
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 W Delgado Armijos Costa Azul	Reg. Number	13/AP/3636
Application Type	Full Planning Permission	Case Number	TP/RLY/14/BK2
Recommendation	Grant permission		

Draft of Decision Notice

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

Use of Railway Arch as a restaurant (Use Class A3) and installation of an extractor fan to rear of property.

At: RAILWAY ARCH 102A, ROCKINGHAM STREET SE1

In accordance with application received on 22/10/2013

and Applicant's Drawing Nos. Site Location Plan; Report titled Installation and Survey Quotation; Airclean Metal Case Discarbs Specifications; V Line Panel Filter Specifications; sketch labelled 'Alex Job' and drawing numbers 1226/001, 1226/002, 1226/004, and 1226/006.

Subject to the following four conditions:

Time limit for implementing this permission and the approved plans

- 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:

Drawing number 1226/002 and sketch labelled 'Alex Job'.

Reason:

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

Pre-occupation condition - the details required to be submitted for approval by the condition listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 3 The plant and equipment shall be installed and constructed so that the rated noise level from any plant, together and any associated ducting, shall be 10 dB(A) or more below the lowest relevant noise level (as measured LA90 (15min) at the nearest noise sensitive premises, this being the adjoining residential occupiers). The method of assessing this is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The plant should be constructed and permanently maintained so as to meet this noise level.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, .Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Compliance condition - the following condition imposes restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 4 The use hereby permitted for restaurant (Class A3) purposes shall not be operational outside of the hours 10:00 to 23:00 on Monday to Thursday, 10:00 to 23:30 on Friday and Saturday and 11:00 to 23:00 on Sundays and Public Holidays unless otherwise approved in writign by the Local Planning Authority.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

Informatives

To clarify, the application relates solely to the ground floor planning unit located within the railway arch and not the upper mezzanine level despite this being shown within the submitted plans.

You are reminded that Advertisement Consent under the Control of Advertisement Regulations is likely to be required for the display of any advertisements associated with the restaurant activity.