
RECOMMENDATION

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.

Applicant	Mr B Anderson Crownbell Restaurant Limited	Reg. Number	12/AP/2343
Application Type	Full Planning Permission	Case Number	TP/2545-77
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

To change premises from Class A3 'Restaurant' to a mixed Class A3/A4 'Drinking Establishment - Public House and Class D2 - Entertainment

At: 77 HERNE HILL, LONDON, SE24 9NE

In accordance with application received on 18/07/2012 12:00:31

and Applicant's Drawing Nos. Site Location Plan, Proposed Lobby Plan 1, Design and Access Statement.

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 2 - Strategic transport encourages walking, cycling and the use of public transport rather than travel by car.
- Strategic Policy 3 - Shopping, leisure and entertainment seeks to maintain a network of successful town centres which have a wide range of shops, services and facilities.
- Strategic Policy 10 - Jobs and businesses seeks to increase the number of jobs in Southwark and create an environment in which businesses can thrive.
- Strategic Policy 13 - High environmental standards states that development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change.

Saved policies of the Southwark Plan 2007

- Policy 1.9 - Small scale shops and services outside the town and local centres and protected shopping frontages seeks to protect and enhance the vitality and viability of important shopping areas..
- Policy 3.2 - Protection of amenity seeks to protect and enhance amenity standards throughout the borough.
- Policy 5.2 - Transport impacts aims to assess the likely impact of the development on the surrounding transport infrastructure.
- Policy 7.10 - Herne Hill, The Blue and Nunhead Neighbourhood Areas seeks to protect service and facilities to reinforce their vitality and function.

National Planning Policy Framework 2012

- 1. Building a strong competitive economy
- 2. Ensuring the vitality of town centres

Particular regard was had to possible impacts of the proposed development, including the impact on neighbouring residential amenity in terms of noise disturbance. It was concluded that there would be no adverse impacts on neighbouring residential amenity subject to conditions surrounding noise insulation and operating hours. Planning permission was granted as the proposed development is located in a sustainable location within the Urban Zone and would provide a commercial use within a well maintained parade of commercial units. Having regard to local, regional and national policies, there was no reason to justify a refusal of permission. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

Subject to the following conditions:

- 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: Proposed Lobby Plan 1.

Reason:

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

- 3 The use hereby permitted for Class A3, Class A4 and Class D2 purposes (restaurant, bar and assembly and leisure) shall not be carried on outside of the hours 07:30 to 23:30 on Monday to Saturday or 08:00 to 23:00 on Sundays and Bank Holidays.

Reason

In order to mitigate against any significant amenity impacts for neighbours, in accordance with saved Policy 3.2 Protection of Amenity of the Soutwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 4 The outdoor terrace to the front shall not be open to customers outside the hours of 08:00 until 22:00 Monday to Saturday and 09:00 until 20:00 on Sundays and Bank Holidays.

Reason

In order to mitigate against any significant amenity impacts for neighbours, in accordance with saved Policy 3.2 Protection of Amenity of the Soutwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 5 The playing of live/recorded/amplified music shall not be carried on outside the hours of 18:00 - 21:30 on Fridays and Saturdays and 12:00 until 15:00 and 18:00 until 21:30 on Sundays and Bank Holidays.

Reason

In order to mitigate against any significant amenity impacts for neighbours, in accordance with saved Policy 3.2 Protection of Amenity of the Soutwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 6 Prior to the commencement of the use hereby approved full particulars of a scheme of sound insulation shall be submitted to the local planning authority and approved in writing to ensure that the L_{Fmax} sound from amplified and non-amplified music and speech shall not exceed the lowest $L_{90,5min}$ 1m from the facade of the nearest residential premises at all third octave bands between 31.5Hz and 8kHz. The plant and equipment shall be installed and constructed in accordance with any such approval given and shall be permanently maintained thereafter and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order to mitigate against any significant amenity impacts for neighbours, in accordance with saved Policy 3.2 Protection of Amenity of the Soutwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

- 7 Other than the door access within the shopfront, the other glazed elements shall be fixed shut.

Reason

In order to mitigate against any significant amenity impacts for neighbours, in accordance with saved Policy 3.2 Protection of Amenity of the Soutwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

Statement of positive and proactive action in dealing with the application

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website and which offers a pre planning application advice service. The scheme did not comply with guidance and no pre application discussions were entered into. The local planning authority's suggested improvements were adopted by the applicant.