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## DRAFT 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>	Barkwest Ltd	<b>Reg. Number</b>	19/AP/1239
<b>Application Type</b>	Outline Planning Permission	<b>Case Number</b>	2168-761
<b>Recommendation</b>	Grant subject to Legal Agrt and GLA		

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### Draft of Decision Notice

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

##### (Detailed Proposals)

Full planning permission for the demolition of all existing structures on site, the stopping up of the existing Devonshire Grove major arm (IWMF egress road) and redevelopment to include formation of a new road reconfiguration and widening of Devonshire Grove, widening of the foot ways on Sylvan Grove and Old Kent Road, construction of Building A at ground plus 38 storeys to provide 264 residential units (Class C3), flexible retail/employment floorspace (Class A1/A2/A3/A4/B1a-c), creation of a new public realm including new public squares and spaces ,associated landscaping and highways works and a new substation and all associated works.

##### (Outline Proposals)

Outline planning permission (all matters reserved) for comprehensive mixed-use development for the following uses in four Buildings (B, C, D and E) and a basement level shared with Building A: Up to a maximum of 301 residential units (Class C3); employment workspace floorspace (Class B1a-c); flexible retail, financial and professional services, food and drink uses (Class A1/A2/A3/A4/A5), flexible non-residential institutions (Class D1) and Assembly and leisure uses (Class D2); Storage, car and cycle parking; Energy centre; Substations; Formation of new pedestrian and vehicular access and means of access and circulation within the site together; and new private and communal open space.

This Application is for a Phased Development for CIL purposes with details of the phasing to be secured by Condition.

This application represents a departure from strategic policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a Preferred Industrial Location.

**At:** 747-759 & 765-775 OLD KENT ROAD, LONDON SE15 1NZ & LAND AT DEVONSHIRE GROVE SE15

**In accordance with application received on 25/04/2019**

**and Applicant's Drawing Nos.**

#### **OUTLINE APPLICATION PARAMETER PLANS**

16139\_00\_07\_051 OUTLINE & DETAIL APPLICATION BOUNDARY GOUND P2  
 16139\_00\_07\_052 OUTLINE PLANNING APPLICATION BOUNDARY AT BASEMENT P1  
 16139\_00\_07\_053 LOWER GROUND FLOOR MAXIMUM EXTENT P1  
 16139\_00\_07\_054 LOWER GROUND FLOOR USES P1  
 16139\_00\_07\_055 GROUND FLOOR USES P3  
 16139\_00\_07\_056 UPPER FLOOR USES P3  
 16139\_00\_07\_057 MINIMUM AMENITY SPACES P2  
 16139\_00\_07\_058 PEDESTRIAN & VEHICLE ACCESS & CIRCULATION P2  
 16139\_00\_07\_059 MAXIMUM BUILDING SCALE P2  
 16139\_00\_07\_060 MAXIMUM SCALE THRESHOLD P2  
 16139\_00\_07\_061 DEVELOPMENT PARCEL BUILDING LINES P2

## **DETAIL APPLICATION ARCHITECTURAL DRAWINGS**

### **EXISTING SITE PLANS**

16139\_02\_07\_001 EXISTING SITE - LOCATION PLAN P1  
16139\_02\_07\_010 EXISTING - SITE PLAN P1  
16139\_02\_07\_011 EXISTING - BASEMENT P1

### **EXISTING SITE ELEVATIONS**

16139\_02\_07\_020 EXISTING SITE SOUTH ELEVATION - OLD KENT ROAD P1  
16139\_02\_07\_021 EXISTING SITE WEST ELEVATION - DEVONSHIRE GROVE P1  
16139\_02\_07\_022 EXISTING SITE EAST ELEVATION - SYLVAN GROVE P1  
16139\_02\_07\_023 EXISTING SITE NORTH ELEVATION - DAISY BUSINESS PARK P1

### **EXISTING SITE SECTIONS**

16139\_02\_07\_030 EXISTING SITE SECTIONS - SECTION A - A P1  
16139\_02\_07\_031 EXISTING SITE SECTIONS - SECTION B - B P1  
16139\_02\_07\_032 EXISTING SITE SECTIONS - SECTION C - C P1  
16139\_02\_07\_033 EXISTING SITE SECTIONS - SECTION D - D P1

### **DEMOLITION PLANS AND ELEVATIONS**

16139\_02\_07\_040 EXISTING SITE - DEMOLITION PLAN P1  
16139\_02\_07\_041 EXISTING SITE DEMOLITION SOUTH ELEVATION - OLD KENT ROAD P1  
16139\_02\_07\_042 EXISTING SITE DEMOLITION WEST ELEVATION - DEVONSHIRE GROVE P1  
16139\_02\_07\_043 EXISTING SITE DEMOLITION EAST ELEVATION - SYLVAN GROVE P1  
16139\_02\_07\_044 EXISTING SITE DEMOLITION NORTH ELEVATION - DAISY BUSINESS PARK P1

### **PROPOSED SITE PLANS**

16139\_02\_07\_060 BUILDING A - PROPOSED SITE ROOF PLAN P2  
16139\_02\_07\_061 BUILDING A - PROPOSED SITE PLAN LEVEL 00 P2  
16139\_02\_07\_070 BUILDING A SITE PLAN ROOF P2  
16139\_02\_07\_071 BUILDING A SITE PLAN - LEVEL 00 P2

### **PROPOSED BUILDING A PLAN TYPES**

16139\_02\_07\_080 BUILDING A - FLOOR PLAN TYPES P1

### **PROPOSED BUILDING A PLANS**

16139\_02\_07\_100 BUILDING A - PLAN - LEVEL 00 P1  
16139\_02\_07\_101 BUILDING A - PLAN - LEVEL 01 - 05 P1  
16139\_02\_07\_102 BUILDING A - PLAN - LEVEL 06 - 07 P1  
16139\_02\_07\_103 BUILDING A - PLAN - LEVEL 08 P1  
16139\_02\_07\_104 BUILDING A - PLAN - LEVEL 09 - 10 1 P1  
16139\_02\_07\_105 BUILDING A - PLAN - LEVEL 11 P1  
16139\_02\_07\_106 BUILDING A - PLAN - LEVEL 12 - 13 P1  
16139\_02\_07\_107 BUILDING A - PLAN - LEVEL 14 P1  
16139\_02\_07\_108 BUILDING - PLAN - LEVEL 15 - 16 P1  
16139\_02\_07\_109 BUILDING - PLAN - LEVEL 17 P1  
16139\_02\_07\_110 BUILDING - PLAN - LEVEL 18 - 19 P1  
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16139\_02\_07\_112 BUILDING - PLAN - LEVEL 21 - 22 P1  
16139\_02\_07\_113 BUILDING A - PLAN - LEVEL 23 P1  
16139\_02\_07\_114 BUILDING A - PLAN - LEVEL 24 - 25 1 P1  
16139\_02\_07\_115 BUILDING A - PLAN - LEVEL 26 P1  
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16139\_02\_07\_119 BUILDING A - PLAN - LEVEL 32 P1  
16139\_02\_07\_120 BUILDING A - PLAN - LEVEL 33 - 34 P1  
16139\_02\_07\_121 BUILDING A - PLAN - LEVEL 35 - 38 P1  
16139\_02\_07\_130 BUILDING A - PLAN - LEVEL 39 P1  
16139\_02\_07\_131 BUILDING A - PLAN - ROOF LEVEL P1

### **PROPOSED BUILDING A UNIT TYPES**

16139\_02\_07\_150 BUILDING A - PLAN - UNIT TYPE PLANS - STUDIO AND 1 BED TYPES 1 P1  
16139\_02\_07\_151 BUILDING A - PLAN - UNIT TYPE PLANS - 2 BED TYPES P1

16139\_02\_07\_152 BUILDING A - PLAN - UNIT TYPE PLANS - 3 BED TYPES P1

16139\_02\_07\_153 BUILDING A - PLAN - COMMUNAL TERRACE TYPES P1

### **PROPOSED BUILDING A - ELEVATIONS**

16139\_02\_07\_200 BUILDING A - EAST ELEVATION - DEVONSHIRE SQUARE P1

16139\_02\_07\_201 BUILDING A - NORTH ELEVATION - DAISY BUISNESS PARK P1

16139\_02\_07\_202 BUILDING A - WEST ELEVATION - SYLVAN GROVE P1

16139\_02\_07\_203 BUILDING A - SOUTH ELEVATION - CHAUCER STREET P1

### **PROPOSED BUILDING A - SECTIONS**

16139\_02\_07\_300 BUILDING A - SECTION A - A P1

16139\_02\_07\_301 BUILDING A - SECTION B - B P2

### **PROPOSED BUILDING A - BAY STUDIES**

16139\_02\_07\_500 BUILDING A - BAY STUDY 1 - GROUND FLOOR CONDITION P1

16139\_02\_07\_501 BUILDING A - BAY STUDY 2 - TYPICAL CONDITION P1

16139\_02\_07\_502 BUILDING A - BAY STUDY 3 - FLANK WALL CONDITION 1 P1

16139\_02\_07\_503 BUILDING A - BAY STUDY 4 - WINTER GARDEN CONDITION 1 P1

16139\_02\_07\_504 BUILDING A - BAY STUDY 5 - COMMUNAL TERRACE P1

16139\_02\_07\_505 BUILDING A - BAY STUDY 6 - ROOF CONDITION 1 P1

16139\_02\_07\_506 BUILDING A - BAY STUDY 7 - ROOF CONDITION 2 P1

### **OTHER PLANS**

DEVELOPMENT HIGHWAY ARRANGEMENT (FOR APPROVAL) DRAWING REF. 3390 006 REV B

*(supersedes the plan at Appendix J of the Transport Statement)*

16139\_01\_07\_080\_P1 - Phasing Plan – Illustrative

### **Planning documents (as amended)**

Planning Application Form

Covering letter

Planning Application Fee Calculation Summary

Community Infrastructure Levy Additional Information Form

Design and Access Statement

Design and Access Statement Addendum (October 2019)

Schedule of Accommodation and floor plans identifying the standard under M4 of the Building Regulations that each home in the Detailed Proposals will meet;

Design Code Rev A (Revised 14.02.20)

Environmental Statement Volume 1: Non-Technical Summary,

Environmental Statement Volume 2,

Environmental Statement Volume 3: Townscape, Heritage and Visual Impact Assessment

Environmental Statement Volume 4: Technical Appendices, prepared by Various and assembled by Temple Group;

Planning Statement (including Affordable Housing Statement and Draft Heads of Terms), prepared by DP9;

Development Specification REV B

Arboricultural Impact Assessment

Archaeological Assessment

Basement Impact Assessment

Construction Environmental Management Plan/Construction Logistics Plan

Energy Statement

Sustainability Statement and BREEAM Pre-assessment

Flood Risk Assessment and Drainage Strategy

Foul Sewage and Utilities Assessment

Rapid Health Impact Assessment

Geo-Environmental Site Assessment

Preliminary Ecological Appraisal

Delivery, Servicing and Site Waste Management Plan

Statement of Community Involvement

Transport Assessment

Fire Statement.

Workspace Management Plan

Code of Construction Practice Part A

Ventilation/Extraction Statement

Viability Appraisal

Energy Strategy Addendum prepared

GLA London Sustainable Drainage Proforma

Engagement Summary Template for the Development Consultation Charter

Revised Submission Covering Letter dated 28.10.19  
Highways Drawing 3390 006 Rev B  
Schedule of Responses to the GLA Stage 1 dated 05.12.19  
Pell Frischman Response to the GLA Stage 1 dated 12.09.19 including Flood Warning and Evacuation Plan (Appendix A)  
McBains Response to the GLA Stage 1  
Energy Statement Addendum dated February 2020 and Appendices  
DP9 (Tom Hawkley) email to the GLA (Ashley Russell and Kate Randell) dated 19.02.20  
DP9 (Tom Hawkley) email to LBS (Tom Buttrick) dated 19.03.20 setting out the workspace offer including Indicative Workspace

**Subject to the following of 59 conditions:**

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

**1 OUTLINE PROPOSAL – APPROVED DOCUMENTS**

The Outline Component shall be developed in accordance with the following drawings and documents:

- Development Specification Rev B, prepared by DP9
- Design Code Rev A, prepared by Allies and Morrison
- Parameter Plans, prepared by Allies and Morrison

For the avoidance of doubt, the illustrative drawings submitted in support of the application are not approved.

Reason:

To ensure that the development is undertaken in accordance with the approved drawings and documents, the Environmental Statement and to protect the local amenity.

**2 OUTLINE PROPOSAL – RESERVED MATTERS**

No Development Parcel within the Development hereby approved in the Outline Component shall be commenced unless and until details of the:

- Access;
- Appearance;
- Landscaping
- Layout; and,
- Scale

Hereinafter referred to as the "Reserved Matters" in relation to that part of the Development, have been submitted to and approved in writing by the Local Planning Authority.

Applications for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 10 years from the date of this Decision Notice.

Reason:

As required by Section 92 of the Town and Country Planning Act 1990.

**3 OUTLINE PROPOSAL – TIME LIMIT**

Development of the Outline Proposals to which this permission relates must be begun not later than the expiration of Three YEARS from the approval of the final reserved matter(s) in respect of the relevant Development Parcel unless otherwise agreed.

Reason:

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

**4 DETAILED PROPOSAL – TIME LIMIT**

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.

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

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16139\_00\_07\_061 DEVELOPMENT PARCEL BUILDING LINES P2

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16139\_02\_07\_153 BUILDING A - PLAN - COMMUNAL TERRACE TYPES P1

#### PROPOSED BUILDING A - ELEVATIONS

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#### PROPOSED BUILDING A - SECTIONS

16139\_02\_07\_300 BUILDING A - SECTION A - A P1  
16139\_02\_07\_301 BUILDING A - SECTION B - B P2

#### PROPOSED BUILDING A - BAY STUDIES

16139\_02\_07\_500 BUILDING A - BAY STUDY 1 - GROUND FLOOR CONDITION P1  
16139\_02\_07\_501 BUILDING A - BAY STUDY 2 - TYPICAL CONDITION P1  
16139\_02\_07\_502 BUILDING A - BAY STUDY 3 - FLANK WALL CONDITION 1 P1  
16139\_02\_07\_503 BUILDING A - BAY STUDY 4 - WINTER GARDEN CONDITION 1 P1  
16139\_02\_07\_504 BUILDING A - BAY STUDY 5 - COMMUNAL TERRACE P1  
16139\_02\_07\_505 BUILDING A - BAY STUDY 6 - ROOF CONDITION 1 P1  
16139\_02\_07\_506 BUILDING A - BAY STUDY 7 - ROOF CONDITION 2

#### Reason:

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

**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.

#### 6 FULL & OUTLINE - DEMOLITION NOISE AND VIBRATION MANAGEMENT PLAN

Prior to the commencement of Early Works, details of a Demolition Noise and Vibration Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be demolished in accordance with the approved Demolition Noise and Vibration Management Plan.

#### Reason:

To minimise noise effects from enabling works, demolition and construction and in accordance with the mitigation measures identified in the Environmental Impact Assessment. This condition is required prior to Early Works

because the potential impacts to neighbouring amenity is fundamental to the development permitted that it would have been otherwise necessary to refuse the whole permission.

## 7 FULL & OUTLINE - CONSTRUCTION MANAGEMENT PLAN

For each phase of the development, no development shall take place, including any works of demolition, until a written construction environmental management plan (CEMP) for the relevant part of the site has been devised and submitted for the approval of the Local Planning Authority for the relevant phase. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:

- A detailed specification of demolition and construction works for the relevant phase of development including consideration of all environmental impacts and the identified remedial measures, including continuous monitoring of noise and airborne particulates;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc;
- Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc;
- Waste Management - Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

To follow current best construction practice, including the following:

Southwark Council's Technical Guide for Demolition & Construction 2016, available from

<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, Greater London Authority requirements for Non-Road Mobile Machinery, see: <http://nrmm.london/>, Relevant CIRIA and BRE practice notes.

All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt this condition can be discharged in parts on a Phase by Phase basis.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, 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 the National Planning Policy Framework 2012

## 8 FULL & OUTLINE - ARCHAEOLOGICAL FOUNDATION DESIGN

Before any work hereby authorised begins on Phase 2 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 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

#### 9 FULL & OUTLINE - ARCHAEOLOGICAL REPORTING SITE WORK

Within six months of the completion of archaeological site works on the relevant phase (excluding Phase 1), 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.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant Phase.

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 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

#### 10 FULL & OUTLINE - ARCHAEOLOGICAL EVALUATION

Before any work hereby authorised begins on Phase 2 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 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

#### 11 FULL & OUTLINE - ARCHAEOLOGICAL MITIGATION

Before any work hereby authorised begins, on Phase 2 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

#### 12 FULL & OUTLINE - REMEDIATION STRATEGY

a) Prior to the commencement of the basement works comprised in Phase 2, an intrusive site investigation and associated risk assessment shall be completed to assess and fully categorise the nature and extent of any contamination of soils, including ground gases, and controlled waters on the site.

b) In the event that contamination is present, a detailed remediation and/or mitigation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, controlled waters, buildings and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing.

c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report shall be submitted to and approved in writing by the Local Planning Authority. This shall provide evidence that all works or measures required by the remediation strategy have been completed and that the site is suitable and safe for its proposed uses and the wider environment.

d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment and a remediation strategy shall be submitted to the Local Planning Authority for approval in writing. Any works arising through this shall be reported within the verification strategy required by section c above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site 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.

### 13 FULL & OUTLINE - TREE PLANTING

Prior to works commencing on Phase 3, full details of all proposed planting of a minimum 90 trees (across full and outline phases) shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

Reason:

To ensure 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 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.

### 14 FULL & OUTLINE - SURFACE WATER DRAINAGE

No works shall commence on Phase 3 until the applicant has submitted full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS), including detailed design, size and location of attenuation units and details of flow control measures shall be submitted to and approved in writing by the Local Planning Authority. The proposals should demonstrate:

- As a minimum, the strategy should achieve a reduction in surface water runoff rates and provide on site attenuation up to and including the 1% Annual Exceedance Probability (AEP) storm plus climate change allowance, as detailed in the submitted Drainage Strategy.
- Opportunities for attenuation using green roofs should be maximised, as well as rain gardens to enhance biodiversity and public amenity, as outlined in the submitted documents.
- The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017), Policy 5.13 of the London Plan (2015) and Policy AAP 11 of the Old

15 OUTLINE - BASEMENT IMPACT ASSESSMENT (BIA)

No works shall commence to the basement in Phase 2 until a full Basement Impact Assessment (BIA) and details of relevant investigations to determine the ground and groundwater conditions (including levels) have been submitted to and approved by the Local Planning Authority. The BIA should be based upon the findings of the Basement Impact Assessment (prepared by Pell Frischmann, April 2019) and should include groundwater flood risk mitigation measures as required, with the measures constructed to the approved details. The BIA should assess if the lowest level of the basement will be above, or below the groundwater levels recorded from the ground investigations. It should consider fluctuations in groundwater levels and the risks this can pose to the site. The BIA should include a plan of the basement area within the boundary of the site, with any known (investigated) basements and subterranean structures adjacent to the site. This is to see if there may be a risk of obstructing groundwater flows which could potentially cause a build up of pressure on the upstream side of the subterranean structures. Further guidance on preparing BIAs can be found in Appendix I of our Strategic Flood Risk Assessment:

<https://www.southwark.gov.uk/environment/flood-risk-management/strategic-flood-risk-assessment-sfra?chapter=2>

Reason:

To minimise the potential for the site to contribute to changes in groundwater conditions and any subsequent flooding in accordance with the Southwark Strategic Flood Risk Assessment (2016).

16 FULL & OUTLINE - MARKETING PARTICULARS

Prior to occupation, details of the marketing materials for sale and rental properties shall be submitted and approved in writing by the local planning authority clearly identifying the development as car free and that all new residents should sign acknowledgement of the permit free status of their new home.

Reason:

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

17 ELECTRIC VEHICLE CHARGING POINTS

Prior to first occupation of any residential units, the applicant shall submit plans to show delivery of a minimum of 30% of the total number of car parking spaces as electric vehicle charging points with a further 10% allocated for passive provision. The development must be implemented in accordance with the approval given.

Reason:

To encourage more sustainable travel in accordance with The National Planning Policy Framework 2018, 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.

18 OUTLINE - TRAVEL PLAN FOR DESTINATION USE (D USE CLASS)

a) Before the first occupation of any destination use (D Use class) commences the applicant shall submit in writing and obtain the written approval of the Local Planning Authority to a Travel Plan setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.

b) At the start of the second year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order that the use of non-car based travel is encouraged in accordance with The National Planning Policy Framework 2018, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007.

19 FULL & OUTLINE - ODOUR

Before any A3 or A5 use hereby permitted commences the detailed design of the kitchen extract system, including all emissions abatement equipment and flue, shall be submitted to the local planning authority for approval and installed as per any approval given.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of odour in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

20 FULL & OUTLINE – BREEAM

Prior to any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'Excellent' rating shall be submitted to and approved in writing by the Local Planning Authority for the relevant Phase and the development shall not be carried out otherwise than in accordance with any such approval given.

Before the occupation of the relevant commercial unit within the development hereby permitted, 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, confirming that the agreed standards have been met.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2018, 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

21 FULL - TREE PROTECTION – Lime Tree T4

Prior to below grade works commencing (Phase 2), a full hazard assessment of Lime tree T4 as identified in the submitted Arboricultural Impact Assessment, shall be submitted to and approved in writing by the Local Planning Authority. If this tree is identified to be safe it should be retained with the appropriate measures taken to protect it during all construction phase. If the tree is found to be unsafe and must be removed, the trees' removal must be used as opportunity to plant more trees in its place, to be approved in writing by the Local Planning Authority.

Reason:

Lime Tree T4 has been recognised as a surviving tree of the historic avenue and therefore has significant heritage and biodiversity value. To ensure 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 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.

**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 (i.e Phase 3) is commenced. The term 'above grade' here means any works above ground level.

## 22 FULL & OUTLINE - PLAY

1) Before any above grade work hereby authorised begins within the public realm on the relevant phase (excluding demolition and Phase 1 and 2 works), the applicant shall submit details of all the play spaces proposed, including 1:50 scale detailed drawings for approval by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given and retained as such.

2) No later than 6 months prior to occupation of the development hereby approved, details of the play equipment to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

In order that the Council may be satisfied with the details of the play strategy, in accordance with The National Planning Policy Framework 2018 Parts 5, 8, and 12, London Plan (2016) Policy 3.6 Children and young people's play and informal recreation facilities; policies SP11 Open spaces and wildlife and SP12 Design and conservation of The Core Strategy 2011 and the following 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 4.2 Quality of residential accommodation.

## 23 FULL & OUTLINE - HARD AND SOFT LANDSCAPING

Before any above grade work hereby authorised begins on the relevant phase, (excluding demolition and Phase 1 and 2 works), detailed drawings 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), 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.

Officers are seeking additional green landscaping to be included.

The hard landscape materials must be natural stone with samples submitted to and approved in writing by the local planning authority.

The lighting design for the landscaped areas should also be submitted and approved in writing by the local planning authority.

Any lawned areas should be planted in a species rich grass, details of which shall be agreed in writing with the local planning authority.

The landscape scheme must be designed to mitigate against the adverse impacts of wind, and the submitted details must demonstrate that the appropriate Lawson Safety Method and Lawson Comfort Method criteria shall be achieved.

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).

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2018 Chapters 8, 12, 15 & 16 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.

#### 24 FULL & OUTLINE - ECOLOGICAL LANDSCAPE PLAN

Before any above grade work hereby authorised begins on the relevant phase, (excluding demolition and Phase 1 and 2 works), a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Where applicable, the scheme shall include the following elements: landscaping, nesting and roosting features, and green roofs.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reasons:

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is an mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan

#### 25 FULL & OUTLINE - LIGHT POLLUTION

Prior to the commencement of works above grade on the relevant phase (excluding demolition and Phase 1 and 2 works), of the development hereby permitted, a detailed lighting strategy and design for all internal and external lighting relating to that phase, demonstrating compliance with the Institute of Lighting Professionals (ILP) Guidance Notes, shall be submitted to and approved by the Local Planning Authority in writing. If mitigation is required it shall be implemented prior to the first use of the building and retained as such thereafter.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

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 amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2018, 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.

#### 26 FULL AND OUTLINE - BIRD BOXES

Details of bird and/or bat nesting tubes/ swift bricks for the relevant phase (excluding demolition and Phase 1 and 2 works) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 5 nesting bird boxes shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The nesting boxes shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations

and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

## 27 FULL & OUTLINE - SECURED BY DESIGN

Before any above grade work hereby authorised begins on the relevant phase, (excluding demolition and Phase 1 and 2 works), except works to Devonshire Grove highway, 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.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

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 The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

## 28 OUTLINE - GREEN ROOFS

Before any above grade work hereby authorised begins, (excluding demolition and Phase 1 and 2 works), details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:

- biodiversity based with extensive substrate base (depth 80-150mm);
- laid out in accordance with agreed plans; and
- planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

## 29 FULL & OUTLINE – EXTERNAL MATERIALS

For each relevant phase (excluding Phases 1 and 2), sample panels of the external facing materials to be used in the carrying out of this permission shall be presented on site and a detailed schedule of materials submitted to the Local Planning Authority for approval in writing before any works thereby affected are carried out; the development shall not be carried out otherwise than in accordance with any such approval given.

For the avoidance of doubt this can be discharged on a phase by phase basis for the relevant phase”.

Reason:

In order that the Local Planning Authority may be satisfied 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 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 *Design & Conservation* - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).

### 30 FULL & OUTLINE - MOCK UPS

For each relevant phase (excluding Phases 1 and 2) full-scale mock-ups of the typical façade to be used shall be presented on site or its vicinity and approved in writing by the Local Planning Authority before any works thereby affected are carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These mock-ups must demonstrate how the proposal makes a contextual response in terms of materials to be used and shall include a physical mock up of a typical elevation of the plot at 1:1 scale of a typical window bay showing full details of brickwork bond, mortar, window and reveal details. For the avoidance of doubt this can be discharged on a phase by phase basis for the relevant phase

Reason:

In order that the Local Planning Authority may be satisfied 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 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 *Design & Conservation* - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).

### 31 FULL & OUTLINE - SIGNAGE STRATEGY

Prior to any works above grade on the relevant phase, (excluding demolition and Phase 1 and 2 works), a signage strategy for all commercial uses within that phase shall be submitted and approved in writing and the works shall only be carried out in accordance with the approved details:

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details, and to ensure a satisfactory townscape environment along Old Kent Road in accordance with Strategic Policy SP12 *Design & 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).

### 32 FULL & OUTLINE - WHEELCHAIR UNITS

Prior to the commencement of each phase of works to deliver residential units above grade, 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 standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and 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.

M4 (Category 2) 'accessible and adaptable':- at least 90% PER PHASE

M4 (Category 3) 'wheelchair user dwellings'.- at least 10% PER PHASE

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

In order to ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2016 Policy 3.8 (Housing choice).

### 33 OUTLINE - B1(C) FIT OUT

Before any work above grade hereby approved begins (excluding demolition and Phase 1, 2 and 3 works), full particulars and details of a scheme for the fit out of a minimum of 1,000sqm GEA of flexible commercial premises to an appropriate level for B1 (c) use in Buildings B, C and D, and 1015sqm GEA in Building E, shall be submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

This should include details of the mechanical and electrical fit out of the units, showing heating and cooling provision, the inclusion of sprinkler systems for fire safety purposes, the provision of goods lifts, and the provision of kitchen and toilet facilities.

Unless otherwise agreed in writing by the Local Planning Authority, the development shall not be carried out otherwise than in accordance with any approval given, and practical completion of the B1(c) fit out for each phase shall be implemented no later than six months from the practical completion of the residential component of the same phase.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

### 34 FULL & OUTLINE - DETAILED DRAWINGS

Prior to commencement of works above grade (excluding cores), detailed drawings at a scale of 1:5 or 1:10 through:

- typical facade variations; and
- shop fronts and residential entrances; and
- typical parapets and roof edges; and
- typical balcony details; and
- heads, cills and jambs of typical openings

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with the National Planning Policy Framework 2018, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban

Design; and 3.20 Tall buildings of The Southwark Plan (2007).

35 FULL & OUTLINE - CYCLE PARKING

Before any above grade work hereby authorised begins on the relevant phase (excluding demolition and Phase 1 and 2 works), 1:50 scale drawings of the facilities including cycle lifts, to be provided for the secure storage of cycles shall be submitted to and approved in writing by the Local Planning Authority:

Thereafter the cycle parking facilities provided 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.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

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 The National Planning Policy Framework 2018, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007

**Pre-occupation 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 the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

36 FULL & OUTLINE - THAMES WATER

Unless otherwise agreed in writing by the Local Planning Authority following consultation with Thames Water, only 100 residential properties shall be occupied until confirmation has been provided that either:- all combined water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason:

The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

37 FULL & OUTLINE - ECOLOGICAL MONITORING

Prior to the new development being first brought into use / occupied, a scheme for monitoring the effectiveness of the biodiversity mitigation and enhancement measures shall be submitted to and approved by the Local Planning Authority.

The monitoring shall be carried out and reported annually to the Local Planning Authority in accordance with the agreed scheme for a period of 5 years.

Reason:

To measure the effectiveness of biodiversity mitigation and/or enhancement measures, to see whether the measures achieve the expected biodiversity benefits. This will help refine the design of mitigation schemes to ensure effective measures are put into place in future developments.

#### 38 FULL & OUTLINE - VERIFICATION REPORT

Prior to occupation of each phase of above ground development, a verification report be submitted relevant to that phase demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any 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 as approved.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase. This condition does not apply to Phases 1 and 2.

Reason:

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use

#### 39 FULL & OUTLINE - SECURED BY DESIGN CERTIFICATION

Before the first occupation of the relevant buildings in each phase hereby permitted evidence that Secure By Design Accreditation has been awarded by the Metropolitan Police and that all approved security measures have been implemented shall be submitted to and approved by the Local Planning Authority.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

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 The National Planning Policy Framework 2018, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime 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.

#### 40 OUTLINE - RESERVED MATTERS SPECIFICATION

Each application for the approval of Reserved Matters submitted shall contain such information set out in the Reserved Matters Specification as is relevant to the application.

Reason:

To ensure the development is carried out in accordance with the approved plans and other submitted details and to ensure the quantum of floorspace remains within the approved parameters as assessed pursuant to the Environmental Impact Assessment of the development.

#### 41 OUTLINE – QUANTUM OF FLOORSPACE BY LAND USE

The total quantum of built floorspace across the Outline Component shall not exceed the figures specified below in GEA and sqm:

- C3 Use Class – 30,820 sqm
- A Use Classes (A1-A5) - 3,675 sqm
- B1(a-c) Use Class - 3,465 sqm
- B1(c) Use Class - 1,015 sqm

- D1 and D2 Use Class - 980 sqm

Reason:

To ensure the development is carried out in accordance with the approved plans and other submitted details and to ensure the quantum of floorspace remains within the approved parameters as assessed pursuant to the Environmental Impact Assessment of the development.

#### 42 OUTLINE – DEVELOPMENT PARCELS

The Reserved Matters details shall be submitted in accordance with the Development Parcels as set out in Parameter Plan Ref. 16139\_00\_07\_061 P2 showing the location of each Development Parcel and the order in which the Parcels will be Commenced will be defined by the Phasing Plan approved under Condition 43. The Development shall only be carried out in accordance with the approved Parameter and Phasing Plans.

Reason:

To ensure that the development is consistent with the principles of good master-planning. It is necessary for this condition to prevent Commencement of the development until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission

#### 43 FULL & OUTLINE – PHASING PLAN

The Development shall be carried out in accordance with the approved Phasing Plan or any new phasing plan to be submitted to and approved by the LPA in writing. Any new Phasing Plan should define the physical extent of each phase and the sequence of construction of the phases. The CIL Phasing will also be set by this condition.

Reason:

To ensure the development is delivered in the agreed order, for the purpose of proper planning

#### 44 FULL & OUTLINE - FOUNDATION DESIGN & 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. The development shall be carried out in accordance with the approved details.

Reason:

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

#### 45 FULL & OUTLINE - SUSTAINABLE DRAINAGE SCHEMES

Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are 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 Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason:

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

46 B1(C) USE CLASS FLOORSPACE

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), the dedicated Class B1(C) use hereby permitted in Building E shall only be for Class B1(c) uses..

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

47 FULL & OUTLINE - RESTRICTIONS ON RETAIL CLASS

At any time, no more than 25% of the retail area should be used for Class A4 (drinking establishments) of the Town and Country Planning Use Classes Order 1987 (as amended).

Reason:

In order that there is an acceptable mix of uses provided on the ground floor, and in the interests of protecting neighbouring residential amenity, 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.

48 FULL & OUTLINE - HOURS OF USE

a) The commercial uses (D1 & D2 Use Classes) hereby permitted shall not be carried on outside of the hours 07.00-23.00 (Monday - Saturday) and 09.00 - 20.00 (Sundays).

b) The retail uses (A1-A4 Use Classes) hereby permitted shall not be carried out outside of the hours of 06.00 - 23.00 (Monday - Thursday), 06.00 - 00.00 (Fri and Sat) and 07.00 - 23.00 (Sundays).

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

49 FULL & OUTLINE - ENERGY

The development hereby permitted shall be constructed to include the energy efficiency measures and photovoltaic panels as stated in the Energy Statement submitted in support of the application. All measures and technologies shall remain for as long as the development is occupied.

Reason:

Reason: To ensure the development complies with the National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan 2016.

50 FULL & OUTLINE - ROOF PLANT

No roof plant, equipment or other structures, other than as shown on the plans hereby approved or 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 buildings as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosures of any buildings hereby permitted.

Reason:

In order to ensure that no additional plant 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 The National Planning Policy Framework 2018, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

#### 51 FULL AND OUTLINE - SERVICING HOURS

Any deliveries or collections to the commercial units shall only be between the following hours: 06.00 to 22.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

#### 52 FULL & OUTLINE - NOISE TRANSFER FOR BASE-BUILD

For the base-build, party walls, floors and ceilings between any commercial premises as well as any communal amenity spaces and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of  $50\text{dB } D_{nT,w} + C_{tr}$ . Pre-occupation testing of the separating partition shall be undertaken for airborne sound insulation in accordance with the methodology of BS EN ISO 140-4:1998. Details of the specification of the partition together with full results of the sound transmission testing shall be submitted to the Local Planning Authority for written approval prior to the use commencing and once approved the partition 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.

#### 53 FULL & OUTLINE - NOISE TRANSFER FOLLOWING FIT OUT OF COMMERCIAL PREMISES

Following the fit out of commercial premises, party walls, floors and ceilings between any commercial premises as well as any communal amenity spaces and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of  $55\text{dB } D_{nT,w} + C_{tr}$ . Pre-occupation testing of the separating partition shall be undertaken for airborne sound insulation in accordance with the methodology of BS EN ISO 140-4:1998. Details of the specification of the partition together with full results of the sound transmission testing shall be submitted to the Local Planning Authority for written approval prior to the use commencing and once approved the partition 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.

#### 54 FULL & OUTLINE - NOISE

The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest existing 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. A validation test shall be carried out within 6 months of completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

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 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

#### 55 FULL & OUTLINE - RESIDENTIAL NOISE LEVELS

The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are typically not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T\*\*, 30 dB LAeq T\*, 45dB LAFmax T \*\*\*

Living rooms- 35dB LAeq T \*\*

Dining room - 40 dB LAeq T \*\*

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

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

\*\*\* - Not more than 15 times per night in accordance with WHO guidance

Within 3 months of completion of each phase a validation test shall be carried out on 1% of the dwellings within that phase with a façade facing the Old Kent Road. The dwellings tested will be split across different facade types. The results shall be submitted to the LPA for approval in writing.

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.

#### 56 OUTLINE - D USE CLASSES ACOUSTIC ASSESSMENT

Prior to commencement of use of any spaces with the use class D1/D2, an acoustic assessment shall be submitted to and approved by the Local Planning Authority to determine the necessary sound insulation to protect adjoining residential dwellings in light of the proposed use of that space. The assessment shall be accompanied by a detailed specification of sound insulation works. The specification shall be designed to ensure that noise from the destination space (measured as LAeq (5 min)) does not exceed NR20 in any habitable room. Following approval of the assessment and sound insulation specification, the works shall be implemented in full prior to the use commencing. Post-completion validation testing of sound insulation performance shall be carried out to demonstrate that the required standard has been achieved and the results submitted to and approved by the Local Planning Authority. The sound insulation 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.

#### 57 FULL & OUTLINE - IMPACT PILING

No impact piling shall take place unless a piling method statement for the relevant Phase detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage and water infrastructure, and the programme for the works has been submitted to and approved in writing by the Local Planning Authority in relation to that Phase. Any impact piling must be undertaken in accordance with the approved impact piling method statement.

For the avoidance of doubt this condition can be discharged on a Phase by Phase basis for the relevant phase.

Reason:

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

#### 58 FULL & OUTLINE - VENTILATION

The submitted statement on Ventilation/Extraction by McBains, reference 59965, April 2019, is noted and accepted. The proposals shall be implemented as part of the development, including a roof level outlet for any commercial kitchens extraction in Buildings B, C & D.

Reason:

To ensure the proposal minimises its impact on air quality in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.3 Sustainability Assessment, 3.4 Energy Efficiency and 3.6 Air Quality of the Southwark Plan 2007

## 59 FULL & OUTLINE - UNSUSPECTED CONTAMINATION

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) 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 Local Planning Authority.

Reason:

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

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

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

## **Informatives**

### **PARTICULARS OF DECISION**

The London Borough of Southwark hereby gives notice that PLANNING PERMISSION has been GRANTED for the carrying out of the development shown on the plans and documents submitted with the application, subject to conditions and reasons listed below and compliance with a legal agreement under section 106 of the Town and Country Planning Act 1990 (as amended):

Defined Terms:

**“CIL Phasing”** This planning permission qualifies as a ‘Phased planning permission’ for the purposes of the CIL Regulations 2010 (as amended) (the ‘CIL Regulations’); which expressly provides for the Detailed Component of the development to be carried out in Phases, in addition to the Outline Component of the development being carried out in phases in accordance with the discharge of Reserved Matters. Each Phase shall be treated as a Phase and a separate chargeable development for the purpose of the CIL Regulations.

**“Commencement”** means the carrying out of a material operation as defined in section 56 of the Town and Country Planning Act 1990 Provided That the carrying out of the “Early Works” shall not be taken to be a material operation for the purposes of this planning permission (and “Commence”, “Commenced” and other cognate terms shall be interpreted accordingly).

**“Completion”** means the practical completion of any works carried out and the terms “Complete” and “Completed” and cognate expressions will be interpreted in accordance with this definition.

**“Detailed Proposal”** means the “the Detailed Proposals” described in the approved Development Specification and shown on the approved detailed drawings, for which this decision notice grants full planning permission.

**“Development Parcel ”** means a proposed land parcel as shown on approved parameter plan Ref. 16139\_00\_07\_061 P2

**"Early Works"** means the carrying out of any of the following works on the site:

- a) demolition
- b) bulk earthworks
- c) construction of Phase 1 and temporary highways accesses
- d) laying and diversion of services
- e) decontamination and remediation works

**"Occupied"** means the first use of any planning unit other than Occupation for the purpose of construction, fitting out or marketing and "Occupy" and "Occupation" shall be construed accordingly.

**"Outline Proposal"** means the "Outline Proposals" described in the approved Development Specification and shown on the approved parameter plan drawings for which this decision notice grants outline planning permission subject to further approval of the reserved matters detailed in Condition 40.

**"Phase"** and any definition of a phase or phases means the following phases of development, unless otherwise approved by the Council under the Phasing Condition 43.

- "Phase 1" means the Phase 1 works which include widening Devonshire Grove to consolidate Integrated Waste Management Facility (IWMF) access and egress, stopping up of the IWMF egress road, demolishing all buildings and site clearance.
- "Phase 2" means the Phase 2 works which include excavation of the basement and construction of the basement slab.
- "Phase 3" means the Phase 3 works which include the construction of the ground floor level of Buildings B, C & D and Buildings A and B in full, landscape and public realm of Sylvan Green and Sylvan Gardens.
- "Phase 4" means the Phase 4 works which include the construction of Buildings C and D in full above ground floor level, podium garden and play space and public realm improvements and setback building lines to provide space for new bus stops on TfL to be delivered by TfL.
- "Phase 5" means the Phase 5 works which include the creation of new public realm at Devonshire Square, external works and tree planting on 'Chaucer Street'.
- "Phase 6" means the Phase 6 works which include the construction of Building E and public realm improvements north of Building E.

**"Superstructure"** means the part of a building above the foundations

### **RESERVED MATTERS SPECIFICATION**

The following matters shall be included as part of each application for the approval of the relevant Reserved Matters submissions:

1. A statement summarising the quantum of development being proposed as part of the Outline Proposal, including:
  - the type and quantum of accommodation to be provided in that Development Parcel of the development;
  - the quantum, tenure and location of affordable housing to be provided in that Development Parcel of the development;
  - the area and location of landscaping to be provided in that Development Parcel;

- the quantum and location of car parking, car club spaces and EVCP's to be provided in that Phase;
  - the quantum and location of cycle parking to be provided in that Development Parcel;
  - infrastructure for that Development Parcel;
  - the principles of waste / refuse and servicing for that Development Parcel;
  - the chargeable development(s) comprised in that Development Parcel for the purposes of the Community Infrastructure Levy Regulations 2010 (as amended), and
  - An assessment of the above topics against the parameters of the planning permission.
2. A statement and such other material as may reasonably be necessary to demonstrate that the Reserved Matters application accords with the Development Specification, Design Code and Parameter Plans approved in respect of the relevant Phase.
  3. Details of layout, scale, size, appearance, means of access and materials to be used.
  4. A 1:1250 scale drawing on an OS base showing details of any Reserved Matters already approved in respect of the relevant Phase.
  5. Full details of the number, design, location and associated turning areas for the Development, of all car parking spaces.
  6. Full details of the type and location of secure and covered cycle parking facilities, including supporting infrastructure including shower, lockers and changing facilities.
  7. A Refuse Management Strategy (RMS) which includes full details of the proposed design and location of facilities for the storage of refuse and recyclable materials (including the means of access for refuse vehicles and any dropped kerb / level access provisions) and full details of the proposed design and location of the facilities within each unit for the separation and storage of waste and recyclable materials.
  8. Details relating to the erection of a building(s) shall include the following:
    - a Design and Access Statement;
    - a Landscape Design Statement
    - a Sunlight Daylight and Microclimate assessment;
    - a Sustainability Statement;
    - an Energy Statement.