

TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION WITH LEGAL AGREEMENT

Applicant Elephant & Castle Properties CO Ltd
Date of Issue of this decision 10/01/2019

LBS Registered Number 16/AP/4458

Planning Permission was GRANTED for the following development:

Phased, mixed-use redevelopment of the existing Elephant and Castle shopping centre and London College of Communication sites comprising the demolition of all existing buildings and structures and redevelopment to comprise buildings ranging in height from single storey to 35 storeys (with a maximum building height of 124.5m AOD) above multi-level and single basements, to provide a range of uses including 979 residential units (use class C3), retail (use Class A1-A4), office (Use Class B1), Education (use class D1), assembly and leisure (use class D2) and a new station entrance and station box for use as a London underground operational railway station; means of access, public realm and landscaping works, parking and cycle storage provision, plant and servicing areas, and a range of other associated and ancillary works and structures.

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

At: SHOPPING CENTRE SITE, ELEPHANT AND CASTLE, 26, 28, 30 AND 32 NEW KENT ROAD, ARCHES 6 AND 7 ELEPHANT ROAD, AND LONDON COLLEGE OF COMMUNICATIONS SITE, LONDON SE1

For the reasons outlined in the case officers report which is available on the planning register.

In accordance with application received on 31/10/2016 comprising the following plans and documents:

Plans

935_00_07_PLANNING		-
Site Location Plans		
935_00_07_001	Site Location Plan - Existing	P2
935_00_07_002	Site Location Plan - Proposed	P2
935_00_07_003	Site - Roof Plan	P1
935_00_07_004	Site - Ground Plan	P2
935_00_07_005	Site - Basement Plan B1	P1
935_00_07_006	Site - Basement Plan B2 & LUL Box	P1
935_00_07_010	Site - Key Plan	P1
GA Plans - Existing East Site		
935_01_07_050	Existing East Site - Roof Plan	P1
GA Plans - Existing West Site		
935_02_07_050	Existing West Site - Roof Plan	P1
GA Elevations - Existing East Site		
935_01_07_060	Existing East Site - North Elevation	P1
935_01_07_061	Existing East Site - East Elevation	P1

935_01_07_062	Existing East Site - South Elevation	P1
935_01_07_063	Existing East Site - West Elevation	P1
935_01_07_064	Existing East Site - London Coronet Theatre	P1
GA Elevations - Existing West Site		
935_02_07_020	Existing West Site - East Elevation	P1
935_02_07_060	Existing West Site - North Elevation	P1
935_02_07_061	Existing West Site - East Elevation	P1
935_02_07_062	Existing West Site - South Elevation	P1
935_02_07_063	Existing West Site - West Elevation	P1
GA Plans - Proposed East Site		
935_01_07_97	East Site - Over Bridge & NLSB Level	P1
935_01_07_98	East Site - Lower Basement Plan	P3
935_01_07_99	East Site - Basement Mezzanine Plan	P2
935_01_07_100	East Site - Ground Floor Plan	P2
935_01_07_101	East Site - First Floor Plan	P2
935_01_07_102	East Site - Second Floor Plan	P1
935_01_07_103	East Site - Third Floor Plan	P1
935_01_07_104	East Site - Fourth Floor Plan	P1
935_01_07_105	East Site - Fifth Floor Plan	P1
935_01_07_106	East Site - Sixth Floor Plan	P1
935_01_07_107	East Site - Seventh Floor Plan	P1
935_01_07_108	East Site - Eighth Floor Plan	P1
935_01_07_109	East Site - Ninth Floor Plan	P1
935_01_07_110	East Site - Tenth Floor Plan	P1
935_01_07_111	East Site - Eleventh Floor Plan	P1
935_01_07_112	East Site - Twelfth to Fifteenth Floor Plan	P1
935_01_07_116	East Site - Sixteenth Floor Plan	P1
935_01_07_117	East Site - Seventeenth to Nineteenth Floor Plan	P1
935_01_07_120	East Site - Twentieth Floor Plan	P1
935_01_07_121	East Site - Twenty-first Floor Plan	P1
935_01_07_122	East Site - Twenty-Second Floor Plan	P1
935_01_07_128	East Site - Twenty-Eight Floor Plan	P1
935_01_07_129	East Site - Twenty-Ninth Floor Plan	P1
935_01_07_134	East Site - Thirtieth Floor Plan (plant)	P1
935_01_07_135	East Site - Roof Plan	P1
GA Plans - Proposed West Site		
935_02_07_99	West Site - Basement Plan	P1
935_02_07_100	West Site - Ground Floor Plan	P3
935_02_07_100UG	West Site - Upper Ground Floor Plan	P1
935_02_07_101	West Site - First Floor Plan	P1
935_02_07_102	West Site - Second Floor Plan	P1
935_02_07_103	West Site - Third Floor Plan	P1
935_02_07_104	West Site - Fourth Floor Plan	P1
935_02_07_105	West Site - Fifth Floor Plan	P1

935_02_07_106	West Site - Sixth Floor Plan	P1
935_02_07_107	West Site - Seventh Floor Plan	P1
935_02_07_108	West Site - Eighth to Ninth Floor Plan	P1
935_02_07_109	-	
935_02_07_110	West Site - Tenth to Eleventh Floor Plan	P1
935_02_07_111	-	
935_02_07_112	West Site - Twelfth to Fourteenth Floor Plan	P1
935_02_07_113	-	
935_02_07_114	-	
935_02_07_115	West Site - Fifteenth Floor Plan	P1
935_02_07_116	West Site - Sixteenth Floor Plan	P1
935_02_07_118	West Site - Eighteenth Floor Plan	P1
935_02_07_119	West Site - Nineteenth Floor Plan	P1
935_02_07_120	West Site - Twentieth to Twenty-First Floor Plan	P1
935_02_07_122	West Site - Twenty-Second Floor Plan	P1
935_02_07_123	West Site - Twenty-Third to Twenty-fourth Floor Plan	P1
935_02_07_125	West Site - Twenty-Fifth to Twenty-Sixth Floor Plan	P1
935_02_07_127	West Site - Twenty-Seventh Floor Plan	P1
935_02_07_128	West Site - Twenty-Eighth to Thirty-Third Floor Plan	P1
935_02_07_134	West Site - Thirty-Fourth Floor Plan	P1
935_02_07_135	West Site - Roof Plan	P1
GA Elevations - Site		
935_00_07_200	Site - North Elevation	P2
GA Elevations - East Site		
935_01_07_210	East Site - Peninsular Elevation	P1
935_01_07_211	East Site - North Elevation	P1
935_01_07_212	East Site - East Elevation	P1
935_01_07_213	East Site - South Elevation	P1
935_01_07_214	East Site - West Elevation	P1
935_01_07_215	East Site - Station Route Elevation 1	P1
935_01_07_216	East Site - Station Route Elevation 2	P2
935_01_07_217	East Site - Park Route Elevation 1	P1
935_01_07_218	East Site - Park Route Elevation 2	P1
GA Elevations - West Site		
935_02_07_210	West Site - Elephant and Castle	P2
935_02_07_211	West Site - St George's Road (North)	P2
935_02_07_212	West Site - South Elevation	P2
935_02_07_213	West Site - Oswin Street Elevation (West)	P1
935_02_07_214	West Site - Pastor Street Elevation (West)	P1
935_02_07_215	West Site - Pastor Street Elevation (East)	P1
935_02_07_216	West Site - Link Street Elevations	P1
GA Sections - Site		
935_00_07_300	Site Section AA	P2
935_00_07_301	Site Section BB	P1

935_00_07_302	Site Section CC	P1
GA Sections - East Site		
935_01_07_310	East Site - Section AA	P2
935_01_07_311	East Site - Section BB	P1
935_01_07_312	East Site - Section CC	P1
GA Sections - West Site		
935_02_07_310	West Site - Section AA	P1
935_02_07_311	West Site - Section BB	P1
935_02_07_312	West Site - Section CC	P1
GA Bay Studies - East Site		
935_01_07_501	East Site - Bay Study - Building E3, Tower 3	P1
935_01_07_502	East Site - Bay Study - Building E3	P1
935_01_07_503	East Site - Bay Study - Typical Tower	P1
935_01_07_504	East Site - Bay Study - Typical Tower	P1
935_01_07_505	East Site - Bay Study - Building E2	P1
935_01_07_506	East Site - Bay Study - Building E2	P1
935_01_07_507	East Site - Bay Study - Building E2	P1
935_01_07_508	East Site - Bay Study - Building E4	P1
935_01_07_509	East Site - Bay Study - Footbridge	P1
935_01_07_510	-	
935_01_07_511	East Site - Bay Study - UAL	P1
935_01_07_512	East Site - Bay Study - UAL	P1
935_01_07_513	East Site - Bay Study - UAL	P1
935_01_07_514	East Site - Bay Study - UAL	P1
935_01_07_515	East Site - Bay Study - UAL	P1
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GA Bay Studies - West Site		
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935_02_07_501	West Site - Bay Study - Mansion Block	P1
935_02_07_502	West Site - Bay Study - Mansion Block	P1
935_02_07_503	West Site - Bay Study - Mansion Block	P1
935_02_07_504	West Site - Bay Study - Mansion Block	P1
935_02_07_505	West Site - Bay Study - W2 Tower 2	P1
935_02_07_506	West Site - Bay Study - W2 Tower 3	P1
935_02_07_507	West Site - Bay Study - W2 Tower 4	P1
935_02_07_508	West Site - Bay Study - Music Venue	P2
935_02_07_509	West Site - Bay Study - Music Venue	P2
935_00_Reports		
935_00_DAS	Design & Access Statement	P1
935_00_Schedule - Supplementary Information		
935_01_2QA_Residential Unit Types Schedule		12.06.201

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935_02_2QA_Residential Unit Types Schedule	12.06.2017
935_02_2QA_Site Area Schedule_Elephant & Castle Total	15.06.2017
935_02_2QA_Site Area Schedule_East Site	15.06.2017
935_02_2QA_Site Area Schedule_West Site	15.06.2017

935_00_Sketches - Supplementary Information

935_01_SK093	East Site - Detail Flat Layouts	1:50	A1	P1
935_01_SK094	East Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK138	West Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK139	West Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK140	West Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK141	West Site - Detail Flat Layouts	1:50	A1	P1

Key Plan	TOWN617(03)3001
East Site: Ground Level	TOWN617(03)3002
West Site: Ground Level	TOWN617(03)3003
East Site: E3 Podium	TOWN617(03)3102
East Site: E2 Podium	TOWN617(03)3103
West Site: W2 Podium	TOWN617(03)3104
West Site: W3 Building 1,2,3 Podium	TOWN617(03)3105
West Site: W1 Tower 1 - 7th Floor	TOWN617(03)3106
West Site: Tower 1 and Tower 2 - 10th Floor	TOWN617(03)3107
West Site: W2 , Tower 2 - 12th Floor	TOWN617(03)3108
West Site: W1 - 15th Floor	TOWN617(03)3109
West Site: W2 - 18th Floor	TOWN617(03)3110
West Site: W2 20th Floor	TOWN617(03)3111
West Site: W2 - 22nd Floor	TOWN617(03)3112
West Site: W2, Tower 3 - 27th Floor	TOWN617(03)3113

Documents

Design and Access Statement prepared by Allies & Morrison, Planning Statement including Draft Section 106 Heads of Terms prepared by DP9, Retail Assessment prepared by DP9, Regeneration Statement prepared by Regeneris, Statement of Community Involvement (SCI) prepared by Carvil Ventures, Transport Assessment prepared by WSP | Parsons Brinckerhoff, Draft Interim Framework Travel Plan prepared by WSP | Parsons Brinckerhoff, Delivery and Servicing Plan prepared by WSP | Parsons Brinckerhoff, Construction Management Plan prepared by MACE, Waste Management Strategy prepared by WSP | Parsons Brinckerhoff, Arboricultural Impact Assessment prepared by Waterman, Affordable Housing Statement prepared by DS2, Energy Statement prepared by Hoare Lea, Sustainability Strategy including BREEAM Pre-assessment prepared by Hoare Lea, Equalities Statement prepared by Quod, Rapid Health Impact Assessment prepared by Ricardo, Internal Daylight and Sunlight Report prepared by Hoare Lea, Environmental Statement coordinated by Waterman, Financial viability assessment executive summary and full appraisal prepared by DS2; Updated bat survey report, Transport Assessment Addendum, Affordable Housing Addendum, CGIs showing relationship with Metropolitan Tabernacle, Overshadowing Assessments September 2016 and 26th July 2017, Acoustic Design Corsica Studios affecting South East block revision 03, Noise Emissions Corsica Studios Briefing Note 10th April 2017, Corsica Studios and Interim Construction Phase Technical Note, Design and Access Statement Addendum, Equalities Statement Addendum, Figure 14.1: View of the Model in the Wind Tunnel, Response to waste management comments, Letter from Watermans dated 19th June 2017 regarding EIA implications of the proposed amendments, Elephant and Castle commentary on sections through the site including figures 1 and 2 (for archaeology), Basemant Impact Assessment, larger details of townscape view assessment point 23A.1, Daylight / sunlight addendum, Sustainability document revision B, Overshadowing Assessments dated 14th December 2017 (for the proposed communal gardens).

Letter from DP9 dated 13th February 2018 updating the proposals, Transport technical note for D2 land use on west site dated February 2018, Financial Viability Assessment – executive summary update, OEQS additional information dated February 2018, letter from Waterman dated 9th February 2018 (EIA update letter), Transport Statement Appendix T (LCC survey data), Statement of Community Involvement Addendum dated June 2018, update letter from DP9 dated 15th June 2018, Development Appraisals dated 13th June 2018, Overshadowing assessments dated 29th June 2018 and 26th July 2017

Definitions

- a) “Phasing Plan” means the two phases of comprehensive redevelopment as assessed within the Environmental Statement (September 2016) and subsequent letter from Watermans dated 19th June 2017 regarding EIA implications of the proposed amendments. For the avoidance of doubt, a Phasing Plan is to be submitted pursuant to condition 3.

Subject to the following 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:

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935_01_07_106	East Site - Sixth Floor Plan	P1
935_01_07_107	East Site - Seventh Floor Plan	P1
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935_02_07_103	West Site - Third Floor Plan	P1
935_02_07_104	West Site - Fourth Floor Plan	P1
935_02_07_105	West Site - Fifth Floor Plan	P1
935_02_07_106	West Site - Sixth Floor Plan	P1
935_02_07_107	West Site - Seventh Floor Plan	P1
935_02_07_108	West Site - Eighth to Ninth Floor Plan	P1
935_02_07_109	-	
935_02_07_110	West Site - Tenth to Eleventh Floor Plan	P1
935_02_07_111	-	
935_02_07_112	West Site - Twelfth to Fourteenth Floor Plan	P1
935_02_07_113	-	
935_02_07_114	-	
935_02_07_115	West Site - Fifteenth Floor Plan	P1
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935_02_07_128	West Site - Twenty-Eighth to Thirty-Third Floor Plan	P1
935_02_07_134	West Site - Thirty-Fourth Floor Plan	P1
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935_01_07_212	East Site - East Elevation	P1
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935_01_07_214	East Site - West Elevation	P1
935_01_07_215	East Site - Station Route Elevation 1	P1
935_01_07_216	East Site - Station Route Elevation 2	P2
935_01_07_217	East Site - Park Route Elevation 1	P1
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935_01_07_502	East Site - Bay Study - Building E3	P1
935_01_07_503	East Site - Bay Study - Typical Tower	P1

935_01_07_504	East Site - Bay Study - Typical Tower	P1
935_01_07_505	East Site - Bay Study - Building E2	P1
935_01_07_506	East Site - Bay Study - Building E2	P1
935_01_07_507	East Site - Bay Study - Building E2	P1
935_01_07_508	East Site - Bay Study - Building E4	P1
935_01_07_509	East Site - Bay Study - Footbridge	P1
935_01_07_510	-	
935_01_07_511	East Site - Bay Study - UAL	P1
935_01_07_512	East Site - Bay Study - UAL	P1
935_01_07_513	East Site - Bay Study - UAL	P1
935_01_07_514	East Site - Bay Study - UAL	P1
935_01_07_515	East Site - Bay Study - UAL	P1
935_01_07_516	East Site - Bay Study - UAL	P1
935_01_07_517	East Site - Bay Study - UAL	P1
935_01_07_518	East Site - Bay Study - UAL	P1
GA Bay Studies - West Site		
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935_02_07_503	West Site - Bay Study - Mansion Block	P1
935_02_07_504	West Site - Bay Study - Mansion Block	P1
935_02_07_505	West Site - Bay Study - W2 Tower 2	P1
935_02_07_506	West Site - Bay Study - W2 Tower 3	P1
935_02_07_507	West Site - Bay Study - W2 Tower 4	P1
935_02_07_508	West Site - Bay Study - Music Venue	P2
935_02_07_509	West Site - Bay Study - Music Venue	P2
935_00_Reports		
935_00_DAS	Design & Access Statement	P1

935_00_Schedule - Supplementary Information

935_01_2QA_Residential Unit Types Schedule	12.06.2017
935_02_2QA_Residential Unit Types Schedule	12.06.2017
935_02_2QA_Site Area Schedule_Elephant & Castle Total	15.06.2017
935_02_2QA_Site Area Schedule_East Site	15.06.2017
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935_02_SK138	West Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK139	West Site - Detail Flat Layouts	1:50	A1	P1
935_02_SK140	West Site - Detail Flat Layouts	1:50	A1	P1

Key Plan	TOWN617(03)3001
East Site: Ground Level	TOWN617(03)3002
West Site: Ground Level	TOWN617(03)3003
East Site: E3 Podium	TOWN617(03)3102
East Site: E2 Podium	TOWN617(03)3103
West Site: W2 Podium	TOWN617(03)3104
West Site: W3 Building 1,2,3 Podium	TOWN617(03)3105
West Site: W1 Tower 1 - 7th Floor	TOWN617(03)3106
West Site: Tower 1 and Tower 2 - 10th Floor	TOWN617(03)3107
West Site: W2 , Tower 2 - 12th Floor	TOWN617(03)3108
West Site: W1 - 15th Floor	TOWN617(03)3109
West Site: W2 - 18th Floor	TOWN617(03)3110
West Site: W2 20th Floor	TOWN617(03)3111
West Site: W2 - 22nd Floor	TOWN617(03)3112
West Site: W2, Tower 3 - 27th Floor	TOWN617(03)3113

Reason:

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

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

Reason:

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

Site wide conditions

- The development hereby permitted shall be carried out in accordance with a Phasing Plan to be submitted to and approved in writing by the Local Planning Authority prior to works commencing. The Phasing Plan may be amended from time to time, subject to obtaining the prior written approval of the Local Planning Authority (in consultation with the GLA and Transport for London), and providing the submission of any updated Phasing Plan shall comply with the requirements of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Reason:

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

- Notwithstanding the provisions of Part 16 and 25 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with 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.

East site conditions

Pre-commencement condition(s) - unless otherwise stated, 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 the east site works granted by this permission is commenced.

- Site Contamination

a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed shall be submitted to and approved in writing by the Local Planning Authority.

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, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-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 2018.

6. Tree Protection

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 2018 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.

7. Archaeological Implement Programme

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

Reason:

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied 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 2018.

8. Archaeological Evaluation

Before any below ground 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 2018.

9. Archaeological Mitigation

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

Reason:

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site 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 2018.

10. Archaeological Foundation and Basement Design

Before any below ground work hereby authorised begins (excluding demolition), a detailed scheme showing the complete scope and arrangement of the basement and 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 2018.

11. Building Recording

No demolition or development shall take place before the applicant, or his/her agent or successors in title, has secured the implementation of a programme of building recording analysis (to Historic England Level 3) of the Coronet Theatre and the Elephant and Castle Shopping Centre. Details shall be submitted to and approved in writing by the Local Planning Authority prior to demolition/development commencing. The recording analysis shall be carried out by a professional archaeological/building recording consultant or organisation in accordance with the approved details.

Reason:

In order that the archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with PPS5, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policy 3.19 Archaeology of the Southwark Plan 2007.

12. Precautionary bat survey

If more than two seasons pass between the most recent bat survey for the site and the commencement of demolition and/or tree works, an updated bat survey must be undertaken immediately prior to demolition or tree works by a licensed bat worker. Evidence that the survey has been undertaken shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of demolition and/or tree works.

Reason:

In accordance with saved policy 3.28 'Biodiversity' of the Southwark Plan (2007).

13. Groundwater investigations

No below ground works shall commence (excluding demolition) until suitable investigations are undertaken to determine the ground and groundwater conditions (including levels) at the site and an updated basement impact assessment is submitted to and approved in writing by the Local Planning Authority. This should include groundwater mitigation measures as required, with the measures constructed in accordance with the approved details.

Reason:

To minimise the potential for the site to contribute to changes in groundwater conditions and any subsequent flooding in accordance with section 5.3.3 of the Southwark Strategic Flood Risk Assessment (2008).

14. Surface water drainage

No below ground works shall commence (excluding demolition) until details of a surface water drainage strategy incorporating sustainable drainage principles to achieve a reduction in surface water run-off rates from the site to a minimum of 50% of that for the existing site during a 1% Annual Exceedance Probability (AEP) event, has been submitted to and approved in writing by Local Planning Authority. The site drainage must be constructed in accordance with the approved details.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

15. Impact study for water infrastructure capacity

Development shall not be commenced (excluding demolition) until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason:

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

16. Piling method statement

No piling shall take place until a piling method statement (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 water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

17. Prior to the commencement of the development on the east site, a strategy for ongoing engagement with the existing businesses and charities within the site detailing how they will be kept informed of the progression of the

development, measures to notify existing businesses and charities at least 6 months before the closure of the shopping centre, and the setting up of a trader panel at least 6 months prior to the closure of the shopping centre shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved and the measures implemented at least 6 months before the shopping centre closes.

Reason:

To ensure that existing businesses are informed of the likely impacts upon them in a timely manner, and in recognition of the equality impacts arising from the proposed development.

Commencement of works above grade - the details required to be submitted for approval by the conditions 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, excluding demolition.

18. Detailed construction drawings: East Site

Prior to the commencement of works above grade (excluding cores) typical section detail-drawings at a scale of 1:5 or 1:10 through the following elements of the approved buildings:

- the facades;
- the shop fronts;
- heads, cills and jambs of openings;
- parapets;
- roof edges for

i) Plot E1 LUL Station and Shopping Centre;

ii) E2 residential tower and Shopping Centre;

iii) E3 residential towers and Shopping Centre;

iv) E4 Shopping Centre (including measures to improve the appearance of the first floor of the shopping centre facing Elephant and Castle and Walworth Road)

and showing the re-use of the Elephant sculpture which is displayed at the front of the existing shopping centre, shall be submitted to the Local Planning Authority for approval in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with the NPPF (2018), 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).

19. Detailed Construction Drawings: Education Building

Prior to the commencement of works above grade (excluding cores) typical section detail drawings at a scale of 1:5/10 through the following elements of the approved education building:

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

shall be submitted to the Local Planning Authority for approval in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with the NPPF (2018), 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).

20. Sample panels: East Site

Sample panels of the external facing materials for the east site buildings including:

i) E1 LUL Station and Shopping Centre;

- ii) E2 residential tower and Shopping Centre;
- iii) E3 residential towers and Shopping Centre; and
- iv) E4 Shopping Centre

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. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2018), 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).

21. Sample panels: Education Building

Sample panels of the external facing materials for the education building 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. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2018), 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).

22. Mock-up: Residential towers

Full-scale mock-ups of the façades of the east site residential towers E2 and E3 to be used in the carrying out of this permission shall be presented on site 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.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2018), 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).

23. Mock-up: Education Building

A full-scale mock-up of the façade of the education building to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any above ground work in connection with this permission is carried out; the development shall not be carried out otherwise than in accordance with any such approval given. The mock-up must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2012), 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).

24. Green roof

Before any above grade work hereby authorised begins to plot E1, details of the green roof to plot E1 shall be submitted to and approved in writing by the Local Planning Authority. The green roof 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 green 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. It shall be provided in accordance with the details so approved and shall be maintained as such thereafter.

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 2016, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

25. Basement access – detailed design

Before any above grade work hereby authorised begins, detailed plans at an appropriate scale (and relevant supporting documentation) of the New Kent Road access to the basement servicing yard will be submitted and approved in writing by the local planning authority (in consultation with Transport for London). Submitted details should clearly set out how the immediate public realm and entrance to the basement servicing area can be designed to accommodate the efficient arrival/exit of vehicles, how the access will be monitored, managed and made secure and how the risk of pedestrian and vehicular conflicts will be minimised such that the basement access point will operate safely, securely and efficiently. The development shall be carried out in accordance with the approved details.

Reason

In order that the applicant can demonstrate that physical design measures and management controls have been implemented to ensure the safe operation of the servicing yard and forecourt, whilst also ensuring a high quality of public realm, to minimise conflict between pedestrians and vehicular traffic in accordance with Saved Policies 5.2 Transport Impacts and 5.3 Walking and Cycling of the Southwark Plan 2007, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and the National Planning Policy Framework 2018.

26. Western viaduct boundary

Before any above grade work thereby affected begins to the western viaduct (southern section), details of the means of the boundary treatment along the west-facing railway viaduct shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given, and the approved means of enclosure shall be provided prior to the occupation of the development and retained as such thereafter.

Reason

In the interests of visual and residential amenity 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, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

27. Telecommunications reception

Before any above grade work hereby authorised begins, details of how the impact of the development on television, radio and other telecommunications services will be assessed, the method and results of surveys carried out, and the measures to be taken to rectify any problems identified shall be submitted to and approved in writing by the Local Planning Authority. The premises shall not be occupied until any such mitigation measures as may have been approved have been implemented.

Reason

In order to ensure that any adverse impacts of the development on reception of residential properties is identified and resolved satisfactorily in accordance with 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.

28. Public toilet

Prior to the commencement of above grade works, details of public toilet provision on the east site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details thereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that there would be adequate public toilet provision within the development, in accordance with saved policy 1.7 'Development within town and local centres' of the Southwark Plan (2007).

29. a) Prior to commencement of any above grade works to any residential building on the east site an acoustic assessment and detailed scheme of insulation measures (to include residential glazing, façade and ventilation specifications in addition to any treatments applied to the source) shall be submitted to the Local Planning

Authority for approval. The scheme of measures shall be designed to ensure that sound from 4/5 Elephant Rd shall not exceed 27dB LAeq (5min) (11:00pm-07:00am) in bedrooms and 32dB LAeq (5min) (11:00pm-07:00am) for living rooms (with residential windows and doors closed) in any new residential dwelling.

- b) Once approved, the scheme of insulation shall be installed fully in accordance with the approved details.
- c) On completion and before the properties are occupied, validation testing to demonstrate compliance with the approved scheme of measures and above standards in (a) shall be undertaken using an agreed sample or about 10% of the affected properties. The report from the validation testing shall be approved in writing by the Local Planning Authority prior to first occupation.
- d) In the event of failure of any validation test, further testing may be required by the Local Planning Authority to determine the extent of failure. Following this a scheme of additional works and/or mitigation measures shall be submitted to the Local Planning Authority for approval, and installed fully in accordance with the approved scheme. Further post-completion validation testing and remedial works shall be conducted until full compliance with the standard is demonstrated to the satisfaction of the Local Planning Authority.
- e) The approved mitigation measures shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with 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 2018.

30. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme for the communal amenity areas (including cross sections, surfacing materials, 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.

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 2018 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.

Pre-occupation conditions – the details required to be submitted for approval by the conditions 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

31. Bird boxes
Details of 4 mixed bird nesting boxes including open fronted boxes for black redstart, sparrow terraces and 1 peregrine tray together with details of no less than 6 swift nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority no later than 6 months prior to occupation. Details shall include the exact location, specification and design of the habitats.

They shall be installed within the development prior to the first occupation of the building of which they form part or the first use of the space in which they are contained in accordance with the approved details and shall be retained as such thereafter.

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 2016, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

32. Play

No later than 6 months prior to occupation 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.

Reason

To ensure that there would be adequate play facilities to serve the development, in accordance with saved policy 4.2 'Quality of accommodation' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

33. Protection from vibration

The development shall be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 – 07.00hrs.

Prior to the occupation of the residential accommodation a post construction validation test shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that these standards have been met. Testing shall be fully in accordance with the methodology of BS EN ISO 140-4:1998 (for airborne sound) and BS EN ISO 140-7:1998 (for impact sound). Validation tests shall be carried out on a relevant sample of habitable rooms.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources 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 2018.

34. Internal Ventilation in Areas of Poor Air Quality

The uses hereby permitted shall not be begun until a scheme for the internal ventilation of the development with appropriately located plant inlets, filters, outlets and treatments for that use has been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be provided prior to the first use of the development.

Reason:

In order to ensure a good standard of air quality, and to ensure that that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity, in accordance with Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

35. Security measures

The development shall be designed to achieve Secured by Design certification. Certificates to demonstrate this shall be submitted to and approved in writing by the Local Planning Authority prior to the last occupation of the development.

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.

36. BREEAM

(a) Before any fit out works to the commercial premises hereby authorised begins, a BREEAM Design Stage Certificate and 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 for the class A1-A4 space and 'very good' for the class D2 space 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;

(b) Within 3 months of the first occupation of the building 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 at (a) have been met.

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.

37. Ventilation/Kitchen extract

Prior to the commencement of each cafe or restaurant use on the site (use class A3) full particulars and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, 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.

Reason:

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with 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.

38. External lighting

Details of any external lighting to external areas surrounding the buildings shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers 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.

39. Light pollution

Details to demonstrate whether there would be any light pollution to neighbouring residential properties as a result of the London College of Communications building, together with any mitigation measures if required, shall be submitted to and approved in writing by the Local Planning Authority. If mitigation is required, the approved details shall be implemented prior to the first use of the building and retained as such thereafter.

Reason:

To ensure that there would be no unacceptable light pollution to neighbouring residential properties, in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and strategic policy 12 'Design and conservation' of the Core Strategy (2011).

40. Flood evacuation plan

Before the development hereby permitted is occupied, a flood emergency and evacuation plan shall be submitted to and approved by the local planning authority (in consultation with the Council's Emergency Planning and Resilience Officer) including details of how occupants will be informed about and recommended to sign up to the Environment Agency Flood Warning Service. The flood emergency and evacuation plan shall be implemented on first occupation and carried out in accordance with the approved details.

Reason:

To ensure future occupiers are made aware of the flooding risk to this site within flood zone 3 in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.9 Water of the Southwark Plan 2007.

41. Cycle storage (long stay)

Before the first occupation of the development, details of the long stay cycle storage facilities shall be provided to demonstrate that adequate provision is made in the locations identified on the plans approved herein and that the types of storage reflect the split presented in the approved Transport Assessment Addendum (WSP, June 2017).

The long stay cycle parking shall thereafter 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 2018, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

42. Community Use Scheme (education building)

Within 6 months of occupation of the education building, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of the following:

- i) A detailed plan and / or schedule of the Community Use Facilities;
- ii) The days and times of availability of the Community Use Facilities;
- iii) The access to and right to use the Community Use Facilities by users from the community (whether groups or individuals) who are not staff, pupils or members of the educational establishment;
- iv) The management, maintenance and cost for use of the Community Use Facilities;
- v) A mechanism for review of the Community Use Scheme

The approved Community Use Scheme shall be implemented within 9 months of occupation of the education building and retained/maintained for the existence of the development.

Reason:

To secure community use of facilities in accordance with Saved Policy 2.3 Enhancement of Educational Establishments of the Southwark Plan 2007 and SP4 Places for learning, enjoyment and healthy lifestyles of the Core Strategy 2011 and to ensure that residential amenity.

43. Community Use Scheme (leisure buildings)

Within 6 months of occupation of the leisure space, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of the following:

- i) A detailed plan and / or schedule of the Community Use Facilities;
- ii) The days and times of availability of the Community Use Facilities;
- iii) The access to and right to use the Community Use Facilities by users from the community (whether groups or individuals) who are not staff, pupils or members of the educational establishment;
- iv) The management, maintenance and cost for use of the Community Use Facilities;
- v) A mechanism for review of the Community Use Scheme

The approved Community Use Scheme shall be implemented within 9 months of occupation of the education building and retained/maintained for the existence of the development.

Reason:

To secure community use of facilities in accordance with Saved Policy 2.2 'Provision of new community facilities of the Southwark Plan 2007 and SP4 Places for learning, enjoyment and healthy lifestyles of the Core Strategy 2011 and to ensure that residential amenity.

Compliance conditions - the following conditions impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented

44. Sounds insulation: Education

The educational use shall meet the standards as described in the Department for Education Building Bulletin 93 'BB93: Acoustic design of schools -performance standards'.

Reason:

To ensure a good standard of amenity for future occupiers in accordance with strategic policy 13 'High environmental Standards' of the Core Strategy (2011) and saved policies 3.2 'Protection of amenity', 3.11 'Efficient use of land' and 3.12 'Quality in design' of the Southwark Plan (2007).

45. Vertical sound transmission between commercial and residential properties

The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall

be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise from the commercial premises does not exceed NR25* when measured as an L₁₀ across any 5 minute period.

(*NR20 if the future use of the commercial unit is known to be a license premises or to contain loud processes or equipment).

Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve the following minimum airborne sound insulation weighted standardised level difference:

- For A4 premises, D1\D2 premises such as places of worship, concert halls and community space for hire standards will be judged on a case by case basis depending on the exact nature of the use. Measures to achieve sound insulation greater than 60dB DnT,w + Ctr are likely to be necessary.
- For A3 or A5 premises or large A1 cafes, shops and supermarkets: At least 55dB DnT,w + Ctr
- For small cafés or shops: At least 50dB DnT,w + Ctr

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 2018.

46. Plant 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 noise sensitive premises. 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 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).

47. External Noise Levels in Private Amenity Areas

Private gardens and communal external amenity areas shall be designed to attain 50dB(A) LAeq, 16hr †. Where this is not possible to achieve despite implementing all reasonable mitigation measures, the standard can be reduced by 5dB so that the sound level does not exceed 55dB LAeq, 16hr.

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

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise 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 2018.

48. Sound transfer

Where dwellings (or parts of dwellings) within larger blocks are acoustically insulated against environmental noise, sound insulation standards are required to exceed the requirements of Building Regulations Approved Document E by 5dB, such that the airborne sound insulation weighted standardised level difference is increased by 5dB DnT,w + Ctr and the maximum allowable weighted standardised impact sound pressure level is reduced by 5dB LnT,w.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise 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 2018.

49. Underground Servicing Area Extract Ventilation

The underground servicing areas shall be fitted with an extract ventilation system that will achieve the standards

set out in BS 7346-7:2013 'Components for smoke and heat control systems, the Code of practice on functional recommendations and calculation methods for smoke and heat control systems for covered car parks' and Building Regulations Approved Document F.

Reason

In order to ensure that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity 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.

50. A3/A4 opening hours

Any class A3 (café / restaurant) and class A4 (drinking establishment) uses shall only be permitted to open between the hours of 0700 to 2300 Sunday to Thursday and 0700 to 0100 Fridays and Saturdays. The class D2 leisure use shall only be permitted to open between the hours of 0700 and 0100 daily.

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.

51. Potable water

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 2018, 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 2016 (Water use and supplies).

52. Refuse storage

Before the first occupation of a particular plot hereby permitted, the refuse storage arrangements shown on the approved drawings for that plot shall be provided and made available for use by the occupiers of the development, 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 2018, 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

53. Wind microclimate

All wind microclimate mitigation measures detailed in section 7.2 (configuration 5) of the Environmental Statement shall be provided prior to the occupation of the development. These measures must be robust enough to limit the wind conditions to meet the activity criteria for that area/location as set out in the Lawson criteria, and wind speeds for cyclists must be 15m/s for no more than 1 hour per year (0.01% frequency) in the vicinity of the site.

Reason:

In the interests of amenity and safety, in accordance with saved policies 3.2 'Protection of amenity', 5.2 'Transport impacts' and 5.3 'Walking and cycling' of the Southwark Plan and strategic policies 2 'Sustainable Transport' and 13 'High environmental standards' of the Core Strategy (2011).

54. Retail floorspace requirement

A minimum of 50% of the retail space hereby approved shall be used for A1 purposes at any one time.

Reason:

To ensure that the proposal would provide a strong, retail focussed shopping centre for the area.

55. Accessible dwellings

90% of the residential units hereby permitted shall be constructed to standard M4(2) and 10% shall be constructed to standard M4(3) of Approved Document M of the Building Regulations (2015) – Access to and use of buildings.

Reason:

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

Other conditions – the following conditions are to be complied with and discharged in accordance with the individual requirements specified in the conditions

56. Archaeology Reporting Site Work

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 2018.

57. East Site Basement Access

Prior to the commencement of any works thereby affected, detailed plans and appropriate supporting information relating to the design of the basement vehicular ramp, including the design and location of shutters/barriers and any other methods of access control that are located outside of the public highway, shall be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with any approval given.

Reason:

In order to demonstrate that the physical design and management controls proposed are sufficient to ensure the efficient operation of the basement access, that they will prevent vehicles from impeding the New Kent Road footway and will minimise conflict between pedestrians, cyclists and vehicular traffic in accordance with saved policies 5.2 'Transport Impacts' and 5.2 'Walking and cycling' of the saved Southwark Plan 2007 and the National Planning Policy Framework 2018

West Site conditions

Pre-commencement condition(s) - unless otherwise stated, 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 the west site works granted by this permission is commenced.

58. Site Contamination

a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.

i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed

shall be submitted to and approved in writing by the Local Planning Authority.

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, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-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 2018.

59. Tree Protection

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.

a) 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 – this shall include for the retention of T13 (Beech). The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

b) 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 2018 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.

60. Archaeological Programme

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

Reason:

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied 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 2018.

61. **Archaeological Evaluation**
Before any below ground 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 2018.
62. **Archaeological mitigation**
Before any below ground work hereby authorised begins (excluding demolition), the applicant shall secure the implementation of a programme of archaeological mitigation 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 to demonstrate that the range of archaeological mitigation is sufficient having considered the potential impacts of the proposed development and the nature and extent of archaeological remains on site 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 2018.
63. **Archaeological Foundation and Basement Design**
Before any below ground work hereby authorised begins (excluding demolition), a detailed scheme showing the complete scope and arrangement of the basement and 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 2018.
64. **Groundwater**
No below ground works (excluding demolition) shall commence until suitable investigations are undertaken to determine the ground and groundwater conditions (including levels) at the site and an updated basement impact assessment is submitted to and approved in writing by the Local Planning Authority. This should include groundwater mitigation measures as required, with the measures constructed in accordance with the approved details.
- Reason:
To minimise the potential for the site to contribute to changes in groundwater conditions and any subsequent flooding in accordance with section 5.3.3 of the Southwark Strategic Flood Risk Assessment (2008).
65. **Surface Water**
No below grade works shall commence until details of a surface water drainage strategy incorporating sustainable drainage principles to achieve a reduction in surface water run-off rates from the site to a minimum of 50% of that for the existing site during a 1% Annual Exceedance Probability (AEP) event, has been submitted to and approved in writing by Local Planning Authority. The site drainage must be constructed in accordance with the approved details.
- Reason:
To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).
66. **Piling**
No piling shall take place until a piling method statement (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 infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

67. Impact studies on water infrastructure

Development shall not be commenced (excluding demolition) until impact studies of the existing water supply infrastructure have been submitted to and approved in writing by the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason:

To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Commencement of works above grade - the details required to be submitted for approval by the conditions 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, excluding demolition.

68. Notwithstanding the details presented on plan 935_02_07_100/Rev P3, prior to the commencement of works above grade detailed plans of the eastern public realm/footway and any proposed servicing bays on Oswin Street will be submitted to the Local Planning Authority for the approval in writing in order to demonstrate a satisfactory balance between accommodating the needs of the various road users with servicing demands and the delivery of a high quality public realm. The development shall proceed in accordance with any approval hereby given.

Reason:

In order to demonstrate that the transport impacts of the development are properly addressed as part of a coherent and high quality design solution in accordance with saved Southwark Plan policies 3.13 'Urban design' and 5.2 'Transport impacts' (2007), Core Strategy Strategic Policies 2 'Sustainable transport' and 12 'Design and conservation' (2011) and guidance in the Elephant and Castle SPD (2012) and National Planning Policy Framework (2018).

69. Detailed construction drawings

Prior to the commencement of works above grade (excluding cores) typical section detail-drawings at a scale of 1:5 or 1:10 through the following elements of the approved buildings referenced below:

- the facades;
- the shop fronts;
- heads, cills and jambs of openings;
- parapets;
- roof edges of

i) W1 residential tower;

ii) W2 residential towers (including safety measures to the balconies of tower W3 facing the Metropolitan Tabernacle and the 22nd floor level terrace and class D2 building (cultural venue); and

iii) W3 mansion blocks;

shall be 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.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural or historic qualities of the listed building in accordance with the NPPF (2018), 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).

70. Materials samples: West Site

Sample panels of the external facing materials for the west site buildings including:

i) W1 residential tower;

- ii) W2 residential towers and class D2 building (cultural venue); and
- iii) W3 mansion blocks

to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before above-grade works thereby affected are carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2012), 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).

71. Mock-Up: West Site

Full-scale mock-ups of the façades of the west site residential towers W1, W2 and W3 to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority before any above ground works thereby affected are carried out; the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with the NPPF (2012), 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).

72. Green Roof

Before any above grade work hereby authorised begins, the feasibility of providing a green or brown roof shall be submitted to and approved in writing by the Local Planning Authority. If it is deemed to be feasible, full details of the green or brown roof shall be provided which 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.

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 2016, saved policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core Strategy 2011.

73. Green Wall

Before any above grade work hereby authorised begins, details of the green wall shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The wall 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 green wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

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 2016, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core Strategy 2011

74. Means of enclosure

Before any above grade work hereby authorised begins, details of the means of enclosure for the ground floor units in plot W3 (the Mansion Block) facing Oswin Street shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such

approval given and the means of enclosure provided prior to the occupation of the plot.

Reason:

In the interests of visual and residential amenity 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, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

75. Telecommunications reception

Before any above grade work hereby authorised begins, details of how the impact of the development on television, radio and other telecommunications services will be assessed, the method and results of surveys carried out, and the measures to be taken to rectify any problems identified shall be submitted to and approved in writing by the Local Planning Authority. The premises shall not be occupied until any such mitigation measures as may have been approved have been implemented.

Reason:

In order to ensure that any adverse impacts of the development on reception of residential properties is identified and resolved satisfactorily in accordance with 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.

76. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme for the communal amenity areas (including cross sections, surfacing materials, 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.

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 2018 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.

Pre-occupation conditions – the details required to be submitted for approval by the conditions listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby

76. Bird boxes

Details of 4 mixed bird nesting boxes including open fronted boxes for black redstart, sparrow terraces and 1 peregrine tray together with details of no less than 6 swift nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority no later than 6 months prior to occupation. Details shall include the exact location, specification and design of the habitats.

They shall be installed within the development prior to the first occupation of the building of which they form part or the first use of the space in which they are contained in accordance with the approved details and shall be retained as such thereafter.

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 2016, Policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core Strategy 2011.

77. Play

No later than 6 months prior to occupation 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.

Reason:

To ensure that there would be adequate play facilities to serve the development, in accordance with saved policy 4.2 'Quality of accommodation' of the Southwark Plan (2007) and strategic policy 13 'High environmental standards' of the Core Strategy (2011).

78 Wind microclimate

a) All wind microclimate mitigation measures detailed in section 7.2 (configuration 5) of the Environmental Statement shall be provided prior to the occupation of the development. These measures must be robust enough to limit the wind conditions to meet the activity criteria for that area/location as set out in the Lawson criteria, and wind speeds for cyclists must be 15m/s for no more than 1 hour per year (0.01% frequency) in the vicinity of the site.

b) Two additional receptors shall be tested for wind microclimate, one at the side entrance to the Metropolitan Tabernacle church and the other underneath the archway which leads to the passageway along the northern side of the Metropolitan Tabernacle. Any mitigation required must be robust enough to limit the wind conditions to meet the activity criteria for that area/location as set out in the Lawson criteria. Details to demonstrate this shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above grade works and implemented prior to the occupation of the development.

Reason

In the interests of amenity and safety, in accordance with saved policies 3.2 'Protection of amenity', 5.2 'Transport impacts' and 5.3 'Walking and cycling' of the Southwark Plan and strategic policies 2 'Sustainable Transport' and 13 'High environmental standards' of the Core Strategy (2011).

79 Protection from vibration

The development shall be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 – 07.00hrs.

Prior to the occupation of the residential accommodation a post construction validation test shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that these standards have been met. Testing shall be fully in accordance with the methodology of BS EN ISO 140-4:1998 (for airborne sound) and BS EN ISO 140-7:1998 (for impact sound). Validation tests shall be carried out on a relevant sample of habitable rooms.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources 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 2018.

80 Internal Ventilation in Areas of Poor Air Quality

The uses hereby permitted shall not be begun until a scheme for the internal ventilation of the development with appropriately located plant inlets, filters, outlets and treatments has been submitted to and approved in writing by the Local Planning Authority. The details thereby approved shall be provided prior to the first use of the development.

Reason

In order to ensure a good standard of air quality, and to ensure that that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity, in accordance with Strategic Policy 13 – High Environmental Standards of the Core Strategy 2011 and saved policy 3.2 Protection of Amenity of the Southwark Plan 2007.

81 Security measures

The development shall be designed to achieve Secured by Design certification. Certificates to demonstrate this shall be submitted to and approved in writing by the Local Planning Authority prior to the last occupation of the development.

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.

82 BREEAM

(a) Before any fit out works to the commercial premises hereby authorised begins, a BREEAM Design Stage Certificate and 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 for the class A1-A4 space and office space and 'very good' for the class D2 space (cultural venue) 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;

(b) Within 3 months of the first occupation of the building 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 at (a) have been met.

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.

83 Obscure glazing

Details of obscure glazing or other device to maintain privacy between opposite facing windows on the southern elevation of tower W1 and the northern elevation of plot W3 (the Mansion Block) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the affected residential units and retained as such thereafter.

Reason:

In order to protect the privacy and amenity of future occupiers of the development, in accordance with saved policy 4.2 'Quality of design' of the Southwark Plan (2007).

84 Ventilation/Kitchen extract

Prior to the commencement of each cafe or restaurant use on the site (use class A3) full particulars and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, 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.

Reason:

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with 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.

85 External lighting

Details of any external lighting to external areas surrounding the buildings shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers 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.

86 Flood evacuation plan

Before the development hereby permitted is occupied, a flood emergency and evacuation plan shall be submitted to and approved by the local planning authority (in consultation with the Council's Emergency Planning and Resilience Officer) including details of how occupants will be informed about and recommended to sign up to the

Environment Agency Flood Warning Service. The flood emergency and evacuation plan shall be implemented on first occupation and carried out in accordance with the approved details.

Reason:

To ensure future occupiers are made aware of the flooding risk to this site within flood zone 3 in accordance with The National Planning Policy Framework 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and saved policy 3.9 Water of the Southwark Plan 2007.

87 Cycle storage (long stay)

Before the first occupation of the development, details of the long stay cycle storage facilities shall be provided to demonstrate that adequate provision is made in the locations identified on the plans approved herein and that the types of storage reflect the split presented in the approved Transport Assessment Addendum (WSP, June 2017). The long stay cycle parking shall thereafter 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 2018, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

88 Cultural venue noise outbreak

The class D2 building (cultural venue) hereby approved shall be designed to meet the recommended levels set out in British Standard BS8233:2014. The LA10 sound from amplified and non-amplified music and amplified speech shall not exceed the lowest L90 (5min), 1m from the facade of any sensitive receptor in all octave bands between 63Hz and 8 kHz.

Prior to the first use of this facility details to demonstrate compliance with these requirements and to demonstrate that the use would not adversely impact upon nearby sensitive receptors shall be submitted to and approved in writing by the Local Planning Authority.

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 2018.

89 Community Use Scheme (leisure buildings)

Within 6 months of occupation of the leisure space, a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of the following:

- i) A detailed plan and / or schedule of the Community Use Facilities;
- ii) The days and times of availability of the Community Use Facilities;
- iii) The access to and right to use the Community Use Facilities by users from the community (whether groups or individuals) who are not staff, pupils or members of the educational establishment;
- iv) The management, maintenance and cost for use of the Community Use Facilities;
- v) A mechanism for review of the Community Use Scheme

The approved Community Use Scheme shall be implemented within 9 months of occupation of the education building and retained/maintained for the existence of the development.

Reason:

To secure community use of facilities in accordance with Saved Policy 2.2 'Provision of new community facilities of the Southwark Plan 2007 and SP4 Places for learning, enjoyment and healthy lifestyles of the Core Strategy 2011 and to ensure that residential amenity.

Compliance conditions - the following conditions impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented

90 Accessible dwellings

90% of the residential units hereby permitted shall be constructed to standard M4(2) and 10% shall

be constructed to standard M4(3) of Approved Document M of the Building Regulations (2015) – Access to and use of buildings.

Reason:

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

91 Residential units – internal noise levels

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†, 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.

Reason:

To ensure a good standard of accommodation for future occupiers, in accordance with saved policy 4.2 'Quality of accommodation' of the Southwark Plan (2007).

92 Vertical sound transmission between commercial and residential properties

The habitable rooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise from the commercial premises does not exceed NR25* when measured as an L₁₀ across any 5 minute period.

(*NR20 if the future use of the commercial unit is known to be a license premises or to contain loud processes or equipment).

Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve the following minimum airborne sound insulation weighted standardised level difference:

- a) For A4 premises, D1\D2 premises such as places of worship, concert halls and community space for hire standards will be judged on a case by case basis depending on the exact nature of the use, and measures to achieve sound insulation greater than 60dB DnT,w + Ctr are likely to be necessary.
- b) For A3 or A5 premises or large A1 cafes, shops and supermarkets: At least 55dB DnT,w + Ctr
- c) For small cafés or shops: At least 50dB DnT,w + Ctr

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 2018.

93 Plant 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 noise sensitive premises. 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 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).

94 External Noise Levels in Private Amenity Areas

Private gardens and communal external amenity areas shall be designed to attain 50dB(A) LAeq, 16hr † .

Where this is not possible to achieve despite implementing all reasonable mitigation measures, the standard can

be reduced by 5dB so that the sound level does not exceed 55dB LAeq, 16hr.

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

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise 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 2018.

95 Sound transfer

Where dwellings (or parts of dwellings) within larger blocks are acoustically insulated against environmental noise, sound insulation standards are required to exceed the requirements of Building Regulations Approved Document E by 5dB such that airborne sound insulation weighted standardised level difference is increased by 5dB DnT,w + Ctr and the maximum allowable weighted standardised impact sound pressure level is reduced by 5dB LnT,w.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise 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 2018.

96 Underground Car-park Extract Ventilation

The underground car park / servicing areas shall be fitted with an extract ventilation system that will achieve the standards set out in BS 7346-7:2013 'Components for smoke and heat control systems. Code of practice on functional recommendations and calculation methods for smoke and heat control systems for covered car parks' and Building Regulations Approved Document F.

Reason:

In order to ensure that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity 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.

97 A3/A4 Opening hours

Any class A3 (café / restaurant) and class A4 (drinking establishment) uses shall only be permitted to open between the hours of 0700 to 2300 Sunday to Thursday and 0700 to 0100 Fridays and Saturdays. The class D2 leisure use shall only be permitted to open between the hours of 0700 and 0100 daily.

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.

98 Potable water

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 2018, 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).

99 Refuse storage

Before the first occupation of the development hereby permitted, the refuse storage arrangements shown on the approved drawings shall be provided and made available for use by the occupiers of the development 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 2018, Strategic Policy 13 High Environmental Standards of the Core Strategy 2010 and Saved

100 Electric Vehicle Charging Points

The basement wheelchair accessible car parking shown on the drawings hereby approved shall be provided prior to the occupation of the development and shall be retained as such thereafter for the purposes of car parking for vehicles. 20 per cent of all of the car parking spaces hereby approved shall be fitted with charging points for electric vehicles, and an additional 20 per cent shall incorporate passive provision for the charging of electric vehicles in the future.

Reason

To ensure that there would be adequate wheelchair accessible parking to serve the development and that an appropriate proportion is equipped as electric vehicle charging points, in accordance with saved policy 5.7 'Wheelchair accessible parking' of the Southwark Plan (2007) and to encourage more sustainable travel in accordance with The National Planning Policy Framework 2018, policy 6.13 'Parking' of the London Plan (2016), 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.

Other conditions

101 Archaeology Reporting Site Work

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 2018.

102 Prior to the commencement of any works thereby affected, detailed plans and appropriate supporting information relating to the design of the basement vehicular ramp, including details of a traffic management system to establish priority for incoming vehicles and of the position of any traffic lights and/or signage that are located outside of the public highway shall be submitted to the local planning authority for approval in writing. The development shall proceed in accordance with any approval given.

Reason

In order to demonstrate that access to the site is safe, efficient and convenient for vehicles, cyclists and pedestrians and minimises insofar as possible the potential for queueing vehicles on Oswin Street in accordance with saved policies 5.2 'Transport impacts' and 5.3 'walking and cycling' of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

Statement of positive and proactive action in dealing with the application

A number of amendments have been made to the application in order to enable a positive recommendation to be made.

Signed *Simon Bevan*

Director of Planning

Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Director of Planning, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to planning.applications@southwark.gov.uk

PLANNING PERMISSION WITH LEGAL AGREEMENT

LBS Registered Number: 16/AP/4458

Date of issue of this decision: 10/01/2019



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COMMUNITY INFRASTRUCTURE LEVY (CIL) INFORMATION

The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Southwark Council's Community Infrastructure Levy (CIL). Further details on the Community Infrastructure Levies, including reliefs that may be available, can be found on the Council's website - <https://www.southwark.gov.uk/southwarkcil> and the MHCLG's website - <https://www.gov.uk/guidance/community-infrastructure-levy>.

Responsibility to pay the Levy runs with the ownership of the land, unless another party has assumed liability. If your development has been identified as being liable for CIL in this Decision Notice, a Liability Notice will be issued to you shortly which will set out the estimated CIL charge which must be paid if this permission is implemented. The Notice will also set out next steps you will need to take – including the submission of an Assumption of Liability Form and a Commencement Notice.

If your development has been identified as being liable for CIL and you do not receive a Liability Notice within 14 days of this Decision Notice please e-mail planningfinance@southwark.gov.uk as soon as possible.

All CIL forms are available from the Planning Portal - https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

Completed forms and any enquiries should be submitted to planningfinance@southwark.gov.uk

Payment of the CIL charge is mandatory and the CIL Regulations include a range of enforcement powers and penalties for failure to pay, including stop notices, surcharges, late payment interest and prison terms.

PLANNING PERMISSION WITH LEGAL AGREEMENT

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INFORMATIVE NOTES TO APPLICANT RELATING TO THE PROPOSED DEVELOPMENT

Conditions - It is recommended that the Director of Planning (in consultation with the Chair of Planning Committee) be authorised under delegated authority to make any minor modifications to the proposed conditions arising out of detailed negotiations with the applicant and/or other stakeholders such as the GLA and TfL, which may necessitate further modification and may include the variation, addition, or deletion of the conditions as drafted.

Community Infrastructure Levy (CIL) - Phased planning permission. Regulation 9(4) of the Community Infrastructure Levy Regulations 2010 (as amended) states that in the case of a grant of phased planning permission, each phase of the development is a separate chargeable development. 'Phased planning permission' has the meaning defined in the interpretation section of the Regulations at 2(1). It states that a phased planning permission means a planning permission which expressly provides for development to be carried out in phases.

Phases for the purposes of calculating and collecting CIL

Due to the structure of planning conditions attached to this planning permission, the CIL phases are to be defined by a CIL Phasing Plan submitted to the Local Planning Authority.

Demolition comprises a CIL phase in its own right.

Accordingly, each of the CIL phases are separate chargeable developments and, in turn, will attract their own CIL liabilities.

Ventilation details - The developer is asked to pay particular attention to the extract ventilation at the design stage. Low level discharge is discouraged even if UV and filters are incorporated. Any exhaust flue from the commercial kitchen should terminate at 1m above the building eaves.

Thames Water - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.

Environment Agency – Strongly advise that flood resistant and resilience measures for the basement and ground floor levels up to the flood level of 3.61m AOD are designed in at both sites. Information on flood resilience can be found on the following link http://www.planningportal.gov.uk/uploads/br/flood_performance.pdf.

UXO - The development of the site should include adequate provision for the surveying the site for potential

Unexploded Ordinance. If that survey work identifies any anomalies that may be UXO, the site operators must contact both the police and the local Authority at an early opportunity to agree timescales and further actions.

Condition 56 - Underground Car-park Extract Ventilation. The documents in this condition specify that the ventilation requirement will be satisfied if the openings at each car parking level have an aggregate area equal to at least 1/20th of the floor area at that level, of which at least half should be in two opposing walls, this may be difficult to achieve particularly if the car park is below ground level. Approved Document F also allows an alternative approach, in which the requirement will be satisfied if the mean predicted pollutant levels are calculated and the ventilation designed to limit the concentration of carbon monoxide to not more than 50 parts per million average over an eight hour period and peak concentrations, such as by ramps and exits, not to go above 100 parts per million for periods not exceeding 15 minutes.

PLANNING PERMISSION WITH LEGAL AGREEMENT

LBS Registered Number: 16/AP/4458

Date of issue of this decision: 10/01/2019



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IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-

8299-1000].

- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

IMPORTANT: This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.