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Date: 03 October 2016  
Property Ref: DE/135/A/TP  
Our Ref: DC/15/93101

Dear Ms Henderson,

**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: 23 September 2015

Application No: **DC/15/93101**

Development: Hybrid planning application for the redevelopment of Arklow Trading Estate, Arklow Road, SE14 and land at Rolt Street, SE8 comprising: DETAILED planning permission for demolition of existing buildings and construction of mixed use development in buildings ranging from 5 to 8 storeys comprising 258 residential dwellings (Class C3), 2,794 sqm commercial floorspace (Classes A1, A2, A3, B1, D1 and D2), energy centre, disabled vehicle and cycle parking, landscaping, access and associated works; and OUTLINE planning permission for the erection of a building of up to 22 storeys comprising up to 58 dwellings, 75 sqm commercial floorspace (Classes A1, A2, A3, B1, D1 and D2), new pedestrian access from Rolt Street, landscaping and public realm (appearance and landscaping reserved).

# CONDITIONS

## 1. Definitions and interpretation

**AA1.** Where in these Conditions the following terms or expressions are used, they shall have the meaning assigned:

**Building:** any of blocks A, B1, B2, B3, B4, C, D, E or F as shown with a number and a letter on drawing T220 P100 Rev P4 approved under Condition 3.

**Class:** a use class within the Town and Country Planning (Use Classes) Order 1987 (as amended from time to time).

**Communal Amenity Spaces:** the public access areas within the development as shown on Plan 3 attached to the Section 106 Agreement (a copy of which plan is attached to this permission).

**Enabling Works:** demolition, site clearance, decommissioning, laying and diversion of other services and service media (but not extending to the laying of foundations for the Development), construction of temporary access and/or highway works to enable the carrying out of the development, archaeological investigations and digs, exploratory boreholes, ecological surveys, investigations or assessments, remediation works, site preparation, construction of boundary fencing or hoardings for the purposes of site security including construction of boundary fencing between Plots or Buildings or part thereof, erection of temporary facilities for security personnel and site staff and the erection of security cameras.

**Plot 1:** Plot 1 (detailed elements) as shown on drawing T2(20)P100 Rev P4 approved under Condition 3 of this permission.

**Plot 2:** Plot 2 (outline elements), as shown on drawing T2(20)P100 Rev P4 approved under Condition 3 of this Permission.

**Public Access Areas:** the public access areas within the development as shown on Plan 3 attached to the Section 106 Agreement (a copy of which plan is attached to this permission).

**Section 106 Agreement:** the agreement of even date with this permissions and entered into between the Council (1) Anthology Deptford Foundry Limited (2) and Network Rail Infrastructure Limited (3).

**AA2.** Reference to 'implementation' or 'implemented' in relation to an approved scheme or other details or similar approval from the local planning authority shall mean carried out and completed in accordance with the approved scheme, details or similar approval.

## 2. Time Limit – Detailed Components

Development of Plot 1 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.

## 3. Time limit- outline elements

- (a) No development (other than Enabling Works) shall commence in Plot 2 unless and until an application for written approval of the matters reserved by this planning permission (the "**Reserved Matters**") in respect of Plot 2 has been submitted to and approved in writing by the local planning authority. The Reserved Matters application or applications shall include detailed plans, sections and elevations showing:

- (i) Appearance
  - (ii) Landscaping
- (a) Application(s) for approval of the Reserved Matters for Plot 2 must be made not later than the expiration of THREE YEARS from the date of this decision notice; and
- (b) Development of Plot 2 must be commenced not later than whichever is the later of the following dates:-
- (i) The expiration of THREE years from the date of the grant of this outline planning permission.
  - (ii) The expiration of TWO years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

4. **Approved Plans and Documents - Detailed**

Development of Plot 1 shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

5501-A-70-SCH-00; 5501-A-70-SCH-01 P2; T210P100 Rev P1; T210S01 Rev P1; T210S02 Rev P1; T210S03 Rev P1; T210S04 Rev P1; T210S05 Rev P1; T210S06 Rev P1;

T220P-1 Rev P2; T220S01 Rev P2; T220S05 Rev P2; T220S08 Rev P2; T220S10 Rev P2; T221D06 Rev P1; T221D06a Rev P1; T221D06b Rev P1; T221D07 Rev P3; T221D07a Rev P1; T221D07b Rev P1; T221D08 Rev P1; T221D08a Rev P1; T221D08b Rev P1; T221D10 Rev P1; T221D10a Rev P1; T221D10b Rev P1; T221D11 Rev P1; T221D11a Rev P1; T221D12 Rev P1; T221D12a Rev P1; T221D12b Rev P1; T221D13 Rev P1; T221D13a Rev P1; T221D13b Rev P1; T221D14 Rev P1; T221D14a Rev P1; T221D14b Rev P1; T221D15 Rev P1; T221D15a Rev P1; T221D15b Rev P1; T221D16 Rev P1; T221D16a Rev P1; T221D16b Rev P1; T221D17 Rev P1; T221D17a Rev P1; T221D17b Rev P1; T2B70P00 Rev P3; T2B70P01 Rev P2; T2C70P03 Rev P3; T2C70P04 Rev P2; T2C70P05 Rev P2; 5501-A-70-SCH-01 P2;

Anthology Deptford Foundry Masterplan Landscape Management Plan; Anthology Deptford Foundry Masterplan Landscape Masterplan; Anthology Deptford Foundry Masterplan Soft Landscaping, T227P01-P1; Masterplan Design and Access Statement (Rolfe Judd, July 2015); Air Quality Assessment (Aecom, July 2015); Anthology Deptford Foundry Masterplan Materials Brochure (Rolfe Judd, July 2015); Arklow Road MS Wind Microclimate (RWDI, 27<sup>th</sup> August 2015); Bat Assessment Report (Aecom, July 2015); Bat Building Inspection Report (URS, July 2015); Daylight; Sunlight and Overshadowing Report (Anstey Horne, July 2015); Demolition Method Statement (Anthology, July 2015); Energy Strategy (Hoare Lea, July 2015); Extended Phase 1 Habitat Report and National Rail Land Addendum (URS/Aecom, July 2015); Flood Risk Assessment (JSA Consulting, July 2015); Historic Environment Desk Based Assessment (Aecom, July 2015); Noise and Vibration Survey (Hoare Lea Acoustics, July 2015); Overheating Study (Hoare Lea, July 2015); Preliminary Environmental Risk Assessment (Aecom, July 2015); Sustainability Assessment (Hoare Lea, July 2015); Townscape and Visual Impact Appraisal (Turley, July 2015); Transport Assessment (RPS, July 2015) (received 27<sup>th</sup> July 2015);

T21D100 Rev P1; T21D101 Rev P1 (received 3<sup>rd</sup> November 2015);

T220P00 Rev P3; T220P01 Rev P3; T220P02 Rev P3; T220P03 Rev P3; T220P04 Rev P3; T220P05 Rev P3; T220P06 Rev P3; T220P07 Rev P3; T220P08 Rev P3; T220S02 Rev P3; T220S03 Rev P3; T220S04 Rev P3; T220S06 Rev P3; T220S07 Rev P3; T220S09 Rev P3; T220S11 Rev P1; Design and Access Statement

Addendum (Rolfe Judd, December 2015); Hybrid Scheme Summary Rev P2 (Rolfe Judd); 1391-104; 1391-300 Detail Sheet 01, 1391-301 Detail Sheet 02 (received 23<sup>rd</sup> December 2015);

Overheating mitigation measures (Rolfe Judd) (received 20<sup>th</sup> January 2016); and

T220P100 Rev P4; T295P00-P3 Rev P3 (received 22<sup>nd</sup> January 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.

5. Approved Plans- Outline

All Reserved Matters applications shall include a statement to demonstrate compliance with the parameters, plans and principles set out in the following approved plans/drawings:

T295P00-P1A Rev P1 Parameter Plan 1 Form; T295P00-P1B Rev P1 Parameter Plan 1B; T295P00-P1C Rev P1 Parameter Plan 1C; T295P00-P2 Rev P2 Parameter Plan 2 Landscape; Hybrid Application Area Schedule Rev P2; Development Parameters and Specification Updated (December 2015); T2(95) P00-P3 P2; 1319-013; 1319-009 Rev B.

**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.

6. Construction Environmental Management Plan

(a) No development shall commence until such time as a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The Construction and Environmental Management Plan shall include details of the following matters:-

- (i) Dust mitigation measures-;
- (ii) The location and operation of plant and wheel washing facilities;
- (iii) The best practical measures to be employed to mitigate noise and vibration arising out of the construction process;
- (iv) Construction traffic movements including cumulative impacts which shall encompass the following:-
  - (a) Rationalisation of travel and traffic routes to and from the site;
  - (b) 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;
  - ;(c) Measures to deal with safe pedestrian movement;
- (v) Security Management (to minimise risks to unauthorised personnel)-;
- (vi) Details of the training of site operatives to follow the Construction Environmental Management Plan requirements-;
- (vii) Details of the site manager, including contact details-;
- (viii) Any means, such as a restriction on the size and weight of vehicles and machinery accessing the site, required to ensure that no damage occurs to adjacent railway structures and assets throughout the construction period;

- (ix) Measures to be adopted to maintain the site in a tidy condition in terms of disposal/storage of rubbish, storage, loading and unloading of plant and materials and similar construction activities;
  - (x) Measures to ensure that debris, dust and equipment cannot fall or be blown onto the adjacent railway; and
  - (xi) Construction working hours.
- (b) No works shall be carried out other than in accordance with the Construction Environmental Management Plan as approved under paragraph (a) of this condition.

**Reason:** In order that the local planning authority may be satisfied that the 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). This is a pre-commencement condition because the local planning authority needs to be satisfied as to construction management before development starts.

7. Site Investigation

- (a) No development shall commence until each of the following have been complied with:-
  - (i) A desk top study and site assessment to survey and characterise the nature and extent of contamination and its effect (whether on or off-site), identifying all previous uses and potential contaminants associated with those uses, and a conceptual site model have been submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency.
  - (ii) A site investigation report to characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale; and recommendations for treatment for contamination encountered (whether by remedial works or not) has been submitted to and approved in writing by the Council, in consultation with the Environment Agency.
- (b) The remediation scheme approved under paragraph (a) of this condition shall be implemented in full.
- (c) — If during any works on the site, contamination is encountered which has not previously been identified (“**the new contamination**”) the Council shall be notified immediately and the terms of paragraph (a) of this condition, shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) of this condition have been complied with in relation to the new contamination.
- (d) The development shall not be occupied until a closure report has been submitted to and approved in writing by the Council, in consultation with the EA.
- (e) The closure report shall include details of the data collected, verification of all measures, or treatments as required in paragraph (a) (i) & ii) of this condition and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance requirements, necessary for the remediation of the site have been implemented in full.
- (f) The closure report shall also include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the local authority. It shall also include a

plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.

**Reason:** The site is underlain by a principal aquifer with potential for use as public water resource and to ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical use(s) of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014). Paragraph (a) of this condition is a pre-commencement condition because the local planning authority needs to be satisfied as to the method of remediation of site contamination before development starts.

8. Sound insulation

- (a) The Buildings shall be designed so as to provide sound insulation against external noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB L<sub>A</sub>max (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided.
- (b) External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day) and the evaluation of human exposure to vibration within the Building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.
- (b) Development shall not commence above ground level on any Plot until details of a sound and vibration insulation scheme in respect of the Buildings within that Plot and complying with paragraph (a) of this condition have been submitted to an approved in writing by the local planning authority.
- (c) No Building shall be occupied until the sound and vibration insulation scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. Thereafter, the sound and vibration insulation scheme shall be permanently maintained in accordance with the approved details.

**Reason:** To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

9. Soundproofing Mixed Use Buildings

The Buildings shall be designed to achieve sound insulation against airborne noise to meet  $D'nT,w + C_{tr}$  dB of not less than 55 for walls and/or ceilings where residential use adjoins non domestic use.

**Reason:** In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration, DM Policy 31 Alterations and extensions to existing buildings including residential extensions, DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

10. Fixed Plant Control

- (a) The combined operational noise levels of all plant on the site shall not exceed the Noise Emission Limits set out within Table 7 of the Noise and Vibration Survey as approved under condition 3 of this permission.
- (b) Development shall not commence above ground level in any Plot until details of a scheme for the relevant Plot to ensure compliance with paragraph (a) of this condition have been submitted to and approved in writing by the local planning

authority.

- (c) No Building shall be occupied until the scheme approved pursuant to paragraph (b) of this condition has been implemented in its entirety. The scheme as approved shall be permanently retained thereafter.

**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).

11. BREEAM

- (a) The non-residential areas of the Buildings shall achieve a minimum BREEAM Rating of 'Excellent'.
- (b) No development shall commence above ground level in any Plot until a Design Stage Certificate for each Building within that Plot (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 paragraph (a) of this condition.
- (c) Within 3 months of first occupation of any Buildings, evidence shall be submitted to the local planning authority in the form of a Post Construction Certificate (prepared by a Building Research Establishment qualified Assessor) to demonstrate full compliance with paragraph (a) of this condition in respect of that 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).

12. Energy and Water Efficiency

- (a) The Buildings shall be constructed in accordance with the Energy Strategy (Hoare Lea, July 2015) approved under condition 3 of this permission so as to achieve the following requirements:

- (i) a minimum of 35% improvement over the minimum Target Emission Rate (TER) in requirement Part L1A of Approved Document L (with changes which came into force on 6 April 2014) of the Building Regulations 2010, to accord with current (April 2015) GLA requirements for carbon reduction; and

- (ii) provide a whole house assessment of the efficiency of internal water fittings of a maximum of 105L per person per day.

- (b) Within 3 months of first occupation of any dwelling hereby approved, evidence (prepared by a suitably qualified assessor) shall be submitted to the local planning authority for approval in writing to demonstrate full compliance with paragraph (a) of this condition in respect of such dwelling.

**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).

13. Performance of the Energy Centre and future connection to a district CCHP or Combined Heat and Power (CHP) scheme

- (c) Prior to the commencement of the development a written specification for the Energy Centre demonstrating the carbon-dioxide emission reductions to be achieved, monthly demand profiles for heating, cooling and electrical loads,

together with drawings and sections showing a scheme for the provision of conduits and/or piping for future connection to a district CCHP or CHP scheme and network shall be submitted to and approved in writing by the local planning authority.

- (d) The development shall not be first occupied until the Energy Centre has been constructed and commissioned in accordance with the scheme and written specification approved pursuant to paragraph (a) of this condition.
- (e) All dwellings and non-residential uses shall be constructed so as to be connected to, and to take their energy supply from, the Energy Centre.

**Reason:** To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.5 Decentralised energy networks and 5.7 Renewable energy in the London Plan (2015) and Core Strategy Policy 7 Climate change and adapting to the effects and Core Strategy Policy 8 Sustainable design and construction and energy efficiency (2011). This is a pre-commencement condition because the local planning authority needs to be satisfied as to the detailed design of the Energy Centre and provision for connections to a district CCHP or CCP scheme before development starts.

14. Surface Water Drainage

- (a) No development shall commence until a scheme for surface water management, including specifications of the surface treatments and 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 scheme approved under paragraph (a) of this condition and thereafter the approved drainage scheme shall be retained in accordance with the details approved under the said paragraph (a).

**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 (July 2011) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011). This is a pre-commencement condition because the local planning authority needs to be satisfied that an appropriate surface water drainage scheme can be designed and implemented before development starts.

15. Piling

- (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 referred to in paragraph (a) of this condition, together with a method statement, must be submitted to and approved in writing by the local planning authority, in consultation with the Environment Agency and Thames Water, prior to commencement of the development and such details shall include details of the relevant penetrative methods.
- (c) Piling work shall be carried out only in accordance with the details approved under paragraph (b) of this condition.

**Reason:** To prevent pollution of controlled waters and damage to sewerage infrastructure 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.

16. Materials

- (a) No development shall commence above 2<sup>nd</sup> floor level in any Plot until a detailed schedule, specification and provision of sample panels on site for all external



materials including surface treatments and finishes/windows, external doors/roof coverings to be used on the Building(s) within the Plot have been submitted to and approved in writing by the local planning authority.—

(b) The development shall be carried out in accordance with the details approved under paragraph (a) of this condition.

**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.

17. Commercial frontages

(a) No development shall commence above 2<sup>nd</sup> floor level in any Plot until plans and sectional details at a scale of 1:10 or 1:20 showing the proposed frontages to the commercial units within such Plot have been submitted to and approved in writing by the local planning authority.

(b) The development shall be carried out in full accordance with the details approved under paragraph (a) of this condition.

**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 Development Management Local Plan (November 2014) DM Policy 19 Shop fronts, signs and hoardings.

18. Refuse

(a) No development shall commence above ground level in any Plot until details of proposals for the storage of refuse and recycling facilities for each dwelling and commercial unit hereby approved, have been submitted to and approved in writing by the local planning authority.

(b) The facilities as approved under paragraph (a) of this condition shall be provided in full prior to occupation of the relevant Plot and shall thereafter be permanently retained in accordance with the details approved under the said paragraph (a).

**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).

19. Cycle parking

(a) A minimum of 478 secure and dry and 8 visitor cycle parking spaces for the dwellings and 31 secure and dry and 5 visitor cycle parking spaces for the commercial units shall be provided within the development. At least 5% of the cycle spaces provided shall be designed to accommodate larger bicycles.

(b) No development shall commence above ground level in any Plot until full details (including locations by reference to a plan or plans) of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to first occupation of the relevant Plot and thereafter shall be permanently retained in accordance with the details approved under paragraphs (a) and (b) of this condition and used solely by occupiers of and visitors to dwellings or commercial units within the development.

**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).

20. Hard landscaping details

- (a) No development shall commence above ground level on any Plot until drawings showing hard landscaping treatment of any part of the Plot not occupied by Buildings (including details of the permeability of hard surfaces) have been submitted to and approved in writing by the local planning authority.
- (b) All hard landscaping works which form part of the approved scheme under paragraph (a) of this condition shall be completed prior to first occupation of the development.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies 5.12 Flood risk management and 5.13 Sustainable Drainage in the London Plan (2015), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

21. Soft landscaping details

- (a) A scheme of soft landscaping for each Plot (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to construction of any above ground works in that Plot.
- (b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development in the relevant Plot, in accordance with the approved scheme under paragraph (a) of this condition. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Core Strategy Policy 12 Open space and environmental assets, Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

22. Boundary treatments

- (a) No development shall commence above ground level on any Plot until details of the proposed boundary treatments for each Plot including any gates, walls or fences have been submitted to and approved in writing by the local planning authority.
- (b) The boundary treatments approved under paragraph (a) of this condition shall be implemented prior to first occupation of any Building in the relevant Plot and shall thereafter be permanently retained in accordance with the details approved under the said paragraph (a).

**Reason:** To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply 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).

23. Electric vehicle charging

- (a) Details of the location of the seven electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of the above ground works.
- (b) The electric vehicle charging points shall be installed in accordance with the details approved under paragraph (a) of this condition prior to first occupation of the development and shall thereafter be permanently retained and- maintained in accordance with the details approved under the said paragraph (a).

**Reason:** To reduce pollution emissions in an Area Quality Management Area in accordance with Policy 7.14 Improving air quality in the London Plan (July 2011), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).

24. Living roofs

- (a) The development shall be constructed with biodiversity living roofs laid out across all flat roofs.
- (b) Details of the living roofs for each Plot (including roof plans to a scale of 1:50, cross-sections to a scale of 1:20, specification and details of a substrate base and details of management) shall be submitted to and approved in writing by the local planning authority prior to the commencement of any development above ground level in such Plot.
- (c) The living roofs 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.
- (d) Evidence that the roofs have been installed in accordance with the details approved under paragraph (b) of this condition shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development and thereafter be permanently retained and maintained in accordance with the said details as approved.

**Reason:** To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan (2015) , Policy 10 managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).

25. A3/A4 Ventilation

- (a) Detailed plans and a specification of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate noise, vibration, fumes and odours (and incorporating active carbon filters, silencer(s) and anti-vibration mountings where necessary) in respect of any units hereby approved for use for Class A3 or A4 purposes shall be submitted to and approved in writing by the local planning authority prior to first occupation of any Class A3 or A4 uses.
- (b) The ventilation system shall be installed in accordance with the approved plans and specification before use of the development hereby permitted first commences and shall thereafter be permanently maintained in accordance with the approved specification.
- (c) Each ventilation system shall thereafter be permanently maintained in accordance with the detailed plans and specification approved pursuant to paragraph (a) of this condition

**Reason:** To safeguard the amenities of the adjoining premises and the area

generally and to comply with Policy 17 Restaurants and cafes (A3 uses) and drinking establishments (A4 uses) of the Development Management Local Plan (November 2014).

26. External lighting

- (a) Prior to commencement of any works above ground level for each Plot, a scheme (including drawings) for any external lighting that is to be installed in that Plot, 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 paragraph (a) of this condition shall be installed in accordance with the scheme approved under the said paragraph (a) and all directional hoods approved shall be permanently retained thereafter.
- (c) The scheme submitted under paragraph (a) of this condition must 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).

27. Delivery and Servicing Plan

- (a) The development shall not be first occupied until a Delivery and Servicing Plan has been submitted to and approved in writing by the local planning authority.
- (b) The Delivery and Servicing Plan submitted under paragraph (a) of this condition shall include:
  - Details of how access to the site by refuse vehicles will be managed;
  - A review of waiting restrictions on Arklow Road to ensure vehicle access is maintained to the application site and to manage delivery and servicing vehicles queuing on Arklow Road to access the dedicated loading bay (lay-by) adjacent to the site;
  - Details of measures to rationalise the number and time of delivery and servicing trips to the commercial element of the development, with the aim of reducing the impact of servicing activity.
- (c) The Delivery and Servicing Plan as approved under paragraph (a) of this condition shall be implemented in full accordance with the approved details from the date first occupation of the development and shall be complied with at all times thereafter.

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

28. Vibration isolation

- (a) No development shall commence above ground level until full written details, including relevant drawings and specifications of the proposed works of vibration isolation for dwellings in proximity to the adjacent railway lines shall have been submitted to and approved in writing by the local planning authority.
- (b) No Building shall be first occupied until the works of vibration isolation have been implemented in accordance with the details approved under paragraph (a) of this condition.
- (c) The works approved under paragraph (a) of this condition shall be permanently retained in accordance with the details approved under the said paragraph (a).

**Reason:** In the interests of residential amenity and to comply with DM Policy 26

Noise and vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

29. Archaeological Investigation

(a) No development (other than demolition to existing ground level) shall take place until a programme of archaeological evaluation site work in accordance with a Written Scheme of Investigation which has first been submitted to and approved in writing by the local planning authority has been implemented.

(b) Dependent upon the results presented under paragraph (a) of this condition, no development (other than demolition to existing ground level) shall take place until a programme of archaeological mitigation site work in accordance with a Written Scheme of Investigation, which has first been submitted to and approved in writing by the local planning authority, has been implemented.

(c) The site investigation and post-investigation assessment pursuant to paragraph (b) of this condition shall be submitted to and approved in writing by the local planning authority prior to first occupation of the development.

**Reason:** To comply with Policies 15 High quality design for Lewisham and 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011) and Policy 7.8 of the London Plan (July 2011).

30. Accessibility Standards

(a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified below:

- (i) 29 units (8no. 1bed, 15no. 2bed & 6no. 3bed) shall meet standard M4(3)(2)(a)
- (ii) 3 units (2no. 1bed and 1no. 2person 3bed) shall meet standard M4(3)(2)(b)
- (ii) All other units shall meet standard M4(2)

(b) No development shall commence above ground level until written confirmation from the appointed building control body has been submitted to and approved in writing by the local planning authority to demonstrate compliance with paragraph (a) of this condition.

(c) The development shall be carried out in accordance with the requirements of paragraph (b) of this condition.

**Reason:** In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

31. Satellite Dishes

Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015(or any Order revoking, re-enacting or modifying that Order), no satellite dishes shall be installed on the elevations or the roofs of the Buildings without the prior written consent of the local planning authority.

**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).

32. Plumbing and Pipes

No plumbing or pipes shall be fixed on the front elevations of the Buildings without the prior written consent of the local planning authority.

**Reason:** In order 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).

33. **Use of Flat Roofs**

The use of the flat roofed Building(s) hereby approved shall be as set out in the application and no development or the formation of any door providing access to the roof shall be carried out, nor shall the roof area be used as a balcony, roof garden or similar amenity area.

**Reason:** In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Policy 15 High Quality design for Lewisham of the Core Strategy (June 2011) DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

34. **Parking spaces**

The whole of the car parking accommodation shown on drawing number T220P00 Rev P3 approved under condition 3 of this permission shall be provided and marked out on the ground prior to first occupation of any dwelling and shall thereafter be permanently retained and used solely by occupiers of the development and their visitors.

**Reason:** To ensure the permanent retention of the space(s) for parking purposes, to ensure that the use of the Building(s) does not increase on-street parking in the vicinity and to comply with Policies 1 Housing provision, mix and affordability and 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).

35. **Opening Hours**

The commercial units shall only be open for customer business between the hours of 7am and 11pm on any day of the week.

**Reason:** In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration, DM Policy 32 Housing design, layout and space standards, DM Policy 16 Local shopping parades and corner shops, DM Policy 17 Restaurants and cafes (A3 uses) of the Development Management Local Plan (November 2014).

36. **Waste water infrastructure**

37. Prior to the commencement of development, details of a scheme for the provision of foul water drainage works shall be submitted to and approved in writing by the local planning authority, in consultation with the sewerage undertaker.

(a) The drainage works shall be completed in accordance with the drainage scheme approved pursuant to paragraph (a) of this condition, and with the details and timetable agreed.

(b) No Building shall be first occupied in any Plot until the drainage works related to that Plot (as specified in the drainage scheme approved pursuant to paragraph (a) of this condition) have been completed.

**Reason:** To ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community in accordance with Policy 5.13 Sustainable drainage in the London Plan (July 2015). This is a pre-commencement condition because the local planning authority needs to be satisfied that an appropriate surface water drainage scheme can be designed and implemented before development starts.

(c) **Parking Management Plan**

38. Prior to first occupation of any Buildings hereby approved, a Parking Management Plan containing measures to be employed to discourage informal car parking within the site shall be submitted to and approved in writing by the local planning authority.

(d) The Parking Management Plan as approved under paragraph (a) of this condition shall be implemented as from the date of first occupation of the development and shall be complied with at all times thereafter.

**Reason:** To ensure that parking is managed so as to avoid congestion and obstruction of service & emergency vehicles and to comply with Policies 1 Housing provision, mix and affordability and 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 (2015).

(e) Commercial Floorspace

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), not less than 80% of the non-residential floorspace hereby approved shall be used for purposes falling within Use Class B1 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:** In order to protect the employment units for uses falling within B1 Use Class in the interests of retaining the maximum amount of employment provision possible on the site, to reflect the policy designation of the site as a mixed use employment location in accordance with Core Strategy Policy 4: Mixed Use Employment Locations.

39. Ecological Enhancement

Prior to the commencement of works above ground level, a site-wide strategy for ecological enhancement and mitigation including a habitat management plan setting out details of monitoring arrangements shall be submitted to and approved in writing by the local planning authority. The site-wide strategy and habitat management plan shall be implemented and complied with, unless otherwise first approved in writing by the local planning authority.

**Reason:** To ensure the delivery and long-term sustainability through appropriate site management of ecological enhancement on site to comply with Core Strategy Policy 12 Open space and environmental assets in the adopted Core Strategy (2011).

40. Infiltration

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the terms of any express consent given by the local planning authority under this condition.

**Reason:** The site is underlain by a principal aquifer with potential for use as public water resource and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).

41. Flood Risk

42. The development shall only be carried out in accordance with the Flood Risk Assessment (FRA) by JSA Consulting, dated July 2015 as approved under condition 3 of this permission.

(a) The minimum finished floor levels shall be set at least 300mm above the modelled tidal breach level.

- (b) Prior to first occupation of any Plot, a Flood Warning and Evacuation Plan (FWAP) to mitigate the residual flood risk shall be submitted to and approved in writing by the local planning authority and such FWAP as approved shall be implemented and complied with at all relevant times.

**Reason:** To mitigate the risk of fluvial flooding in compliance with London Plan Policy 5.12 Flood risk management (2015) and Core Strategy Policy 10 Managing and reducing the risk of flooding (2011).

(c) Overheating

- 43. The Buildings shall be designed so as to meet CIBSE TM52 criteria in respect of overheating performance.

- (d) Development shall not commence above ground level until an overheating assessment using dynamic thermal modelling and details of any mitigation measures required to ensure compliance with paragraph (a) of this condition, have been submitted to and approved in writing by the local planning authority in consultation with the Greater London Authority.

- (e) The development shall not be first occupied until the mitigation measures approved pursuant to paragraph (b) of this condition have been implemented in their entirety. Thereafter, the mitigation measures shall be maintained in perpetuity in accordance with the details approved under the said paragraph (b).

**Reason:** To ensure that the dwellings and commercial units hereby approved do not suffer from unacceptable levels of overheating during the summer months and that the appearance of the Buildings are of high quality design to comply with Policy 5.9 of the London Plan (2015), 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.

(f) Highways Works

- 44. No development shall commence until details of the following works to the highway (including drawings and specifications) have been submitted to and approved in writing by the local planning authority:

- (a) the closure of the existing crossovers and the re-instatement of the footway on Arklow Road and improvement works to the footways on Arklow Road (site boundary to Childers Street junction);
  - (i) the provision of a car club parking space and a loading bay on Arklow Road;
  - (ii) the installation of new lighting under the railway bridges on Arklow Road and Rolt Street;
  - (iii) the provision of improved crossing facilities on Edward Street;
  - (iv) improvement works to the footways on Rolt Street (site boundary to Folkestone Gardens) and the lighting under the railway bridge (mainline) on Rolt Street
- (v) The development shall not be first occupied until the highways works referred to in paragraph (a) of this condition have been implemented in accordance with the details approved under the said paragraph (a).

**Reason:** In order to ensure that satisfactory means of access is provided, to ensure that the development does not prejudice the free flow of traffic or conditions of general safety along the neighbouring highway and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

(b) Public Realm/Communal Amenity Area details

- (a) No above ground works shall be carried out until detailed plans and specifications for the Public Access Areas and the Communal Amenity Areas, including both hard and soft landscaping, street furniture, play areas and



equipment, lighting, drainage and proposed levels have been submitted to and approved in writing by the local planning authority. Such details shall be in general accordance with the drawing number 1319/013 approved under condition 4 of this permission.

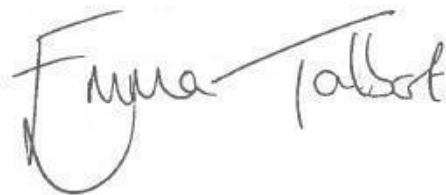
(b) The Public Access Areas and Communal Amenity Areas shall be constructed and completed in accordance with the details approved pursuant to paragraph (a) of this condition.

**Reason:** In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 25 Landscaping and trees, DM Policy 30 Urban design and local character and DM Policy 32 Housing Design, layout and space standards of the Development Management Local Plan (November 2014).

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

45. **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. As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An '**assumption of liability form**' must be completed and before development commences you must submit a '**CIL Commencement Notice form**' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: -  
<http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permissio>
- B. You are advised that all construction work should be undertaken in accordance with the "London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites" available on the Lewisham web page.
- C. The developer is reminded that the site lies adjacent to Network Rail London Overground lines. You are advised to contact Network Rail and London Overground for consent for any works over or affecting their land.
- D. The applicant is advised that conditions requires details to be submitted prior to the commencement of works due to the importance of minimising disruption on local residents and the local highway network during demolition and construction works.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Emma Talbot', with a stylized flourish at the end.

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.