



LONDON BOROUGH OF LEWISHAM

TOWN AND COUNTRY PLANNING ACT 1990

APPEAL NO: APP/C5690/W/23/3321935

COUNCIL'S REF: DC/22/129789

ADDRESS: 21-57 WILLOW WAY, UPPER SYDENHAM, LONDON, SE26 4QP

PROPOSED PLANNING CONDITIONS

- 1.1 Below are listed a series of proposed conditions that have been drafted by the London Borough of Lewisham. The Appellant has subsequently made comments and tracked changes to a number of these conditions as detailed below.
- 1.2 It has not been possible to reach full agreement between the parties on all the conditions, either on the principle of a particular condition or on proposed wording and where there this is the case there is specific comment on the conditions to that effect. Where there is no comment, the conditions are agreed between the parties.

CONDITIONS

1.	<p><u>Full Planning Permission Time Limit</u></p> <p>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.</p> <p>Reason: As required by Section 91 of the Town and Country Planning Act 1990.</p>
2.	<p><u>Approved Quantum</u></p> <p>The development hereby approved in detail shall be implemented in accordance with the approved details:</p> <ul style="list-style-type: none"> a) 1,401sqm of commercial floorspace (Use Classes E(g) (i) (ii) & (iii)) b) 60 residential units (Use Class C3) c) Building rising to maximum of six storeys (double height ground floor / mezzanine plus between two and four storeys of residential floorspace above this) <p>Reason: To ensure that the development is implemented as approved and is acceptable to the local planning authority.</p>
3.	<p><u>Develop in Accordance with Approved Drawings and Documents</u></p> <p>The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:</p> <p>KTW034-DCR-EX-OS-A-0001; KTW034-DCR-EX-EL-A-0001; KTW034-DCR-EX-EL-A-0002; KTW034-DCR-EX-PL-A-0002 ; KTW034-DCR-EX-PL-A-0003 ; KTW034-DCR-EX-PL-A-0004 ; KTW034-DCR-EX-SE-0001 ; KTW034-DCR-GF-PL-A-0001; KTW034-DCR-GF-PL-A-0100; KTW034-DCR-01-PL-A-0101; KTW034-DCR-02-PL-A-0102; KTW034-DCR-03-PL-A-0103; KTW034-DCR-04-PL-A-0104;</p>

	<p> KTW034-DCR-05-PL-A-0105; KTW034-DCR-00-SE-A-0200; KTW034-DCR-00-SE-A-0200-CL; KYW034-DCR-00-EL-A-300-CL; KTW034-DCR-00-EL-A-301 – Proposed Elevations; KTW034-DCR-00-EL-A-301 – Proposed Contextual Elevations; KTW034-DCR-00-DE-A-0001; KTW034-DCR-01-PL-A-FT1; KTW034-DCR-01-PL-A-FT2; KTW034-DCR-01-PL-A-FT3; KTW034-DCR-01-PL-A-FT4; KTW034-DCR-01-PL-A-FT5; KTW034-DCR-01-PL-A-FT6; KTW034-DCR-01-PL-A-FT7; KTW034-DCR-01-PL-A-FT8; KTW034-DCR-01-PL-A-FT9; KTW034-DCR-01-PL-A-FT10; KTW034-DCR-01-PL-A-FT11; KTW034-DCR-01-PL-A-FT12; KTW034-DCR-01-PL-A-FT13; KTW034-DCR-01-PL-A-FT14; KTW034-DCR-01-PL-A-FT15; KTW034-DCR-01-PL-A-FT16; KTW034-DCR-01-PL-A-FT17; KTW034-DCR-01-PL-A-FT18; KTW034-DCR-01-PL-A-FT19; KTW034-DCR-01-PL-A-FT20; KTW034-DCR-01-PL-A-FT21; KTW034-DCR-01-PL-A-FT22; KTW034-DCR-01-PL-A-FT23; KTW034-DCR-01-PL-A-FT24; KTW034-DCR-01-PL-A-FT25; KTW034-DCR-01-PL-A-FT26; KTW034-DCR-01-PL-A-FT27; KTW034-DCR-01-PL-A-FT28; KTW034-DCR-01-PL-A-FT29; </p> <p> Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application. </p>
4.	<p> <u>Archaeological Investigation</u> </p> <p> No demolition or development shall take place until a Stage 1 Written Scheme of Investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. </p> <p> If heritage assets of archaeological interest are identified by Stage 1 then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the Stage 2 WSI, no demolition or development shall take place other than in accordance with the agreed Stage 2 WSI which shall include: </p>

	<p>a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;</p> <p>b) Where appropriate, details of a programme for delivering related positive public benefits; and</p> <p>c) The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.</p> <p>This condition shall not be fully discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.</p> <p>Reason: To ensure adequate access for archaeological investigations in compliance with Policy HC1 Heritage conservation and growth of the London Plan (March 2021) and Policy 16 Conservation areas, heritage assets and the historic environment of the Core Strategy (June 2011).</p>
5.	<p><u>Construction Environment Management Plan</u></p> <p>No development shall commence on site until a Construction Environment Management Plan, in general accordance with the Outline Construction Logistics Plan (Kitewood Estates Ltd, December 2022) has been submitted to and approved in writing by the local planning authority. The Plan shall cover:</p> <p>(a) Dust mitigation measures with regard to the Mayor of London's Control of Dust and Emissions During Construction and Demolition SPG (July 2014);</p> <p>(b) The location and operation of plant and wheel washing facilities;</p> <p>(c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process;</p> <p>(d) Security Management (to minimise risks to unauthorised personnel);</p> <p>(e) Details of the training of site operatives to follow the Construction Environment Management Plan requirements; and</p> <p>(f) An Operational Unexploded Ordnance (UXO) Emergency Response Plan.</p> <p>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 the natural environment, to comply with Policy SI 1 Improving air quality of the London Plan (March 2021) and DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character of the Development Management Local Plan (November 2014).</p>
6.	<p><u>Construction Environment Management Plan: Biodiversity</u></p> <p>Prior to the commencement of development, a Construction Environment Management Plan (CEMP): Biodiversity shall be submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity shall include the following:</p>

	<ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities; b) Identification of “biodiversity protection zones”; c) Measures to avoid or reduce impacts during construction; d) Location and timings of sensitive works to avoid harm to biodiversity features, including but not limited to trees, nesting birds, bats and small mammals; e) The times during construction when specialist ecologists need to be present on site to oversee works; f) The role of a responsible person (Ecological Clerk of Works) and lines of communication; and g) Use of protective fences, exclusion barriers and warning signs. <p>Reason: To ensure the long-term protection and enhancement of biodiversity in accordance with Policy G6 Biodiversity and access to nature of the London Plan (March 2021), 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).</p>
7.	<p><u>Biodiversity Enhancement & Management Plan (BEMP)</u></p> <p>Prior to the commencement of development, a Biodiversity Enhancement & Management Plan (BEMP) shall be submitted to and approved in writing by the local planning authority. The BEMP shall deliver a minimum of 0.46 additional Habitat Biodiversity Units (82.6%) and include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be enhanced, created and managed (including but not limited to 8 integrated swift bricks, 4 various integrated bird bricks, 8 integrated bat bricks and 8 bee/bug habitat features); b) Extent and location/area of proposed enhancement works on appropriate scale maps and plans; c) Ecological trends and constraints on site that might influence management; d) Aims and Objectives of management; e) Appropriate management Actions for achieving Aims and Objectives; f) An annual work programme; g) Ongoing monitoring and remedial measures; h) Details of the specialist ecological management body or organisation responsible for implementation of the BEMP; <p>For each of the first five years of the BEMP, a progress report shall be provided to the local planning authority reporting on progress of the annual work programme and confirmation of required Actions for the next 12 month period. The BEMP will be reviewed and updated every five years and implemented for the lifetime of the development.</p> <p>The BEMP shall include details of the legal and funding mechanisms by which the long-term implementation of the BEMP will be secured by the developer with the specialist ecological management body or organisation responsible for its delivery.</p>

	<p>The BEMP shall also set out (where the results from the monitoring show that the Aims and Objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the Objectives of the originally approved BEMP. The BEMP will be implemented in accordance with the approved details.</p> <p>Reason: Ro ensure the long-term protection and enhancement of biodiversity in accordance with Policy G6 Biodiversity and access to nature of the London Plan (March 2021), 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).</p>
8.	<p><u>Construction Logistics Plan</u></p> <p>No development shall take place, including any works of demolition, until a Construction Logistics Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. The plan shall demonstrate the following:</p> <p>(a) Rationalise travel and traffic routes to and from the site shown on a scaled plan;</p> <p>(b) 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 vehicle activity on the local highway network;</p> <p>(c) Provide full details of the following:</p> <ul style="list-style-type: none"> • Confirmation that a pre-start record of site conditions on the adjoining public highway will be undertaken with Lewisham Highways and a commitment to repair any damage caused; • Siting of hoarding lines; • Details of access to the site (vehicles and pedestrians), including means to control and manage access and egress of vehicles to and from the site for the duration of construction, including phasing arrangements, where applicable; • Location of on-site parking; • Location of loading area and any waiting/holding area; • Location allocated for site compound, storage and welfare; • Vehicle route through the site; • Swept path analysis of the proposed access/egress route to/from the site; • Details of the size/type and number of vehicles accessing the site; • <u>Avoidance of peak hours including school pick up and drop off hours for deliveries and</u> • Details of a booking system to avoid vehicles waiting on the public highway • All necessary traffic orders and other permissions required to allow safe access to the site to be secured and implemented prior to commencement of construction

Commented [PC1]: Is this the correct word?

Commented [GA2R1]: Yes.

Commented [PC3R1]: Please can you explain your intentions/meaning? Should 'rationalise' be replaced with 'provide'?

Commented [GA4R1]: Means to provide the most efficient routes to the site.

Commented [PC5]: There is no school which would be affected

Commented [GA6R5]: However, this is standard wording which we expect in all our CLP/CMP's so should remain.

Commented [PC7R5]: Not agreed due to no school being affected.

Commented [GA8R5]: Then this should be clarified in the CLP.

	<p>(d) Measures to ensure a safe environment for pedestrians and cyclists using surrounding streets during the construction phase; and</p> <p>(e) How the construction phasing of committed developments in the vicinity of the site will be taken into consideration with a commitment to liaise with other contractors in the vicinity of the site to maximise the potential for consolidation and to minimise traffic impacts.</p> <p>Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).</p>
9.	<p><u>Construction – Deliveries & Hours of Working</u></p> <p>During the construction period, no work other than vehicle movements to and from the site in accordance with an approved Construction Logistics Plan, shall take place on the site other than between the hours of 08.00 and 18.00 on Mondays to Fridays and 08.00 and 13.00 on Saturdays and not at all on Sundays or Public Holidays.</p> <p>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).</p>
10.	<p><u>Contaminated Land</u></p> <p>(a) No development (including demolition of existing buildings and structures) shall commence until:</p> <ol style="list-style-type: none"> i) The recommendations within the submitted Phase I Desk Study and Site Reconnaissance prepared by Leap Environmental Limited Report Reference: LP3169 dated 19 December 2022 for Intrusive Ground Investigation have been undertaken to fully characterise and risk assess the site which shall include the gas, hydrological and contamination status, specifying rationale, and recommendations for treatment for contamination encountered (whether by remedial works or not) and have been submitted to and approved in writing by the local planning authority. ii) The required remediation scheme has been implemented in full. <p>(b) If during any works on the site, contamination is encountered which has not previously been identified (“the new contamination”) the local planning authority shall be notified immediately and the terms of paragraph (a), shall apply to the new contamination. No further works shall take place on that part of the site or adjacent areas affected, until the requirements of paragraph (a) have been complied with in relation to the new contamination.</p> <p>(c) The development shall not be occupied until a closure report has been submitted to and approved in writing by the local planning authority. This shall include verification of all measures, or treatments as required in (Section (a) i & ii) and relevant correspondence (including other regulating authorities and stakeholders involved with the remediation works) to verify compliance</p>

	<p>requirements, necessary for the remediation of the site have been implemented in full.</p> <p>The closure report shall include verification details of both the remediation and post-remediation sampling/works, carried out (including waste materials removed from the site); and before placement of any soil/materials is undertaken on site, all imported or reused soil material must conform to current soil quality requirements as agreed by the authority. Inherent to the above, is the provision of any required documentation, certification and monitoring, to facilitate condition requirements.</p> <p>Reason: To ensure that the local planning authority may be satisfied that potential site contamination is identified and remedied in view of the historical uses of the site, which may have included industrial processes and to comply with DM Policy 28 Contaminated Land of the Development Management Local Plan (November 2014).</p>
12.	<p><u>Sustainable Drainage Strategy</u></p> <p>a) Prior to the commencement of groundworks (excluding site investigations and demolition), the final detailed drainage design including drawings and supporting calculations shall be submitted to and approved in writing by the local planning authority. This should align with the Surface and Foul Water Drainage Strategy Report (Abstract Consulting, 16 December 2022), the Surface and Foul Water Drainage Strategy – Technical Note (Abstract Consulting) and associated drawings. The applicant must provide the storage volumes for all proposed drainage features, and the whole site area must be included in the calculations. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development, and a maintenance owner must be confirmed.</p> <p>b) The development shall not be occupied until evidence (photographs and installation contracts) has been submitted to and approved in writing by the local planning authority to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.</p> <p>Reason: To prevent the risk of flooding and to improve water quality in accordance with Policy SI 12 Flood risk management and Policy SI 13 Sustainable drainage of the London Plan (March 2021), and Policy 10: Managing and reducing the risk of flooding of the Core Strategy (June 2011).</p>
13.	<p><u>Noise Impact on Structurally Adjoining Properties</u></p> <p>(a) No development above ground level shall take place until full written details, including relevant drawings and specifications of the proposed works of sound insulation against airborne noise to meet $D'nT,w + Ctr$ dB of not less than 55dB for walls and/or ceilings where residential parties non domestic use</p>

	<p>have been submitted to and approved in writing by the local planning authority.</p> <p>(b) The development shall only be occupied once the soundproofing works as agreed under part (a) have been implemented in accordance with the approved details.</p> <p>(c) The soundproofing shall be retained permanently in accordance with the approved details</p> <p>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).</p>
14.	<p><u>Materials</u></p> <p>(a) No development above ground level shall take place until a detailed schedule and samples of all external materials and finishes have been submitted to and approved in writing by the local planning authority, including:</p> <ul style="list-style-type: none"> • 1m x 1m sample panels of all brick types, with mortar and reveal details; • 2m x 2m sample panel of any cladding materials; • windows, including ironmongery and fixing; • external doors; and • balcony details including details of balustrades, handrails, fixings, soffits, and flooring. <p>(b) The development shall be carried out in accordance with the approved details under (a) above.</p> <p>Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the buildings and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).</p>
15.	<p><u>Commercial Unit Frontages</u></p> <p>a) No development above ground level shall take place until plans, elevations and section details at a scale of 1:20 showing the commercial unit frontages have been submitted to and approved in writing by the local planning authority.</p> <p>b) The development shall be constructed in full accordance with the approved details, and completed prior to first occupation of the development.</p> <p>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</p>

	the Lewisham Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).
16.	<p><u>Architectural Detailing</u></p> <p>No development above ground level shall take place until details of the following matters have been submitted to and approved in writing by the local planning authority:</p> <p>a) Detailed elevational drawings and sections to a scale of 1:50;</p> <p>b) Details of ground levels around each building; and</p> <p>c) Detailed bay studies to a scale of 1:20 which shall include ground floor entrances, typical window treatment within a façade and the reveals, cills etc, typical balcony treatments, the corners of the buildings, and any other architectural detailing.</p> <p>All pipework, drainage and vents to the buildings must be shown on the drawings.</p> <p>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 Lewisham Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).</p>
17.	<p><u>Privacy screens</u></p> <p>No development above ground level shall take place until details of the privacy screens between residential balconies have been submitted to and approved in writing by the local planning authority. The privacy screens shall be installed in accordance with the approved details prior to occupation of any residential unit and retained for the lifetime of the development.</p> <p>Reason: To ensure that the privacy screens are of adequate design in the interests of visual and residential amenity and to comply with DM Policy 30 Urban design and local character and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).</p>
18.	<p><u>Boundary Treatment</u></p> <p>(a) Details of the proposed boundary treatments (including any gates, walls or fences and ball court enclosure) shall be submitted to and approved in writing by the local planning authority prior to development above ground level.</p> <p>(b) The approved boundary treatments shall be implemented prior to occupation of the development and retained for the lifetime of the development.</p> <p>Reason: To ensure that the boundary treatment is of adequate design in the interests of visual and residential amenity and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).</p>
19.	<u>Noise Protection Scheme</u>

	<p>a) Façade sound insulation shall be of a standard to achieve noise levels within bedrooms and living rooms of the residential dwellings as recommended in Table 4 of BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Where achieving the recommended internal levels requires windows to be closed shut then alternative ventilation as necessary shall be provided.</p> <p>b) No development above ground level shall take place until details of the final glazing fabrication and acoustic specifications have been submitted to and approved in writing by the local planning authority.</p> <p>c) The approved details shall be installed prior to occupation of the relevant part of the development and be maintained for the lifetime of the development.</p> <p>Reason: In the interests of residential amenity and to comply with DM Policy 26 Noise and vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).</p>
20.	<p><u>Fixed Plant Noise</u></p> <p>(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.</p> <p>(b) Details of a scheme complying with paragraph (a) of this condition shall be submitted to and approved in writing by the local planning authority prior to first installation.</p> <p>(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 for the lifetime of the development.</p> <p>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).</p>
21.	<p><u>Biodiverse Living Roofs</u></p> <p>a) Details of the living roofs which shall cover an area no less than 157m² of intensive green roof and 821m² of extensive green roof shall be submitted to and approved in writing by the local planning authority prior to any above ground works commencing on site. A 1:25 scale plan of the living roof that includes contoured information depicting the extensive substrate build up and a cross section showing the living roof components shall be submitted for approval. The extensive living roof shall:</p> <p>i) be biodiversity based with extensive substrate base (depth shall vary between 80-150mm with peaks and troughs but shall average at least 133mm);</p> <p>ii) be laid out in accordance with the indicative plan hereby approved and include details of access and watering provision arrangements for the</p>

	<p>proposed green roof along with details for management/establishment guarantees for a minimum of two growing seasons shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved and maintained in perpetuity;</p> <p>iii) be plug planted and seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on minimum 75% wildflower planting, and no more than a maximum of 25% sedum coverage); and</p> <p>iv) include invertebrate habitat structures (e.g. log piles, sand piles, rocks).</p> <p>b) The extensive living roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>c) The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the local planning authority.</p> <p>d) Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the local planning authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To comply with Policy SI 13 Sustainable drainage, Policy G5 Urban greening and Policy G6 Biodiversity and access to nature of the London Plan (March 2021), Policy 10 Managing and reducing flood risk and Policy 12 Open space and environmental assets of the Core Strategy (June 2011), and DM Policy 24 Biodiversity, living roofs and artificial playing pitches of the Development Management Local Plan (November 2014).</p>
22.	<p><u>Electric Vehicle Charging Points</u></p> <p>(a) Details of the number and location of electric vehicle charging points to be provided and a programme for their installation and maintenance shall be submitted to and approved in writing by the local planning authority prior to construction of above ground works. The details should demonstrate that 20% of all parking spaces would be fitted with electric vehicle charging points from the outset and the remaining 80% of spaces would have passive provision to enable adaptation in the future.</p> <p>(b) The electric vehicle charging points shall be installed prior to occupation of any residential unit and shall be maintained as such for the lifetime of the development in accordance with the details approved under (a).</p> <p>Reason: To reduce pollution emissions in an Air Quality Management Area in accordance with Policy SI 1 Improving air quality and Policy T6 Car parking of the London Plan (March 2021), and DM Policy 29 Car parking of the Development Management Local Plan (November 2014).</p>
23.	<p><u>Refuse and Recycling Facilities</u></p>

	<p>(a) Prior to construction of above ground works, details for the on-site storage, disposal and collection of refuse and recycling facilities for both the residential and non-residential elements of the development shall be submitted to and approved in writing by the local planning authority. The details should be in accordance with Manual for Streets and Lewisham's Waste Management Guidelines.</p> <p>(b) Prior to first occupation of the part of development to which the refuse and recycling facilities relate, the relevant provisions as set out within the approved details shall be carried out in full and retained as such for the lifetime of the development.</p> <p>Reason: In order that the local planning authority may be satisfied with the provisions for recycling facilities and refuse disposal, storage and collection, in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).</p>
24.	<p>BREEAM</p> <p>(a) The non-residential floorspace within the buildings hereby approved shall achieve a minimum BREEAM Rating of Excellent Very Good.</p> <p>(b) Prior to commencement of development above ground level, a Design Stage Certificate (prepared by a Building Research Establishment qualified Assessor) shall be submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).</p> <p>(c) Within 3 months of first occupation of the development, 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 all non-residential floorspace within the development.</p> <p>Reason: To comply with Policy SI 2 Minimising greenhouse gas emissions and Policy SI 5 Water infrastructure of the London Plan (March 2021) and Policy 7 Climate change and adapting to the effects and Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).</p>
25.	<p>Secured by Design</p> <p>Prior to any construction above ground level, details of the measures to be incorporated into the development demonstrating how the principles and practices of the 'Secured by Design' scheme have been included shall be submitted to and approved in writing by the local planning authority in consultation with the Metropolitan Police Designing Out Crime officers. The development shall be carried out in accordance with the approved details and maintained as such for the lifetime of the development.</p> <p>Reason: In order to ensure that the development is safe, secure and appropriately accessible in accordance with Policy D11 Safety, security and resilience to emergency of the London Plan (March 2021).</p>

Commented [PC9]: Not agreed between the parties. The Council consider that the condition should refer to 'Excellent' and the Appellant consider that the condition should refer to 'Very Good'. This will be discussed at the Inquiry.

Commented [GA10R9]: Please see Core Strategy Policy 8 part 4. DM Policy 22 would not be applicable in this case as the Council does not accept the 'shell and core' internal fit out.

26.	<p><u>Soft Landscaping</u></p> <p>(a) A scheme of soft landscaping (including details of any trees or hedges to be retained and proposed plant numbers, species, location and size of trees and tree pits, and including details of soft landscaping at ground level and across the various rooftop spaces) and details of the management and maintenance of the landscaping for a period of five years shall be submitted to and approved in writing by the local planning authority prior to development above first floor level. The planting plan shall predominantly comprise native and wildlife-friendly species to maximise biodiversity.</p> <p>(b) All planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (a). Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy 12 Open space and environmental assets and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011), and DM Policy 25 Landscaping and trees and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).</p>
27.	<p><u>Hard Landscaping</u></p> <p>a) No development above first floor level shall take place until detailed design proposals for hard landscaping have been submitted to and approved in writing by the local planning authority.</p> <p>b) The development shall be implemented in accordance with the approved details.</p> <p>Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policy SI 13 Sustainable drainage of the London Plan (March 2021), Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 25 Landscaping and trees, and DM Policy 30 Urban design and local character Development Management Local Plan (November 2014).</p>
28.	<p><u>Photovoltaic Panels</u></p> <p>No development above first floor level shall take place until full details of the proposed photovoltaic arrays to meet at least the minimum specification set out within submitted Energy Statement (Achieve Green, 15 December 2022) and the Sustainability Addendum (Kent Sustainability, 5 May 2023) have been submitted to and approved in writing by the local planning authority. The panels shall be installed as per the approved details and retained for the lifetime of the development.</p> <p>Reason: The promote sustainable forms of energy and to minimise carbon emissions in accordance with Policies 5.1 Climate change mitigation and 5.7</p>

	Renewable energy of the London Plan (March 2016) and Policy 8 Sustainable design and construction and energy efficiently of the Core Strategy (June 2011).
29.	<p><u>External Lighting Strategy</u></p> <p>(a) Prior to first occupation of the development a detailed lighting strategy 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. The strategy shall show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bat species using their territory or having access to their breeding sites and resting places, and there shall be no uplighting of trees.</p> <p>(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.</p> <p>(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.</p> <p>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, neighbouring properties and environmental habitats and to comply with Policy G6 Biodiversity and access to nature of the London Plan (March 2021), Policy 12 Open space and environmental assets of the Core Strategy (June 2011), DM Policy 24 Biodiversity, living roofs and artificial playing pitches and local character, and DM Policy 27 Lighting of the Development Management Local Plan (November 2014).</p>
30.	<p><u>Delivery and Servicing Plan</u></p> <p>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, which shall include a detailed swept path analysis to demonstrate all relevant vehicles can suitably access the development.</p> <p>(a) The Delivery and Servicing Plan should be written in accordance with TfL's latest guidance on Delivery and Servicing.</p> <p>(b) The plan shall demonstrate the expected number and time of delivery and servicing trips, with the aim of reducing the impact of servicing activity.</p> <p>(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 for the lifetime of the development.</p> <p>Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policy T7 Deliveries, servicing and construction of the London Plan (March 2021).</p>

31.	<p><u>Car Parking Management Plan</u></p> <p>(a) The development shall not be occupied until a Car Parking Management Plan has been submitted to and approved in writing by the local planning authority, which details how the proposed Blue Badge parking spaces are to be allocated, managed and enforced. It shall also detail how an additional seven per cent of dwellings could be provided with one designated disabled persons parking space per dwelling in the future upon request as soon as the proposed provision is insufficient, and how these spaces are to be provided, allocated, managed and enforced.</p> <p>(b) The approved Car Parking Management Plan shall be implemented in full accordance with the approved details from the first occupation of the development and shall be adhered to for the lifetime of the development.</p> <p>Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), and Policies T6 Car parking and T6.1 Residential parking of the London Plan (March 2021).</p>
32.	<p><u>Cycle Parking Details</u></p> <p>a) Prior to first occupation of the development, full details of the cycle parking facilities for all uses (comprising both long stay and short stay) shall be submitted to and approved in writing by the local planning authority. The details shall be in accordance with the requirements of Policy T5 Cycling of the London Plan and the guidance set out in the London Cycle Design Standards.</p> <p>b) Cycle parking spaces shall be provided and made available for use prior to occupation of the part of development associated with the cycle parking spaces and maintained thereafter.</p> <p>Reason: In order to ensure adequate provision for cycle parking and to comply with Policy T5 Cycling of the London Plan (March 2021) and Policy 14: Sustainable movement and transport of the Core Strategy (June 2011).</p>
33.	<p><u>Residential Travel Plan</u></p> <p>(a) No residential unit shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.</p> <p>(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.</p> <p>(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).</p>

	<p>Reason: In order that the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).</p>
34.	<p><u>Non-Residential Travel Plan</u></p> <p>(a) No commercial unit shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.</p> <p>(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives.</p> <p>(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).</p> <p>Reason: In order that the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).</p>
35.	<p><u>Fit Out of Commercial Units</u></p> <p>The 1,401sqm of ground and mezzanine floor commercial floorspace as hereby approved shall be completed and internally fitted out prior to occupation of any residential unit hereby permitted, comprising:</p> <ul style="list-style-type: none"> • Service connections for gas, electricity, water and foul drainage; • Provision of power points and broadband services. • Wall and ceiling finishes; • Full height delivery doors; • Floor loadings of 10 kn psm; • Sanitary facilities; • Sanitary and kitchen facilities; • Glazing solution- <p><u>The wall and ceiling finishes to an industrial standard a compliant acoustic finish, and sanitary and kitchen facilities (if required by the occupier) shall be fitted prior to the occupation of the commercial units.</u></p> <p>Reason: In order to ensure the retention of employment provision on the site and to reflect the policy designation of the site as a Local Employment Location in accordance with Policy 3 Strategic Industrial Locations and Local Employment Locations of the Core Strategy (June 2011) and Site Allocation SA48 of the Site Allocations Local Plan (June 2013), and to comply with the provisions of Policy E7 Industrial intensification, co-location and substitution of the London Plan (March 2021).</p>

- Commented [PC11]:** Added to pick up point made in Richard Kalmar's proof.
- Commented [GA12R11]:** The Council does not require this.
- Commented [PC13]:** The Appellant requires flexibility to attract a range of potential occupants. It would be counter productive to install the wall and ceiling finishes and sanitary and kitchen facilities until there is an identified occupier.
- Commented [GA14R13]:** Not agreed. These are required by DMP 10. The full fit out is also required by Lewisham Planning Obligations SPD (para 3.4.10).
- Commented [PC15R13]:** Sanitary facilities added into main body of condition. Kitchen facilities are dealt with below. Such facilities will be added in the form required by occupier. No sense to provide only to be ripped out by occupier.
- Commented [GA16]:** Not agreed.
- Commented [PC17R16]:** See above
- Commented [GA18R16]:** Not agreed.

36.	<p><u>Restriction on Use Class of Commercial Units</u></p> <p>Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the 1,401sqm of ground and mezzanine floor commercial floorspace hereby approved shall only be used for purposes falling within Use Class E(g)(i), (ii) & (iii) and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.</p> <p>Reason: In order to ensure the retention of employment provision on the site and to reflect the policy designation of the site as a Local Employment Location in accordance with Policy 3 Strategic Industrial Locations and Local Employment Locations of the Core Strategy (June 2011) and Site Allocation SA48 of the Site Allocations Local Plan (June 2013).</p>
37.	<p><u>Hours of Operation of Commercial Units</u></p> <p>The ground and mezzanine floor commercial units hereby approved shall not be operational, and no deliveries shall be received at or despatched from the units, other than between the hours of 07.00 and 22.00 on any day of the week, including Sundays and Bank Holidays, unless otherwise agreed.</p> <p>Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).</p>
38.	<p><u>Non Road Mobile Machinery</u></p> <p>(a) All Non Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases of the development shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance 'Control of Dust and Emissions During Construction and Demolition' dated July 2014 (SPG) or any subsequent guidance. All major development sites in Greater London shall keep an inventory on site and on the online register at: https://nrmm.london/ of all NRMM between 37kW and 560kW.</p> <p>(b) No NRMM that does not comply with the SPG requirements shall be permitted on site at any time without the prior written consent of the Local Planning Authority.</p> <p>Reason: To safeguard the health of the local population and to protect the amenities of adjoining premises in accordance with Policy 7.14 Improving air quality of the London Plan (2015), Policy 7 Climate change and adapting to the effects and Policy 9 Improving local air quality.</p>
39.	<p><u>Energy Strategy</u></p> <p>The development shall be carried out in accordance with the recommendations of the Energy Statement (Achieve Green, 15 December 2022) and the Sustainability Addendum (Kent Sustainability, 5 May 2023).</p>

	<p>Reason: To promote sustainable forms of energy and to minimise carbon emissions in accordance with Policy SI 2 Minimising greenhouse gas emissions and Policy SI 3 Energy infrastructure of the London Plan (March 2021).</p>
40.	<p><u>External Plumbing</u></p> <p>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, including rainwater pipes, shall be fixed on the external faces of the buildings, unless otherwise agreed in writing with the local planning authority.</p> <p>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).</p>
41.	<p><u>Satellite Dishes and Antennae</u></p> <p>Notwithstanding the Provisions of Article 4 (1) and part 25 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, no satellite antenna shall be erected or installed on the buildings hereby approved. The proposed development shall have a central dish or aerial system (for each relevant block) for receiving all broadcasts to the residential units, and details of such a scheme shall be submitted to and approved by the local planning authority prior to first occupation of the development. The development shall be implemented in accordance with the approved details and retained as such for the lifetime of the development.</p> <p>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).</p>
42.	<p><u>Water Efficiency – New Dwellings</u></p> <p>The sanitary fittings within each residential dwelling shall include low water use WCs, shower taps, baths and (where installed by the developer) white goods designed to comply with an average household water consumption of less than 110 litres/person/day.</p> <p>Reason: To comply with Policy 7 Climate change and adapting to the effects and Policy 8 Sustainable design and construction and energy efficiency of the Core Strategy (June 2011).</p>
43.	<p><u>Parking Permits</u></p> <p>No resident of the development, with the exception of disabled persons, shall be eligible to obtain a resident's parking permit within any Controlled Parking Zone / Restricted Parking Zone that may be in force.</p> <p>Reason: The development is in a location that is easily accessible by public transport and near a range of amenities, including shops and leisure facilities, and as such it is appropriate to restrict access to parking permits in accordance with</p>

	Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).
44.	<p><u>Communal External Amenity Space</u></p> <p>The rooftop amenity spaces identified on plan KTW034-DCR-04-PL-A-0104 as measuring 159m² and 142m² shall be accessible to all occupiers of the affordable tenure housing within the development, for the lifetime of the development. The rooftop amenity spaces identified on plan KTW034-DCR-04-PL-A-0104 as measuring 150m² and 159m² shall be accessible to all occupiers of the private tenure housing within the development, for the lifetime of the development.</p> <p>Reason: In order to ensure that all residents are provided with suitable access to external amenity space in accordance with Policy D6 Housing quality and standards of the London Plan (March 2021), and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).</p>
45.	<p><u>Internal Layout of Studio Unit (Type 28)</u></p> <p>Notwithstanding the approved drawings, Flat Layout Type 28 shall be fitted out with a shower room instead of the bathroom shown on drawing KTW034-DCR-01-PL-A-FT28.</p> <p>Reason: In order to ensure that the unit complies with the internal space standards set out in Policy D6 Housing quality and standards of the London Plan (March 2021).</p>
46.	<p><u>Marketing Strategy</u></p> <p>Prior to commencement of development a Marketing Strategy in respect of the 1,401sqm of ground and mezzanine floor commercial floorspace as hereby approved shall be submitted to the Council for approval. The Commercial Floorspace Marketing Strategy should include the following commitments:</p> <p><u>a) the developer to fit out commercial units to a compliant acoustic finish or meet the costs of fitting out to a compliant acoustic finish by the first occupiers in accordance with the details specified at Condition 345; and</u></p> <p><u>b) the developer to provide a minimum 3 month rent and service charge free clause for future occupiers of the commercial units.</u></p> <p>The commercial floorspace is thereafter to be marketed in accordance with the approved Marketing Strategy.</p> <p>Reason: In order to ensure that the commercial floorspace is marketed to maximise occupation pursuant to Section 3.4 of Lewisham Planning Obligations SPD</p>
47.	<p><u>Air Source Heat Pumps</u></p> <p>No development shall take place until a scheme including the details of the location, type and specification and enclosure of the proposed Air source heat pumps shall be submitted to and approved in writing by the local planning authority. The approved plant shall be implemented in its entirety in accordance</p>

Commented [GA19]: Not agreed.

Commented [PC20]: This is a commercial and not a planning matter

Commented [GA21R20]: This would serve to ensure that costs associated with relocation are reduced, thereby promoting the long-term viability of the commercial floorspace. It is a common requirement. Please see planning obligation of Apollo BC.

Commented [PC22R20]: Not agreed. PPG cautions against applying model questions in a 'rigid way' and this is not considered reasonable as PPG as warns 'Conditions which place unjustifiable and disproportionate financial burdens on an applicant will fail the test of reasonableness.'

Commented [GA23R20]: Please see London Plan Policy E3 part A(5) and Lewisham Planning Obligations SPD para 3.4.10 (*Affordable rent (in perpetuity or as a temporary incentive).
• Length and terms of lease. Terms that provide flexibility for small businesses are preferable. Include details of break clauses and notice periods.)
In addition, in considering issues around viability, local planning authorities should consider policies in the National Planning Policy Framework and supporting guidance on viability. The Government provides guidance on viability – see following link: <https://www.gov.uk/guidance/viability>. The most relevant part of the Government's viability advice states *It is the responsibility of site promoters to engage in plan making, take into account any costs including their own profit expectations and risks, and ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up-to-date plan policies. A decision maker can give appropriate weight to emerging policies.* (Emerging Policies EC1 part A(e) and EC4 part E further reflect this)

	<p>with details approved under this condition before any of the development is first occupied or the use commences and shall be retained as such thereafter.</p> <p>Reason: To ensure that the amenities of occupiers are protected from the poor air quality in accordance with policy DMS1 and to accord with London Plan Policy SI 1 'Improving air quality' and Policy T7 'Deliveries, servicing and construction' of the London Plan (March 2021), and paragraph 181 of the NPPF.</p>
48.	<p><u>Accessible, Adaptable, And Wheelchair User Dwelling Units</u></p> <p>(a) The provision and retention of wheelchair units hereby approved (Units A1-03, A2-03, A3-03, A1-12, A2-12, A3-12, A4-06) shall meet the required standard of the Approved Document M4(3) of the Building Regulations (2015) (as amended), with all other units to meet M4(2).</p> <p>(b) Prior to commencement of above ground works, written confirmation from the appointed Building Control Body shall be submitted to and approved in writing by the Local Planning Authority to demonstrate compliance with (a).</p> <p>(c) The development shall be carried out in accordance with the approved details under part (b).</p> <p>Reason: To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policy 1 Housing provision, mix and affordability and Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (2014).</p>
49.	<p><u>Grampian Condition: Proposed Loading Bay</u></p> <p>(a) Prior to above ground works of the development, a plan showing details of the loading bay to be provided to serve the delivery and servicing requirements of the development and including the location of the loading bay and a swept path analysis shall be submitted to the local planning authority for its approval in writing.</p> <p>(b) No above ground works can commence until a TMO has been made and the loading bay has been provided approved in writing by the Local Planning and Highway Authority. The Traffic Management Order and markings should be in place prior to the loading bay being available for use.</p> <p>Reason: In order to ensure satisfactory vehicle management and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).</p>
50.	<p><u>Grampian Condition: Double yellow lines on eastern side of Willow Way</u></p> <p>No above ground works shall commence on site until:</p> <p>(a) the double yellow lines at two locations on the eastern side of Willow Way to provide appropriate waiting and loading restrictions have been provided. The first starting near to 21 Willow Way being provided towards the south for</p>

Commented [GA24]: Condition 49 should remain as Grampian. The loading bay is outside the Appellant's land and therefore a Grampian condition would be reasonable in this instance. The land is not controlled by the applicant and the works require consent/authorisation of another body and therefore they should remain as Grampian conditions.

Commented [GA25]: Condition 50 should remain as Grampian. The double yellow lines (eastern) are outside the Appellant's land and therefore a Grampian would be reasonable in this instance. The land is not controlled by the applicant and the works require consent/authorisation of another body and therefore they should remain as Grampian conditions.

Commented [GA26]: 'eastern side' should remain as the starting points are only relevant to the eastern side.

Commented [PC27R26]: This will depend upon the conclusion of the discussions below.

approximately 60m. The second starting to the south of 51 Willow Way being provided to the north for a distance of approximately 13m and

(b) a TMO has been made covering the measures set out in (a)

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).

Commented [PC28]: Appellant and LPA agree with extent of yellow lining on eastern side of Willow Way. Whether yellow lining is needed on the western side to be discussed at Inquiry.

Commented [GA29R28]: Agreed.

INFORMATIVES

A. Community Infrastructure Levy

As you are aware the approved development is liable to pay the Community Infrastructure Levy (CIL) which will be payable on commencement of the development. An 'assumption of liability form' must be completed and before development commences you must submit a 'CIL Commencement Notice form' to the council. You should note that any claims for relief, where they apply, must be submitted and determined prior to commencement of the development. Failure to follow the CIL payment process may result in penalties. More information on CIL is available at: - <http://www.lewisham.gov.uk/myservices/planning/apply-for-planning-permission/application-process/Pages/Community-Infrastructure-Levy.aspx>

B. S106 Agreement

You are advised that the approved development is subject to a Section 106 agreement. Please ensure that the obligations under the Section 106 agreement are addressed in accordance with the details and timeframes set out in the agreement. If you have any questions regarding the agreement or how to make a payment or submission required under the agreement, please contact the S106/CIL team on CIL@lewisham.gov.uk.

C. Street Naming and Numbering

The applicant be advised that the implementation of the proposal will require approval by the Council of a Street Naming & Numbering application. Application forms are available on the Council's website.

D. Construction – Pollution and Noise

You are advised that all construction work should be undertaken in accordance with the London Borough of Lewisham Code of Practice for Control of Pollution and Noise from Demolition and Construction Sites available on the Council's website.

E. Archaeological WSI

An archaeological written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. The Archaeological Investigation condition is exempt from deemed discharge under Schedule 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

F. Nesting Birds

All nesting birds are legally protected. Removal of vegetation should be undertaken outside of the bird breeding season (considered to be end of February to end of August inclusive). If vegetation clearance cannot be undertaken outside this period, the area should be checked for the presence of nesting birds by an experienced ecologist prior to work commencing. If nests are found, the work should be delayed until the nests are deemed to be inactive.

G. Thames Water Assets

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide 'Working Near our Assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near Thames Water pipes or other structures. Should you require further information please contact Thames Water Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

H. Discharge to Public Sewer

Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to the Thames Water website.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures they will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk Please refer to the Wholesale; Business customers; Groundwater discharges section.

I. Water Pressure

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

J. Broadband

Building Regulations Approved Document R - Physical infrastructure for high speed electronic communications networks came into effect in January 2017, and introduced a new requirement for in-building physical infrastructure, which enables copper or fibre-optic cables or wireless devices capable of delivering broadband speeds greater than 30mps to be installed. The development should be undertaken in accordance with these provisions as a minimum, to ensure suitable broadband capability for future occupiers.

K. [The provision of the proposed loading bay and the double yellow lines on the eastern side of Willow Way should be actioned through an application to introduce a Traffic Management Order which will need to be submitted to and approved in writing by the Local Planning and Highway Authority.](#)

Commented [PC30]: Dealt with fully under the condition. Informative not necessary.