affordable housing mix
- land use floorspace figures and distribution
- open space provision
- car parking provision
- cycle parking provision
- transport / highway works provision
- utilities

and in relation to the matter of **access** a Reserved Matters application shall include:

(ii) details (including specifications) of the access to and within the Development Plot or Construction Phase for vehicles, cycles and pedestrians (including Access for All standards).

and in relation to the matter of **layout** a Reserved Matters application shall include:

(iii) details of the siting of the proposed building or buildings and any relevant above ground roads, highways parking, vehicle standing and servicing areas or landscaping associated with the Development Plot or Construction Phase to which the reserved matter relates

(iv) details of any necessary temporary layout associated with boundary treatment and condition between the Development Plots

(v) details of the basement layout, including parking areas, servicing areas, and plant areas

(vi) details of the internal layout of buildings

and in relation to the matter of **scale** a Reserved Matters application shall include:

(vii) a statement (including accompanying design material and detailed plans and an appropriate scale) to demonstrate that the scale of the development accords with the relevant thresholds and parameters set out in the approved Parameter Plans and Design Strategy Document.

and in relation to the matter of **appearance** a Reserved Matters application shall include:

(viii) a statement together with detailed plans, drawings, sections, and elevations to explain full details of the proposed detailed design and materials to be used on all external elevations of the building(s).

and in relation to the matter of **landscaping** a Reserved Matters application shall include:

(ix) plans, drawings, sections, and specifications (including soil volumes, weight loading and maintenance in respect of raised courtyards) to explain full details of the hard and soft landscaping works, including finished floor levels, proposed drainage arrangements, children's play equipment, private and communal amenity areas, and planting (including green / brown roofs / living walls / vertical gardens and planters)

(x) a statement (including accompanying design material) to demonstrate that the landscaping works accord with the Design Strategy Document

(xi) tree planting details and specification of all other planting

(xii) details of the programme for implementing and completing the planting.

#### Reason

In order that the Reserved Matters Applications can be properly considered and assessed against the approved Parameter Plans, Design Strategy Document and Development Specification and in the interests of proper planning.

### **CONSTRUCTION PHASE CONDITIONS**

#### **17 Construction Environmental Management Plan - details to be submitted**

No works within a Construction Phase shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) for that part of the development. The Construction Environmental Management Plan shall accord with the principles of the Construction Management Plan (September 2012) and shall oblige the applicant or developer and its contractor to use all best practicable measures and quality standards to minimise construction impacts and disturbances including but not limited to health hazards, environmental damage, noise, vibration, dust smoke, and plant emissions emanating from the site during construction of the Development and will include the following information for approval:

- a detailed specification of construction works for that Phase of development (or as the case may be) Plot including the relevant environmental impacts and the required mitigation measures
- the specification shall include details of the methods of piling so as to minimise groundwater noise and vibration impacts as well as damage and disruption to underground transport utilities infrastructure and services
- engineering measures, acoustic screening, and the provision of sound insulation required to mitigate or eliminate specific environmental impacts
- arrangements for publicity and promotion of the scheme during construction including information on temporary closures and diversion of any part of the public highway and private roads footways and cycle ways
- deliveries and waste removal and management therefore
- details including management of site access/egress by vehicles cyclists and pedestrians
- details of measures to prevent or control mud, dust and waste being deposited on or affecting the safety or operation of the public highway and public transport
- construction traffic routes and management details
- adoption and implementation of the Considerate Contractor Scheme (or equivalent at the time of submission)

All construction work shall be undertaken in accordance with the approved Construction Environmental Management Plan.

#### Reason

To effectively mitigate all construction impacts and ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

#### **18 Construction Waste Management Plan - details to be submitted**

No works within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for that Construction Phase. The Waste Management Plan shall include details of how the waste will be recycled and/or disposed of and managed during construction. The development shall be carried out in accordance with the approved Construction Waste Management Plan.

#### Reason

In the interest of protecting the amenity of the site in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and Saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

#### **19 Dust monitoring - details to be submitted**

Before works on the first Construction Phase commences (save for any Advance Infrastructure and Enabling Works) a particulate monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The particulate monitoring survey shall include a background particulate survey covering a minimum of 3 months data for the perimeter of that part of the development site and shall be in accordance with the Institute of Air Quality Monitoring Guidance on Air Quality Monitoring in the vicinity of Demolition and Construction Sites.

The particulate monitoring survey details (monitoring locations, methodologies, frequency and method of results reporting) shall be submitted to and approved by the Local Planning Authority in writing prior to the

submission of the particulate monitoring survey for approval. The survey shall be carried out in accordance with the approval given and the results of the survey shall be used to inform targets and monitoring requirements for the Construction Environmental Management Plans for that Construction Phase. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

**Reason**

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

**20 Noise survey - details to be submitted**

Before any construction works commences for each construction phase (save for any Advance Infrastructure and Enabling Works) a noise monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The noise monitoring survey shall include a background noise survey covering a minimum of one month's data and include measurements taken at all times of the day for the perimeter of that part of the development.

The noise monitoring survey details (monitoring locations, methodologies, frequency of results reporting) shall be submitted to the Local Planning Authority for approval in writing prior to the submission of the noise monitoring survey. The survey shall be carried out in accordance with the approval given. The noise trigger levels to inform the Construction Environmental Management Plan shall be 70dB(A) Leq(10hour) 10hr = 0800-1800hrs and 75dB(A) Leq(15min). The trigger levels shall not be exceeded without the prior written consent by the Local Planning Authority. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

**Reason**

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

**Vibration survey - details to be submitted**

**21** Before any construction works commences for each Construction Phase (save for any Advance Infrastructure and Enabling Works) a vibration monitoring survey shall be undertaken by the developer and shall be submitted to and approved in writing by the Local Planning Authority. The vibration monitoring survey shall include a building condition survey for all premises adjacent to that part of the development and a background vibration survey covering a minimum of one weeks data including measurements taken at all times of the day for the perimeter of that part of the development.

The vibration monitoring survey details (monitoring locations, methodologies, frequency of results reporting) shall be submitted to the Local Planning Authority for approval in writing prior to the submission of the noise monitoring survey. The survey shall be carried out in accordance with the approval given and shall accord with standards set out in BS 6472-1:2008 and BS 5228-2:2008. The survey and monitoring shall be undertaken by appropriately qualified and experienced personnel using the correct equipment.

**Reason**

To ensure that the impacts of construction on occupiers of neighbouring properties and the wider environment by reason of pollution and nuisance are minimised in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and saved Policy 3.2 'Protection of amenity' from the Southwark Plan 2007.

**22 Foundation works method statement - details to be submitted**

No works within a Construction Phase shall commence (save for any Advance Infrastructure and enabling Works) until detailed design and method statements for all works involving the foundations, basement, and ground floor structures or any other below ground level works including piling (temporary and permanent) for that Construction Phase have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London including London Underground) which shall:

- provide details of all proposed and existing structures
- accommodate and protect the location and fabric of the existing London Underground structures apparatus and tunnels
- appropriately prevent or mitigate against any potential ground movement arising from the construction of the development hereby permitted
- mitigate the effects of noise and vibration arising from the adjoining operations within the structures and

tunnels

The development shall be carried out in accordance with the approved details.

Reason

To ensure that the development does not impact on existing London Underground transport infrastructure in accordance with in accordance with Policy 6.3 Effects on Transport Capacity of the London Plan 2011 and Strategic Policy 2 Sustainable Transport of the Southwark Core Strategy 2011.

23 **Piling**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater or underground transport or utilities infrastructure and apparatus. The development shall be carried out in accordance with the approved details.

Reason:

Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. The condition therefore is required to accord with Strategic Policy 13 (High Environmental Standards) of the Southwark Core Strategy 2011 and saved Policy 3.1 of the Southwark Plan 2007.

24 **Tree protection – foundation works**

No works within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling works) until details of the foundation works to be used in the construction of that Construction Phase showing how roots of all retained trees will be protected shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). Details shall include the use of trial holes or trenches to check for the position of roots. 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, Guidance 10 - 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 Strategic Policy 11 – Open spaces and wildlife and Saved Policies 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

25 **Tree protection**

The existing trees which are to be retained within each Construction Phase shall be protected and both the site and trees shall be managed in accordance with the recommendations contained in the Arboricultural Method Statement and Site wide Tree Strategy to be submitted for approval by the Local Planning Authority pursuant to Condition 9. All works must adhere to BS 5837: Trees in relation to design, demolition and construction (2012) and BS 3998: Recommendations for tree work (2010).

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and will be designed for maximum benefit of screening, local biodiversity and adaptation to climate change in accordance with Policy 2.18 Green Infrastructure, Policy 5.1 Climate Change Mitigation, Policy 5.10 Urban Greening, Policy 7.4 Local Character, and Policy 7.21 Trees and Woodlands of the London Plan 2011; Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and conservation, and Strategic Policy 13 High environmental standards; and Saved Policy 3.28 Biodiversity and Policy 3.2 Protection of amenity of the Southwark Plan 2007.

26 **Impact studies of water supply infrastructure**

No buildings within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until impact studies of the existing water supply infrastructure for that Construction Phase have been submitted to and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies shall determine the magnitude of any new additional capacity required in the system and a suitable connection point. The development shall be carried out in accordance with the approved details.

Reason

To ensure that sufficient capacity is made available to cope with new development and in order to avoid adverse environmental impacts on the community, and to ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand in accordance with Policy 5.14 Water quality and wastewater infrastructure and Policy 5.13 Sustainable drainage of the London Plan 2011 and Saved Policies 3.1 Environmental Effects, and 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

27 **Surface water - details to be submitted**

No development within a Construction Phase shall commence (save for any Advance Infrastructure and Enabling Works) until a surface water drainage scheme for that Construction Phase based on sustainable drainage principles has been submitted to and approved by the Local Planning Authority. In accordance with the outline proposals described in the Flood Risk Assessment by Arup (March 2012), the surface water drainage strategy shall seek to implement a Sustainable Drainage System (SuDS) hierarchy which strives to achieve reductions in surface water run-off rates, and provides a minimum of 50% reduction in existing flows. The scheme shall be subsequently implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding and to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system in accordance with saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

28 **Surface water drainage / infiltration**

No infiltration of surface water drainage into the ground is permitted, other than with the written consent of the Local Planning Authority which may be given for those parts of the Construction Phase where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approved details.

Reason

Infiltration has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could cause pollution of groundwater, in accordance with Saved Policy 3.9 Water of the Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

29 **Site contamination**

No works within a Construction Phase shall commence until the following components of a scheme to deal with the risks associated with the contamination of that Construction Phase shall each be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency):

- a) A site investigation and risk assessment (which shall be in accordance with and be in addition to any assessment provided with the planning application) to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off-site.
- b) The results of the site investigation and detailed risk assessment referred to in (a) and, based on these, an options appraisal and remediation strategy providing full details of the remediation measures to bring the site to a condition suitable for the intended use and how they are to be undertaken. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms and the Local Planning Authority shall be given two weeks written notification of commencement of the remediation works.
- c) A verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (b) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The development shall be carried out in accordance with the approved details.

Reason

The site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination and therefore 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 saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007 and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

30 **Contamination - remediation**

In the event that contamination not previously identified is found to be present within part of a Construction Phase, then no further development within that part of the Construction Phase shall be carried out until the developer has submitted to and obtained approval from the Local Planning Authority (in consultation with the Environment Agency) for a remediation strategy detailing how such contamination shall be dealt with. The remediation strategy shall be implemented in accordance with the approved strategy.

Reason

There is always the potential for unexpected contamination to be identified during groundworks and 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 saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007, and Strategic Policy 13' High environmental standards' of the Core Strategy 2011.

**31 Verification report**

Prior to occupation of any Development Plot, a verification report demonstrating completion of the works set out in the approved Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Environment Agency). The report shall include results of sampling and monitoring carried out in accordance with the approved Remediation Strategy (pursuant to Condition 30) to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented in accordance with the approved details.

**Reason**

Should remediation be necessary, it needs to be demonstrated that any remedial measures have been undertaken as approved and the environmental risks have been satisfactorily managed so that the site is deemed suitable for its intended use, in accordance with 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.

**32 Archaeological Mitigation**

Prior to works commencing in any Construction Phase, the applicant shall submit a written scheme of investigation for a programme of archaeological recording for that Construction Phase which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with the approval given.

**Reason**

In order that the details of the programme of archaeological recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.19 Archaeology of the Southwark Plan 2007

**33 Archaeological Reporting**

a) Within six months of the completion of archaeological site works on a Construction Phase, an assessment report detailing the proposals for post-excavation works, publication of the site report and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority. The works detailed in this assessment report shall not be carried out otherwise than in accordance with the approval given.

b) At completion of all works in the final Construction Phase a detailed final assessment report covering the entire development site shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Paragraph 141 of the National Planning Policy Framework, Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.19 Archaeology of the Southwark Plan 2007.

**34 Site enclosure - details to be submitted**

No development within a Construction Phase shall commence until a scheme for temporary fencing and/or enclosure relating to that Construction Phase, where necessary, has been submitted to and approved in writing by the Local Planning Authority. Any enclosure shall be erected in accordance with the approved details and thereafter shall be retained for the duration of the building works.

**Reason**

To ensure that the impacts during construction on occupiers of neighbouring properties in terms of pollution and nuisance are minimised and in the interests of visual and residential amenity in accordance with Strategic Policy 12 – Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

**35 K2 Telephone Cubicle**

No development shall commence within a Construction Phase adjoining New Kent Road until details of the measures to secure the protection of Grade II listed K2 telephone cubicle located on New Kent Road have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London). The development shall be undertaken in accordance with the approval given.



Reason

In order that the Local Planning Authority may be satisfied as to the details in the interests of the special architectural or historic qualities of the listed building in accordance with Strategic Policy 12 - Design and conservation of the Core Strategy 2011 and saved Policy 3.17 Listed buildings of the Southwark Plan 2007.

**36 Vehicular Access - details to be submitted**

Details of the vehicle access to the site and vehicle, pedestrian and cycle access to parking areas including full details of the visibility of splays for a Construction Phase shall be submitted to and approved by the Local Planning Authority (in consultation with Transport for London) before the development hereby permitted is commenced above grade for that Construction Phase and the development shall not be carried out otherwise than in accordance with the approval given.

Reason

In order that the Council may be satisfied that the proposal will not compromise highway safety in accordance with Policy 5.2 Transport impacts of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

**37 Car parking**

Car parking for the development hereby permitted shall and unless otherwise agreed in writing by the Local Planning Authority (in consultation with Transport for London) shall not exceed 616 spaces, excluding spaces allocated to car club uses.

Reason

To ensure adequate car parking provision for the larger residential units in accordance with policy 5.2 Transport impacts of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

**DEVELOPMENT PLOT CONDITIONS**

**38 Code for Sustainable Homes**

a) All residential dwellings approved hereunder shall be designed and constructed to achieve a minimum Code for Sustainable Homes Level 4 or an equivalent standard as may be agreed in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

b) Prior to the first occupation of any dwelling within each of the Development Plots, a Code for Sustainable Homes final certification (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority for that Development Plot, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 – High environmental standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

**39 BREEAM**

a) All commercial units over 1,000 sqm (GEA) shall be designed and constructed to achieve a minimum BREEAM rating of 'Excellent' or in the case of Class D1 community uses a minimum rating of 'Very good' for all units over 1,000 Sqm (GEA) or an equivalent standard as may be approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

b) Before the first occupation of the commercial units in a Development Plot where (a) is applicable, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority for that Development Plot, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

**40 Residential standard- internal noise levels**

a) All residential premises shall be designed as far as reasonably practicable to attain the following internal noise levels:

Bedrooms- 30dB LAeq, T \* and 45dB LAFmax

Living rooms- 30dB LAeq, T †

\*- Night-time 8 hours between 23:00-07:00

†Daytime 16 hours between 07:00-23:00.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority and approved in writing demonstrating that the above criteria have been met in respect of that Development Plot. The approved scheme shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and PPG 24 Planning and Noise.

#### 41 **External Noise Levels**

a) All private residential external amenity areas shall be designed as far as reasonably practicable to attain the following noise level:55dB LAeq,T\*

\* - Daytime 16 hours between 07:00-23:00.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out to show the above criterion has been met as far as reasonably practicable and the results 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 such approval given.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policies 3.1 Environmental effects and 3.2 Protection of amenity of The Southwark Plan 2007.

#### 42 **Protection from residential premises against sound from adjoining commercial premises**

a) Dwellings and rooms for residential purposes sharing a party element with a commercial premises shall be designed and constructed to ensure that NR25 is not exceeded in residential premises due to noise from commercial premises.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises 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).

#### 43 **Noise from plant**

a) The rated noise from any plant within a Development Plot, together with any associated ducting, shall be 10dB(A) or more below the measured LA90 level at the nearest noise sensitive premises. The method of assessment shall be carried out in accordance with BS 4142:'Rating industrial noise affecting mixed residential and industrial areas'.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

#### 44 **Protection of residential premises against sound from adjoining residential premises**

a) Details of soundproofing to be inserted between the bedrooms and rooms designed for another purpose (living rooms / kitchens etc) of the dwellings shall be designed to ensure there will be a minimum of 5dB improvement compared with the Building Regulations standard set out in Approved Document E.

b) No dwelling within a Development Plot shall be occupied until a test has been carried out and the results submitted to the Local Planning Authority for approval in respect of that Development Plot to demonstrate that the above standard has been met. The approved scheme shall be permanently retained thereafter.

**Reason**

To ensure that occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance in accordance with Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policy 3.2 Protection of amenity of the Southwark Plan 2007.

**45 Ventilation - details to be submitted**

Prior to any above grade works being carried out on a Development Plot, full particulars and details of a scheme for the ventilation for each of the residential dwellings and underground areas within that Plot to an appropriate outlet level, including details of sound attenuation for any necessary plant, the standard of dilution expected and an appropriate inlet location shall have been submitted and approved in writing by the Local Planning Authority. The scheme shall meet the principles of EN 13779 on Ventilation and Air-Conditioning Systems and the development shall not be carried out otherwise than in accordance with any approval given.

**Reason**

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007 and Planning Policy Guidance 24 Planning and Noise.

**46 CHP / Boiler Plant**

Before the first occupation of the buildings within a Development Plot (where temporary or permanent CHP or Boiler equipment forms part of that Plot) full information regarding the proposed CHP / Boiler Plant, including a detailed specification, a Management Plan, details of its location, operation, maintenance, long term fuel supply, height of flue, 3d dispersion of emissions of noise and fume and proposed emission and noise mitigation equipment (which employs the best practicable options to mitigate and minimise emissions of NOx/kWh, particulate matter and noise) 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 such approval given. The CHP / Boiler Plant shall be operated and maintained in accordance with the approved Management Plan for the time the development remains in existence.

**Reason**

To ensure the development minimises its impact on air quality and that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of nuisance in accordance with Strategic Policy 13 - High environmental standards and saved Policies 3.4 Energy efficiency, 3.6 Air quality and 3.2 Protection of amenity of the Southwark Plan 2007.

**47 External lighting and security - details to be submitted**

Details of any external lighting [including design, power, and position of luminaires], light intensity contours (including off-site to adjoining sensitive premises) and security surveillance equipment of external areas surrounding the buildings within a Development Plot shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London) before any such lighting or security equipment is installed for that Plot. The development shall not be carried out otherwise than in accordance with any such 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 existing occupiers as well as future occupiers of the development in accordance with Strategic Policy 12 - Design and conservation and Strategic Policy 13 - High environmental standards of the Core Strategy 2011 and saved Policies 3.2 Protection of amenity and 3.14 Designing out crime of the Southwark Plan 2007.

**48 Designing out Crime – details to be submitted**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site in the development. Before any work in connection with this permission is carried out above grade for each Development Plot, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

**Reason**

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to

consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.

49 **Biodiversity and ecological mitigation measures**

An Environmental Action Plan detailing proposed ecological mitigation measures for a Development Plot shall be submitted to and approved in writing by the Local Planning Authority within 6 months of the implementation of that Development Plot. The measures shall accord with those described in the Environmental Statement (March 2012) and Addendum (September 2012) and include:

- provision of bat boxes
- provision of bird boxes
- native tree and shrub planting

The measures so approved shall be carried out prior to the occupation of buildings within that Development Plot and thereafter maintained.

Reason

To ensure the proposal protects and enhances biodiversity in accordance with Strategic Policy 11 – Open spaces and wildlife of The Core Strategy 2011 and Saved Policy 3.28 Biodiversity of The Southwark Plan 2007.

50 **Green / brown roofs - details to be submitted**

Details of green and brown roofs (including a specification and maintenance plan) to be provided in a Development Plot shall be submitted to and approved in writing before any work in connection with the green and brown roofs for that Development Plot is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with policy 3.28 Biodiversity of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

51 **Design - details to be submitted**

Samples of all external facing materials to be used in the carrying out of the development hereby permitted shall be presented on site or at another location to be agreed with the Local Planning Authority for each Development Plot before any work in connection with that Plot is carried out above grade. 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 design and details in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

52 1:5 section detail-drawings through:

- the facades;
- parapets;
- roof edges; and
- heads, cills and jambs of all openings and balconies,

to be used in the carrying out of each Development Plot shall be submitted to and approved by the Local Planning Authority before any above grade works are carried out for that plot. 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 design and details in the interest of the special architectural or historic qualities of the listed building in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

53 **Window opening for commercial units**

The window openings to the commercial units shall be glass and shall not be painted or otherwise obscured or obstructed without prior written consent of the Local Planning Authority.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details of the shopfronts in the interest of the appearance of the building in accordance with Policies 3.12 Quality in design and 3.13 Urban

design of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

**54 Cycle storage -details to be submitted**

Details of the facilities to be provided for the secure storage of cycles for residents and non-residential uses for a Development Plot shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced above grade in that Development Plot and 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.

**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 saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

**55 Cycle storage - visitors**

Details of the facilities to be provided for the on-street, secure storage of cycles for visitors for a Development Plot shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced above grade for that Development Plot and no buildings within the Plot shall be occupied before 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 approval of the Local Planning Authority (in consultation with Transport for London), to whom an application in writing must be first 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 5.3 Walking and Cycling of the Southwark Plan 2007 and Strategic Policy 2 - Sustainable transport of the Core Strategy 2011.

**56 Car parking - details to be submitted**

Details of the car parking layout, including details of any associated manoeuvring area(s) for a Development Plot shall be submitted to and approved by the Local Planning Authority (in consultation with Transport for London) before the development is begun for that Development Plot and the development shall not be carried out otherwise than in accordance with any approval given. In particular details of parking numbers and ratios, and the location of disabled parking bays, car club spaces and electric vehicle charging points are required.

**Reason:**

To ensure that adequate facilities are provided in accordance with the standards set out in Saved Policies 5.6 Car Parking and 5.7 Parking Standards for Disabled People and the Mobility Impaired of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

**57 Retention of parking**

Prior to occupation of each Development Plot, the parking facilities approved pursuant to Condition 56 shall be constructed for the sole use of occupiers of the proposed development and thereafter permanently retained and used for no other purpose without the written approval of the Local Planning Authority (in consultation with Transport for London).

**Reason**

To ensure that adequate facilities are provided in accordance with the standards set out in Saved Policies 5.6 Car Parking and 5.7 Parking Standards for Disabled People and the Mobility Impaired of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

**58 Refuse Storage and Collection - domestic**

The dwellings in a Development Plot shall not be occupied before details of the arrangements for the storing of domestic refuse, including recyclable material, have been submitted to and approved by the Local Planning Authority for that Development Plot and the facilities approved have been provided and made available for use by occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the 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 3.7 Waste reduction of the Southwark Plan and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

**59 Refuse Storage and Collection - commercial**

The commercial uses in a Development Plot shall not be commenced before details of the arrangements for the storing of refuse, including recyclable material, have been submitted to and approved by the Local Planning Authority for that Development Plot and the facilities approved have been provided and made available for use by occupiers and users of the premises. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the 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 3.7 Waste reduction of the Southwark Plan and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

**60 Roof Plant**

No roof plant, equipment or other structures, other than as 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] or shall be permitted to extend outside of the roof plant enclosure[s] or 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 3.2 'Protection of Amenity' and 3.13 'Urban Design' of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

**61 Telecommunications**

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

**Reason**

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies 3.13 Urban Design of the Southwark Plan 2007 and Strategic Policy 12 - Design and conservation of the Core Strategy 2011.

**62 Telecommunication networks**

a) Prior to any above grade works being carried out on a Development Plot a methodology for the assessment of how the Development Plot will impact on television, radio, and other telecommunication services shall be submitted and approved in writing by the Local Planning Authority.

b) The developer shall undertake the assessment(s) in accordance with the approved methodology in (a) and will identify any mitigation measures that need to be taken to rectify any problems identified during the assessment which shall be submitted to and approved in writing by the Local Planning Authority.

c) The buildings within the Development Plot shall not be occupied until such mitigation measures identified in (b) have been approved and implemented.

**Reason**

In order to ensure that any adverse impacts of the development on reception of residential properties is identified and resolved satisfactorily in accordance with saved Policy 3.2 Protection of amenity of the Southwark Plan and Strategic Policy 13- High environmental standards of the Core Strategy 2011.

**63 Communal amenity space**

All residents within a Development Plot shall have equal access to the proposed communal amenity areas associated with their Development Plot.

**Reason**

To ensure all tenures have equal access to the communal amenity areas in accordance with Policies 3.2 Protection of amenity and 4.2 Quality of residential accommodation of the Southwark Plan and Strategic

Policy 13 - High environmental standards of the Core Strategy 2011.

**64 Ventilation - Class A3 premises**

Full particulars and details showing a scheme for the ventilation (internal to the building) to an appropriate outlet level, for the units capable of being used for Class A3 purposes in a Development Plot, including details of sound attenuation for any necessary plant and the standard of dilution expected, shall be submitted to and approved in writing by the Local Planning Authority prior to their occupation in A3 use. The development shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in any odour, fumes or noise nuisance and will not detract from the appearance of the building and to ensure the necessary ventilation system is incorporated as an integral part of the development in the interests of amenity in accordance with Policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of the Core Strategy 2011.

**65 Trees**

Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision, or arising from a condition imposed as part of this decision, that is found dead, dying, severely damaged or seriously diseased within five years of the completion of buildings works for a Development Plot OR five years of the carrying out of the landscaping scheme (whichever is the latter), shall be replaced in accordance with the principles of the Site Wide Tree Strategy approved pursuant to Condition 9.

**Reason**

To ensure the approved landscaping scheme is maintained for an adequate period of time following construction in accordance with saved Policy 3.12 Quality in design of the Southwark Plan 2007 and Strategic Policies 11 - Open spaces and wildlife and 12 - Design and conservation of the Core Strategy 2011.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The Council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating development proposals that are in accordance with the development plan and core strategy. The pre-application service was used for this application and the advice given was followed. During the course of the application, negotiations were held with the applicant to secure changes to the scheme to make it acceptable. Accordingly, these amendments (including Further Information submitted in respect of the Environmental Statement) was submitted enabling the application to be granted planning permission.

The application was subject to a Planning Performance Agreement and was determined with the agreed timescale.

**Informatives**

You are reminded that the use hereby permitted 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.

**Cranes**

Heathrow Safeguarding Officer advises that given the nature of the proposed development, it is possible that a crane may be required during its construction. The applicant's attention should be drawn to the requirement within the BS Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

**London City Airport Safeguarding Operations**

London City Airport advise that in the interests of safety, the following comments will apply:

- all landscaping plans and all plantations should be considered in view of making them unattractive to birds so as not to have an adverse effect on the safety of operations at the Airport by encouraging bird feeding/roosting and thereby presenting a bird strike threat to aircraft operating at the Airport. Expert advice should be sought on trees and shrubs that discourage bird activity as described above.

- Also in the interests of reducing the potential for bird strike hazards at LCA, in accordance with the LCA Safeguarding SPG and CAP 772 Bird Strike Risk Management for Aerodromes, the following waste management measures should be considered:
  - i) details regarding refuse / recycling facilities to ensure that these do not provide a source of food for wildlife
  - ii) provision for the proper disposal of food wrappers and other rubbish at the site to be provided to prevent the attraction of birds.

Any proposed scheme for extract ventilation to a commercial unit will need separate approval from the Local Planning Authority and should be installed in accordance with any approval given.

### **Infrastructure protection**

The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements in particular with regard to: demolition, excavation, construction methods, security, boundary treatment, safety barriers, landscaping and lighting.

Thames Water advise that where a developer proposes to discharge groundwater into a public sewer, a groundwater discharge permit will be required. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Groundwater permit enquiries should be directed to Thames Water's Risk Management Team: 020 8507 4890. Applications should be completed online via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).

### **Movement of waste off site - duty of care**

The Environment Agency state that the Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable for any movements of wastes off site. The developer, as waste producer, therefore has a duty of care to ensure all materials removed go to an appropriate permitted facility and all relevant documentation is completed and kept in line with regulations.

### **Movement of waste off site - registered waste carrier**

The Environment Agency require that if any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably permitted facility.

### **Use of waste on site - exemption or permit required**

If any waste is to be used on site, the applicant will be required to obtain the appropriate waste exemption or permit from the Environment Agency. They are unable to specify what exactly would be required, if anything, owing to the limited amount of information at this outline stage.

### **Construction - waste hierarchy**

The Environment Agency advises that the developer must apply the waste hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

### **Construction - site waste management plans**

The Environment Agency advise that in England it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that the SWMP should contain depends on the estimated build cost, excluding value added tax (VAT). You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, a SWMP will help ensure compliance with the duty of care.

### **Impact on Wireless Network Operators**

Arquiva note that at this outline stage only the fixed line electronic communications have been considered. The potential impact of the development on wireless network operators will need to be assessed at detailed Reserved Matters stage in accordance with Paragraph 44 of the National Planning Policy Framework.

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.

The planning permission granted includes alterations and amendments to areas of public highway which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal Engineer, Infrastructure Group (020 7525 5509) and Environment and Housing, Public Realm (020 7525 2063) at least 4 months prior to any works commencing on the public highway.

The developer should contact the Environment & Leisure Department to obtain consent in respect of the construction works in accordance with Control of Pollution Act 1974 - Section 61.



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.