

Appeal Decision

Site visit made on 29 November 2016

by Daniel Hartley BA Hons MTP MBA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 December 2016

Appeal Ref: APP/N5660/W/16/3155024
124 Dalberg Road, London SW2 1AP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Chris Price against the decision of the Council of the London Borough of Lambeth.
 - The application Ref 15/04244/FUL, dated 27 July 2015, was refused by notice dated 22 March 2016.
 - The development proposed is the demolition of the existing building and the erection of a two storey and a three storey building separated by a lower ground level courtyard, to provide an office unit (Use Class B1a), 5 x 2 bedroom and 1 x 1 bedroom residential flats (Use Class C3), with associated amenity space, refuse/recycling facilities and cycle parking.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing building and the erection of a two storey and a three storey building separated by a lower ground level courtyard, to provide an office unit (Use Class B1a), 5 x 2 bedroom and 1 x 1 bedroom residential flats (Use Class C3), with associated amenity space, refuse/recycling facilities and cycle parking at 124 Dalberg Road, London SW2 1AP in accordance with the terms of application Ref 15/04244/FUL, dated 27 July 2015, subject to the attached schedule of conditions.

Procedural Matters

2. The declaration part of the planning application form has not been dated and signed. In the banner heading above, I have therefore used the application date from the Council's refusal notice.
 3. As part of the site visit, I had a request to view the appeal site from No 120F Dalberg Road and No 81 Brixton Water Lane. The entrance gate to the complex of properties, which includes No 120f Dalberg Road, was locked when I visited the site. Therefore, I was not able to view the site from this property. However, I could see the relationship of this property (and the others within this complex) with the appeal site from the road, and have also been able to judge impacts based on what I have seen on site and from the submitted planning application drawings, other accompanying documents and representations made by other interested parties. The occupier of No 81 Brixton Water Lane did not answer the door when I visited the site, but nonetheless I was able to consider the impact of the proposal on this property
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as a result of views from the side alleyway and based on the submitted planning application drawings and other accompanying documents.

Main Issues

4. The main issues are the effect of the proposal upon (i) the character and appearance of the area; (ii) the living conditions of the occupiers of neighbouring residential properties in respect of privacy and light and (iii) whether or not the proposed outside amenity space would be adequate.

Reasons

Site and proposal

5. The appeal site is located on the west side of Dalberg Road and comprises a single storey frontage building and an attached two storey building to the rear. The buildings were last used as a MOT garage. The site falls within a terrace of buildings including Yoga Point to the north and two and three storey residential accommodation to the south. There is a five storey apartment block on the opposite side of Dalberg Road (Landbourne House) and the entrance to Brockwell Park is about 130 metres away. The site is approximately 700 metres from Brixton Town Centre and about 130 metres from the entrance to Brockwell Park.
6. It is proposed to demolish the existing buildings on the site and to erect a three storey building fronting Dalberg Road which would include a self-contained use class B1 office on the ground floor and 2 No two bedroom duplex apartments above. To the rear would be a communal and landscaped courtyard providing access to the residential units. Behind the communal courtyard it is proposed to erect a second building which would be 1-2 storeys above ground level and including a basement floor. This building would include 3 No maisonettes over basement and ground floors and an additional 2 bedroom apartment on the first floor. Bicycle storage facilities would be available within the courtyard. The proposed facing materials would be brick external walls with aluminium window frames, parapets and fascias and the frontage building would have a zinc mansard roof to the second floor. Flat sections of the roofs of both buildings would be "green roofs" with solar/PV panels.

Character and appearance

7. The existing frontage building is lower in height than the buildings which surround it. Whilst the proposed frontage building would be higher than that that exists now, it would reflect suitably the scale and massing of buildings in the immediate area. The overall height of this building would be similar to others in Dalberg Road and the eaves height would relate well to the heights of the adjacent properties.
8. The mansard roof would be set back from the front elevation of the building and would appear light weight and ancillary in scale. When seen from the junction of Dalberg Road with Dulwich Road, the mansard roof would be seen in the context of an existing mansard roof at No 130 Dalberg Road and consequently it would not look out of place. The five storey apartment building on the opposite side of Dalberg Road would continue to be the most imposing building in the immediate area.

9. For the reasons outlined above, I consider that the proposed frontage building would not cause harm to the character and appearance of the terrace, or to the street-scene. I note that this view has also been expressed by the Council's Urban Design Service who have commented that the *"height and scale of the building would be congruous with its surroundings and there would be distinct separate entrances on the front elevation creating an improved interface with the streetscape, which is welcomed"*. When compared to the existing frontage building, the proposed frontage building would visually enhance the character and appearance of Dalberg Road. Upper floor window proportions would reflect those in the immediate area and the ground floor office windows would have the effect of creating a more interesting and active frontage in Dalberg Road.
10. I acknowledge that the existing building to the rear of the site is more attractive than the one at the front. However, its loss would not lead to demonstrable and unacceptable harm when viewed from the public realm: it is essentially concealed from main public views. It would be replaced with a building which is similar in terms of scale and massing. Whilst the building at the rear would be much simpler in terms of its fenestration detailing, it would nonetheless be acceptable in terms of its overall design, and would appear as a subordinate and visually sympathetic rear form of development.
11. I consider that the development as a whole would be acceptable in terms of scale, massing and fenestration details. I acknowledge that the proposal would be a dense development, but there would be no conflict with the London Plan 2016 density matrix at table 3.2. I therefore conclude that the proposal would accord with the design aims of Policies Q5 and Q7 of the Lambeth Local Plan 2015 (LP).

Living conditions

12. It is alleged by the Council, in terms of its refusal notice, that the proposal would result in overlooking to neighbouring residential properties *"thereby causing loss of privacy and harm to residential amenity"*. As the refusal notice is not specific in terms of which of the properties would result in a loss of privacy, I have considered the effect of the proposal upon all neighbouring properties. I note that the appellant has done the same in terms of their "red, amber and green" assessment on page 22 of their appeal statement. Whilst the Council did not raise concerns about the effect of the proposal upon levels of sunlight/daylight to neighbouring properties, this has been raised by a number of other interested parties, and so I have also considered this matter as part of this main issue.
13. The five storey apartment building (Langbourne House) is approximately 22 metres from the front windows of the development facing Dalberg Road. At this distance, the proposal would not have a materially adverse effect upon the privacy (or any other impact) of the occupiers of the existing or proposed apartments.
14. In respect of the effect of the proposal upon the occupiers of properties on Brixton Water Lane (including No 81), the relevant windows would be orientated (and obscure glazed) to prevent direct overlooking of any rear windows. The proposed ground floor windows and balconies at units 1, 2 and 3 would not overlook the windows at Brixton Water Lane (including No 81) as they would be set behind the alleyway and the existing boundary treatment. In addition, properties on Brixton Water Lane are to the south of the appeal

- site, and I am satisfied that the proposal would not lead to a significant loss of sunlight to any of the gardens. Subject to the imposition of planning conditions, I do not consider that the proposal would result in any unacceptable overlooking or loss of light to properties on Brixton Water Lane.
15. I note that concerns have been raised regarding the proposed balconies and the potential for the overlooking of balconies to the neighbouring mews and to existing windows. However, I am satisfied that any overlooking could be adequately addressed by means of 1.7 metre high privacy screens to the balcony areas. Furthermore, any overlooking from the ground floor apartment windows of the rear building towards No 126 Dalberg Road would be addressed by means of ensuring that these windows are fixed shut and obscure glazed.
 16. I acknowledge that in respect of some of the appellant's documentation there has been some mislabelling in terms of the address of the Yoga Point building. I have considered the fact that this building obtains natural light from skylights which are angled skyward rather than on a vertical plane. I do not consider that the proposal would cause material harm to the occupiers this property in respect of daylight/sunlight penetration or in respect of any other planning matter. Given the proposed 1.7 metre screens to the balconies, the Yoga Point skylights would not be visible to the occupiers of the proposed development. For similar reasons, the proposal would not have an adverse impact upon 120f Dalberg Road in terms of levels of privacy and light and, in any event, such a property is some distance away (and at an angle) from the nearest balcony/development.
 17. An objection has also been received from the occupier of 120b Dalberg Road, but I have no reason to disagree with the appellant's daylight/sunlight analysis results which show that the proposal would not lead to any unacceptable loss of sunlight or daylight amenity levels for the occupiers of this property.
 18. I note the evolution of this scheme, and overall I am satisfied that where there would be some overlooking, and separation privacy distances are not adequately met, appropriate mitigation measures could be put in place. Given the amount of windows and terraced areas proposed, and the number of existing dwellings that surround the site, I consider that it is necessary to ensure that some of the windows are fitted with obscure glazing and that the balcony areas are fitted with privacy screens. Details of all windows and screens are required to be approved by the local planning authority prior to occupation of the development.
 19. Subject to conditions, I conclude that the proposal would not be at variance with the amenity aims of Policy Q2 of the LP, and that it would not have an unacceptable impact upon the occupiers of surrounding properties in respect of levels of light, privacy or any other planning matter.

Outside amenity space

20. The Council has raised concerns about the proposed 1.7 metre high privacy screens to balcony areas. However, these are required, as detailed above, in order to ensure that there is not unacceptable overlooking. Two options are suggested by the appellant including firstly a green screen with staggered slates and planters, and then secondly an obscure glass screen. Detailing could be addressed by way of planning condition.

21. In respect of amenity space, it is pertinent to consider the proposal as a whole. Most of the apartments would be larger than would be required by the London Plan 2016. Furthermore, the private amenity space for each flat would be more than 5 square metres thereby according with the London Plan 2016. I acknowledge that the Policy H5 of the LP requires 10 square metres, but the supporting text suggests a reduction where site constraints make it impossible to provide sufficient space for all dwellings. Due to the tight nature of the site, it would not be possible to provide additional private amenity space, and furthermore it is proposed to include an attractive communal and landscaped courtyard area which would benefit from excellent levels of daylight and sunlight. The site is also in very close proximity to a local park, and so the occupiers of the flats would have easy access to public outside amenity space. On balance, and also taking these factors into account, I do not consider that the 1.7 metre high privacy screens would result in a poor quality environment for the occupiers of the apartments. Subject to sensitive detailing, I can see no reason why this development would look out of place when viewed from within or from outside the apartments.
22. For the reasons outlined above, I therefore conclude that the privacy screens would not have a significantly detrimental effect upon the occupiers of the apartments or result in a poor quality environment. In this regard, the proposal would accord with the design and amenity aims of Policy H5 of the LP.

Other Matters

Representations other interested parties

23. I have carefully considered the representations made by other interested parties, including the Brixton Water Lane Society, at both planning application stage and since the appeal was lodged. I have also read the planning committee report including the planning officer responses to representations made. I concur with the planning officer table of responses provided at paragraph 5.4.3 of the planning committee report.
24. Given the scale, massing and appearance of the development that already exists on the site, I do not consider that the proposal would have a harmful impact upon the setting of the Brixton Water Lane Conservation Area. Furthermore, I do not consider that the proposed density level would be unacceptably high in the context of the surrounding area.
25. I have considered the appellant's sunlight/daylight assessment. I have no reason to disagree with the conclusions reached as a result of the assessment and do not consider that the proposal would have an adverse effect upon levels of light in respect of the occupiers of the proposed apartments or the occupiers of surrounding properties.
26. I acknowledge that the proposal may affect some views from existing properties. However, the courts have held that the right to a view is not a material planning consideration. Taking into account the scale and massing of the existing buildings, coupled with the proposed scale, position and massing of proposed development, I do not consider that the proposal would lead to unacceptable levels of outlook for the occupiers of the proposed or the existing surrounding properties. I reach this conclusion having taken into account the habitable room to habitable room separation distances involved. In respect of separation distances, and having regard to the scale and massing of existing

development on the site, the proposal would not result in a material loss of outlook for the occupiers of any of the existing surrounding properties.

27. I note comments made about potential flooding on the site. However, the site is not within a flood risk zone and I have no objective evidence before me to demonstrate that the occupiers of the proposed development would be at risk of flooding. No objection to the proposal has been received by the Environment Agency or the Council's Flood Risk Officer.
28. Whilst the proposal may result in some disturbance at construction stage, this would be short lived. Furthermore, this is a matter that could be addressed by means of a construction hours condition. As part of the consideration of such a condition, the Council would be able to take into account the number of residential properties that surround the site, as well as the existing Yoga Point business which is next to the site.
29. Representations have been made about excavation work and the impact that it might have on the foundations of surrounding properties. This is a matter than can be controlled by planning condition.
30. I have no reason to disagree with the views of the Council about the acceptability of the proposal in respect of the amount of employment use on the site. I have considered viability and market demand information provided by the appellant, and I can find no good reason why the office space would not be taken up. The removal of the existing lawful use and its replacement with a more compatible B1a office use would be a positive material planning consideration. Furthermore, such a use would likely result in the employment of the same, if not more, people than the previous MOT use. The proposal would therefore accord with Policy ED2 of the LP.

Planning Obligation

31. The appellant has included a dated and signed planning obligation which would ensure that the development would be "car parking permit free". The occupiers of the office and residential space would not be eligible to apply for parking permits within the surrounding controlled parking zone. I am satisfied that this both fairly and reasonably relates to the development proposal, and hence satisfies the planning obligations tests as laid out in paragraph 204 of the National Planning Policy Framework.
32. Given the scale of development, and the number of residential units proposed, there is no requirement to provide affordable housing, notwithstanding the Council's affordable housing policies. This is because I afford greater weight to national planning policy in the Planning Practise Guidance, which at paragraph 31 states that contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development "*of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000 sqm (gross internal area)*".
33. None of the other matters raised outweigh my conclusions on the main issues.

Conditions

34. The conditions set out in the accompanying schedule are based on those suggested by the Council. Where necessary, I have amended the wording of

the suggested conditions, in the interests of precision and clarity, and in order to comply with advice in the Planning Practice Guidance.

35. Planning permission is granted subject to the standard three year time limit condition. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have therefore imposed a condition to this effect.
36. In the interests of the character and appearance of the area, planning conditions are necessary in respect of materials; external plant/equipment; building heights; windows/doors; landscaping; the green roof and the protection of adjacent trees.
37. In the interests of the living conditions of the occupiers of surrounding properties and the proposed development, planning conditions are necessary relating to the office hours of use; boundary treatment detailing; balcony / terrace screening and obscure glazed windows; refuse and recycling details; designing out crime details; disabled access; construction details (including hours of construction); basement construction details; land contamination and surface water drainage.
38. Planning conditions are necessary in order to ensure that employment floorspace is provided on the site. In the interests of highway safety, planning conditions are necessary requiring the removal of the existing access and the submission of delivery/service plan details for the proposed office premises. In the interests of promoting sustainable travel, a planning condition is necessary requiring the provision of on-site bicycle storage/parking.
39. Finally, planning conditions are necessary in respect of ensuring that the development is sustainable in energy terms and that there is the protection of underground water utility infrastructure.

Conclusion

40. In conclusion, the proposal would not cause harm to the character and appearance of the area, and subject to the imposition of planning conditions, it would not have a detrimental effect upon levels of privacy or light enjoyed by the occupiers of surrounding properties or the occupiers of the proposed development. I do not consider that the 1.7 metre high privacy screens would result in a poor quality amenity space for occupiers of the proposed apartments. For these reasons, and taking into account all other matters raised, I conclude that the appeal should be allowed.

Daniel Hartley

INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this permission.

2) The development hereby approved shall be carried out in accordance with the following plans: Drawings Nos 1018-100-001; 1018-00-001 Rev O; 1018-00-002 Rev O; 1018-00-003 Rev N; 1018-00-004 Rev P; 1018-00-005 Rev N; 1018-00-006 Rev O; 1018-00-007 Rev M; 1018-00-008 Rev H; 1018-00-009 Rev D and 1018-00-010 Rev C.

3) No development works other than demolition shall take place until details of the construction detailing and materials to be used in the elevations of the development hereby permitted, including samples and/or manufacturers details where relevant, have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall include the following:

- i. Details and samples of all external facing materials (including details of the proposed brickwork pointing);
- ii. Details of the materials and construction detailing to be used for the balustrading, bridges, fins, louvers (where relevant), copings, soffits, window and door cills and reveals, junctions of external materials, and details of how these will be designed to avoid watermarks or staining to the surfaces below;
- iii. Green wall construction details;
- iv. Rainwater goods (including locations, fixings, material and colour);
- v. Details and location of all soil, vent and waste pipes which shall (except for the termination) be constructed within the building;
- vi. Details and location of any external expansion gaps; and
- vii. Details of any other equipment or devices to be installed on the external surfaces of the building including any communal satellite dishes and other external paraphernalia.

The development shall thereafter be built in accordance with approved details.

4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order), no plant, lighting, alarm boxes, machinery, satellite dishes, aerials, cables, pipes, vents, extracts or other building services equipment shall be attached to the external surfaces (including the roof) of the hereby approved development without the prior written consent of the Local Planning Authority.

5) The use of the B1 office premises hereby permitted shall not operate other than within the following times: 07.00 Hours to 20.00 Hours – Monday to Sunday.

6) The proposed building shall be built to the ground levels and heights as shown on the approved drawings or lower and, if the indicated existing heights and levels of the neighbouring properties should prove to be erroneous, then the heights of the proposed building shall be no higher than the relative height difference(s) between the heights of the neighbouring properties and proposed buildings.

7) Prior to their construction or installation, details of the siting and design of all proposed boundary walls, gates and/or fencing the site boundaries and private ground floor amenity spaces shall be submitted to and approved in writing by the Local Planning Authority. Such walls, gates or fencing as may be approved shall be erected prior to the first occupation of the development.

8) Prior to the occupation of the development hereby permitted, details of the design and materials of the proposed balcony and terrace screening shall be submitted to and approved in writing by the Local Planning Authority. The proposed balcony and terrace screening shall be installed in accordance with the approved details prior to the first occupation of the development and maintained/retained as such thereafter.

9) Notwithstanding the approved plans, and prior to the occupation of the development hereby permitted, a schedule of windows and doors to include the following details shall be submitted to and approved in writing by the Local Planning Authority:

- i. A schedule of all proposed windows and external doors, to include an elevation of each opening and details of opening methods and obscured glazing.
 - ii. A sample of the proposed obscured glazing, which shall have a minimum level of obscurity equivalent to Pilkington Texture Glass Level 3.
 - iii. Construction detailing and materials of the proposed windows and doors.
- The proposed windows and doors shall be installed in accordance with the approved details prior to the first occupation of the development and retained as approved thereafter.

10) Prior to the occupation of the development hereby permitted, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The approved landscaping details shall thereafter be fully implemented within 6 months of the date of first occupation of the building. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 (or subsequent superseding equivalent) and current Arboricultural best practice. The submitted details are expected to demonstrate the following:

- i. The quantity, size, species, position and the proposed time of planting of all trees and shrubs to be planted.
- ii. Details of the design and planting for the proposed Green Wall.
- iii. An indication of how the proposed plants would integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance and protection.
- iv. Specification of which shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape.
- v. Details of all hard landscaping materials, including those used for the private and communal amenity spaces; and those used for the walkways, paths and bridges. The hard landscaping used within the hereby approved basement courtyard shall be permeable to allow sustainable drainage into the ground below unless otherwise approved in writing.
- vi. A routine maintenance and protection plan to ensure appropriate landscaping in the long term.

The planting specification shall include shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape to soften the appearance of the development and to provide attractive communal gardens. All tree, shrub and hedge planting included within the above specification shall accord with BS3936:1992, BS4043:1989 and BS4428:1989 and current Arboricultural best practice. All soft landscaping works shall be carried out in accordance with the approved landscape details by no later than the end of the planting season following completion of the development or prior to occupation of the permitted use, whichever is the sooner. Any trees, Any trees, shrubs or grassed areas which

die, are removed or become seriously damaged or diseased within 5 years of planting shall be replaced by no later than the end of next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

11) Prior to the installation of the green roof, a detailed specification of the green roof shall be submitted to and approved in writing by the Local Planning Authority. The specification shall include details of the quantity, size, species, position and the proposed time of planting of all elements of the green roof, together with details of their anticipated routine maintenance and protection. The green roof shall only be installed, and thereafter maintained, in accordance with the approved details

12) Prior to the commencement of the use hereby permitted, details of waste and recycling storage for the development shall be submitted to and approved in writing by the Local Planning Authority. The waste and recycling storage shall be provided in accordance with the approved details prior to the commencement of the use hereby permitted, and shall thereafter be retained solely for its designated and approved use. The waste and recycling storage areas/facilities should comply with Lambeth's Refuse & Recycling Storage Design Guide (2013), unless it is demonstrated in the submissions that such provision is inappropriate for this specific development. The details submitted shall include information on access and collection arrangements for waste.

13) Prior to the occupation of the development hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how the development would design out opportunistic crime and meet the standards and objectives of the Secured by Design initiative. In particular the following details shall be provided:

- i. An external lighting scheme to include lighting to the entrances and communal spaces, and a specification of the lighting, location, lux, hours of operation, details of light spillage and shielding to neighbouring properties.
- ii. Details on secure entry and access to the proposed units.
- iii. Details on secure boundaries

The development shall thereafter accord with approved details.

14) At least 90% of the residential flats hereby permitted should meet building regulation M4 (2) (accessible and adaptable dwellings) and 10% shall be designed as (or for easy adaptation to) 'wheelchair user dwellings' as defined by building regulation Part M4 (3).

15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that order with or without modification) no change of use permitted by Schedule 2 of the Order (or otherwise) shall be carried out without the prior written permission of the Local Planning Authority.

16) Prior to the occupation of the residential units hereby permitted, the office element of the development shall be fitted out to a standard where toilets are operational, the décor is neutral and the units are provided with central heating, suspended ceilings, perimeter trunking to the floor and Lighting Guide LG3 compliant lighting.

17) Within 3 months of the installation of the new vehicular access, the existing vehicular access shall be removed by raising the dropped kerb and reinstating the footway to the specification required by the Council's Highways Department.

18) Prior to the commencement of the B1 Use hereby permitted, a delivery and servicing plan shall be submitted to and approved in writing by the local planning authority. The use hereby permitted shall thereafter be operated in accordance with the approved details.

19) Prior to the occupation of the development hereby permitted, details of the provision to be made for cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall demonstrate how the proposed cycle storage would be:

- i. directly and conveniently accessed;
- ii. Inclusive, secure and safe to use;
- iii. Covered, fully ventilated, robustly constructed and easy to maintain. The cycle parking shall thereafter be implemented in full in accordance with the approved details before the use hereby permitted commences and shall thereafter be retained solely for its designated use.

20) Notwithstanding the information provided with the planning application, and prior to the commencement of development, the following details of third party trees adjacent to the site shall be submitted to and approved by the Local Planning Authority.

- i. A plan showing a likely root protection area for all trees identified adjacent to the proposed scheme;
- ii. Details of protection to tree roots both during and post construction including details of the ground protection specification
- iii. Details of foundation construction and the routes for the laying and/or removal of underground services (and details of protection measures should these encroach on Root Protection Areas)
- iv. A schedule for the ongoing monitoring and inspection of the arboricultural protection measures contained within the tree protection plan. All tree protection measures shall be implemented before the commencement of any part of the development hereby approved and shall remain in place for the duration of the construction of the development.

21) Notwithstanding the approved documents and prior to the commencement of the development hereby approved a revised energy statement and additional details shall be submitted to and approved in writing by the Local Planning Authority to:

- i. Show how the development will follow the hierarchy of energy efficiency, decentralised energy and renewable technologies set out in the London Plan (2016) and follow the principles of "Be Lean; Be Clean; Be Green";
- ii. Demonstrate that the residential units hereby permitted shall achieve high standards of sustainable design in line with the 35% reduction in CO2 emissions target set out in the London Plan (2016);
- iii. Provide SAP calculations for each residential unit and an SBEM calculation for the commercial unit;
- iv. Set out how the feasibility of a communal heating system and how the development can be future proofed to allow for a connection to any future district heat network;

- v. Demonstrate that the internal water consumption of the development will not exceed 105 l/p/day in line with The Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government.
 - vi. Demonstrate that at least three of the following five key elements of the building envelope achieve a rating of A+ to D in the BREEAM Green Guide: Roof, External walls, internal walls (including separating walls), Upper and ground floors (including separating floors), Windows.
 - vii. Demonstrate how the proposed commercial unit will meet at least BREEAM 'Excellent' unless it is demonstrated that it is not technically feasible or viable to do so, in which case the proposals should demonstrate a 'Very Good' rating with a minimum score of 63 per cent.
- The development shall be carried out in accordance with approved details.

22) Notwithstanding the details submitted with the application, no development shall commence until full details of the proposed construction methodology, in the form of a Method of Demolition and Construction Statement, have been submitted to and approved in writing by the Local Planning Authority. The Method of Demolition and Construction Statement shall include details and arrangements regarding:

- i. The notification of neighbours with regard to specific works;
- ii. Advance notification of any access way, pavement, or road closures;
- iii. Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;
- iv. Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;
- v. Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;
- vi. The proposed hours and days of work;
- vii. Details of any proposed external illumination and/or floodlighting during construction;
- viii. Details of measures taken to prevent noise disturbance to surrounding residents;
- ix. Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- x. Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and
- xi. Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.
- xii. Details of measures to minimise harm to neighbour amenity which may otherwise arise from the basement construction impacts, including to existing services and utilities, and vibration and noise impacts. No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, off-loading, parking and turning within the site or otherwise during the construction period in accordance with the approved details. The demolition and development shall thereafter be

carried out in accordance with the details and measures approved in the Method of Construction Statement.

The development shall be carried out in accordance with the approved Method of Demolition and Construction Statement.

23) Notwithstanding the approved documents, no development shall take place until an updated Basement Method Statement and Flood Risk Assessment have been submitted to and approved in writing by the Local Planning Authority. This statement shall include details regarding:

- i. Detailed site specific analysis of hydrological and geotechnical local ground conditions;
- ii. Analysis of how the excavation of the basement may impact on the water table and any ground water floor, and whether water perched is present;
- iii. Details of how flood risk, including risk from groundwater and surface water flooding has been addressed in the design, including details of any proposed mitigation measures;
- iv. Details of measures proposed to mitigate any risks in relation to land instability;
- v. Demonstration of how cumulative effects have been considered;
- vi. A comprehensive non- technical summary document of the assessments provided and information submitted against (a) to (e) of this condition. The information submitted in relation to measures proposed to mitigate risks in relation to land instability and flooding shall include specific construction detailing and information on any equipment and its maintenance (including an on-going management plan).

The development shall be carried out in accordance with approved details.

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

(b) If, during development, contamination not previously identified is found to be present at the site then the development hereby permitted shall not be occupied until a verification report has been submitted to and approved in writing by the Local Planning Authority in accordance with the strategy required by part (a) of this condition.

25) No impact piling or other penetrative foundations shall be constructed before a piling method statement has been submitted to and approved in writing by the Local Planning Authority. Any piling or other penetrative foundations must be constructed in accordance with the terms of the approved method statement. The piling method statement should include the following:

- i. Details of the depth and type of excavation/penetration to be undertaken and the methodology by which this will be carried out
- ii. Evidence that there would be no resultant unacceptable risk to groundwater and/or underground water utility infrastructure
- iii. Measures to prevent and minimise the potential for damage to subsurface water infrastructure or underlying ground or controlled waters where necessary
- iv. A programme for the excavation/penetrative works

v. Details of consultation and agreement to the proposed excavation/penetrative construction methods and measures with Thames Water Developer Services and/or the Environment Agency.

26) No building hereby permitted shall be occupied until details of the proposed surface water drainage methods have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall demonstrate:

- i. How the development would be safe, reduce surface run-off and groundwater flood risk and manage residual risks through appropriate flood risk measures, including the use of sustainable drainage systems (SuDS).
 - ii. That the levels of contamination present in the soil would (or have been reduced to a level which would) allow infiltration of surface water drainage in to the ground with no resultant unacceptable risk to controlled waters; or how surface water would otherwise be drained to avoid unacceptable risk to controlled waters.
- The development shall be carried out in accordance with approved details.