

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



www.southwark.gov.uk

PLANNING PERMISSION

Applicant Mr Gerald Copeland

LBS Registered Number 16/AP/1971

Date of Issue of this decision 17/11/2016

Planning Permission was GRANTED for the following development:

Demolition of existing buildings and redevelopment of site to provide new residential development consisting of 9 No. apartments (5no. 1 bed, 4no. 2 beds) with private balconies and communal garden area.

At: REAR OF 258 OLD KENT ROAD, LONDON, SE1 5UB

In accordance with application received on 12/05/2016 16:02:07 Your Ref. No.:

and Applicant's Drawing Nos. Amended plan - 00 310 REV C - PROPOSED STREET ELEVATION A

Amended plan - 00 100 REV C - PROPOSED GROUND FLOOR GA

Amended plan - 00 101 REV D - PROPOSED FIRST FLOOR GA

Amended plan - SITE BOUNDARY, EXISTING GARAGE AND PROPOSED DEVELOPMENT PLAN

Amended plan - 00 750 REV A - BUILDINGS LOCATION COMPARISON

Amended plan - 00 311 REV B - PROPOSED STREET SECTION A

Amended plan - 00 102 REV D - PROPOSED SECOND FLOOR PLAN GA

Amended plan - 00 303 REV C - PROPOSED SW ELEVATION

Amended plan - 00 302 REV C - PROPOSED SE ELEVATION

Amended plan - 00 301 REV C - PROPOSED NW ELEVATION

Amended plan - 00 300 REV C - PROPOSED NE ELEVATIONS

Amended plan - 00 104 REV D - PROPOSED FOURTH FLOOR PLAN GA

Amended plan - 00 103 REV D - PROPOSED THIRD FLOOR PLAN GA

Daylight/Sunlight assessment

Design and access statement

CONTAMINATION REPORT

Flood risk assessment

Ground Investigation Report - CONTAMINATION REPORT

Plan - TREE SURVEY - 5271-D

Tree survey and assessment

Plan - existing - 00 050 REV B - EXISTING GROUND FLOOR PLAN

Plan - existing - 00051 REV B - EXISTING ROOF PLAN

Plan - existing - 00 361 REV A EXISTING STREET ELEVATION B & C

Plan - existing - 00 360 REV B GENERAL ARRANGEMENT EXISTING STREET ELEVATION A

Plan - existing - 00 350 REV B GENERAL ARRANGEMENT EXISTING NW FACING ELEVATION

Subject to the following eighteen conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

Amended plan - 00 310 REV C - PROPOSED STREET ELEVATION A

Amended plan - 00 100 REV C - PROPOSED GROUND FLOOR GA

Amended plan - 00 101 REV D - PROPOSED FIRST FLOOR GA

Amended plan - SITE BOUNDARY, EXISTING GARAGE AND PROPOSED DEVELOPMENT PLAN

Amended plan - 00 750 REV A - BUILDINGS LOCATION COMPARISON

Amended plan - 00 311 REV B - PROPOSED STREET SECTION A

Amended plan - 00 102 REV D - PROPOSED SECOND FLOOR PLAN GA

Amended plan - 00 303 REV C - PROPOSED SW ELEVATION

Amended plan - 00 302 REV C - PROPOSED SE ELEVATION

Amended plan - 00 301 REV C - PROPOSED NW ELEVATION

Amended plan - 00 300 REV C - PROPOSED NE ELEVATIONS

Amended plan - 00 104 REV D - PROPOSED FOURTH FLOOR PLAN GA
Amended plan - 00 103 REV D - PROPOSED THIRD FLOOR PLAN GA
Daylight/Sunlight assessment
Design and access statement
CONTAMINATION REPORT
Flood risk assessment
Ground Investigation Report - CONTAMINATION REPORT
Plan - TREE SURVEY - 5271-D
Tree survey and assessment
Site location plan

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme 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 site investigation scheme, based on the Phase 1 report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 2) The results of the site investigation and detailed risk assessment referred to in (1) 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.
 - 3) 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 (2) 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 consent of the local planning authority. The scheme shall be implemented as approved.

Reason:

For the protection of Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination and in order to ensure that the application complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.1 Environmental Effects and 3.10 Hazardous Substances of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

- 4 Archaeological Foundation Design
Before any work hereby authorised begins, excluding demolition to ground level only, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

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- 5 Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 Prior to works commencing, including any demolition, an Arboricultural Impacts Assessment including an Arboricultural Survey shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 7 Detail drawings at 1:5 of the materials used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 8 Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be presented on site/submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 9 Before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of a total of at least 13 cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

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- 10 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s)/wall(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:
biodiversity based with extensive substrate base (depth 80-150mm);
laid out in accordance with agreed plans; and
planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof 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.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 511 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 11 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 12 Prior to occupation of the development, a verification report demonstrating completion of the 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, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason:

For the protection of Controlled Waters as the site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination and in order to ensure that the application complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.1 Environmental Effects and 3.10 Hazardous Substances of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

- 13 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

Unit reference numbers

Access to and use of building standard

1-9

M4(2)

Communal Areas

M4(3b)

Reason

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

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Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

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

Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- 15 Archaeological Reporting
Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 16 Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

Reason

To ensure the development complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

- 17 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

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- 18 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T * and 45dB LAFmax
Living rooms - 30dB LAeq, T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

Signed *Simon Bevan*

Director of Planning

Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Director of Planning, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to planning.applications@southwark.gov.uk

UPRN: 200003370187

TP/2168-258

PLANNING PERMISSION

LBS Registered Number: 16/AP/1971

Date of issue of this decision: 17/11/2016



www.southwark.gov.uk

IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or

floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

IMPORTANT: This is a PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.

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Community Infrastructure Levy (CIL) Liability Notice



Regulation 65, Community Infrastructure Levy Regulations (2010), as amended

Date of Liability Notice: 17/11/2016

Issued by: Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX

To: Mr Gerald Copeland
(Rear Of)
258
Old Kent Road
LONDON
SE1 5UB

Liability Notice Reference: MCIL/16/AP/1971

For other recipients, see end of notice

• CIL Liability

This notifies you that you will be liable to pay £25,034.00 of Community Infrastructure Levy to The London Borough of Southwark as CIL collecting authority on commencement of development on planning permission:

Reference: 16/AP/1971

Site: REAR OF 258 OLD KENT ROAD, LONDON, SE1 5UB

Development: Demolition of existing buildings and redevelopment of site to provide new residential development consisting of 9 No. apartments (5no. 1 bed, 4no. 2 beds) with private balconies and communal garden area.

This charge has been levied under Mayor of London CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

• How we calculated this figure

We calculated this figure from the following information:

Rate: £35 per square metre

Indexation applicable: Yes, 223 November 2011: 275 November 2015

Gross floor space of the development: 728

Existing floor space: 148

Chargeable area: 580

Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing you may be eligible for a reduction (partial or entire) in this CIL liability. Please see the document published by the Department for Communities and Local Government, "Information to assist collecting authorities in making arrangements for the collection and enforcement of the Community Infrastructure Levy" for more information.

When will this CIL amount be due for payment?

If the payment procedure is followed correctly, this CIL amount will be payable

There is currently no installment policy in place, however this may alter but we will contact you if this occurs.

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. See the accompanying note "Paying CIL in the Form of Land" for more information.

This payment procedure is to notify the CIL collecting authority before development commences of:

- a. Who will pay the amount, by assuming liability using CIL Form 1 "Assumption of Liability";

b. The date on which you intend to commence development, by submitting a valid commencement notice.

A blank commencement notice for you to complete is enclosed with this notice.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

Consequences of non payment

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government, "Consequences of failing to following the CIL Payment procedure" for more information.

The amount of CIL liability in this notice is a local land charge

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

New liability notices may be issued

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

Do you think we have made a mistake in our calculations?

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see enclosed note on "Appeals Procedure".

Community Infrastructure Levy (CIL) Liability Notice



Regulation 65, Community Infrastructure Levy Regulations (2010), as amended Southwark Council CIL

Date of Liability Notice: 17/11/2016

Issued by: Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX

To: Mr Gerald Copeland
(Rear Of)
258
Old Kent Road
LONDON
SE1 5UB

Liability Notice Reference: SCIL/16/AP/1971

For other recipients, see end of notice

• **CIL Liability**

This notifies you that you will be liable to pay £30,673.00 of Community Infrastructure Levy to The London Borough of Southwark as CIL collecting authority on commencement of development on planning permission:

Reference: 16/AP/1971

Site: REAR OF 258 OLD KENT ROAD, LONDON, SE1 5UB

Development: Demolition of existing buildings and redevelopment of site to provide new residential development consisting of 9 No. apartments (5no. 1 bed, 4no. 2 beds) with private balconies and communal garden area.

This charge has been levied under Southwark Council CIL charging schedule and s211 of the Planning Act 2008. Further details on payment procedure can be found overleaf.

• **How we calculated this figure**

We calculated this figure from the following information:

Rate per square metre for Southwark CIL	<u>Charge type</u>	<u>£ per m2</u>
Indexation applicable: Yes, 260 November 2014; 275 November 2015		
Gross floor space of the development:	728	
Existing floor space:	148	
Chargeable area:	580	

Are you eligible for relief from CIL?

If you are a charity or intend to use the development for social housing you may be eligible for a reduction (partial or entire) in this CIL liability. Please see the document published by the Department for Communities and Local Government, "Information to assist collecting authorities in making arrangements for the collection and enforcement of the Community Infrastructure Levy" for more information.

When will this CIL amount be due for payment?

If the payment procedure is followed correctly, this CIL amount will be payable

There is currently no installment policy in place, however this may alter but we will contact you if this occurs.

Some, or the entire amount, may also be paid by transferring land to the CIL charging authority or another beneficiary agreed with the charging authority. See the accompanying note "Paying CIL in the Form of Land" for more information.

This payment procedure is to notify the CIL collecting authority before development commences of:

- a. Who will pay the amount, by assuming liability using CIL Form 1 "Assumption of Liability";
- b. The date on which you intend to commence development, by submitting a valid commencement notice.

A blank commencement notice for you to complete is enclosed with this notice.

Precise details of your payment arrangements and options will be contained in the demand notice that will be sent following submission of a valid commencement notice.

If this procedure is not followed, payment of the CIL amount will be due in full on the day that development commences. If a valid commencement notice has not been submitted before development commences, payment of the CIL amount will be due in full on the day that the collecting authority believes the development to have commenced.

Consequences of non payment

If you fail to follow the payment procedure described above, the collecting authority may impose surcharges on this liability. Persistent failure to pay CIL liabilities due may result in the collecting authority imposing surcharges, serving a CIL stop notice prohibiting further development on the site and/or taking action to recover the debt due. Please see the document published by the Department for Communities and Local Government, "Consequences of failing to following the CIL Payment procedure" for more information.

The amount of CIL liability in this notice is a local land charge

This CIL liability has been registered as a local land charge against the land affected by the planning permission in this notice. This charge will be cancelled on full payment of this liability.

New liability notices may be issued

Any change in the details contained in this notice (including calculation of the chargeable amount or amount of relief granted) will lead to the collecting authority issuing a new liability notice.

Do you think we have made a mistake in our calculations?

You can ask us to review them. If you are unhappy with the calculation following this review, you can appeal to the Valuation Office Agency. Please see enclosed note on "Appeals Procedure".

Appeal procedure

Introduction

Appeals can be made against all aspects of the CIL collection and enforcement system, from the CIL collection authority's calculation of the amount due to any enforcement actions it may take. This note sets out the procedure for making such appeals: how to make an appeal, when to make an appeal by, and who to make the appeal to.

Community Infrastructure Levy Appeals

Appeals can be made against all aspects of the Community Infrastructure Levy collection and enforcement system, from the levy collection authority's calculation of the amount due to any enforcement actions it may take. There are two exceptions where an appeal system does not exist, social housing relief and exceptional circumstances relief.

Appealing to the Valuation Office Agency (VOA) against a levy collecting authority's calculation of the levy chargeable amount in a liability notice

Seeking a review of this amount

If you feel that the amount of Community Infrastructure Levy set out in your liability notice has been calculated incorrectly, you can ask the levy collecting authority to review the calculation. Such a request must be made in writing and within 28 days of the date on which the liability notice was issued.

You may also submit whatever evidence in writing you may feel is appropriate to support your request to the levy collecting authority.

How the levy collecting authority will conduct the review and notify you of the outcome

When the levy collecting authority receives your request to review the amount, it must ensure that the person conducting the review is senior to the one who carried out the original calculation. The collecting authority must then notify you of the decision of the review within 14 days of receiving your request, including the reasons for the decision. However, where development is commenced before you receive notification of this decision, the review will lapse and the original amount will become due for payment in the manner set out in the demand notice.

Right of appeal against decision made by the collecting authority following a review of the chargeable amount:

If you are dissatisfied with the decision of the collecting authority's review or have not been notified within 14 days, you may appeal to the Valuations Office Agency (VOA). This appeal must be made no later than 60 days beginning with the day on which the liability notice was issued. However, you may not appeal to the VOA on how the Community Infrastructure Levy amount due was calculated if development has commenced. This appeal will also lapse if development commences before you have been told of the outcome of the appeal.

Appeals against the apportionment of liability for the levy

You may appeal to the VOA against any apportionment of liability carried out by the levy collecting authority. Any such appeal must be made within 28 days of receiving notice of such a decision by the levy collecting authority. Where an appeal is allowed, any demand notices (including surcharges) relating to the development in question will be suspended pending the outcome of the appeal.

Appeals to the Planning Inspectorate concerning enforcement actions regarding the levy

First steps – contact the collecting authority

If you feel that a levy enforcement action is unwarranted or has been taken in error, you are encouraged in the first instance to contact the levy collecting authority. This is because it may be a lot quicker and easier to resolve the issue by contacting the levy collecting authority first before taking more formal action. However, you should be aware that a formal appeal can be lodged no later than 28 days after the date of your notification by the collecting authority.

Formally appealing against a surcharge

Grounds for appeal:

You may appeal against a surcharge imposed by the Community Infrastructure Levy collecting authority on the following grounds to the Planning Inspectorate within 28 days of the surcharge being imposed:

- the claimed breach which led to the imposition of the surcharge did not occur;
- the collecting authority did not serve a liability notice in respect of the chargeable development to which the surcharge relates; or
- that the surcharge has been calculated incorrectly.

Appealing against a surcharge will suspend its effect until the Planning Inspectorate has decided the appeal in question.

Appeals against decisions by collecting authorities to deem that development has commenced

You may appeal to the Planning Inspectorate against any decision by the levy collecting authority to deem that development has commenced. This appeal must be made within 28 days of receiving notice of such a decision by the levy collecting authority. Where an appeal is allowed, any enforcement decisions relating to the deemed date of commencement, including the imposition of any surcharges, will be suspended pending the outcome of the appeal.

Community Infrastructure Levy (CIL)
Form 6: Commencement Notice



Please complete using block capitals and black ink.

Details of Development

A: Planning Application reference / Notice of Chargeable Development: 16/AP/1971

B: Development Commencement Date:

C: Liability Notice reference: MCIL/16/AP/1971

Development permitted by A will commence on B. This will trigger the levy liability described in C.

Site address:
REAR OF 258 OLD KENT ROAD, LONDON, SE1 5UB

Description of development:
Demolition of existing buildings and redevelopment of site to provide new residential development consisting of 9 No. apartments (5no. 1 bed, 4no. 2 beds) with private balconies and communal garden area.

Details of person sending this notice

Title: First name:

Last name:

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Address 6:

Postcode:

Telephone:

Email address:

Please state you interest in the site:

Liable Party Landowner Applicant Agent

Other (please give details)

Details of collecting authority to whom the notice is being sent

Title: First name:

Last name:

Address 1: Southwark Council

Address 2: Chief executive's department

Address 3: Planning division

Address 4: Development management (5th floor - hub 2)

Address 5: PO Box 64529

Address 6: LONDON

Postcode: SE1P 5LX

Telephone:

Email address: planning.cil@southwark.gov.uk

Declaration

By signing this I acknowledge that if the intended date of commencement changes, failure to notify the CIL collecting authority before development commences of this date with a new commencement notice will result in the CIL amount being due for payment in full on the date of commencement. I also acknowledge that failure to notify the CIL collecting authority of the intended date of commencement by submitting a commencement notice in advance of this date may result in the CIL collecting authority imposing a surcharge of 20% of the amount of CIL due for payment, up to a maximum of £2,500. I confirm that a copy of this notice has been served on all persons known to me as an owner of the land on which the chargeable development will be built.

For the purpose of CIL, an owner is an owner of a freehold interest in the relevant land or a leasehold interest in the relevant land of 7 years or more from the date planning permission first permits the chargeable development.

Signed:

Date (DD/MM/YYYY):

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging or collecting authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/ 948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

Community Infrastructure Levy (CIL) Form 1: Assumption of Liability



This form should be used to assume liability prior to commencement of development

Please complete using block capitals and black ink.

Details of Development	
Planning Application reference / Notice of Chargeable Development:	<input type="text" value="16/AP/1971"/>
Site address:	<input type="text" value="REAR OF 258 OLD KENT ROAD, LONDON, SE1 5UB"/>
Description of development:	<input type="text" value="Demolition of existing buildings and redevelopment of site to provide new residential development consisting of 9 No. apartments (5no. 1 bed, 4no. 2 beds) with private balconies and communal garden area."/>

Section A: Assumption of Liability

Party A Assuming Liability			
Title:	<input type="text"/>	First name:	<input type="text"/>
Last name:	<input type="text"/>		
Company: (optional)	<input type="text"/>		
Position:	<input type="text"/>		
Company registration no: (where applicable)	<input type="text"/>		
Unit:	<input type="text"/>	House number:	<input type="text"/>
		House suffix:	<input type="text"/>
House name	<input type="text"/>		
Address 1:	<input type="text"/>		
Address 2:	<input type="text"/>		
Address 3:	<input type="text"/>		
Town:	<input type="text"/>		
County:	<input type="text"/>		
Country:	<input type="text"/>		
Postcode:	<input type="text"/>		
Telephone number			
Country code:	National number:	Ext. number:	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Email address (optional):	<input type="text"/>		

Party B Assuming Liability			
Title:	<input type="text"/>	First name:	<input type="text"/>
Last name:	<input type="text"/>		
Company: (optional)	<input type="text"/>		
Position:	<input type="text"/>		
Company registration no: (where applicable)	<input type="text"/>		
Unit:	<input type="text"/>	House number:	<input type="text"/>
		House suffix:	<input type="text"/>
House name	<input type="text"/>		
Address 1:	<input type="text"/>		
Address 2:	<input type="text"/>		
Address 3:	<input type="text"/>		
Town:	<input type="text"/>		
County:	<input type="text"/>		
Country:	<input type="text"/>		
Postcode:	<input type="text"/>		
Telephone number			
Country code:	National number:	Ext. number:	
<input type="text"/>	<input type="text"/>	<input type="text"/>	
Email address (optional):	<input type="text"/>		

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Party C Assuming Liability

Title: First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit: House number: House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code: National number: Ext. number:

Email address (optional):

Party D Assuming Liability

Title: First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit: House number: House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code: National number: Ext. number:

Email address (optional):

Party E Assuming Liability

Title: First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit: House number: House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code: National number: Ext. number:

Email address (optional):

Party F Assuming Liability

Title: First name:

Last name:

Company: (optional)

Position:

Company registration no: (where applicable)

Unit: House number: House suffix:

House name

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Telephone number

Country code: National number: Ext. number:

Email address (optional):

Agent Name and Address

Title: First name:

Last name:

Company: (optional)

Telephone number

Country code: National number: Ext. number:

Email address (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

Declaration

I/we hereby assume liability for the Community Infrastructure Levy Charge for the above development. I/we understand that I/we must submit a commencement notice in order to secure the 60 day payment window or such time as the charging authority has allowed in its current payment instalments policy, as per the requirements of the Community Infrastructure Levy Regulations (2010) as amended. I/we am/are aware of the surcharges I/we will incur if I/we do not follow the correct procedures for paying the CIL charge. I/we understand any communication and actions and actions by the collecting authority to pursue me/us for the assumed liability will be copied to the site land owners (as defined in CIL regulations)

Signed - A Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - D Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - B Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - E Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - C Party Assuming Liability:

Date (DD/MM/YYYY):

Signed - F Party Assuming Liability:

Date (DD/MM/YYYY):

Or signed - Agent:

Date (DD/MM/YYYY):

Under regulation 37(2) of the Community Infrastructure Levy Regulations (2010) as amended, where two or more persons have assumed liability to pay CIL in respect of a chargeable development they shall each be jointly and severally liable to pay any CIL payable in respect of that chargeable development.

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a charging or collecting authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/ 948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.