Planning Permission was GRANTED for the following development:

Change of use of premises from business (Class B1) to mixed use comprising A3 (restaurant) and A4 (Bar) at ground floor and other uses comprising A1 (retail) and B1 (business) on new mezzanine floor and ancillary storage; and installation of air intake ventilation systems as well as extract ventilation and ductwork, with changes to front elevation comprising new shopfront and insertion of windows in rear elevation.

At: UNIT 6, FARRELL COURT, ELEPHANT ROAD, LONDON, SE17 1LB

In accordance with application received on 19/04/2006


Subject to the following condition:

1. 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

2. The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 1002_PL_21, 1002_PL_22, 1002_PL_23, 1002_PL_24, 1002_PL_25, 1002_PL_26, 1002_PL_27, 1002_PL_28.
   
   Reason:
   For the avoidance of doubt and in the interests of proper planning.

3. The use hereby permitted for restaurant and bar purposes shall not be carried on outside of the hours of 09:00am to 01:00am (the following day) Monday to Thursday and between 09:00am to 05:30am (the following day) Friday and Saturday.
   
   Reason
   To protect the amenities of the surrounding properties in accordance with Policy 3.2 'Protection of Amenity' of The Southwark Plan (UDP) July 2007.

4. The L_{\text{fmax}} noise level from amplified music and speech shall be no greater than the existing L_{90}, 15 min 1m from the facade of the nearest noise sensitive premises at all third octave bands between 31.5Hz and 8kHz. Within one month of the completion of sound insulation measures, the applicant is required to submit a noise report for approval in writing by the Local Planning Authority confirming previous details and subsequent measurement data of the sound insulation to demonstrate compliance with the above requirements. The supplementary acoustic report must include:
   
   i) Distances between equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
   ii) The lowest existing L_{90}, measurements as already established;
   iii) New noise monitoring data, measurement evidence and any calculations demonstrating compliance with the planning condition.

   Reason:
   To ensure that nearby noise sensitive premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from amplified music and speech in accordance with Policies 3.1 ‘Environmental
The lobby to the front of the premises shall be installed to minimise the breakout of sound from patrons entering and leaving the premises, prior to operation of the A3 / A4 class use hereby permitted, satisfactory acoustic seals shall be fitted to all doors to minimise the emission of noise.

**Reason**
To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises in accordance with Policy 3.2 ‘Protection of Amenity’ of the Southwark Plan [UDP] 2007.

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The rear doors are for emergency exit only and are not to be used for access to the rear area or used by patrons for smoking, and are to be kept closed at all times except for access / egress to the refuse store during daytime hours.

**Reason:**
To ensure that nearby noise sensitive premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from amplified music and speech in accordance with Policies 3.1 ‘Environmental Effects’ and 3.2 ‘Protection of Amenity’ of the Southwark Plan 2007.

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The windows hereby approved on the front and rear elevations shall be double glazed and fixed shut and installed prior to operation of the development, and retained as such thereafter for the life of the permission, unless by prior approval from the Local Planning Authority.

**Reason:**
To ensure that nearby noise sensitive premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from amplified music and speech in accordance with Policies 3.1 ‘Environmental Effects’ and 3.2 ‘Protection of Amenity’ of the Southwark Plan 2007.

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The development shall not commence until details of a Service Management Plan has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The use shall thereafter operate in strict accordance with the approved Service Management Plan.

**Reason:**
To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of traffic disturbance or other nuisance in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan [UDP] 2007.

9

Prior to the operation of the development the applicant shall submit to the Local Planning Authority for approval in writing details of the refuse collection, which shall thereafter be complied with for the life of the permission.

**Reason:**
In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with policy 3.2 ‘Protection of Amenity’ of The Southwark Plan [UDP] 2007.

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Details of the glazed tiles, windows and doors of the front elevation (2 copies) to be used in the carrying out of this permission shall be submitted to and approved in writing 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 that the Local Planning Authority may be satisfied as to the quality of details of glazed tiles, windows and doors in the interest of the appearance of the building in accordance with Policy 3.2 ‘Protection of amenity’ and 3.12 ‘Quality in design’ of the Southwark Plan [UDP] 2007.

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A Noise Management Strategy shall be submitted for approval in writing by the Local Planning Authority prior to operation of the premises hereby approved, the management of the premises shall thereafter use best endeavours to ensure compliance with the measures detailed within the Noise Management Strategy at all times.

**Reason:**
To protect the amenities of the surrounding properties in accordance with Policy 3.2 ‘Protection of Amenity’ of The Southwark Plan (UDP) July 2007.
Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:


Policy 1.4 (Employment Sites outside Preferred Office and Industrial Locations) advises that for all developments located outside POLs and PILs which have an established B Class Use, subject to certain criteria, development will be permitted provided there is no net loss of floorspace in Class B, subject to a number of exceptions.

Policy 1.5 (Small Business Units) states that the LPA will encourage appropriate business and commercial developments which meet the needs of small businesses in a number of ways in relation to redevelopment, addressing use of railway arches, and through planning conditions.

Policy 1.7 (Development within Town and Local Centres) seeks to ensure that most new development for retail and other town centre uses are accommodated within existing town and local centres. Within the centres, developments providing a range of uses will be permitted providing a defined set of criteria is met.

Policy 3.1 (Environmental effects) seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.7 (Waste reduction) states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities, and in relation to major developments this will include addressing how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.9 (Water) seeks to ensure that all developments should incorporate measures to reduce the demand for water, recycle grey water and rainwater, and address surface run off issues, and have regard to prevention of increase in flooding and water pollution.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments.

Policy 3.14 (Designing out Crime) seeks to ensure that development in both the private and public realm is designed to improve community safety and crime prevention.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area.

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

Policy 6.1 (Elephant and Castle Opportunity Area) sets out policies to support this part of London to provide for a high quality, vibrant, safe and integrated mix of uses, where, taking advantage of its important position as a transport interchange on the southern boundary of Central London, it will be one of the main areas of population and employment growth, and also community services especially higher education.


The use of the premises is acceptable in land use terms given the town centre location. Particular regard was
had to the potential impact on the amenities of neighbouring occupiers, the appearance of the streetscene and impact on the transportation network, but it was considered that subject to the imposition of conditions that there would be no material impact. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Informatives
1. Any alteration of the current layout may require a new licence to be obtained from the Licensing Authority.
2. There shall be no storage of refuse on the public highway at the front of the premises except on the day of collection.