

Time Limit Expires: 31 December 2015
Application No: DC/15/093420
Delegated / Committee

Fast / Normal:
Ward: LeeG
Fee Paid: £10,780.00

Location: CHILTONIAN INDUSTRIAL ESTATE, MANOR LANE, LONDON, SE12 0TX

Application Dated: 19 August 2015

Agent (if any): Mr Groucott MH Architects Limited

Applicant: Diageo Pension Trust Ltd.

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

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

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

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

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

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

Background Papers: (1) LE/393/A/TP
(2) Development Management Local Plan (adopted November 2014) and Core Strategy (adopted June 2011)

DMLP/CI Information: Local Employment Location
Flood Risk Zone 3
PTAL 3
Local Open Space Deficiency
Green Corridor

Flood Risk Zone 2
Site of Nature Conservation Importance
PTAL 3
Site of Nature Conservation Importance
Green Corridor
Local Open Space Deficiency
Not in a Conservation Area
Not a Listed Building

Unclassified

Earliest Decision: 05/02/2016

Consultations and Replies

Environment Agency
TfL Surface
Network Rail

Neighbours & Local Amenity Societies etc.

Send link Lee Green Ward Cllrs, EH, Tree, High, ECO, TFL, ENV Agency

Notice on Site Press Notice

Environmental Sustainability
Ecological Regeneration Manager
Environmental Health
Tree Officer

OBSERVATIONS

Property/Site Description

The subject site sits within the Chiltonian Industrial Estate which is located off Manor Lane. The industrial estate houses approximately 30 industrial units which are split north-south by an internal access road from Manor Lane.

The subject application site relates to eleven (11) existing units (Nos. 2 to 12) which are located on the north side of the internal access road in the estate.

The subject site is located within a designated Local Employment Location (LEL) known as the Manor Lane LEL.

The application site is bordered by a section of the south-eastern railway line (on land owned by Network Rail) to the north and east, as well as further industrial units associated with the estate to the south with residential dwellings located along Home Lacey Road beyond. Manor Lane borders the site to the west and is primarily residential in character.

The north and east of the site the railway clearing is heavily vegetated and includes a number of large trees (Sycamores, Oaks, Ash etc). In this regard, the site is located in an area deemed to be of Nature Conservation Importance and is located in a Green Corridor.

The site is also located in a Flood Zone 2 and 3 and has a PTAL rating of 3.

The site is not located in a conservation area and the existing industrial units are not listed

buildings. However, the Lee Manor Conservation Area is located to the north of the site directly across the south-eastern railway line.

Relevant Planning History

It is understood that the existing industrial units within the Chiltonian Industrial Estate were built between 1981 and 2003.

The key planning permission relating to the subject industrial units is as follows:

1981 – Planning permission granted for the erection of 6 single storey warehouse units and 18 single storey industrial units on the site of the Chiltonian Biscuit Factory, comprising 70,450 sq.ft of industrial floorspace and 66,026 sq.ft of warehouse floorspace, together with the provision of a new access road to Manor Lane and the provision of parking and service areas.

DC/00/46253 - Planning permission granted the construction of 16 light industrial/warehouse units (Class B1/B8) on land to the east of the Chiltonian Industrial Estate, Manor Lane SE12, together with the provision of 36 car parking spaces. Approved 14 September 2000.

Current Planning Application

This application seeks approval for the demolition of eleven (11) existing industrial units on the site and the erection of six (6), two-storey industrial units in two blocks at the Chiltonian Industrial Estate, Manor Lane SE12, together with refuse storage, bicycle storage and car parking spaces.

The eleven (11) existing units (Nos. 2 to 12) to be demolished are located on the northern side of the internal access road in the estate.

The two new replacement industrial unit blocks would be rectangular in shape with low pitched roofs at approximately 7.5m high to the eaves. The two new industrial unit blocks would be set back towards the northern boundary of the site where the railway embankment is located. The unit block to the west would house units 2 to 4 and the unit block to the east would house units 5 to 7.

The new unit blocks would be of a contemporary industrial design and would be clad in grey coloured coated metal with a section of timber panelling (cedar boarding) on the front façade of each unit displaying the unit number in a contrasting colour (i.e. white). Each unit would have a large industrial coated metal roller shutter door, three (3) coated aluminium or UPVC windows and glazed aluminium pedestrian doors on the front facades. Each unit would also have a single pedestrian door on the rear elevation for access to the northern boundary of the site.

The industrial unit blocks would be constructed as a shell with the internal fit-out to be undertaken by the future tenants. The ground floor of each unit would include a toilet, small counter area at the main pedestrian entrance, with a staircase leading up to a small mezzanine/office area.

A total of 32 rooflights would be installed on the roof of the industrial blocks along with photovoltaic cells to provide renewable energy to the facility.

Areas of hard landscaping for vehicle manoeuvring, car parking (30 spaces including 6 disabled bays), refuse storage, bicycle parking, pedestrian.

The new industrial blocks would have a total net internal floorspace of 2,098.80 m² which would be broken down by unit as follows:

Unit No.	Gross internal area
2	377.9 m ²
3	377.9 m ²
4	377.9 m ²
5	420.6 m ²
6	222.7 m ²
7	321.8 m ²
Total	2,098.80 m²

The new industrial units would retain the same use classes as the existing industrial units (i.e. use Classes B1(c) and B8). All units would have double doors to an undercroft area to encourage B8 (trade counter) use.

Consultation

Adjoining properties were notified and a site notice was displayed. No public submissions were received.

Council's Tree Officer

Council's Tree Officer raised no objections to the proposal.

Council's Ecological Regeneration Manager

Council's Ecological Regeneration Manager did not raise any concerns with the proposal subject to the implementation of the recommendations of the Applicant's Ecological Appraisal Report.

Council's Environmental Health Officer

Council's Environmental Health Officer did not raise any objections to the proposal, although standard conditions were recommended requiring the Applicant to prepare a Construction Management Plan, undertake contamination investigations and prepare a remedial action plan (if necessary) as well as limit noise from any proposed fixed plant.

Council's Highways Officer

Council's Highways Officers have advised verbally there are no major issues of concern with the project, subject to imposition of conditions requiring the preparation of a Construction Management Plan and a Delivery and Servicing Plan for on-going operations.

Council's Highways Officers have in addition to the concerns raised by the Environment Agency (outlined below) provided comment on the proposed drainage plans. Council's Highways Officers have concluded that prior to the commencement of the development additional information would be required to demonstrate that the proposed drainage arrangements are suitable and adequate to mitigate the risk of surface water flooding.

The Environment Agency

The Environment Agency (EA) initially objected to the proposal due to an inadequate Flood Risk Assessment (FRA) as it did not use the most up to date information on flood levels.

The EA also raised concern that the use of soakaways for stormwater drainage may not be suitable at the site due to the underlying geology of the area and presented a risk of surface water flooding.

However, following the submission of a revised flood assessment report the Environment Agency has withdrawn their objection and instead recommend a number of conditions to be

placed on any decision notice recommending approval. The conditions require the following;

- That the development to be undertaken in accordance with recommendations of the Flood Risk Assessment.
- That prior to commencement a detailed scheme of how flood waters will enter the building and drain and away shall be submitted to and approved by the Local Authority.
- Prior to each phase of development a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
 1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.
- No occupation of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Transport for London

Transport for London (TfL) did not object to the proposal and made the following comments:

- TfL welcomed a reduction in car parking spaces and increase in disabled bays;
- TfL was satisfied that the proposed cycle parking would meet the requirements of the London Plan (2015);
- TfL supported the provision of showers, lockers and on site changing facilities for staff;
- TfL noted the Transport Statement includes details of delivery vehicles swept path;
- TfL noted that the requirement for a Construction Logistics Plan (CLP) should be secured by condition which considers measures to minimise heavy vehicle movements during peak periods; and
- TfL noted that a Community Infrastructure Levy may be payable on the project to the Mayor of London.

Network Rail

Network Rail did not object to the proposal but made a number of comments aimed at ensuring the safe operation of the railway, the protection of Networks Rail land and infrastructure. These comments concerned future maintenance of the site, drainage, plant operations, scaffolding, piling, fencing, lighting, noise and vibration, landscaping and vehicle incursion.

Network Rail recommended that the Applicant enter into an Asset Protection Agreement with them in this regard, prior to any works commencing on site.

Policy Context

Introduction

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- 1 a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- 2 sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the Planning Acts must be made in accordance with the development plan unless material considerations indicate otherwise. The development plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

The NPPF was published on 27th March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14 a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states that (paragraph 211) policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215, guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old, paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).'

Officers have reviewed the Core Strategy and saved UDP policies for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211 and 215 of the NPPF.

Other National Guidance

On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2015)

On 10 March 2015 the London Plan (consolidated with alterations since 2011) was adopted. The policies relevant to this application are:

Policy 1.1 Delivering the strategic vision and objectives for London
Policy 2.17 Strategic industrial locations
Policy 4.1 Developing London's economy
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.21 Contaminated land
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 6.14 Freight
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:

Industrial Capacity (2008)
Sustainable Design and Construction (2006)

Core Strategy

The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the London Plan and the saved policies of the Unitary Development Plan, is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Core Strategy Policy 3 Strategic industrial and local employment locations
Core Strategy Policy 7 Climate change and adapting to the effects
Core Strategy Policy 8 Sustainable design and construction and energy efficiency
Core Strategy Policy 9 Improving local air quality
Core Strategy Policy 10 Managing and reducing the risk of flooding
Core Strategy Policy 12 Open space and environmental assets
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 21 Obligations

Development Management Local Plan

The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan

is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

The following policies are considered to be relevant to this application:

DM Policy 1	Presumption in favour of sustainable development
DM Policy 10	Local employment locations (LEL)
DM Policy 22	Sustainable design and construction
DM Policy 23	Air quality
DM Policy 24	Biodiversity, living roofs and artificial playing pitches
DM Policy 25	Landscaping and trees
DM Policy 26	Noise and vibration
DM Policy 28	Contaminated land
DM Policy 29	Car parking
DM Policy 30	Urban design and local character

Supplementary Planning Guidance

Planning Obligations Supplementary Planning Document (adopted February 2015)

Planning Considerations

The main planning considerations are:

- a) Principle of development
- b) Design quality
- c) Environmental impact and sustainability
- d) Transport and servicing issues
- f) Impact on adjoining properties
- g) Community infrastructure levy
- e) Other issues

Principle of development

Core Strategy Policy 3 states that Council will protect the Local Employment Locations (LELs) for a range of uses within the B Use Class (B1, B8 and where appropriate B2 industry) and also appropriate sui generis uses, to support the functioning of the local economy.

Core Strategy Policy 21 states that where relevant Council will seek planning obligations for new development in order to provide infrastructure, services and/or facilities for the borough.

DM Policy 10 states that the Council will support uses within the B Use Class within a Local Employment Location, subject to the use being appropriate in the location in relation to the surrounding built context, the intensity of the use and the new use meeting the aims in the Core Strategy Policy 3.

DM Policy 10 also states that permission for self-storage facilities, and larger scale storage facilities and warehouses (Use Class B8) will not be granted unless part of the development re-provides the floorspace for Small and Medium Enterprises in line with Core Strategy Policy 3 which protects Local Employment Locations for a range of business uses.

The site lies within the Manor Lane Local Employment Location (LEL). The Lewisham Local Employment Lands Study states that the Chiltonian Industrial Estate offers a good quality, well-maintained and valuable employment land resource for the borough, in an area not otherwise well provided for with such space.

The proposed development would result in the replacement of the existing industrial units with modern industrial units. The new industrial units would retain the same use classes as the existing industrial units (i.e. use Classes B1(c) and B8) and are considered to support the functioning of the local economy in accordance with Core Strategy Policy 3 and DM Policy 10. The retained Class B1(c) and B8 uses reflect the land use designation of the site as part of the Manor Lane LEL and are therefore considered to be acceptable.

All of the new units (2 to 7) would have double doors to an undercroft area to encourage B8 (trade counter) use for small to medium enterprises in accordance with DM Policy 10. However, the Council will seek to maintain an appropriate balance of trade counter uses in LELs in the interests of protecting the vitality and viability of retail centres. As such, the Council has recommended a condition requiring the provision of 'trade counters' to be ancillary to the main use within each unit (Use Class B2/B8). This will restrict the proportion of floorspace within the individual units that can be associated with trade counter use in order to protect land and floorspace that continues to play a vital part in the functioning of London's economy as well as Lewisham's economic needs for business premises and services.

The industrial unit blocks would be constructed as a shell only with the internal fit-out to be undertaken by the future tenants which is considered to be appropriate in this instance. As a result of the proposal involving large scale speculative industrial/warehousing units to require a full internal fit-out at this stage is not considered to not be reasonable (as per DM Policy 10).

The proposed development would result in a net loss of 253.20 m². This figure is arrived at by deducting the net internal floor area of the existing units (2,352 m²) by that as proposed by the new units (2,098.80 m²). As such, the proposed development would result in the loss of approximately 253.20 m² of net internal employment floorspace. The Council's Planning Obligations Supplementary Planning Document (Obligations SPD) requires a financial contribution to be paid for loss of employment floorspace except under in exceptional circumstances at the Council's discretion.

To that end, officers consider that the new units would respond better to the needs of local market demand and benefit potential future occupiers in terms of size and layout. It is also noted, that while internal floor space may have been lost, it is lost to accommodate additional external spaces which accommodate for vehicle movements and which benefit the employment land. As such, Officers are satisfied that a contribution for the loss of employment floorspace would be unreasonable in this instance and the requirement should therefore be waived.

Given the above, the principle of the proposed development is supported.

Design quality

Paragraph 63 of the National Planning Policy Framework states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 64 states that 'permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions'.

London Plan Policy 7.4 states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. High quality design requires that the development, amongst other things, is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area.

Core Strategy Policy 15 states that for all development the Council will apply national and regional policy and guidance to ensure highest quality design and the protection or enhancement of the historic and natural environment, which is sustainable, accessible to all, optimises the potential of sites and is sensitive to the local context and responds to local character.

Officers are satisfied that the proposed development would improve the design and appearance of the existing industrial estate by replacing the existing industrial units which are in poor condition with a modern scheme of contemporary industrial design. The proposal would result in a reduction in floorspace coverage when compared to the existing industrial units and at approximately 7.5m high to the eaves (8m to the ridge) the new units would be the same height as the existing unit at No. 1 on the northern side of the entrance to the estate. The buildings would also be comparable in height to other units within the estate which are 6.9m to the ridge. As such, the bulk and scale of the proposed industrial blocks is considered to be appropriate as it relates well to the site and is sympathetic to surrounding industrial development.

In terms of materials, the industrial blocks would be clad in a grey coloured coated metal with a section of timber panelling on the front façade of each unit displaying the unit number in a contrasting colour (i.e. white). The choice of grey coated metal for cladding the majority of the units is considered to be appropriate for the industrial context of the site and the timber panelling is a functional element which would add visual interest to the frontage of each unit. To secure the design quality of these materials, a condition has been recommended requiring the submission of final details of all external materials and finishes (e.g. including panels, cladding, windows etc) to Council for approval, prior to the commencement of above ground works (other than demolition of existing structures).

With this condition in place, the Council is satisfied that the proposed development would be of a high design quality that is appropriate for the industrial nature of the site.

Environmental impact and sustainability

Flooding and drainage

In response to concerns raised by the Environment Agency, a revised drainage strategy will be required which demonstrates compliance with Policies 5.12 Flood risk management and 5.13 Sustainable drainage in the London Plan (2015) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

Through consultation with LBL Highways, officers are satisfied that a suitable drainage strategy is achievable on this site, and that necessary amendments and details could be secured through the imposition of planning condition attached to the decision notice.

Conditions recommended by the Environment Agency will also ensure that any potential land contamination issues are considered, and a remediation plan considered to prevent pollutant run-off.

Air Quality

The application is supported by an Air Quality Management Statement and an Air Quality Scoping Assessment (AQA). The site is located on the edge of Air Quality Management Area No. 4.

During construction, the key potential air quality impacts would result from dust generation (PM₁₀) associated with normal construction activities (e.g. truck movements and

earthworks).

However, the AQA found that dust emissions during construction would be negligible subject to the implementation of standard dust control measures (e.g. wetting of stockpiles and haul roads) which could be formalised in a Construction Management Plan (CMP).

Additionally, the AQA found that During operation, the key potential air quality impacts would result from exhaust emissions (NO₂) associated with vehicle trips. However, in consideration of the net reduction in internal employment floor space the report found that there would be a corresponding reduction in vehicle trips to and from the site (see 'traffic generation' below) and associated exhaust emissions. As such, the AQA concluded that the potential air quality impacts of the operational phase of the development road would also be negligible.

The Environment Agency and Council's Environmental Health Officer did not raise any concerns in relation to potential air quality impacts. Council's Environmental Health and Highways Officer agreed with the recommendation for a standard condition to be added which requires submission and approval of a Construction Management Plan prior to the commencement of development. With this condition in place, Officers are satisfied that the air quality impacts of the development could be effectively and appropriately managed.

Noise

The Environment Agency and Council's Environmental Health Officer have considered the proposed development and raised no concerns in relation to potential noise impacts.

The new industrial units would retain the same use classes as the existing industrial units (i.e. use Classes B1(c) and B8) which appear to be operating without detriment to the amenity of nearby residences.

The existing consents (1981 and 2000) which apply to the site include conditions which protect the amenities of adjoining residents from noise impacts by prohibiting the undertaking of any process or use of machinery, playing of amplified music and sound or undertaking of mechanical repairs outside. Existing conditions also restrict the hours of operations of machinery and deliveries to the site.

In order to continue to protect the amenities of surrounding land uses, officers recommend the conditions described above be updated to reflect current policy, and carried forward onto the permission for the proposed development. Officers also recommended an additional condition to restrict the use of the premises for no uses other than B1(c) and B8, to ensure that the Council has the opportunity to consider, and appropriately condition any future uses outside of these classes.

With these conditions in place, the Council is satisfied that the noise impacts of the development would be effectively and appropriately managed.

Ecology

The site is located both within a Green Corridor as well as an area which is deemed to be of Nature Conservation Importance

The application is supported by an Ecological Appraisal Report (EAP) which found that current biodiversity interest within the site is negligible and there are no protected species issues other than the potential for breeding birds. The EAP concluded that re-development of the site has no ecological constraints and has potential to create new biodiversity opportunities.

Council's Ecological Regeneration Manager did not raise any concerns with the proposal

subject to the implementation of the recommendations of the EAP. These included (but are not limited to):

- installing up to 10 Schwegler Sparrow Terraces on the buildings within the Site, set just beneath roof level; and
- using at least ten native plant species and/or bee-friendly shrub and herb species within landscaping to attract butterflies and bees.

The Council has therefore recommended a condition requiring the development to be carried out in complete accordance with the EAP.

With this condition in place, the Council is satisfied the ecology impacts of the proposal would be negligible.

Trees

The site is bounded by trees to the north and west of varying sizes, types (Sycamore, Ash, Hawthorn, Pak etc) and quality. The majority of the larger trees are located on the northern site boundary which forms part of the railway embankment and overhang the site.

The application is supported by a Tree Survey, Tree Constraints Plan (TCP) and Tree Protection Plan (TPP).

The proposal involves the removal of 5 trees within the site boundary. Of the trees to be removed 4 are identified to be of 'U quality' which means that they are likely to require removal within the next ten years irrespective of the development. The remaining tree to be removed is C category (low quality). It would also be necessary to reduce the crown spread of several large trees overhanging the site to allow for the development.

Tree protection measures such as the forming of construction exclusion zones, installation of protective fencing and laying of ground protection would be implemented for the remainder of trees on site in accordance with the TPP. This would ensure that impacts on these trees would be minimised as far as reasonably practicable. With these measures in place, the tree impacts of the proposal are expected to be negligible.

Councils Tree Officer has reviewed the application and raised no objections. As such officers are satisfied that the works to trees would be acceptable if carried out in accordance with the TCP, TPP and Tree Survey. A condition is therefore recommended to ensure the development is in accordance with these documents.

Contamination

The proposal is for the redevelopment of an existing industrial site and as such there is a potential for contaminated material to be encountered during construction. Officers therefore recommended that a condition requiring the applicant to undertake a desk top study and site assessment to characterise the nature and extent of contamination on site (if any), prepare a site investigation report and remedial action plan (if deemed necessary), prior to the commencement of development (other than demolition of existing buildings) on the site.

With this condition in place, officers are satisfied that any contamination issues on site could be effectively managed.

Sustainability

Core Strategy Policy 8 Sustainable Design and Construction and Energy Efficiency of requires that all major non-residential development should reach a minimum BREEAM 'Excellent' standard. Failure to meet this standard requires the applicant to explain in detail why the 'Excellent' rating cannot be achieved.

The application is supported by a BREEAM Pre-Assessment Sustainability Report which found that requiring the development to achieve a BREEAM 'Excellent' rating would add significant cost to the development making it financially unviable.

Further, officers recognises that as the units would be constructed as a shell only. As such the number BREEAM credits that can be achieved by the development is reduced, as those credits commonly attributed to at fit-out cannot count towards a rating.

As an 'Excellent' rating was not considered to achievable, the applicant has outlined a commitment to achieving a 'Very Good' rating by incorporating a variety of features into the development such as:

- ensuring the construction contractor manages manage the site with minimal impact to the local and wider environment (e.g. by monitoring site water consumption and energy use);
- measures to provide glare control for future occupiers, provide adequate access to natural light (e.g. through use of rooflights) as well as internal and external lighting in accordance with the relevant British Standards;
- provision of cycle spaces, showers and changing facilities to encourage sustainable travel to and from work; and
- developing a site specific Travel Plan (included as part of the application documentation).

It is noted that achieving a BREEAM 'Very Good' rating broadly represents performance equivalent to the top 25% of new non-domestic buildings in the UK and demonstrates advanced good practice in terms of sustainable construction. The proposal would therefore result in a significant sustainable design improvement when compared to the existing buildings on the site.

In consideration of the above, and with regard material considerations discussed in this report, officers would in this instance, accept the lower 'Very Good' BREEAM rating. It is recommended that this 'Very Good' rating be secured by a condition attached to any planning permission.

Transport and servicing issues

Access and servicing

No change is proposed to the existing vehicular access to the site off Manor Lane. Further, no changes are proposed to the alignment of width of the internal estate access road.

The existing industrial units (Nos. 2 to 12) are served by three separate access points from the internal estate access road. The six new industrial units would be served by six separate access points from this road, as well as provide 5 (1 disabled) car parking spaces accessed directly from the internal road. While the proposal would represent an increase in access points, it also includes the removal of existing industrial units with large flank elevations abutting the footpath. These works would improve both vehicular and pedestrian visibility along this private road.

The pedestrian footpath along the internal access road in immediately in front of the site would be retained.

Council's Highways Officer did not raise any issues of concern in relation to access but requested that a Delivery and Servicing Plan be prepared for the development. These details would be secured by condition. TfL did not raise any issues of concern in relation to access.

Given the above, officers are satisfied that the proposed access and servicing arrangements for the proposed development are acceptable.

Traffic generation

The proposal would result in a net reduction in industrial floorspace at the site when compared to the current situation. As such, the Traffic Statement submitted in support of the application concluded that the proposed development would generate less traffic than the existing facility.

Transport for London (TfL) and Council's Highways Officer did not raise any issues of concern in relation to traffic generation.

TfL and Council's Highways Officer requested that a Construction Logistics/Management Plan be prepared for the development. These details would be secured by condition.

With this condition in place, the Council is satisfied that traffic generated by the development would be effectively managed.

Car parking

The existing industrial units on the site each have access to between 2 to 4 formal parking spaces located along their frontages, as well as some shared parking at the end of each block. This equates to a total of 28 car parking spaces spread across the 11 existing industrial units.

The current scheme proposes a total of 30 parking spaces for the 6 new industrial units, which would comprise 24 standard sized bays and 6 disabled bays.

The London Plan states parking for commercial vehicles should be provided at a maximum of 1 space per 500m² of gross industrial floorspace, with exceptions for essential economic development. This would equate to a total of 4.2 spaces. Whilst the proposed car parking provision would exceed that permitted under the London Plan for B1 uses, it is considered comparable to the current situation (total of 28 formal car parking spaces with no disabled bays) and would not worsen the parking situation in the vicinity of the development. It is also noted that the site has a PTAL rating of 2 (poor) which demonstrates the need for increased parking.

TfL has reviewed the application and welcomed an increase in the number of disabled parking bays.

Council's Highways Officer raised no issues of concern in relation to car parking. Given the above, Officers are satisfied that the proposal would not result in any significant parking issues.

Cycle Parking

It is proposed to provide six (6) bicycle parking stands near entrances of the new industrial units (i.e. one per unit). Each stand would accommodate room for two bicycles. This would equate to the provision of twelve (12) bicycle parking spaces for the development, in accordance with the relevant requirements of the London Plan.

The proposed cycle parking arrangements are considered to be acceptable and their ongoing provision is recommended to be secured by condition.

Refuse Storage

Five separate bin storage areas would be provided at the front and side of the new industrial units fronting the footpath of the internal access road to the estate off Manor Lane. The proposed refuse arrangements are considered to be acceptable in principle with the final

details recommended to be secured by condition.

Other issues

Network Rail did not object to the proposal but made a number of comments regarding the ongoing safe operation of the railway, the protection of Networks Rail land and infrastructure. These comments concerned future maintenance of the site, drainage, plant operations, scaffolding, piling, fencing, lighting, noise and vibration, landscaping and vehicle incursion.

Network Rail recommended that the applicant enter into an Asset Protection Agreement in this regard, prior to any works commencing on site.

Officers are satisfied that the majority of Network Rail's concerns (as above) are construction management issues which would be dealt with via the Construction Management Plan secured by condition. It is also recommended that an informative be included on any consent recommending that the applicant enter into an Asset Protection Agreement with Network Rail to enable their approval of detailed works.

The applicant has confirmed in writing that they intend to enter into an APA with Network Rail, and have provided evidence of such discussions. Given the above, the Council is satisfied that appropriate measures could be put in place to ensure works being undertaken maintain the safe operation of the railway.

Impact on adjoining properties

The subject site is located within the industrial estate and is not located in the immediate vicinity of any residential receivers.

The closest residents are located to the west of the site at the entrance to the estate on Manor Lane, and to the north across the railway line on Southbrook Road. It is considered unlikely that these residents would be subject to increase amenity impacts from traffic generation or noise as both vehicle trips and intensity of the land use is expected to reduce as a result of the proposed development.

Notwithstanding this, the Council has recommended key conditions to protect residential amenity including restricting the use of the industrial units to the existing B1(c) and B8 uses, prohibiting the process or use of machinery that would be of detriment to the amenity of residents by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, prohibiting the playing of amplified music and sound outside, prohibiting the undertaking of mechanical repairs outside, restricting the hours of operations of machinery and restricting delivery hours.

With these conditions in place, the Council is satisfied that the proposed development would not adversely impact on the amenity of adjoining occupiers.

Community infrastructure levy

The development is not CIL liable because there is no net increase in floorspace.

Conclusion

The proposed development would improve the design and appearance of the existing industrial estate by replacing the old industrial units which are in poor condition with a modern scheme of contemporary industrial design. The new units would also have improved environmental performance and would respond better to the needs of local market demand and potential future occupiers in terms of size and layout which is likely to result in significant benefits in terms of supporting the provision of jobs and the local economy over

the long-term.

In view of the above considerations the application is recommended for approval.

RECOMMENDATION: GRANT PERMISSION subject to the following conditions:

Conditions

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

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

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

15.028 002, 010 Rev C, 011 Rev B, 012 Rev B, 013 Rev B, 014 Rev B, 015 Rev B, 016 Rev B, 017 Rev B, 018 Rev B, received 20/08/2015.

Supporting Statements/Documents

Design and Access Statement (August 2015, MH Architects)

Travel Plan Framework (August 2015, RPG)

Transport Statement (August 2015, RPG)

Sustainability Report (August 2015, Delta Green Environmental Design)

Ecological Appraisal Report (August 2015, The Ash Partnership)

Air Quality Scoping Assessment (November 2015, REC)

Phase I Geo-Environmental Risk Assessment (April 2015, Aviron)

Phase II Geo-Environmental Risk Assessment (December 2015, Aviron)

Flood Risk Assessment (December 2015, Gemma Design)

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.

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

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

3.
 - (a) The rating level of the noise emitted from fixed plant on the site shall be 5dB below the existing background level at any time. The noise levels shall be determined at the façade of any noise sensitive property. The measurements and assessments shall be made according to BS4142:2014.
 - (b) Prior to the first occupation of each unit details of a scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the local planning authority.
 - (c) The development shall not be occupied until the scheme approved pursuant to

paragraph (b) of this condition has been implemented in its entirety. Thereafter the scheme shall be maintained in perpetuity.

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

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

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

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

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

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

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with Policies 5.12 Flood risk management and 5.13 Sustainable

drainage in the London Plan (2015) and Objective 6: Flood risk reduction and water management and Core Strategy Policy 10: Managing and reducing the risk of flooding (2011).

- (b) (a) No piling or any other foundation designs using penetrative methods shall take place, other than with the prior written approval of the local planning authority.
- (b) Details of any such operations must be submitted to and approved in writing by the local planning authority prior to commencement of development on site and shall be accompanied by details of the relevant penetrative methods.
- (c) Any such work shall be carried out only in accordance with the details approved under part (b).

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

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

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

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

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

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

Reason: To safeguard the health and safety of trees during building construction and operations and the visual amenities of the area generally and to comply with Policy 12 Open space and environmental assets of the Core Strategy (June 2011) and Development Management Local Plan (November

2014) DM Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character.

11. (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.
- (b) Any such external lighting as approved under part (a) shall be installed in accordance with the approved drawings and such directional hoods shall be retained permanently.
- (c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

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

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

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

13. The development shall be carried out in complete accordance with the approved Travel Plan Framework (RGP, August 2015) received 20th August 2015

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

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

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

15. The whole of the car parking accommodation shown on the plans hereby approved shall be provided and retained permanently for the accommodation of vehicles of the

occupiers of the development (including employees using the building and persons calling at the building for the purposes of conducting business with the occupiers thereof) and no phase of the development shall be occupied until such car parking accommodation has been provided for that phase.

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

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

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

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

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

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

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

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

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

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

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and Vibration and DM Policy 32 Housing design,

layout and space standards of the Development Management Local Plan (November 2014).

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

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

22. No process shall be carried on nor machinery installed which could not be carried on or installed in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

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

23. No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover:

- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements and any Environmental Management Plan requirements (delete reference to Environmental Management Plan requirements if not relevant).

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

London Plan (2015).

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

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

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

1. Flood-proofing measures up to 7.25m AOD to be included as detailed in section 8.5 on page 16
2. Finished floor levels for residential accommodation to be set the same as existing finished floor levels at 17.5m above Ordnance Datum (AOD).

Reason:

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

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

Reason:

To reduce the risk of flooding to neighbouring sites.

27. Prior to each phase of development approved by this planning permission a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

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

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

Reason:

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

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

Reason:

To ensure development is carried out in line with the aims of the National Planning Policy

Framework (NPPF). To protect controlled waters including the culverted watercourse adjacent to the site.

Informatives

29. **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.
30. It is the responsibility of the owner to establish whether asbestos is present within their premises and they have a 'duty of care' to manage such asbestos. The applicant is advised to refer to the Health and Safety website for relevant information and advice.
- A. The Construction Management Plan shall be prepared in accordance with Lewisham's Good Practice Guide: Control of pollution and noise from demolition and construction sites and the findings of the Air Quality Scoping Assessment (Resource and Environmental Consultants Limited, November 2015) prepared in support of the application.
- B. As the site is adjacent to Network Rail's operational railway infrastructure, Network Rail strongly recommends the developer contacts AssetProtectionKent@networkrail.co.uk prior to any works commencing on site, and also to agree an Asset Protection Agreement to enable approval of detailed works. More information can also be obtained from the Network Rail website at www.networkrail.co.uk/aspx/1538.aspx.
- C. Please be aware that the culverted watercourse, the river Quaggy (Hither Green Branch), is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions as stated within Water Resources Act 1991 and associated byelaws. Any works in, over, under or within 8 metres of this culvert will require consent from ourselves. If any works are proposed outside the red line boundary we would recommend the applicant contact the Partnerships and Strategic Overview team at PSO.SELondon&NKent@environment-agency.gov.uk to apply for consent.