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Email: [Planning@lewisham.gov.uk](mailto:Planning@lewisham.gov.uk)  
Date: 04 April 2016  
Property Ref: LE/393/A/TP  
Our Ref: DC/15/093420

Dear Mr Groucott,

**PERMISSION FOR DEVELOPMENT**  
**Town and Country Planning Act 1990 (as amended)**

Notice is hereby given that the London Borough of Lewisham, in pursuance of its powers as local planning authority under the above Act, Regulations, Rules & Orders made thereunder, permits the development referred to in the Schedule below subject to the conditions set out therein and in accordance with the application and plans submitted, save in so far as may otherwise be required by the said conditions.

Your attention is drawn to the Statement of Applicant's Rights endorsed overleaf.

The grant of planning permission does not relieve developers of the necessity for complying with any local Acts, Public Health Acts & Regulations, Building Acts & Regulations and general statutory provisions in force in the area or 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 person or authorities (including the London Borough of Lewisham) entitled to the benefit thereof or holding an interest in the property concerned in the development or in any adjoining property. In this connection applicants are advised to consult the Highways and Transportation team as to any works proposed to, above or under any carriageway, footway or forecourt. Your particular attention is drawn to the Building Acts & Building Regulations which must be complied with to the satisfaction of approved Building Control Inspectors.

**SCHEDULE**

Application Valid Date: 24 September 2015

Application No: **DC/15/093420**

Development: Demolition of existing industrial buildings and erection of 6 No. two storey industrial units in two blocks (B8 and B1c use) at Chiltonian Industrial Estate, Manor Lane SE12, together with associated parking spaces

## C O N D I T I O N S

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

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

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

15.028 001, 002, 003 Rev A, 010 Rev C, 011 Rev B, 012 Rev B, 013 Rev B, 014 Rev B, 015 Rev B, 016 Rev B, 017 Rev B, 018 Rev B, P539TCP, P539TPP, 021/03/15 000, 021/03/15 001, 021/03/15 002, 021/03/15 003, 021/03/15 004, 021/03/15 005, 021/03/15 006, 021/03/15 007, 021/03/15 008, 021/03/15 009, Design and Access Statement (August 2015, MH Architects), Travel Plan Framework (August 2015, RPG), Transport Statement (August 2015, RPG), BS5837 Tree Survey (August 2015, Tree Ventures), Phase I Geo-Environmental Risk Assessment (April 2015, Aviron), Sustainability Report (August 2015, Delta Green Environmental Design), CIL, Ecological Appraisal Report (August 2015, The Ash Partnership), Received 20/08/2015.

Air Quality Scoping Assessment (November 2015, REC) Received 27/11/2016.

Phase II Geo-Environmental Risk Assessment (December 2015, Aviron), Received 21/12/2015.

Flood Risk Assessment (December 2015, Gemma Design) Received 04/01/2016.

50 Rev P1, 51 Rev P1, 52 Rev P1, 100 Rev P1, 101 Rev P2, 102 Rev P2, 201 Rev P1, 202 Rev P1, 301 Rev P1, 302 Rev P1 & Drainage, Run off and Attenuation Calculations Received 22/02/2016.

**Reason:** To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

3. The development shall be carried out in complete accordance with the approved Ecological Appraisal Report (The Ash Partnership, August 2015) received 20<sup>th</sup> August 2015.

**Reason:** To ensure the development complies with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

4.
  - (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
  - (b) Prior to the first occupation of each unit details of a scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the local planning authority.
  - (c) The development shall not be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter

the scheme shall be maintained in perpetuity.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

5. (a) The buildings hereby approved shall achieve a minimum BREEAM Rating of 'Very Good'.
- (b) No development shall commence until a Design Stage Certificate for each building (prepared by a Building Research Establishment qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
- (c) Within 3 months of occupation of any of the buildings, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with part (a) for that specific building.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects, Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011).

6. (a) No above ground works (other than the demolition of existing buildings) shall commence on site until a detailed schedule and specification with samples of all external materials and finishes including panels, cladding, windows, external doors, roof system/s and other site specific features to be used on the building(s) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- (b) The details submitted in accordance with subsection (a) of this condition shall include specification on the treatment of, and future maintenance program for, the cedar timber cladding to be installed on the front elevations of the units.

**Reason:** To ensure that the local planning authority may be satisfied as to the external appearance of the building(s) and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

7. (a) No development shall commence on site until a scheme for surface water management, including specifications (including permeability) of all surface treatments and details of sustainable urban drainage solutions, has been submitted to and approved in writing by the local planning authority.
- (b) The development shall be carried out in accordance with the approved scheme and thereafter the approved scheme is to be retained in accordance with the details approved therein.

**Reason:** To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2015) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

8. (a) No piling or any other foundation designs using penetrative methods shall take

place, other than with the prior written approval of the local planning authority.

- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

**Reason:** To prevent pollution of controlled waters and to comply with Core Strategy (2011) Policy 11 River and waterways network and Development Management Local Plan (November 2014) DM Policy 28 Contaminated land.

- 9. (a) The development shall not be occupied until details of proposals for the storage of refuse and recycling facilities for each commercial unit hereby approved, have been submitted to and approved in writing by the local planning authority.
- (b) The facilities as approved under part (a) shall be provided in full for each phase of development prior to its occupation and shall thereafter be permanently retained and maintained.

**Reason:** In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse storage in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character and Core Strategy Policy 13 Addressing Lewisham waste management requirements (2011).

- 10. (a) A minimum of six (6) cycle parking stands capable of accommodating two bicycles per stand (total 12 bicycle parking spaces) shall be provided within the development as indicated drawing 15.028 - 010 Rev C hereby approved.
- (b) All cycle parking spaces shall be provided and made available for use for each phase of the development prior to the occupation of that phase and maintained thereafter.

**Reason:** In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).

- 11. The development shall be carried out in complete accordance with the approved Tree Protection Plan (Drawing No. P539TPP), Tree Constraints Plan (Drawing No. P539TCP) and Tree Survey (Treeventures Limited, August 2015) received 20<sup>th</sup> August 2015.

**Reason:** To safeguard the health and safety of trees during building construction and operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

- 12. (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.

- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

**Reason:** In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with DM Policy 27 Lighting of the Development Management Local Plan (November 2014).

- 13. (a) The development shall not be occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The plan shall demonstrate the expected number and time of delivery and servicing trips to the site, with the aim of reducing the impact of servicing activity. The plan shall also demonstrate the movements of Heavy Goods Vehicles within the site.
- (c) The approved Delivery and Servicing Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to in perpetuity.

**Reason:** In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- 14. The development shall be carried out in complete accordance with the approved Travel Plan Framework (RGP, August 2015) received 20<sup>th</sup> August 2015

**Reason:** In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the travel to and from the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- 15. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building(s).

**Reason:** In order that the local planning authority may be satisfied with the details of the proposal and to accord with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- 16. The whole of the car parking accommodation shown on the plans hereby approved shall be provided and retained permanently for the accommodation of vehicles of the occupiers of the development (including employees using the building and persons calling at the building for the purposes of conducting business with the occupiers thereof) and no phase of the development shall be occupied until such car parking accommodation has been provided for that phase.

**Reason:** To ensure the permanent retention of the space(s) for parking purposes and to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Table 6.2 of the London Plan (July 2011).

17. Loading and unloading of goods including fuel, shall only be carried out within the curtilage of the building and/or site and any servicing area shown on the plans hereby approved, shall be retained permanently and left unobstructed at all times.

**Reason:** To avoid obstruction of neighbouring streets and to safeguard the amenities of adjacent premises in the interests of public safety and to comply with the Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

18. No deliveries shall be taken at or despatched from the site other than between the hours of 7 am and 8 pm on Mondays to Fridays, 8 am and 1 pm on Saturdays, or at any time on Sundays or Public Holidays.

**Reason:** In order to safeguard the amenities of adjoining residents and to comply with Paragraph 120 of the National Planning Policy Framework, and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

19. No machinery shall be operated on the premises before 8 am or after 6 pm on weekdays, or before 8 am or after 1 pm on Saturdays, nor at any time on Sundays or Public Holidays.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework, DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

20. No music, amplified sound system or other form of loud noise (such as singing or chanting) shall be used or generated which is audible outside the premises or within adjoining buildings.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

21. No repairs or mechanical operations shall take place outside of the buildings shown on the plans hereby approved.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

22. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for B1(c) uses and B8 uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

**Reason:** To accord with the application details and to enable the local planning authority to control future changes of use at the site in the interest of protecting this designated local employment location in accordance with Core Strategy Policy 3 Strategic industrial and local employment locations.

23. No process shall be carried on nor machinery installed which could not be carried on or installed in any residential area without detriment to the amenity of that area by

reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

**Reason:** To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

24. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:
- (a) Dust mitigation measures.
  - (b) The location and operation of plant and wheel washing facilities
  - (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
  - (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
    - (i) Rationalise travel and traffic routes to and from the site.
    - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
    - (iii) Measures to deal with safe pedestrian movement.
  - (e) Security Management (to minimise risks to unauthorised personnel).
  - (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

**Reason:** In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policy 5.3 Sustainable design and construction, Policy 6.3 Assessing effects of development on transport capacity and Policy 7.14 Improving air quality of the London Plan (2015).

25. The development shall be carried out in complete accordance with the approved Ecological Appraisal Report (The Ash Partnership, August 2015) received 20<sup>th</sup> August 2015.

**Reason:** To ensure the development complies with Policy 7.19 Biodiversity and access to nature conservation in the London Plan (2015), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).

26. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Gemma Design Ltd (Ref: 4051-GD-RP-C-001), dated December 2015, and the following mitigation measures detailed within the FRA:

- 1. Flood-proofing measures up to 7.25m AOD to be included as detailed in section 8.5 on page 16
- 2. Finished floor levels for residential accommodation to be set the same as existing

finished floor levels at 17.5m above Ordnance Datum (AOD).

**Reason:**

1. *To reduce the risk of flooding to the proposed development and future occupants.*
2. *To reduce the risk of flooding to the proposed development and future occupants.*

27. Prior to commencement of development a scheme detailing how floodwaters will enter the building and drain away shall be submitted to and approved by the local planning authority.

**Reason:**

To reduce the risk of flooding to neighbouring sites.

28. Prior to each phase of development approved by this planning permission a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified:
    - all previous uses;
    - potential contaminants associated with those uses;
    - a conceptual model of the site indicating sources, pathways and receptors;
    - potentially unacceptable risks arising from contamination at the site.
  2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:**

To ensure development is carried out in line with the aims of the National Planning Policy Framework (NPPF). To protect controlled waters including the culverted watercourse adjacent to the site.

29. No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:**

To ensure development is carried out in line with the aims of the National Planning Policy Framework (NPPF). To protect controlled waters including the culverted watercourse adjacent to the site.

## **I N F O R M A T I V E S**

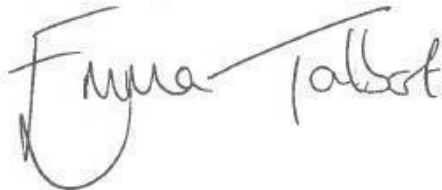
30. **Positive and Proactive Statement:** The Council engages with all applicants in a



positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.

- A. It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- B. The Construction Management Plan shall be prepared in accordance with Lewisham's Good Practice Guide: Control of pollution and noise from demolition and construction sites and the findings of the Air Quality Scoping Assessment (Resource and Environmental Consultants Limited, November 2015) prepared in support of the application.
- C. As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts [AssetProtectionKent@networkrail.co.uk](mailto:AssetProtectionKent@networkrail.co.uk) prior to any works commencing on site, and also to agree an Asset Protection Agreement to enable approval of detailed works. More information can also be obtained from the Network Rail website at [www.networkrail.co.uk/aspx/1538.aspx](http://www.networkrail.co.uk/aspx/1538.aspx).
- D. Please be aware that the culverted watercourse, the river Quaggy (Hither Green Branch), is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions as stated within Water Resources Act 1991 and associated byelaws. Any works in, over, under or within 8 metres of this culvert will require consent from ourselves. If any works are proposed outside the red line boundary we would recommend the applicant contact the Partnerships and Strategic Overview team at [PSO.SELondon&NKent@environment-agency.gov.uk](mailto:PSO.SELondon&NKent@environment-agency.gov.uk) to apply for consent.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emma Talbot'. The signature is fluid and cursive, with a large 'E' and 'T'.

Emma Talbot  
Head of Planning

## **Statement of Applicant's Rights arising from Grant of Planning Permission subject to conditions:-**

### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of the London Borough of Lewisham to refuse planning permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, Tel No. 0303 444 5000, Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk) or fill in a form online via <https://www.gov.uk/appeal-planning-decision>
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to 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 to the Planning Inspectorate that the local planning authority could not have granted planning permission for the proposed development or 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.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Planning Inspectorate.

### **Purchase Notices**

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a 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 London Borough of Lewisham. This notice will require the London Borough of Lewisham to purchase the owner's interest in the land in accordance with the provisions of Chapter 1 Part VI of the Town and Country Planning Act 1990.