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**RECOMMENDATION**

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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.

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<b>Applicant</b>	Lighthall Homes Ltd	<b>Reg. Number</b>	17/AP/1766
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/271-562
<b>Recommendation</b>	Grant permission		

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**Draft of Decision Notice**

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

Redevelopment of the site to comprise a four storey building with commercial use (use class A1/A2) at ground floor and basement and 6 x 2 bed residential units (use class C3) on the first, second and third floors, with associated car and cycle parking.

**At:** THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX

**In accordance with application received on** 08/05/2017 08:05:24

**and Applicant's Drawing Nos.** Existing plans

1616-NMA-00-ZZ-DR-DR-A-00001/RevP2; 1616-NMA-00-ZZ-DR-A-20002/RevP2.  
1616-NMA-00-B1-DR-B-00100/RevP2, 1616-NMA-00-00-DR-B-00100/RevP2, 1616-NMA-00-01-DR-B-00100/RevP2, 1616-NMA-00-RF-DR-B-00100/RevP2.  
1616-NMA-00-ZZ-DR-B-00200/RevP3, 1616-NMA-00-ZZ-DR-B-00201/RevP3, 1616-NMA-00-ZZ-DR-B-00202/RevP3, 1616-NMA-00-ZZ-DR-B-00203/RevP3.

Proposed plans

1616-NMA-00-B1-DR-A-20100/RevP5, 1616-NMA-00-00-DR-A-20100/RevP4, 1616-NMA-00-01-DR-A-20100/RevP3, 1616-NMA-00-02-DR-A-20100/RevP3, 1616-NMA-00-03-DR-A-20100/RevP3, 1616-NMA-00-RF-DR-A-20100/RevP3. 1616-NMA-00-ZZ-DR-A-20200/RevP6, 1616-NMA-00-ZZ-DR-A-20201/RevP5, 1616-NMA-00-ZZ-DR-A-20202/RevP7, 1616-NMA-00-ZZ-DR-A-20203/RevP4.  
1616-NMA-00-ZZ-DR-A-20300/RevP5, 1616-NMA-00-ZZ-DR-A-20301/RevP5, 1616-NMA-00-ZZ-DR-A-20302/RevP1. 1616-NMA-00-ZZ-DR-A-20700/RevP2, 1616-NMA-00-ZZ-DR-A-20702/RevP2, 1616-NMA-00-ZZ-DR-A-20703/RevP2, 1616-NMA-00-ZZ-DR-A-20704/RevP2.

Comparative views from Timbrell Place: 1616-NMA-00-ZZ-DR-A-20705/RevP1, 1616-NMA-00-ZZ-DR-A-20706/RevP1, 1616-NMA-00-ZZ-DR-A-20707/RevP1, 1616-NMA-00-ZZ-DR-A-20708/RevP1.  
Massing comparisons: 1616-NMA-00-ZZ-DR-A-20709/RevP1, 1616-NMA-00-ZZ-DR-A-20710/RevP1, 1616-NMA-00-ZZ-DR-A-20711/RevP1

Documents

Archaeology Desk Based Assessment (JA/MS/23361)(CgMs, May 2017)  
Daylight and sunlight assessment (Right of Light consulting, May 2017)  
Daylight and sunlight assessment - Further explanation of issues raised (Right of Light consulting, 4 August 2017)  
Design and access statement (1616-NMP-XX-ZZ-RP-A-00001/revP5)(Norton Mayfield Architects, April 2016)  
Flood risk assessment (v1.2)(Civil Engineering Practice, October 2016)  
Planning Statement (22911)(RPS CgMs, May 2017)

**Subject to the following twenty conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

1616-NMA-00-B1-DR-A-20100/RevP5, 1616-NMA-00-00-DR-A-20100/RevP4, 1616-NMA-00-01-DR-A-

20100/RevP3, 1616-NMA-00-02-DR-A-20100/RevP3, 1616-NMA-00-03-DR-A-20100/RevP3, 1616-NMA-00-RF-DR-A-20100/RevP3.

1616-NMA-00-ZZ-DR-A-20200/RevP6, 1616-NMA-00-ZZ-DR-A-20201/RevP5, 1616-NMA-00-ZZ-DR-A-20202/RevP7, 1616-NMA-00-ZZ-DR-A-20203/RevP4.

1616-NMA-00-ZZ-DR-A-20300/RevP5, 1616-NMA-00-ZZ-DR-A-20301/RevP5, 1616-NMA-00-ZZ-DR-A-20302/RevP1.

1616-NMA-00-ZZ-DR-A-20700/RevP2, 1616-NMA-00-ZZ-DR-A-20702/RevP2, 1616-NMA-00-ZZ-DR-A-20703/RevP2, 1616-NMA-00-ZZ-DR-A-20704/RevP2.

Reason:

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

- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

**Pre-commencement condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the M4(2) standard of the Approved Document M of the Building Regulations (2015) as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

Reason

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

- 4 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved

Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 5 Before any work hereby authorised begins (excluding demolition), the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 Before any work hereby authorised begins, excluding demolition, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

Reason: In order that the details of the programme of archaeological excavation and 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 Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 7 Before any work hereby authorised begins, excluding demolition, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works 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

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 8 Before any above grade work hereby authorised begins, detailed drawings at 1:50/1:100 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 9 Prior to the commencement of above grade works, the following series of detailed section drawings through different parts of the facade will be submitted to the local planning authority for approval in writing:

At a scale of 1:10 -

Eaves;  
Parapets;  
Verges;  
Brick Panels;  
Window/wall junctions;  
Shopfront/wall junctions;  
Balconies.

At a scale of 1:5 -

Window frames and casements.

The development shall not proceed otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning authority may be satisfied that the design detailing presented in the submitted plans can be successfully delivered and that the scheme will make a sufficiently high quality and contextual response to the site and surrounds in accordance with saved policies 3.12 'Quality in design', 3.13 'Urban Design' of the Southwark Plan 2007, Strategic Policy 12 'Design and Conservation' of the Core Strategy 2007 and guidance in the National Planning Policy Framework.

- 10 Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be presented on site and details of their specifications submitted to the Local Planning Authority for approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 11 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing referenced 1616-NMA-00-00-DR-A-20100/RevP4 shall be provided and made available for use by the occupiers of the dwellings/premises and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 12 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 1616-NMA-00-00-DR-A-20100/RevP4 shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 13 Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason

To ensure the development complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

- 14 The residential windows at first and second floor level on the south elevation of the building shall be obscure glazed and fixed shut as identified on approved plan 1616-NMA-00-ZZ-DR-A-20201/revP5. These windows shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Timbrell Place (564 Rotherhithe Street) from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 15 The commercial use hereby permitted for the lower ground and ground floors shall not be carried on outside of the hours of 07:00 to 23:00 on Monday to Sunday.

Reason

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 16 The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 17 Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of 55dB DnTw+Ctr. The partition's acoustic performance shall be permanently maintained 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 18 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T<sub>Δ</sub>, 30 dB LAeq T\*, 45dB LAFmax T \*

Living rooms- 35dB LAeq T<sub>Δ</sub>

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

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

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) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 19 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority [LPA]) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

**Reason**

To ensure that potential unforeseen 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), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

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

**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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

The pre-application service was used for this application and the advice given has been followed in part.

**Informatives**

Applicants are advised that all demolition and construction activities should proceed in accordance with the following legislation, standards and best practice:

- Southwark Council's Technical Guide for Demolition & Construction at <http://southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>
- S61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended,
- Relevant CIRIA practice notes, and
- BRE practice notes.
- Party Wall Act 1996

Changes to the vehicular access to the site will require the creation of a new crossover on to Patina Walk and the reinstatement of the kerb line at the existing access points. This will require a separate s278 agreement to be entered into with the Highways Authority.