

Appendix 2.0 – Schedule of Agreed Planning Conditions.

CONDITIONS:

1 Time constraint

The development hereby permitted shall be begun within 3 years from the date of this permission.

Reason: To prevent the accumulation of unimplemented planning permissions and to comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to meet the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004 and to meet the requirements of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

2 Approved plans and documents

The development shall be carried out in accordance with the reports, specifications and drawings detailed:

Documents:

Received 26/05/2022

- Design and Access Statement, prepared by Howells Architects, dated 29 April 2022
- Full Planning Application Form prepared by Montagu Evans, dated 24 April 2022
- Statement of Community Involvement, prepared by Kanda, dated April 2022
- Tree Survey, prepared by Arbtech, dated 9 October 2021

Received 26/04/2024

- A Preliminary Ground Investigation Report For 41-49 Battersea Park Road, Nine Elms (Issue 1.3), prepared by Tier Environmental, dated 27 March 2023
- Air Quality Assessment prepared by Redmore Environmental, dated 17 January 2024
- Application Covering Letter, prepared by Montagu Evans, dated 26 April 2024
- Arboricultural Impact Assessment (Arbtech AIA 03, Rev C), prepared by Arbtech, dated January 2024
- Arboricultural Method Statement, prepared by Arbtech, dated 22 January 2024
- Archaeological Desk Based Assessment (Final), prepared by RPS Group, dated 7 February 2024
- Biodiversity Net Gain Assessment, prepared by Greengage, dated January 2024
- Car Parking Management Plan (Rev 04), prepared by SLR Consulting, dated 16 January 2024
- CIL Additional Information Form, prepared by Montagu Evans, dated 26 April 2024
- Construction Logistics Plan (Rev 04), prepared by SLR Consulting, dated 23 February 2024
- Construction Waste Management Plan (draft), prepared by Watkin Jones Group, dated January 2024
- Cultural Strategy, prepared by Future City, dated January 2024
- Daylight, Sunlight and Overshadowing Assessment prepared by Point 2 Surveyors, dated January 2024
- Delivery and Servicing Management Plan (Rev 04), prepared by SLR Consulting, dated 11 January 2024
- Design and Access Statement Addendum prepared by Glenn Howells Architects, dated 16 February 2024
- Draft Student Management Plan, prepared by Fresh, dated January 2024

- Drainage Strategy (Rev 007), prepared by Apex Consulting Engineers, dated 15 January 2024
- Environmental Noise & Vibration Assessment, prepared by PDA Acoustic Consultants, dated 29 January 2024
- Flood Risk Assessment prepared (Rev 003), by Apex Consulting Engineers, dated January 2024
- Heritage, Townscape and Visual Impact Assessment Part 1-3, prepared by Montagu Evans, dated January 2024
- Landscape Strategy Part 1-8, prepared by Planit I.E., dated 11 April 2024
- Operational Waste Management Strategy (Version C03), prepared by Equilibria Group, dated 23 January 2024
- Preliminary Ecological Appraisal, prepared by Greengage, dated January 2024
- Purpose-built Student Accommodation Demand Report, prepared by Cushman & Wakefield, dated January 2024
- Socio-Economic Statement, prepared by Montagu Evans, dated 24 January 2024
- Statement of Community Involvement Addendum, prepared by Kanda, dated March 2024
- Sustainability Statement, BREEAM and HQM Pre-Assessments (S2F), prepared by Atelier Ten, dated 22 January 2024
- Transport Assessment (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Travel Plan (Rev 05), prepared by SLR Consulting, dated 11 January 2024
- Tree Protection Plan (Arbtech TPP 03, Rev C), prepared by Arbtech, dated January 2024
- Utilities Statement (Rev S2D), prepared by Atelier Ten, dated 22 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Affordable Residential (Block 1) (Rev v1.01), prepared by ADW Developments, dated 29 March 2023
- Whole Life Cycle Carbon Assessment and Reporting: Student Accommodation (Block 2-3) (Rev v.1.01), prepared by ADW Developments, dated 29 March 2023
- Wind Microclimate Assessment prepared by GIA Chartered Surveyors, dated 17 January 2024

Received 10/05/2024

- Planning Statement prepared by Montagu Evans, dated April 2024

Received 02/07/2024

- Fire Statement Form Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block BC, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form Block DEF, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block A, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block BC, prepared by Atelier Ten, dated 1 July 2024
- Fire Statement Form LPG Block DEF, prepared by Atelier Ten, dated 1 July 2024

Received 17/07/2024

- Pre-Demolition BREEAM Audit Report prepared by ADW Developments, dated 17 July 2024

Received 07/08/2024

- Health Impact Assessment, prepared by Montagu Evans, dated 6 August 2024

Received 09/08/2024

- Circular Economy Statement, prepared by ADW Developments, dated 1 August 2024;
- Windows Location Building A1.2 – Tweed Mansions (P2874/W/01 Rev. 15);

- Windows Location Building A1.3 – Fooks Row Mansions (P2874/W/02 Rev. 15);
- Windows Location Building A1.4 – Billington Mansions (P2874/W/03 Rev. 15);
- Windows Location Building A1.5 – Arden Mansions (P2874/W/04 Rev. 15);
- Windows Location Building A2 – Matkin Mansions (P2874/W/05 Rev. 15);
- Windows Location Building A3 – Simpler Mansions (P2874/W/06 Rev. 15);
- Windows Location – 142-192 Thessaly Road (P2874/W/07 Rev. 15);
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/08 Rev. 15); and
- Windows Location – Viridian Apartments, 75 Battersea Park Road (P2874/W/09 Rev. 15).

Received 18/11/24

- Design and Access Statement Addendum prepared by Glen Howells Architects, dated 16 August 2024
- Energy Statement, prepared by Atelier Ten, dated 12 November 2024
- Overheating Assessment, prepared by Atelier Ten, dated 12 November 2024

Drawings:

- Existing Site Plan (2278-GHA-ZZ-ZZ-DR-A-05010_P02)
- General Arrangement Plan (3082-PLA-XX-XX-DR-L00-0001_P01)
- Ground Floor Furniture Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-3000_S1_P01)
- Ground Floor Furniture Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-3001_P01)
- Ground Floor General Arrangement Plan (Sheet 01 of 02) (3082-PLA-XX-XX-DR-L00-0002_P01)
- Ground Floor General Arrangement Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-0003_P01)
- Ground Floor Hardworks Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-1001_P01)
- Ground Floor Hardworks Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-1002_P01)
- Ground Floor Softworks Planting Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-2001_P01)
- Ground Floor Softworks Planting Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-2002_P01)
- Ground Floor Tree Planting Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-L00-2003_P01)
- Ground Floor Tree Planting Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-L00-2004_P01)
- L00 GA Ground Floor Plan (2278-GHA-ZZ-00-DR-A-05100_P03)
- L00 Mezzanine GA Floor Plan (2278-GHA-ZZ-M1-DR-A-05100M_P02)
- L01 GA Floor Plan (2278-GHA-ZZ-01-DR-A-05101_P03)
- L02-L03 GA Floor Plan (2278-GHA-ZZ-02-DR-A-05102_P03)
- L04 GA Floor Plan (2278-GHA-ZZ-04-DR-A-05104_P02)
- L05-L06 GA Floor Plan (2278-GHA-ZZ-05-DR-A-05105_P02)
- L07 GA Floor Plan (2278-GHA-ZZ-07-DR-A-05107_P03)
- L08-L10 GA Floor Plan (2278-GHA-ZZ-08-DR-A-05108_P03)
- L11 GA Floor Plan (2278-GHA-ZZ-11-DR-A-05111_P02)
- L12 GA Floor Plan (2278-GHA-ZZ-12-DR-A-05112_P02)
- L13-L16 GA Floor Plan (2278-GHA-ZZ-13-DR-A-05113_P03)

- L17-L18 GA Floor Plan (2278-GHA-ZZ-17-DR-A-05117_P03)
- L19-L21 GA Floor Plan (2278-GHA-ZZ-19-DR-A-05119_P03)
- Planting Schedules (3082-PLA-XX-XX-DR-L00-2000_P01)
- Plot 01 - L00 Ground Floor Plan (2278-GHA-01-00-DR-A-05500_P03)
- Plot 01 - Section A-A (2278-GHA-01-ZZ-DR-A-05560_P01)
- Plot 01 -Bay Study (Sheet 2 of 2) (2278-GHA-01-ZZ-DR-A-21101_P03)
- Plot 01 -L01 Floor Plan (2278-GHA-01-01-DR-A-05501_P03)
- Plot 01 -L02 Floor Plan (2278-GHA-01-02-DR-A-05502_P03)
- Plot 01 -L03 Floor Plan (2278-GHA-01-03-DR-A-05503_P03)
- Plot 01 -L04 Floor Plan (2278-GHA-01-04-DR-A-05504_P02)
- Plot 01 -L05-L10 Floor Plan (2278-GHA-01-05-DR-A-05505_P02)
- Plot 01 -L11 Floor Plan (2278-GHA-01-11-DR-A-05511_P02)
- Plot 01 -M1 Mezzanine Floor Plan (2278-GHA-01-M1-DR-A-05500M_P03)
- Plot 01 North East & North West Elevations (Sheet 1 of 2) (2278-GHA-01-ZZ-DR-A-05550_P03)
- Plot 01 -Proposed Accessible Apartment Layouts -1B2P (2278-GHA-01-XX-DR-A-70550_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -2B4P (2278-GHA-01-XX-DR-A-70551_P02)
- Plot 01 -Proposed Accessible Apartment Layouts -3B5P (2278-GHA-01-XX-DR-A-70552_P02)
- Plot 01 -RL Roof Plan (2278-GHA-01-15-DR-A-05512_P02)
- Plot 01 -South East & South West Elevations (Sheet 2 of 2) (2278-GHA-01-ZZ-DR-A-05551_P03)
- Plot 02 - Bay study (sheet 1 of 3) (2278-GHA-02-ZZ-DR-A-21105_P03)
- Plot 02 - Bay study (sheet 2 of 3) (2278-GHA-02-ZZ-DR-A-21106_P03)
- Plot 02 - Bay study (sheet 3 of 3) (2278-GHA-02-ZZ-DR-A-21107_P03)
- Plot 02 - L00 Ground Flood Plan (2278-GHA-02-00-DR-A-05600_P03)
- Plot 02 - L07 Floor Plan (2278-GHA-02-07-DR-A-05607_P02)
- Plot 02 - L16 Floor Plan (2278-GHA-02-16-DR-A-05616_P02)
- Plot 02 - North East & North West Elevations (Sheet 1 of 2) (2278-GHA-02-ZZ-DR-A-05650_P02)
- Plot 02 - Section A-A (2278-GHA-02-ZZ-DR-A-05660_P01)
- Plot 02 - South East & South West Elevations (Sheet 2 of 2) (2278-GHA-02-ZZ-DR-A-05651_P02)
- Plot 02 -L01 Floor Plan (2278-GHA-02-01-DR-A-05601_P03)
- Plot 02 -L02-L03 Floor Plan (2278-GHA-02-02-DR-A-05602_P02)
- Plot 02 -L04-L06 Floor Plan (2278-GHA-02-04-DR-A-05604_P01)
- Plot 02 -L08-L13 Floor Plan (2278-GHA-02-08-DR-A-05608_P03)
- Plot 02 -L14-L15 Floor Plan (2278-GHA-02-14-DR-A-05614_P01)
- Plot 03 - Bay study (sheet 1 of 4) (2278-GHA-03-ZZ-DR-A-21110_P03)
- Plot 03 - Bay study (sheet 2 of 4) (2278-GHA-03-ZZ-DR-A-2111_P03)
- Plot 03 - Bay study (sheet 3 of 4) (2278-GHA-03-ZZ-DR-A-21112_P03)
- Plot03 - Bay study (sheet 4 of 4) (2278-GHA-03-ZZ-DR-A-21113_P02)

- Plot 03 - L00 Ground Flood Plan (2278-GHA-03-00-DR-A-05700_P03)
- Plot 03 - L07 Floor Plan (2278-GHA-03-07-DR-A-05707_P02)
- Plot 03 - L19-L21 Floor Plan (2278-GHA-03-19-DR-A-05719_P02)
- Plot 03 – North East & North West Elevations (Sheet 1 of 3) (2278-GHA-03-ZZ-DR-A-05750_P02)
- Plot 03 – North West & South East Internal Elevations (Sheet 3 of 3) (2278-GHA-03-ZZ-DR-A-05752_P01)
- Plot 03 - RL Floor Plan (2278-GHA-03-22-DR-A-05722_P02)
- Plot 03 - Section A-A & B-B (2278-GHA-03-ZZ-DR-A-05760_P01)
- Plot 03 - South East & South West Elevations (Sheet 2 of 3) (2278-GHA-03-ZZ-DR-A-05751_P02)
- Plot 03 -L01 Floor Plan (2278-GHA-03-01-DR-A-05701_P03)
- Plot 03 -L02 -L06 Floor Plan (GHA-03-02-DR-A-05702_P03)
- Plot 03 -L08-L17 Floor Plan (2278-GHA-03-08-DR-A-05708_P03)
- Plot 03 -L18 Floor Plan (2278-GHA-03-18-DR-A-05718_P01)
- Proposed Site Plan (2278-GHA-ZZ-ZZ-DR-A-05011_P02)
- RL GA Roof Plan (2278-GHA-ZZ-RL-DR-A-05122_P03)
- Roof Terrace General Arrangement Plan Sheet 01 of 02 (3082-PLA-XX-XX-DR-ZZ-0001_P01)
- Roof Terrace General Arrangement Plan Sheet 02 of 02 (3082-PLA-XX-XX-DR-ZZ-0002_P01)
- Roof Terrace General Arrangement Plan Level 01 (3082-PLA-XX-XX-DR-L01-0001_P01)
- Roof Terrace General Arrangement Plan Level 07 (3082-PLA-XX-XX-DR-L07-0001_P01)
- Roof Terrace General Planting Plan Level 01+ 07 (3082-PLA-XX-XX-DR-ZZ-2001_P01)
- Roof Terrace Tree Planting Plan Level 01+ 07 (3082-PLA-XX-XX-DR-ZZ-2002_P01)
- Section 38 + Section 247 plan (216199/PD04 Rev G)
- Section 38 + Section 247 plan Site Plan Background (216199/PD05 Rev G)
- Site Context Sections - Existing (Sheet 1 of 2) (2278-GHA-ZZ-ZZ-DR-A-05025_P02)
- Site Context Sections - Existing (Sheet 2 of 2) (2278-GHA-ZZ-ZZ-DR-A-05026_P02)
- Site Context Sections - Proposed (Sheet 1 of 2) (2278-GHA-ZZ-ZZ-DR-A-05400_P02)
- Site Context Sections - Proposed (Sheet 2 of 2) (2278-GHA-ZZ-ZZ-DR-A-05401_P02)
- Site Location Plan (2278-GHA-ZZ-ZZ-DR-A-05001_P02)
- Site Sections Sheet 1 of 3 (5892113-08. 3082-PLA-XX-XX-DR-L00-4000_P01)
- Site Sections Sheet 2 of 3 (5892114-08. 3082-PLA-XX-XX-DR-L00-4001_P01)
- Site Sections Sheet 3 of 3 (5892116-08. 3082-PLA-XX-XX-DR-L00-4002_P01)

Reason: To ensure a satisfactory standard of development and to allow the local planning authority to review any potential changes to the scheme.

Prior to commencement of development, a plan showing the full demolition and construction phasing for the development must be submitted and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved phasing plans unless otherwise approved in writing by the Local Planning Authority

Reason: To ensure that the development is consistent with the principles of good planning in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP2.

4 **Contaminated Land (EA & LBW)**

No development shall take place until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following:

- a. A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- b. The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and a remediation strategy giving full details of the remediation measures required and how they are to be undertaken and detailing a remediation method statement demonstrating how the site will be made suitable for, intended use by removing unacceptable risks to sensitive receptors.

Prior to the occupation of each phase of the development, the remediation shall be completed and within 3 months of occupation of each phase, a verification report demonstrating the completion of the works set out in the approved remediation statement 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 completed to demonstrate that the site remediation criteria for the approved uses have been met.

Reason: To ensure that the site does not pose any further risk to human health for the future occupiers of the buildings and or to the water environment and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, having regard to paragraph 187 of the NPPF and Local Plan policy LP14

8 **Contamination not previously identified (EA)**

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.

9 **Piling risk assessment (EA)**

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated by a piling risk assessment that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with these approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 187 of the NPPF and Local Plan policy LP14.

Commented [ZB1]: Amalgamated Condition 4 to 7 into one condition, including the removal of part a) of Condition 6. Proposed new wording prepared by LBW and agreed by Appellant.

Commented [ZB2]: The Appellant is of the view that this condition can be amalgamated with Condition 18.

11 Sustainable drainage

Prior to the commencement of development on each phase (excluding demolition and site clearance), details of the sustainable drainage features, including blue roofs, rain garden and other attenuation features, shall be submitted to and approved in writing by the local planning authority. The submitted details shall:

- a. provide information about the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b. include a timetable for its implementation; and
- c. provide a management and maintenance plan for the lifetime of the development including any other arrangements to secure the operation of the scheme throughout the lifetime of the development.

The sustainable drainage features shall be implemented in accordance with the approved details and thereafter be maintained for the lifetime of the development, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development is in accordance with London Plan policy SI12 and SI13 and Local Plan policy LP12.

12 Flood risk assessment

The development hereby approved shall be built in accordance with the substituted Flood Risk Assessment dated January 2024 (including the implementation of the mitigation measures) and the Substituted Drainage Strategy dated January 2024 both produced by Apex Consulting Engineers and approved by the local planning authority. The mitigation measures shall be fully implemented prior to occupation of each building and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that the development is in accordance with the Flood and Water Management Act 2010, London Plan policy SI12 and Local Plan policy LP12.

13 Flood Warning and Evacuation Plan

Prior to the occupation of each phase of the development, a detailed Flood Warning and Evacuation Plan (FWEP) shall be submitted to and approved in writing by the local planning authority.

The Flood Warning and Evacuation Plan shall:

- a. State how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services. This should ensure a commitment and methodology so that the occupiers of the buildings sign up and respond to Environment Agency flood warnings, including details of Flood Alert/Warning levels, flood alert notices and a site-specific escalation plan;
- b. Provide a detailed evacuation procedure (including post-evacuation actions) and relevant maps to highlight evacuation routes shall be provided. Details of temporary refuge sites should be included and also displayed on a map. Details of how occupiers will be made aware of the plan will also need to be included;

Commented [ZB3]: LBW and Appellant agreed on amalgamation of Condition 13 with 14.

- c. Provide details of how occupiers should respond in the event that they receive a flood warning, or become aware of a flood;
- d. Provide details of the measures that will be implemented to provide appropriate refuge, as well as safe and efficient evacuation for occupiers in a flood event;
- e. Include key contact details for emergency services and other relevant organisations who may be involved in the emergency management of the site if a flooding event were to occur;
- f. Include a commitment from the owner to ensure that the plan is reviewed every year and kept up to date.

The approved Flood Warning and Evacuation Plan shall be implemented prior to the first occupation of the buildings hereby approved and shall be carried out in accordance with the approved details and remain in place for the lifetime of the development.

Reason: To ensure that a strategy is in place that will reduce the risk to occupiers in the event of a flood, given that part of the site is at risk of surface water flooring, in accordance with the requirements of the NPPF, the Flood and Water Management Act 2010, London Plan policy SI12 and Local Plan policy LP12.

15 **Water network capacity**

Prior to the occupation of the development, details shall be submitted and confirmed in writing by the local planning authority in consultation with Thames Water that either:

- a. all water network upgrades required to accommodate the additional demand to serve the development have been completed; or
- b. a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no or low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

16 **Thames Water (waste-water upgrade / development infrastructure plan)**

The development hereby approved shall not be occupied beyond a peak discharge of 6.8 l/s until confirmation has been provided to the Local Planning Authority and Thames Water that either:

- a. All combined wastewater network upgrades required to accommodate the additional flows from the development have been completed; or
- b. A development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation of those additional dwellings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Commented [ZB4]: Appellant is of the view that this should be a compliance condition as the upgrades are not within their control. To be discussed at Inquiry Roundtable Discussion.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

18 Thames Water (Piling)

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

Commented [ZB5]: The removal of Condition 17 has been agreed by both the Council and Appellant.

Commented [ZB6]: Appellant is of the view that this should be amalgamated with Condition 9.

20 Thames Water (construction within 5m of the water main)

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

Commented [ZB7]: The removal of Condition 19 has been agreed by both the Council and Appellant.

21 Thames Water (Source Protection Strategy)

No development (excluding demolition and site clearance) shall take place until a Source Protection Strategy detailing, how the developer intends to ensure the water abstraction source (which is located within a Source Protection Zone which is used for potable water sources for public water supply) is not detrimentally affected by the proposed development both during and after its construction has been submitted to and approved by the local planning authority in consultation with the water undertaker. The development shall be constructed in line with the recommendations of the strategy.

Reason: To ensure that the water resource is not detrimentally affected by the development.

Commented [ZB8]: Amended wording agreed between Appellant and Council.

22 Archaeology

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. 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/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

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

- a. Where appropriate, details of a programme for delivering related positive public benefits
- b. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: In order to safeguard the archaeological interest of this site, in accordance with NPPF paragraph 206 and Local Plan policy LP3.

23 **Digital connectivity infrastructure strategy**

No development shall take place until (except for demolition and site clearance), detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans and maintained as such in perpetuity.

Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness, in accordance with the requirements of the NPPF, London Plan policy SI 6 and Local Plan policy LP22 Utilities.

24 **PM10 Monitoring Condition**

One month prior to the commencement of each phase, details of PM10 continuous monitoring shall be submitted for approval. Parameters to be monitored, duration, locations and monitoring techniques must be approved in writing by Wandsworth Council prior to commencement of monitoring.

Commented [ZB9]: Amended wording agreed between Appellant and Council.

Reason: To manage and prevent further deterioration of existing low-quality air across London and to ensure safe and suitable access to the development and the surrounding road network in accordance with the NPPF, London Plan policy SI1 and Local Plan policy LP14.

25 **Details of site levels**

Full details of existing and proposed site levels shall be submitted to and approved by the Local Planning Authority before the development hereby approved is commenced (excluding demolition and site clearance). The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the development relates satisfactorily to its surroundings, and in accordance with Local Plan policies LP1 and LP2.

26 Demolition, construction environmental management plan

Prior to the commencement of any development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall be written in accordance with the Control of Dust and Emissions during Construction and Demolition SPG 2014 and shall identify the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. It shall include a Dust Management Plan (DMP), based on an Air Quality and Dust Risk Assessment and a Construction Logistics Plan (CLP), shall be submitted to and approved, in writing, by the local planning authority. The DMP and the CLP will need to detail the measures to reduce the impacts during the construction phase and include the following:

- a. A description of the types of vehicle to be used;
- b. An estimate of how many vehicle trips the construction will generate per working day
- c. Time of vehicle arrival and departure
- d. Details of traffic management proposals to keep all road users safe throughout the construction period
- e. Construction traffic routing through the area and the development site and an enforcement system for breach of its provisions
- f. Vehicle tracking which show how the largest vehicle needing access during demolition and construction can gain safe access and egress from the site without having an impact on other road users or access to adjoining premises
- g. Details of wheel washing facilities to be provided
- h. Confirmation that employees will be able to travel to the site by sustainable modes
- i. Piling or other penetrative methods of foundation design in relation to risks to underlying groundwater
- j. Measures to monitor, control and mitigate dust and air quality impacts
- k. Measure to protect controlled waters
- l. Measures to deal with unexpected contamination on site
- m. Details of security of the construction site in relation to adjacent sites
- n. A construction waste and material management, transportation and disposal strategy
- o. The construction delivery booking and construction vehicle holding arrangements
- p. The construction phasing and agreed routes and timings and
- q. A travel plan for staff/personnel involved in construction

The development shall not be implemented other than in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To manage and prevent further deterioration of existing low-quality air across London and to ensure safe and suitable access to the development and the surrounding road network in accordance with the NPPF, London Plan policy SI1 and Local Plan policy LP14.

27 **Construction Environmental Management Biodiversity Plan**

Commented [ZB10]: Amended wording agreed between Appellant and Council.

Prior to the commencement of development, a Construction Environment Management Biodiversity Plan shall be submitted to and be approved in writing by the local planning authority. The CEMBP shall include measures to mitigate the construction effects as part of a coordinated and collaborative approach with surrounding developments and shall include, but not be limited to, the following details:

- a. If any works are to take place during the nesting season (February-September) a named CIEEM accredited ecologist with experience of working in London, must check for evidence of nesting birds on site (including all buildings, construction materials trees and other vegetation) at least 48 hours prior to the commencement of development. In the event that a nest is found, an appropriate exclusion zone (generally 5m at ground level or 10m if the nest is in a tree; although this distance will depend on the species present and the Ecologist's professional judgement) should be implemented around it until the young have fully fledged (Wildlife and Countryside Act 1981 (as amended)). The law protects all wild bird species, their eggs and nests.
- b. Details of measures to be taken to ensure that retained and adjacent habitats, will not be used for storage or impacted negatively by the works (including, but not limited to vehicle movement, lighting, dust, litter, noise etc.);
- c. A construction lighting plan outlining how lighting will be prevented from negatively impacting any protected and priority species during construction, in particular commuting bats, as well as the nearby railway lines. This construction lighting plan should follow best practice industry guidance outlined in the Bat Conservation Trust (BCT) and Institute of Lighting Professionals (ILP) Guidance Note (2018).
- d. Details of measures to prevent mammal, amphibian or reptile entrapment or harm on site, including in excavations and construction and waste materials left on site
- e. An Invasive Non-Native Species (INNS) plan detailing the measures to be taken to manage any INNS discovered onsite (including species on the London Invasive Species Initiative (LISI) list), including but not limited to buddleia (*Buddleja davidii*), in line with best practice for London, including details of the appropriate waste disposal for arising materials and measures to prevent recurrence.

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

Reason: To ensure construction works and traffic impacts are minimised, to protect amenities of neighbouring occupiers and biodiversity and to mitigate the impacts of development on protected species, in accordance with Local Plan policy LP55 and London Plan policy G6. The details are required prior to the start of the works so that the necessary precautions and mitigation measures can be implemented prior to construction works commencing.

28 **Hard and soft landscaping**

Notwithstanding the details shown on the approved drawings and documents, prior to commencement of above ground works of each phase, a hard and soft landscaping scheme, to include landscaping and treatment of parts of the site not covered by buildings (including external roof terraces) shall be submitted to and approved in writing by the local planning authority. These details shall include:

- a. Vehicle and pedestrian access and circulation areas;
- b. Hard surfacing materials;
- c. Soft landscaping including the species and height of tree planting and root volumes, shrubs, hedges, and any species included as part of the biodiverse roofs and rain gardens, with priority given to native and wildlife friendly species, including night scented species;
- d. A detailed specification (with annotated dimensions) of play equipment and associated safety features;
- e. Minor artefacts and structures including furniture, equipment, refuse and other storage units, wayfinding, signage and ecology sensitive lighting in accordance with the Bat Conservation Trust and ILP 2023 Guidance).
- f. Boundary treatments including gates and bollards controlling vehicular access, and
- g. Existing/proposed functional services above and below ground (e.g. drainage power; communications cables, pipelines, indicating lines, manholes, supports).

The landscaping scheme shall be carried out in accordance with the approved details and completed prior to the occupation of the development, or in accordance with any other scheme agreed in writing by the Local Planning Authority.

All planting must be completed within the next planting season after first occupation. Any trees or shrubs planted (including any such replacements) which die within five years from the date of planting shall be replaced in the next planting season with others of similar size, species and maturity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance, provide tree planting and biodiversity improvements, in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

29 **Tree Protection and Pre-Commencement Site Visit**

No development shall take place within each phase until the tree protection measures as detailed in the Arboricultural Method Statement produced by Arbtech dated 22 January 2024 have been installed and these shall be retained as approved throughout the duration of works required to implement the approved development. The applicant shall arrange a pre-commencement meeting with the Local Planning Authority and the applicant's project arboriculturist to allow inspection of the protection measures once in situ. All arboricultural protection information and plans submitted as part of the application and listed in the approved drawings condition, shall be implemented and adhered to at all times during the construction process unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the existing trees in the interest of the amenity of the area in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

30 **Landscape ecological enhancement management plan**

Notwithstanding the details shown on the approved drawings and documents, prior to any above ground works, a Landscape and Ecological Enhancement Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of all measures to provide biodiversity gain onsite and offsite, including (but not limited to):

- a. Details of native and wildlife friendly planting, including mixed native species hedging and border and night scented species. The species list should indicate which species are native the wildlife value;
- b. Details of all biodiverse roofs (including any Biosolar roofs) including details of extensive substrate base, features to be included within the substrate (including logs, rope coils, sand, gravel) and details of any seeding/plug plant choice with an emphasis on wildlife friendly planting (in accordance with The Gro Green Roof Code 2021);
- c. Orientation, target species and location for at least twelve integrated swift bricks/boxes and at least six bat boxes to be integrated with the new buildings;
- d. A bat sensitive post-construction lighting plan, including lux spill diagrams, to ensure that any lighting will be of a specification that minimises its impacts on bats, onsite habitats and the adjacent Wimbledon Common and Putney Heath SINC in accordance with the BCT and ILP 2023 Guidance Note (including having a colour temperature of <2700k and no uplighters).
- e. Details on the management to be implemented post-construction shall also be submitted, which shall include management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain.

The Ecological Enhancement Management Plan shall also include a management plan to be implemented, which shall include long-term design objectives; management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain. The approved details shall be implemented prior to the first occupation of the development and maintained thereafter.

Reason: To ensure a satisfactory appearance, provide tree planting and biodiversity improvements, in accordance with the requirements of the NPPF, London Plan policies G5 and G6 and Local Plan policies LP1 and LP55.

31 **Biodiversity net gain**

Notwithstanding the details shown on the approved plans and set out in the supporting information, details of all Biodiversity Net Gain shall be submitted to and approved in writing by the local planning authority prior to above ground works. Details shall include:

- a. Completed Biodiversity Net Gain Plan
- b. Completed statutory metric with the Pre-development and post-development habitat values.

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

Reason: In the interest of ensuring there is no net loss of habitats, no harm to species populations and to ensure the provision of biodiversity gain in accordance with the requirements of the NPPF, London Plan policy G6 and Local Plan policy LP55.

32 Details of lighting

Prior to the commencement of the above ground works, details of the illumination of the building, including the lighting levels and times of illumination and position and design of methods of illumination, shall be submitted to and approved in writing by the local planning authority. This shall include details of the any lighting being proposed in relation to existing biodiversity features and proposed biodiversity enhancements, including (but not limited to):

- a. Locations of external lighting fixtures;
- b. details of the design and type of lighting to be used including the power source, the position of luminaries and any dim-down and turn-off times;
- c. colour coded lux levels plan (showing lux levels in relation to the biodiversity enhancements and the adjacent railway, railway arches and any green roofs); and
- d. details of how light spill will be prevented from falling onto any biodiversity enhancements such as planting, biodiverse roofs and bat and bird boxes/bricks. (This should include light spill from windows). Along with biodiversity enhancements onsite, light spill on the adjacent railway line and railway arches also needs to be avoided.

This lighting plan must follow best practice industry guidance produced by the Bat Conservation Trust and Institute of Lighting Professionals ('Bats and artificial lighting in the UK (Guidance note 08/18)' (2018) and 'Landscape and Urban Design for bats and biodiversity.' (2012)) See also Annex 3 of the Ecological Appraisal Report (page 30) for further guidance. Light levels around any biodiversity features must be less than 1 lux. The lighting plan shall also demonstrate compliance with the Institute of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light'. The development shall be carried out in accordance with the approved details and retained/managed thereafter.

Reason: To ensure a satisfactory appearance, residential amenity, and to prevent harm to protected and priority species, and to provide biodiversity gain, in accordance with the requirements of the NPPF and Local Plan policy LP4.

Commented [ZB11]: Amended wording agreed between Appellant and Council.

34 Landscape management

Notwithstanding the details shown on the approved plans and set out in the supporting information, a Landscape Maintenance and Management Plan shall be submitted to and approved in writing by the local planning authority prior to the commencement of any above ground works. The Plan shall include details of all measures to provide biodiversity gain, including but not limited to:

- a. Details of all biodiverse roofs (including any Biosolar roofs) including details of extensive substrate base, features to be included within the substrate e.g. rope coils, sand, gravel, etc., and details of any seeding/plug plant choice (in accordance with The Gro Green Roof Code 2021);
- b. Details on the management to be implemented post-construction shall also be submitted, which shall include management responsibilities and maintenance schedules for all hard and soft landscaped areas as well as the above-mentioned measures to provide biodiversity gain.

The approved details shall be implemented prior to first occupation of the development and maintained thereafter.

Commented [ZB13]: Amended wording agreed between Appellant and Council.

Commented [ZB12]: The removal of Condition 33 has been agreed by both the Council and Appellant.

Reason: To protect the biodiversity of the area in accordance with the requirements of the NPPF and Local Plan policies LP1, LP2 and LP55.

35 **Fire Safety Statement Compliance**

The development hereby approved shall be built out in accordance with the approved Fire Safety Statement dated 1 July 2024 and produced by Scott Hall and approved by the local planning authority.

Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the NPPF; and policies D11 and D12 of the London Plan 2021 and Local Plan policy LP27.

36 **Fire Safety and Evacuation Strategy**

Prior to occupation of each phase, a Fire Safety and Evacuation Strategy shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall only be carried out in accordance with these approved details.

Reason: To minimise the risk to life and minimise building damage in the event of a fire, in accordance with the NPPF; and policies D11 and D12 of the London Plan 2021 and Local Plan policy LP27.

37 **Secured by Design**

The development hereby permitted shall achieve a minimum silver award of the Secure by Design for Homes (March 2019) and Commercial (2015 Guide Version 2) or any equivalent document superseding the guidance. A certificated Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided upon completion, confirming that the agreed standards have been met, unless otherwise agreed in writing by the local planning authority.

Reason: In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with the NPPF.

37 **Security surveillance equipment strategy**

Prior to the occupation of each phase, a Security Surveillance Equipment Strategy shall be submitted to and approved in writing by the local planning authority. The Strategy shall provide details of any dim-down and turn-off times; and the security surveillance equipment to be installed on the buildings and within all external areas at all levels of the building.

The development shall not be carried out other than in accordance with the approved Security Surveillance Equipment Strategy and the security surveillance equipment shall remain in situ thereafter.

Commented [ZB14]: Amended wording agreed between Appellant and Council.

Reason: So that the local planning authority may be satisfied that sufficient measures are introduced to ensure the safety and security of persons using the area in accordance with the requirements of the NPPF and Local Plan policy LP4.

38 Details of materials

Notwithstanding any material specified in the application documents hereby approved, prior to the commencement of above ground works of each phase, details and samples of materials (to include on-site 'mock-up panels' minimum size 2m x 2m) proposed to be used on all external surfaces of each building and the associated hard surfacing materials shall be submitted to and approved in writing by the Local Planning Authority. This shall include detailed drawings of key areas (including, but not limited to, entrances, typical window detail, bay studies and key interfaces at a scale of at least 1:20). The development shall be carried out in accordance with these approved details and be retained thereafter unless otherwise approved by the local planning authority.

Reason: In order to assess the suitability of the proposed materials in the interest of the appearance of the locality in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

39 Detailed Drawings (including sections)

Notwithstanding the details shown on the approved plans and set out in the supporting information, prior to the commencement of any above ground works (except for demolition works and site clearance) of each phase, detailed cross sectional drawings at a scale of 1:5 together with 1:50 scale contextual drawings of each building shall be submitted to and approved by the local planning authority of the following elements:

- a. Facades (reveals etc.) including:
 - i. All façade treatments;
 - ii. Junctions of exposed structural elements (columns, beams and floors);
 - iii. Head, cills and jambs of openings;
 - iv. Parapets and roof edges;
 - v. Rooftop balustrades;
- b. Entrances (including any access sashes, security gates, entrance portals and awnings);
- c. Typical windows;
- d. Plant screening/ enclosure; and
- e. Shopfront of the retail/service and the student accommodation foyer; and

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

Reason: In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in material terms, will achieve a high quality of design and detailing, and are consistent with the consented scheme, in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

40 **Boundary Treatment**

Details of proposed boundary treatment(s) including bollards controlling vehicular access shall be submitted to and approved by the Local Planning Authority prior to their installation on site. Such details to include the siting, height, appearance and material(s). The boundary treatment(s) shall be installed in accordance with the approved details prior to the occupation of each phase of the development and retained as such.

Reason: In order to ensure the suitability of the boundary treatment in the interest of the appearance of the locality in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP4.

41 **Details of bird friendly glazing**

Prior to commencement of above ground works of each phase, details of any large transparent windows, glazed balustrades or parapets to be made bird friendly to reduce the chances of collisions through the use of products such as bird-friendly fritted glass, patterned glass, parachute chords, netting, etc. shall be submitted to and approved in writing by the local planning authority.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To prevent harm to protected and priority species, and to provide biodiversity gain, in accordance with Local Plan policy LP4.

42 **Wind mitigation**

Prior to the first occupation of any part of the development hereby approved, details of the proposed wind mitigation screens to be installed on the level 7 terraces for buildings 1 and 2 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. All of the measures integrated shall be retained thereafter, unless otherwise agreed in writing by the local planning authority.

Reason: To comply with the mitigation measures to achieve an acceptable wind climate within the public realm in accordance with Local Plan policy LP14.

43 **Energy strategy**

The development shall be built in accordance with the approved Energy Statement dated July 2024 dated produced by Atelier Ten and the Sustainability Statement and BREEAM & HQM Pre-assessments dated January 2024 produced by Atelier Ten. Prior to

occupation of each phase of the development, further details shall be submitted to and approved by the local planning authority to demonstrate how the 'Be seen' policy requirements will be met by the development and to include provisions to monitor, verify and report on the energy performance of the development. Evidence (e.g. photographs, copies of installation contracts and as-built worksheets prepared under SAP or the National Calculation Method) shall be submitted to and approved in writing by the local planning authority to demonstrate that the development has been carried out in accordance with the approved Energy and Sustainability Statement.

The installed measures shall be retained in accordance with the approved details unless otherwise agreed by the local planning authority.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in line with London Plan policy SI2 and Local Plan policy LP10.

44 Post construction circular economy monitoring report

Within 3 months of occupation, a post-construction circular economy monitoring report shall be completed in line with the GLA's Circular Economy Statement Guidance and shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA).

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan policy SI7 and Local Plan policy LP13.

45 Whole life cycle carbon monitoring

Within three months of occupation, a post-construction whole life-cycle carbon monitoring report shall be submitted to, and approved in writing by, the local planning authority (in consultation with the GLA). The development shall then be maintained in accordance with these approved details.

Reason: In the interests of sustainable waste management and in order to maximise the re-use of materials in accordance with London Plan policy SI7 and Local Plan policy LP13.

46 Details of photovoltaic panels

Notwithstanding the details set out in the Energy Statement, prior to occupation of each relevant building, details of the location, layout and specification of the photovoltaic panels to be installed on the roof of the building shall be submitted to and approved in writing by the local planning authority.

The approved details shall then be installed prior to the occupation of the development.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in accordance with London Plan policy SI2, and Local Plan policy LP10.

47 BREEAM

To achieve appropriate sustainability standards, unless otherwise agreed in writing by the local planning authority:

- a. Within 9 months of commencement of the development, a BREEAM Interim (Design Stage) Certificate, issued by the Building Research Establishment (BRE) or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating will be achieved for the PBSA development, unless otherwise agreed in writing by the Local Planning Authority.
- b. Within 9 months of first occupation of the development, a BREEAM Final (Post Construction) Certificate, issued by the BRE or an equivalent accredited body, shall be submitted to and approved in writing by the local planning authority demonstrating that an 'Outstanding' rating has been achieved for the development, unless otherwise agreed in writing by the Local Planning Authority.

All of the measures integrated shall be retained for as long as the development is in existence, unless otherwise agreed in writing by the local planning authority.

Reason: To achieve appropriate sustainability standards in accordance with Local Plan policy LP10.

48 BREEAM Commercial Space

Within 6 months of first occupation of any commercial space within each building, a refurbishment and fit-out certificate demonstrating that an 'Excellent' BREEAM Level has been achieved for all of the commercial uses or if it can be demonstrated that 'Excellent' rating is not technically feasible then a minimum 'Very Good' rating has been achieved through the Building Regulations or other legislation, shall be submitted to and approved in writing by the Local Planning Authority. All of the BREEAM measures introduced in the development shall be retained in the development thereafter.

Reason: To ensure the implementation of sustainable design, low carbon development and renewable energy in line with Local Plan policy LP10.

49 Provision of refuse and recycling storage

Prior to first occupation of each phase, details/layout of the waste and recycling storage provision and collection arrangements for the student accommodation shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with these approved details and the waste and recycling storage shall be retained for waste and recycling facilities throughout the lifetime of the development.

Reason: To ensure adequate provision is made for waste storage in accordance with the requirements of the NPPF and Local Plan policies LP1 and LP2.

51 | **Car Parking Management Plan**

Notwithstanding the details shown in the draft Car Parking Management Plan, prior to the occupation of each building, a Final Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Car Parking Management Plan shall include the following:

- a. Details of the car park layout;
- b. Details of the proposed allocation of and arrangements for the management of parking spaces including disabled parking bays;
- c. The provision of a cargo bike bay;
- d. Details of the Management of controlled entry; and
- e. (Details of the safety and security measures to be incorporated within the development to ensure the safety of the car parking areas.

The car parking shall be provided, retained and managed in accordance with the approved Final Car Parking Management Plan thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not lead to the obstruction of adjacent streets, in accordance with policies of the development plan in particular London Plan policy T6 and Local Plan policy LP51.

52 | **Cycle parking**

Notwithstanding the details shown on the approved plans, details of the long and short stay cycle parking spaces shall be submitted to and approved in writing by the local planning authority prior to occupation of each phase of the development. At least 5% of the cycle parking spaces should be larger spaces able to accommodate larger and adapted cycles. All cycle parking should be designed in accordance with the guidance in Chapter 8 of the London Cycling Design Standards. The details hereby approved shall be provided prior to first occupation of the development and retained thereafter for use at all times and shall not be obstructed.

Reason: To ensure adequate provision is made for cycle parking in accordance with the requirements of the NPPF, policy T5 of the London Plan and Local Plan policy LP51

53 | **Travel plan**

Notwithstanding the details in the substituted Travel Plan dated 11 January 2024 produced by SLR, detailed Travel Plans for the residential, commercial and student accommodation shall be submitted to and approved by the Council prior to the occupation each use within of the development. The Travel Plans should include targets for a reduction in car mode share and an increase in sustainable transport modes within the first 5 years and measures to achieve this and should be implemented in accordance with the approved documents which will include arrangements for monitoring and review. This shall demonstrate how employee trips can be

Commented [ZB15]: The removal of Condition 50 has been agreed by both the Council and Appellant.

Commented [ZB16]: Amended wording agreed between Appellant and Council.

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made by sustainable modes of transport from year one of the operation of the travel plan. The transport modes shall include details of nearby riverbus services and related walking routes.

Reason: To encourage the use of alternative means of travel to the private car and encourage greater use of public transport, cycling and walking as an alternative, and to ensure that the development does not cause highway safety issues by increasing pressure on on-street parking. This is in accordance with the requirements of the NPPF and Local Plan policy LP51.

54 **Layby, Vehicular Egress, and Public Realm / Footway Works**

The development shall not be occupied until the proposed public realm works, inset loading bay on the western side of the New Covent Garden Market Access Road, as shown indicatively on Plan No. 3082-PLA-XX-XX-DR-L00-0002-S1-P02: Ground Floor General Arrangement Plan Sheet 01 of 02, have been built and completed in accordance with details that have first been approved in writing by the Local Planning Authority.

Reason: To ensure safe and suitable access to Plot 02 of the proposed development for service vehicles, and to allow safe egress from the development site for service vehicles that need to egress it, in accordance with Para. 115(b) of the NPPF.

Commented [ZB17]: Amended wording agreed between Appellant and Council.

55 **Delivery and servicing**

Notwithstanding the detail shown on the approved drawings and documents, a Final Delivery and Servicing Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of each phase of the development. The submitted details must include (but not limited to) the following:

- a. The frequency of deliveries to the site;
- b. The frequency of other servicing vehicles such as refuse collections;
- c. The dimensions of delivery and servicing vehicles;
- d. The proposed loading and delivery locations;
- e. A strategy to manage vehicles servicing the site; and
- f. The hours/days of deliveries for vehicles and the precautions and measure to be taken to mitigate noise impacts.
- g. Provision to make use of electric vehicles or vehicles powered by biofuels.

The Delivery and Servicing Management Plan shall thereafter be implemented as approved and retained and maintained thereafter for the lifetime of the development, unless otherwise approved in writing by the local planning authority.

Reason: In the interests of providing safe and suitable access to the development and to the surrounding road network and to protect the amenity of existing and future occupiers in accordance with the requirements of the NPPF and Local Plan policy LP51.

56 **Construction hours**

No construction work shall take place on site except between the hours of 8am to 6pm Mondays to Friday and 8am to 4pm on Saturdays and not at all on Sundays and Public Holidays.

Reason: In order to safeguard the amenities of neighbouring residents and the amenities of the locality in accordance with Local Plan policies LP2 and LP14.

57 **Noise Control**

Prior to first occupation of each phase of the development hereby approved a noise control scheme for external building services plant that will form part of the development shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved.

The cumulative measured or calculated rating level of noise emitted from the building services plant, shall be 10dB(A) below the existing background noise level, at all times that the mechanical system etc. operates.

The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142;

An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To mitigate impacts from potential noise and other nuisance generating activities or uses and to safeguard the amenities of the residential occupiers, in accordance with Local Plan policies LP2 and LP14.

58 **Sound Attenuation**

The building envelope of the development to which the application refers shall be constructed so as to provide sound attenuation against externally generated noise sources including road, rail, and aircraft, so as to achieve the internal ambient noise levels which do not exceed the guideline values contained in Table 4 of British Standard BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings.

The measured or calculated noise levels shall be determined in accordance with British Standard 8233:2014. Any works which form part of the scheme shall be completed in accordance with the approved details before each phase is occupied and shall thereafter be

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retained as approved. Internal noise levels should be achieved with windows open for rapid ventilation purposes. Where this cannot be achieved alternative means of ventilation and cooling will be required. Where whole house ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority

Reason: To mitigate impacts from existing noise and other nuisance generating activities or uses on the development and to safeguard the amenities of the occupiers, in accordance with Local Plan policies LP2 and LP14.

59 Sound Insulation

Prior to first occupation of each phase of the development, a scheme for the sound insulation of the separating floor/ceiling between the ground floor commercial units and the proposed residential units shall be submitted to and approved in writing by the local planning authority. The scheme will reduce the transmission of noise from the use of the commercial units at ground floor and the proposed residential units.

The development shall then be implemented, retained and maintained in accordance with these details unless otherwise approved in writing by the local planning authority.

Reason: To mitigate impacts from potential noise and other nuisance generating activities or uses and to safeguard the amenities of the residential occupiers, in accordance with Local Plan policies LP2 and LP14.

60 External ventilation equipment

Notwithstanding the details shown on the approved plans, detailed drawings and specifications of the proposed heating and mechanical ventilation system including any internal/external air conditioning units, or any other external plant and equipment, shall be submitted to and approved in writing by the local planning authority prior to installation. Any exhaust flues shall be located at least 10m horizontal distance away from any openable windows and air intakes to ensure that the internal air quality is protected.

The proposed plant shall be designed to ensure that noise emanating from it is at least 10dB below the background noise levels when measured from the nearest sensitive receptors.

The development shall be carried out in accordance with these approved drawings and specifications and retained and maintained thereafter.

Reason: In order to assess the suitability of the proposed air conditioning units and in the interest of local visual amenity and to safeguard the amenities of adjoining occupiers, in accordance with Local Plan policies LP2 and LP14.

61 Noise mitigation measures

Notwithstanding the details shown on the approved plans details of screening, sound proofing, and other acoustic design measures shall be submitted to and approved by the local planning authority prior to installation. The details shall thereafter be retained and maintained as approved.

Reason: To mitigate impacts from existing noise and other nuisance generating activities or uses on the development in accordance with Local Plan policies LP2 and LP14.

62 Restricted opening hours

The Class E and F premises which are implemented pursuant to this planning permission shall not be open to customers other than between the hours of 0700 and 2330 in respect of any individually defined unit pursuant to this condition, unless otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard the amenities of neighbouring residents and the amenities of the locality in accordance with Local Plan policies LP2 and LP14.

Commented [ZB18]: Amended wording agreed between Appellant and Council.

64 Access to roof terrace

The communal roof terrace shall be available for all occupants of the building for the lifetime of the development. The use of the external roof terraces shall not be permitted after the hours of 10.00pm or before 7.00am Monday-Sunday unless otherwise approved in writing by the local planning authority.

Reason: To safeguard the amenities of the neighbourhood and local residents, in accordance with Local Plan policies LP2 and LP14.

Commented [ZB19]: The removal of Condition 63 has been agreed by both the Council and Appellant.

65 Wheelchair user student accommodation

Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in BS8300 2:2018 (Design of an Accessible and Inclusive Built Environment) would be met in respect of the student accommodation units listed below. These student bedrooms shall be constructed as 'wheelchair adaptable' in accordance with BS8300 2:2018 and shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 02

Level 01: 1no studio

Level 02: 1no studio

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Level 03: 1no studio
Level 04: 1no studio
Level 05: 1no studio
Level 06: 1no studio
Level 07: n/a
Level 08: 1no studio
Level 09: 1no studio
Level 10: 1no studio
Level 11: 1no studio
Level 12: 1no studio
Level 13: 1no studio

Plot 03

Level 01: 2no cluster beds
Level 02: 3no cluster beds
Level 03: 3no cluster beds
Level 04: 3no cluster beds
Level 05: 3no cluster beds
Level 06: 3no cluster beds
Level 07: n/a
Level 08: 1no cluster bed
Level 09: 1no cluster bed
Level 10: 1no cluster bed
Level 11: 1no cluster bed
Level 12: 1no cluster bed
Level 13: 1no cluster bed
Level 14: 1no cluster bed
Level 15: 1no cluster bed
Level 16: 1no cluster bed

Official

Level 17: 1no cluster bed

Reason: To ensure the development complies with the requirements of the NPPF, policy D7 of the London Plan and Local Plan policy LP28.

66 **Wheelchair user residential accommodation**

Prior to the commencement of any above ground works the applicant shall submit written confirmation from the appointed building control body that the standards in the Approved Document M of the Building Regulations 2015 (as amended) would be met in respect of the residential accommodation units listed below. The residential unit constructed as M4(3)(2)(a) 'wheelchair adaptable' shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following location:

Plot 01

Level 11: 2no 1B2P + 1no 2B4P

The residential units constructed as M4(3)(2)(b) 'wheelchair accessible' equivalent shall be provided prior to occupation and retained thereafter unless otherwise agreed in writing with the Local Planning Authority. The 'wheelchair adaptable' units are to be provided in the following locations:

Plot 01

Level 01: 1no 2B4P

Level 02: 1no 2B4P

Level 03: 1no 3B5P

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

Reason: In order to ensure the development complies with the NPPF, policy D7 of the London Plan and Local Plan policy LP31.

66 **Community use agreement**

Use of the community unit shall not commence until a Community Use Agreement has been submitted to and approved in writing by the Local Planning Authority. The submitted Community Use Agreement shall set out (but not be limited to) measures to ensure the provision of the following:

Official

- a. Details of how internal and external spaces will be used by the community;
- b. Details of management arrangements (including a programme of activities, pricing policy, hours of opening, operation and a mechanism for review)

The development shall be managed and maintained in accordance with the approved details for the lifetime of the development unless otherwise approved in writing by the local planning authority.

Reason: To secure a well-managed community facility which will meet the needs of existing and new residents in accordance with London Plan policy S1 and Local Plan policy LP17.

67 **Commercial uses and floorspace**

The units labelled 'Unit 1' and 'Unit 3' on drawing 2278-GHA-ZZ-00-DR-A-05100 Rev.P02 (Ground Floor Plan) shall be used only for purposes within Use Class E with a total gross internal floorspace of 182 sqm and shall not be amalgamated. Those units labelled 'Unit 2' and 'Unit 4' on the same plan shall be used for purposes within Use Classes E and/or F, and for no other purpose and the total gross internal floorspace of these flexible commercial/community units shall not exceed 284 sqm and shall not be amalgamated, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent a large commercial unit being provided and to limit internal alterations and ensure that larger units are not implemented without prior consideration by the Local Planning Authority in accordance with Local Plan policies LP42 and LP44.

69 **Commercial Forecourt/Outdoor Space**

Prior to occupation of any commercial unit within each building, details of any outside forecourt/outdoor space associated with any of those units shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include the location, hours of use, any boundary treatment (temporary or permanent). The outdoor spaces shall be implemented in accordance with the details approved prior to first occupation of the relevant commercial unit within each building.

Reason: In the interests of the appearance of the development, the amenity of neighbouring residential properties and to ensure there is no street clutter in accordance with the requirements as set out within Local Plan policy LP8 and to ensure there is no impact on pedestrian/cycle movement required by Local Plan policy LP50.

70 **NRMM**

All Non-Road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.

Reason: To manage and prevent further deterioration of existing low-quality air across London in accordance with London Plan policy SI1 and Local Plan policy LP14.

71 **Roof paraphernalia**

No water tanks, plant, lift rooms or other permanent structures, satellite dishes, telecommunications masts or equipment or associated structures (unless otherwise shown on the approved plans) shall be erected upon the roof of the approved building unless otherwise agreed in writing with the local planning authority.

Reason: To control the appearance of the building and safeguard the appearance of the area, in accordance with the requirements of the NPPF and Local Plan policy LP2.

72 **Satellite dishes (PD restriction)**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking, amending or re-enacting that Order) no satellite dishes, telecommunications masts, antennas or equipment or associated structures, shall be installed on the building hereby approved.

Reason: To protect the appearance of the building and accord with Local Plan policy LP2.