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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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<b>Applicant</b>	Mr D. Omosheye c/o Trustees London Bermondsey Congregation	<b>Reg. Number</b>	11- <u>AP</u> -4053
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2247-54
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Use of premises as a place of worship (Use Class D1) and removal of two windows to ground floor front elevation.

**At:** UNIT 2 191-199 SOUTHAMPTON WAY LONDON SE5 7EJ

**In accordance with application received on** 02/12/2011 08:02:05

**and Applicant's Drawing Nos.** Transport Assessment October 2011 Revision D (issue date 27/11/2011)

Transport Statement May 2011 Rev A (issue date 2/5/2011)

Noise Impact Assessment Report WA Case No. 11/003\_RBC.01 dated Sept 2011

Travel Plan November 2011

Southwark Core Strategy Review,

Planning Statement dated 5 December 2011,

Planning, Design and Access Statement April 2011

Letters from John Ovenell dated 23/1/2012 and 24/1/2012

Plans:- , Site Plan, Ordnance Survey Map, 110528 R2 - 1, 110528 R2 - 2, 110528 R2 - 3, 110528 R2 - 4, LEASE 100, LEASE 101

### **Reasons for granting permission.**

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

#### Strategic policies of the Core Strategy 2011

Strategic Policy 1 Sustainable Development which requires developments to improve the places we live in and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 Sustainable Development which seeks to encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 3 Shopping, Leisure and Entertainment which defines a hierarchy of town and local centres which reflect their sizes and roles.

Strategic Policy 4 Places to Learn and Enjoy seeks to ensure that there will be a wide range of well used community facilities that provide spaces for many different communities and activities in accessible areas.

Strategic Policy 10 Jobs and Businesses which seeks to protect business floorspace and supports the provision of additional floorspace in defined locations in the borough.

Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces.

Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

#### Saved policies of the Southwark Plan 2007

Policy 2.2 (Provision of new community facilities) states that permission will be granted for new community facilities

provided that provision is made for use by all members of the community, subject to assessment of impacts on amenity and in relation to transport impacts.

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

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 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.

#### Policies of the London Plan 2011

Policy 3.16 - Protection and enhancement of social infrastructure

Policy 6.3 - Assessing effects of development on transport capacity

Policy 6.9 - Cycling

Policy 6.10 - Walking

Policy 6.13 - Parking

Policy 7.4 - Local character

#### Planning Policy Statements [PPS] and Guidance Notes [PPG]

PPS1 Delivering sustainable development

PPG13 Sustainable transport

Particular regard was had to the principle of the proposed land use, transport impacts and impacts on the amenities of surrounding occupiers that would result from the proposed development, where it was considered that the use was acceptable in principle, and that subject to conditions, there would be no material harm arising in relation to impacts on the surrounding highway network or in relation to parking. Whilst there would be some impacts in relation to noise there would be mitigation of impacts afforded by conditions of consent, including measures such as a management plan which would ensure that the activity would not operate during anti social hours, and as consent would be personal to the applicant in recognition of the specific manner in which the activity would operate, such that the scheme would not have such a harmful impact in relation to noise as to justify refusal. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

#### **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 Except as otherwise provided for by the conditions of this consent, the development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
110528 R2-1, 110528 R2-2, 110528 R2-3, 110528 R2-4, LEASE 100, LEASE 101

Reason:

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

- 3 This permission shall be personal to Trustees London Bermondsey Congregation for the purposes of Kingdom Hall (place of worship) within Use Class D1 and shall not enure for the benefit of the land.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of the case and considers that under the management of Trustees London Bermondsey Congregation the proposal

would not give rise to a loss of amenity or harm in relation to transport impacts in accordance with Strategic Policies 2 - Sustainable transport and 13 - High environmental standards of The Core Strategy 2011 and Saved Policies 2.2 Provision of new community facilities, 3.2 Protection of Amenity, 5.2 Transport impacts and 5.6 Car parking of the Southwark Plan 2007.

- 4 The use for D1 purposes hereby permitted shall not be carried on outside of the following hours:  
- Monday to Saturday – 0800 - 2115 (building shall be closed by 2200)  
- Sunday and Bank Holidays - 0930 - 1845 (building shall be closed by 1930)

Reason

To safeguard the amenities of nearby residential occupiers, in accordance with Saved policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 - High environmental standards of The Core Strategy 2011.

- 5 Before the use hereby permitted commences, a noise management plan, outlining measures to mitigate any noise and disturbance to neighbouring occupiers caused by people who are attending the site, outside the building, arriving at and leaving the site, shall be submitted in writing to the local planning authority for its written approval. The site shall thereafter be operated in strict accordance with the agreed details in the approved noise management plan at all times.

Reason

To ensure that the occupiers and users of the surrounding residential units do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the application premises in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 6 The  $L_{Fmax}$  from services held within the premises shall be attenuated to ensure that it does not exceed the  $L_{90}$  at all octave band frequencies between 31.5Hz and 8kHz 1m from the facade of the nearest noise sensitive premises and maintained thereafter. Details of a scheme to demonstrate that this requirement is met shall be submitted to the Local Planning Authority prior to the use commencing, and the scheme shall thereafter be carried out in accordance with the approved details.

Reason

To ensure that the occupiers and users of the surrounding residential units do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the application premises in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 7 Before the use hereby permitted commences, details of how the walls within the commercial premises within the development sharing a party element with residential uses shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that NR20 is not exceeded due to noise from the application premises, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure that the occupiers and users of the proposed development 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 Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Planning Policy Guidance 24 Planning and Noise.

- 8 Prior to commencement of the use hereby permitted, details shall be submitted to the Local Planning Authority for approval in writing setting out details by way of elevation, sections and plans detailing the installation of obscure glass outer skin with white blockwork inner skin in place of the existing windows, which shall allow for a measure of soundproofing protection in accordance with conditions 4 and 8 above, whilst also allowing the appearance of glazed elevations to the ground floor, and the scheme shall thereafter be carried out in accordance with the approved details.

Reason.

To ensure a satisfactory external appearance to the building in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design of The Southwark Plan 2007

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- a) Before the use hereby permitted commences the applicant shall submit in writing and obtain the written approval of the local planning authority to a Travel Plan setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.
  - b) At the start of the second year of operation of the approved Travel Plan a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

**Reason**

In order that the use of non-car based travel is encouraged in accordance with Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

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