

Your Ref:

Our Ref: 10/01143/FUL

Nottinghamshire County Council
c/o Mr Kevin Watson
11 Worple Road
London
SW19 4JS



30th June 2010

DECISION NOTICE

Dear Nottinghamshire County Council

TOWN AND COUNTRY PLANNING ACT 1990. PERMISSION FOR DEVELOPMENT

The London Borough of Lambeth hereby permits under the above mentioned Acts and associated orders the development referred to in the schedule set out below **subject to any conditions imposed** therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

In accordance with the statutory provisions your attention is drawn to the statement of Applicant's Rights and General Information attached.

Application Number: 10/01143/FUL **Date of Application:** 01.04.2010 **Date of Decision:** 30.06.2010

In order to comply with Section 91 of the Town and Country Planning Act 1990 the development to which this permission relates must be begun not later than the expiration of THREE years from the date hereof.

Proposed Development At: 100 Woodgate Drive London SW16 5YP

For: Variation of Condition 6 (Permitted retail goods) of planning permission Ref. No. 83/01916 (Erection of a DIY retail unit for Texas homecare and an industrial building for cow industrial polymers) granted on 17.09.85 to allow for the sale of a wider range of goods to include DIY home and garden improvements, car maintenance, building materials and builders merchants goods, carpets and floor coverings, furniture, furnishings, electrical goods, automobile products, camping equipment, cycles, pet and pet products, office supplies and for no other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

Approved Plans

Lambeth Planning
Phoenix House
10 Wandsworth Road,
London
SW8 2LL

Telephone 020 7926 1180
Facsimile 020 7926 1171
www.lambeth.gov.uk
lambethplanning@lambeth.gov.uk



Site Plan ref no. 110034/1, Transport Statement, Savell Bird and Axon March 2010

Summary of the Reasons for Granting Planning Permission:

In deciding to grant planning permission, the Council has had regard to the relevant Policies of the Development Plan and all other relevant material considerations. Having weighed the merits of the proposal in the context of these issues, it is considered that planning permission should be granted subject to the conditions listed below. In reaching this decision the following Adopted Unitary Development Plan (2007) Policies were relevant:

- Policy 7 Protection of Residential Amenity
- Policy 9 Transport Impact
- Policy 10 Walking and Cycling
- Policy 14 Parking and Traffic Restraint
- Policy 31 Streets, Character and Layout
- Policy 35 Sustainable Design and Construction
- Policy 38 Design in Existing Residential / Mixed Use Areas
- Policy 39 Streetscape, Landscape and Public Realm Design
- Policy 56 Waste
- Policy 74 Streatham Vale and Lower Streatham

Conditions

1 The retail use hereby permitted shall be used for the retailing of DIY home and garden improvements and car maintenance, building materials and builders merchants goods, carpets and floor coverings, furniture, furnishings, electrical goods, automobile products, camping equipment, cycles, pet and pet products, office supplies and for no other purpose (including the retail sale of food and drink or any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.

Reason In order to ensure that the level of traffic generation is such as to minimise danger, obstruction and inconvenience to users of the highway and of the accesses. (Policies 9 and 31 of the Unitary Development Plan (2007) refer.)

2 Details of refuse and recycling storage to serve the development shall be submitted to and approved in writing by the Local Planning Authority prior to first commencement of any of the additional retail uses hereby permitted. The refuse and recycling storage facilities shall be provided in accordance with the approved details prior to commencement of the development and shall thereafter be retained as such for the duration of the permitted use.

Reason: To ensure that adequate provision is made for the storage of refuse and recycling on the site, in the interests of the amenities of the area (Policies 7, 9, 33, and 56 of the Unitary Development Plan (2007) refer.)

3 A Strategy for the Management of Deliveries and Servicing shall be submitted to and approved in writing by the Local Planning Authority prior to first commencement of any of the additional retail uses hereby permitted. Deliveries and servicing shall thereafter be carried out solely in accordance with the approved details.

Reason: To avoid hazard and obstruction being caused on the site and to users of the public highway (Policies 9 and 14 and of the Unitary Development Plan (2007) refer.)

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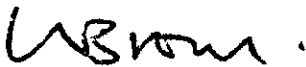


Notes to Applicants:

1. You are reminded that an element of the lighting to the car park at the front and lighting of the adjoining footway along Woodgate Drive should be maintained within the hours of darkness for security and safety purposes.
2. This decision does not convey an approval or consent which may be required under any enactment, by-law, order or regulation, other than Section 57 of the Town & Country Planning Act 1990.
3. You are advised of the necessity to consult the Council's Street Care Service, First Floor, Service Team House, 185-205 Shakespeare Road, London, SE24 0PZ tel 020 7926 1255
4. Your attention is drawn to the Disability Discrimination Act 1995 (as amended), and the Code of Practice for Access for the Disabled to Buildings (B.S. 8300:2001) regarding the provision of means of access, for persons visiting, using or employed at the building or premises who are disabled.
5. You are advised that this permission does not authorise the display of advertisements at the premises and separate consent may be required from the Local Planning Authority under the Town and Country Planning (Control of Advertisements) Regulations 1992.
6. You are reminded that the development herewith approved is still subject to Condition 11 of planning permission (ref 00/01571/FUL) for ' Extension and alterations to existing retail warehouse site including demolition of 1-21 (odd) Streatham Vale, to form car park to front of store, new service yard and garden centre to rear, and associated boundary treatment and landscaping'.

This condition states : 'The hours of servicing and loading/unloading shall not be other than between 07.00 - 21.00 Monday - Saturday, and 09.00 - 16.00 on Sundays. Reason: To ensure that the amenities of neighbouring residential properties are safeguarded(Policy 7, and 33 of the Unitary Development Plan (2007) refer.

Yours sincerely



Les Brown

Divisional Director, Planning
Regeneration & Housing Department

Date letter printed: 30th June 2010

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INFORMATION FOR APPLICANTS GRANTED PLANNING PERMISSION SUBJECT TO CONDITIONS, OR WHERE PERMISSION HAS BEEN REFUSED.

General Information

This permission is subject to due compliance with any local Acts, regulations, building by-laws and general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your attention is drawn to the provisions of the Building Regulations 1985 and related legislation which must be complied with to the satisfaction of the Council's Building Control Officer, Phoenix House, 10 Wandsworth Road, SW8.

The Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any person entitled to the benefits thereof.

STATEMENT OF APPLICANT'S RIGHTS ARISING FROM THE REFUSAL OF PLANNING PERMISSION OR FROM THE GRANT OF PERMISSION SUBJECT TO CONDITIONS.

Appeals to the Secretary of State

If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development or to grant permission or approval subject to conditions, he may appeal to the Secretary of State in accordance with Section 78 of the Town and Country Planning Act 1990 within six months from the date of this notice. Appeals must be made on a form which is obtainable from The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. Alternatively an Appeal form can be downloaded from their website at www.planningportal.gov.uk/pca. The Secretary of State has power to allow longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.

Purchase Notice

If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Lambeth a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Section 137 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State for the Environment on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 120 and related provision of the Town and Country Planning Act 1990.

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