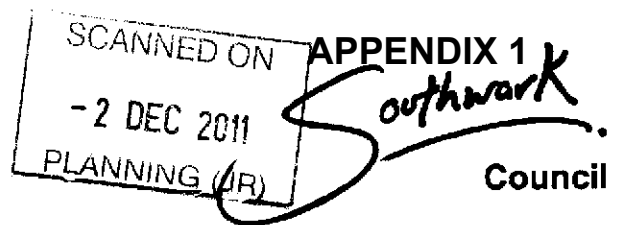


TP(Permit)

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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PLANNING PERMISSION WITH LEGAL AGREEMENT

Applicant Archlane Ltd
Date of Issue of this decision 24/11/2011

LBS Registered Number 11-AP-1955

Planning Permission was GRANTED for the following development:

Erection of a new nine storey building in the rear parking/servicing area (maximum height AOD 42.895m) to provide retail at ground and offices above; refurbishment of existing Sea Containers House and change of use of floors 5-14 of the rear wing plus three floors of the main building from offices to a 358 bedroom hotel, including the erection of new roof extension at part 12th floor level to provide a bar ancillary to the hotel use. Extension and conversion of the ground floor area to provide new restaurant (Class A3), cafe (Class A3), service (Class A2) and retail uses (Class A1) together with new service bay, landscaping, new access arrangements and associated car and cycle parking.

At: SEA CONTAINERS HOUSE, UPPER GROUND, LONDON SE1 9PD

In accordance with application received on 14/06/2011 Your Ref. No.:
and revisions/amendments received on 23/08/2011
30/08/2011

and Applicant's Drawing Nos. A10075 D 0001 Rev P1, D 0098 P1, D 0099 P4, D0100 P4, D 0101 P1, D 0102 P1, D 0103 P1, D 0104 P1, D 0105 P1, D 0106 P1, D 0107 P2, D 0108 P1, D 0109 P1, D 0110 P2, D 0111 P1, D 0112 P1, D 0113 P1, D 0114 P1, D 0115 P1, D 0116 P1, D 0201 P1, D 0202 P1, D 0203 P2, D 0204 P2, D 0205 P2, D 0206 P3, D 0207 P2, D 0208 P1, D 0210 P1, D 0211 P1, D 0220 P1, D 0230 P1, D 0240 P1, D 0260 P1, D 0300 P1, D 0301 P1, D 0302 P1, D 0303 P1, D 0212 P1, D 0400 P1, F 0098 P1, F 0099 P1, F 0100 P1, F 0101 P1, F 0102 P1, F 0103 P1, F 0104 P1, F 0105 P1, F 0106 P1, F 0107 P1, F 0108 P1, F 0109 P1, F 0110 P1, F 0111 P1, F 0112 P1, F 0113 P1, F 0114 P1, F 0115 P1, F 0116 P1, F 0201 P1, F 0202 P1, F 0203 P1, F 0204 P1, F 0300 P1, F 0301 P1, F 0302 P1, F 0303 P1.

Construction Management Plan, Phase 1 Environmental Assessment, Summary of Consultation, Air Quality Assessment, Draft Servicing Management Plan, Framework Travel Plan (August 2011), Transport Assessment, Noise & Vibration Report, Tree Survey & Arboricultural Report, Utilities Statement, Energy Strategy, Sustainability Statement, Pedestrian Level Wind Microclimate Assessment, Flood Risk Assessment, Planning Statement, Daylight, Sunlight & Overshadowing Report, Design & Access Statement, Heritage, Townscape & Visual Impact Assessment - Addendum, Office Market Commentary, Report on Structural Limitations, Note on Wheelchair accessible hotel rooms, Indicative Information by Townsend Landscape Architects, Response to GLA comments on Heritage, Landscape and Visual Impact.

Reasons for granting permission.

a) Saved Policies of the Southwark Plan (2007)

Policy 1.1 (Access to Employment Opportunities) advises that for all developments creating over 1000sq.m new or improved floorspace; the LPA will seek to enter into planning obligations in relation to training, employment opportunities, childcare, and facilities for those with disabilities.

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 1.7 (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 1.12 (Hotels and Visitor Accommodation) which states that hotels would be encouraged in areas with high

public transport accessibility and that they would not be permitted where they would result in an over dominance of visitor accommodation in the locality.

Policy 2.5 (Planning Obligations) seeks to ensure that any adverse effect arising from a development is taken into account and mitigated, and contributions towards infrastructure and the environment to support the development are secured, where relevant, in accordance with Circular 05/2005 and other relevant guidance.

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 3.3 (Sustainability Assessment) protects against the loss of amenity, including disturbance from noise, to present and future occupiers on or in the vicinity of the application site.

Policy 3.4 (Energy Efficiency) advises that development should be designed to maximise energy efficiency.

Policy 3.6 (Air Quality) advises that permission will not be granted for development that would lead to a reduction in air quality.

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 3.15 (Conservation of the Historic Environment) requires development to preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance.

Policy 3.16 (Conservation areas) states that there will be a general presumption in favour of retaining buildings that contribute positively to the character and appearance of the conservation area and notes that consent will be granted for schemes in conservation areas provided that they meet specified criteria in relation to conservation area appraisals and other guidance, design and materials.

Policy 3.18 (Setting of Listed Buildings Conservation Areas and World Heritage Sites) advises that permission will not be granted for developments that would not preserve or enhance the immediate views and/or wider settings of a listed building, conservation area or world heritage site.

Policy 3.19 (Archaeology) advises that planning applications within Archaeological Priority Zones (APZ) should be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.

Policy 3.20 (Tall Buildings) advises that permission may be granted for buildings that are significantly taller than their surroundings or have a significant impact on the skyline, where they have excellent public transport accessibility and are located within the Central Activities Zone),

Policy 3.22 (Important Local Views) advises that the Local Planning Authority will seek to protect and enhance identified views, panoramas, prospects and their settings. Developments that would impact negatively on important local views will not be granted.

Policy 3.28 (Biodiversity) requires biodiversity to be taken into account in the determination of planning applications and the inclusion in developments of features which enhance biodiversity will be encouraged.

Policy 3.31 (Flood Defences) advises that permission will not be granted for development sited adjacent to the River Thames unless it is set back at a suitable distance from the river wall to allow for the replacement/repair of flood defences and for any future raising to be undertaken in a suitable and cost effective manner.

Policy 5.1 (Locating Developments) states that location of development must be appropriate to the size and trip generating characteristics of the development, stating that schemes generating a significant number of trips must be located within easy access of public transport nodes.

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 5.7 (Parking Standards for Disabled People) requires development (subject to site constraints) to provide adequate car parking for disabled people and the mobility impaired.

Policy 7.4 (Bankside and Borough Action Area) sets out policies to support this unique place in London as a thriving location for a wide range of activities, where culture, history, business, residential communities and a diverse built environment co-exist.

b) Policies of the Southwark 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 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 11 Open Spaces and Wildlife protects important open spaces, trees and woodland from inappropriate development.

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.

Strategic Policy 14 Implementation and Delivery which ensure that the strategic vision and objectives for Southwark are implemented to ensure that the borough continues to be successful and vibrant.

c) The London Plan 2011

Policy 2.10 Central Activities Zone – strategic priorities, Policy 2.11 Central Activities Zone – strategic functions, Policy 2.13 Opportunity Areas and Intensification Areas, Policy 2.15 Town Centres, Policy 4.1 Developing London's economy, Policy 4.2 Offices, Policy 4.3 Mixed use development and offices, Policy 4.5 London's Visitor Infrastructure, Policy 4.7 Retail and town centre development, Policy 5.1 Climate change mitigation, Policy 5.2 Minimising carbon dioxide emissions, Policy 5.5 Decentralised energy networks, Policy 5.6 Decentralised energy in development proposals, Policy 5.7 Renewable energy, Policy 6.1 Strategic approach (Transport), Policy 6.13 Parking, Policy 7.4 Local character, Policy 7.5 Public realm, Policy 7.6 Architecture, Policy 7.7 Location and design of tall and large buildings, Policy 7.11 London View Management Framework, Policy 7.12 Implementing the London View Management Framework and Policy 8.2 Planning obligations

d) Planning Policy Statements

PPS 1: Planning for Sustainable Communities; PPS4: Planning for Economic Growth, PPG 13: Transport; PPS5: Planning for the Historic Environment, PPS 22 Renewable Energy; PPG 23: Planning and Pollution Control; PPG 24: Planning and Noise; PPS 25: Development and Flood Risk;

e) Relevant SPD's/SPG's

Including Section 106 Planning Obligations SPD (July 2007), Draft London Bridge, Borough and Bankside SPD (February 2010), Revised London View Management Framework 2010 (SPD to the London Plan).

The proposal would result in the net loss of a substantial quantum of office floorspace, which on balance has been considered acceptable on the basis of material planning considerations which would outweigh the normal policy provisions to protect office floorspace. The location of the site makes it ideal for hotel use, and criteria in relation to high public transport accessibility and town centre location are met. The hotel could not be considered to harm the character of the area as it would remain very mixed, with a wide range of uses. The provision of Class A uses are welcomed and supported by policy.

The proposal would provide an extensive improvement of the streetscape together with new active frontages which would improve the experience for pedestrians, and provide for natural surveillance. The new western pedestrian route would increase the overall permeability of the area and allow for connectivity to the River Thames.

The impact of the scheme in design terms is considered acceptable, and the various additions and extensions would not harm any defined strategic or local views. Some concerns do relate to the detailed design and use of materials, but it is considered that the attachment of suitably worded conditions could address these concerns. Further, there would be no harm to the setting of the Old Barge House Conservation Area.

The impacts of the scheme in relation to daylight, sunlight and outlook are considered acceptable, and it is considered that no harmful impacts would arise.

The scheme would not be expected to cause any unacceptable impact to local highway or transport conditions.

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:

A10075 D 0001 Rev P1, D 0098 P1, D 0099 P4, D0100 P4, D 0101 P1, D 0102 P1, D 0103 P1, D 0104 P1, D 0105 P1, D 0106 P1, D 0107 P2, D 0108 P1, D 0109 P1, D 0110 P2, D 0111 P1, D 0112 P1, D 0113 P1, D 0114 P1, D 0115 P1, D 0116 P1, D 0201 P1, D 0202 P2, D 0203 P2, D 0204 P2, D 0205 P2, D 0206 P3, D 0207 P2, D 0208 P1, D 0210 P1, D 0211 P1, D 0220 P1, D 0230 P1, D 0240 P1, D 0260 P1, D 0300 P1, D 0301 P1, D 0302 P1, D 0303 P1, D 0212 P1, D 0400 P1

Reason:

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

- 3 **Archaeological Evaluation**

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Saved Policy 3.19 of the Southwark Plan 2007 and Strategic Policy 12 of the Core Strategy 2011.

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SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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Date of Issue of this decision 24/11/2011

4 Archaeological Mitigation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Saved Policy 3.19 of the Southwark Plan 2007 and Strategic Policy 12 of the Core Strategy 2011.

5 Archaeological Reporting

Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Saved Policy 3.19 of the Southwark Plan (July 2007) and Strategic Policy 12 of the Core Strategy 2011.

6 Environmental Management Plan

Before any work hereby authorised begins, details of an Environmental Management Plan and Code of Practice (which shall oblige the applicant/developer and its contractors to use all best endeavours to minimise disturbances including but not limited to noise, vibration, dust, smoke and plant emissions emanating from the site) which shall include the following information:

- A detailed specification of demolition (including method and foundation piling) and construction works for each phase of development including consideration of environmental impacts and the required remedial measures;
- A detailed specification of engineering measures, acoustic screening and sound insulation measures required to mitigate or eliminating specific environmental impacts;
- Details of arrangements for publicity and promotion of the scheme during construction;
- Details setting out when the River Walk would need to be closed, and details steps to ensure that the closure would be minimised;
- A commitment to adopt and implement the ICE Demolition Protocol and Southwark's Environmental Code of Construction and GLA Best Practice Guidance.
- A Delivery and Servicing Plan (all construction access routes and access details also need to be approved by TfL).

shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given and the demolition and construction work shall be undertaken in strict accordance with the approved Management Plan and Code of Practice.

Reason

To ensure that and occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance in accordance with Strategic Policy 13 - High Environmental Standards of The (Draft) Core Strategy 2011, Saved Policies 3.1 Environmental Effects, 3.2 Protection of Amenity, 3.6 Air Quality and 3.10 Hazardous Substances of The Southwark Plan 2007 and PPS23 Planning and Pollution Control.

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7 Contaminated Land Assessment

Before any work hereby authorised begins, the owner/developer shall procure at their own cost the services of a suitably qualified and competent consultant in the relevant field, and a Contaminated Land Assessment and associated remediation strategy, together with a timetable of works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given, which shall include:

a) Submission of a detailed site investigation in accordance with the approved methodology to establish the possible or actual presence of contamination and/or pollution in, on, under or over the site, to assess the nature and extent of the contamination or pollution including the actual or potential pollution of the ground and surface water environment. The method and extent of the site investigation shall be in accordance with established code of practice and should be agreed with the Local Planning Authority (Environmental Protection) before commencement of the investigation;

b) Submission of a comprehensive report containing the detailed findings of the investigation carried out together with a risk assessment of any pollutant or hazard identified in the report (using the source, pathway and receptor principle), a remediation scheme setting out the measures necessary to remove, neutralise or otherwise deal with the contamination and/or pollution (including measures to prevent and monitor pollution of ground water and surface water) so that the site may be used for the purposes for which it is being redeveloped. The remediation scheme shall be implemented at the owner/developer's cost in compliance with the reasonable conditions, stipulations, phasing timetable and other relevant matters subject to which such approval is granted.

At any time after the implementation of the approved remediation scheme, if the Local Planning Authority is reasonably satisfied that further remediation works are necessary to remove, neutralise or otherwise deal with any residual contamination and/or pollution in, on, under or over the site, the Local Planning Authority may by written notice require the owner/developer to carry out the remediation steps specified in the said notice which shall also specify the date by which the said remediation steps shall be carried out and completed. The failure on the part of the owner/developer to carry out and complete the said remediation steps to the reasonable satisfaction of the Local Planning Authority by the date specified in the said notice shall be deemed to be a breach of the owner's/developer's obligation under this consent. This does not affect any action that may be deemed necessary under Part II A of the Environmental Protection Act 1990 or other relevant legislation.

c) Submission of (following completion of remediation work) a detailed consultant validation report confirming that all reasonable skill, care and due diligence has been taken in the carrying out of the investigation, compiling the report, findings and remediation scheme, and ensuring the scheme has been properly implemented (see CLR11 for guidance). Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

Once the validation report at c) is submitted to and approved in writing by the Local Planning Authority the condition will be fully discharged.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Saved Policies 3.1 Environmental Effects, 3.2 Protection of Amenity and 3.10 Hazardous Substances of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards of the Core Strategy and PPS23 Planning and Pollution Control.

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8 Design - mock ups with sample materials

Notwithstanding the drawings hereby approved, mock-ups of the cladding to the existing building and the new office building as well as samples of all their external facing materials, to be used in the carrying out of this permission shall be presented on site prior to the commencement of any works above grade level and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the materials make an appropriate high quality response to the context, including from river prospects and heritage assets, and so that the Local Planning Authority may be satisfied as to the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and Strategic Policy 12 Design & Conservation of the Core Strategy (2011).

9 Design - details

Prior to the commencement of any works above grade, 1:10 and 1:20 scale drawings of the glazed link stair and set-back 9th floor as well as samples of its external facing materials including non-reflective highly transparent glass, to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and Strategic Policy 12 Design & conservation of the Core strategy (2011).

10 Design - details

Prior to the commencement of any works above grade, 1:10 and 1:20 scale drawings of the 12th floor roof extension as well as samples of all its external facing materials, to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. These samples must demonstrate how the proposal makes a contextual response in terms of materials to be used.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and Strategic Policy 12 Design & Conservation of the Core strategy (2011).

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11 Design - details

Prior to the commencement of any works above grade, 1:5/10 section and detail-drawings through:

- the facades (which should include details of the ventilation extracts);
- parapets;
- roof edges;
- the entrance doors;
- the service entrance/gate on Upper Ground;
- junctions with the existing buildings; and
- heads, cills and jambs of all openings;

of the existing building and the new office building to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority 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 design and details in the interest of the special architectural or historic qualities of the listed building in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and Strategic Policy 12 Design & Conservation of the Core strategy (2011).

12 Design - facade depth

Notwithstanding the details on the drawings hereby approved, section drawings, floorplans and elevations of the south and east elevations of the new office building showing the depth of the stone facade relative to the glass panels shall be submitted prior to the commencement of any works above grade; the drawings are required to demonstrate an appropriate facade depth relative to the west elevation. 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 design and details in the interest of the special architectural or historic qualities of the listed building in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and SP12 Design & Conservation of the Core Strategy (2011).

13 Landscaping

Prior to the commencement of any works above grade, landscape-drawings, at 1:50, 1:10 and 1:5 scale drawings of the layouts, planting schedules, trunk girth and species, materials and edge details to be used in the carrying out of this permission including all the publically accessible spaces on the ground floor shall be submitted to and approved by the Local Planning Authority 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 design and details in the interest of the special architectural qualities of the existing building and the public spaces around it in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007 and Strategic Policy 12 Design & conservation of the Core strategy (2011).

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14 Wheelchair accessibility and access

Before any works above ground level in connection with the hotel are carried out, a detailed access management plan shall be submitted to and approved by the Local Planning Authority, such plan to include as a minimum: details of proposed management measures to assist all disabled people to access and use the hotel and its facilities; details of the facilities by which non-ambulant disabled persons may gain access to and move within the building; detailed drawings showing the location and layout of at least 10% of the hotel bedrooms which are to wheelchair accessible standards, the structural requirements for which shall be provided upon implementation and retained as such for as long as the building is in use, with 5% fully fitted-out and available from first occupation; and a monitoring programme to allow for future fit-out of the other 5% of rooms as demand requires.

Reason

To ensure the provision of adequate means of access to the building for people with disabilities in accordance with Saved policies 3.11 Efficient use of land and 3.11 Urban design of the Southwark Plan 2007 and policy 7.2 An inclusive environment of the London Plan 2011.

15 Green/brown roof

Prior to the commencement of the relevant part of the work, details of the green and/or brown roofs (including a specification and maintenance plan) to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, it in accordance with Policies 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007 and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

16 Biodiversity and ecological mitigation measures

Before the first occupation of the buildings hereby permitted, an Environmental Action Plan detailing proposed ecological mitigation measures, including proposals for bat and bird boxes, including a minimum of 10 swift bricks and 10 bat bricks, shall be submitted to and approved in writing by the Local Planning Authority and the measures pursuant to this condition shall be carried out and thereafter permanently maintained in accordance with any such approval given.

Reason

To ensure the proposal protects and enhances biodiversity in accordance with Saved Policy 3.28 Biodiversity of The Southwark Plan 2007 and Strategic Policy 11 Open Spaces and Wildlife of the Core Strategy 2011.

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17 Hours of use

The retail uses [Classes A1- A3 use] hereby permitted (excluding the hotel restaurant which falls within use Class C1) shall not be carried on outside of the hours 0700 hours to 2330 hours Mondays to Saturdays, and between 0800 hours and 2300 hours on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties 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.

18 Hours of use - hotel bar and restaurant

The hotel bar and hotel restaurant hereby permitted shall not be open to any person who is not staying as a guest at the hotel outside of the hours of 0700 to 2330 on any day.

Reason:

To safeguard the amenities of neighbouring residential properties 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.

19 Hours of use (roof terrace)

The roof top hotel bar terrace hereby permitted shall not be accessed or used for any purpose including use as a roof terrace or balcony or for the purpose of sitting or standing outside of the hours 0900 hours to 2200 hours on any day.

Reason:

To safeguard the amenities of neighbouring residential properties 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.

20 Energy

The energy strategy shall be provided in accordance with the submitted details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development is occupied.

Reason:

To ensure the development complies with Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Policy 5.1 Climate change mitigation, Policy 5.2 Minimising carbon dioxide emissions and Policy 5.7 Renewable energy of the London Plan 2011.

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21 BREEAM

Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the BREEAM excellent rating has been met for the new office building, and that an overall rating of at least VERY GOOD would be achieved for the hotel and office refurbishment.

Reason

To ensure the proposal complies with Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007 and Strategic Policy 13 - High Environmental Standards of the Core Strategy 2011.

22 Refuse storage

Before the first occupation of the buildings hereby permitted, the refuse storage arrangements shown on the approved drawings shall be provided and made available for use by the occupiers of the dwellings and commercial units and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure 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 Saved Policies 3.2 Protection of Amenity and 3.7 Waste Reduction of The Southwark Plan 2007 and Strategic Policy 13 High Environmental Standards of the Core Strategy 2011.

23 Service Management Plan

Prior to occupation, a Service Management Plan detailing how all elements of the site are to be serviced (including servicing hours) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

24 Travel Plan

- a) Prior to occupation of the buildings, the applicant shall submit in writing and obtain the written approval of the LPA 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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SOUTHWARK COUNCIL



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

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25 Electric vehicle charger points

Prior to the fit out of the basement, details of the installation (including location and type) of the electric vehicle charger points within the car parking area shall be submitted to and approved in writing by the Local Planning Authority and the electric vehicle charger points shall be installed and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To encourage more sustainable travel in accordance with Saved Policies 3.1 Environmental Effects and 5.2 Transport Impacts of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

26 Cycle Storage- details to be submitted

Prior to the commencement of any works above grade, revised details (1:50 scale drawings) of an alternative cycle storage facility should be provided for the secure storage of cycles [for the retail, hotel and offices] shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Strategic Policy 2 - Strategic Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

27 Parking Management Plan

Prior to occupation, a Parking Management Plan detailing how the basement disabled car parking spaces would be made available and offered to disabled users of the hotel, office and retail accommodation should be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

28 Flood Risk

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) for Sea Containers House (dated 9 June 2011) and the outlined mitigation measures detailed within the FRA.

Reason:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

Continued overleaf...

SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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29 Air Pollution

Before any work hereby authorised begins, an addendum to the Air Quality report shall be submitted showing how the scheme will minimise the exposure of River Court residents exposure to air pollution from the proposed CHP plant and the approved scheme shall be implemented prior to occupation of the development and shall be permanently maintained thereafter.

Reason

To ensure River Court residents do not suffer a loss of amenity by reason of pollution in accordance Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007.

30 Roof terrace screening

Before practical completion of the development hereby approved, details of the screening to the roof terraces (to the office and to the roof top bar) hereby approved shall be submitted and approved by the Local Planning Authority. The screening shall be erected before first occupation of any part of the buildings and be retained and maintained thereafter in accordance with the approval given.

Reason

In order that the privacy of the surrounding residents may be protected from overlooking from use of the roof area in accordance with Saved Policy 3.2 Protection of Amenity of the Southwark Plan and Strategic Policy 13 High Environmental Standards of Core Strategy 2011.

31 Noise from machinery, plant or equipment

The machinery, plant or equipment installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that noise there from does not, at any time, increase the ambient equivalent noise level when the plant, etc., is in use as measured at any adjoining or nearby premises in separate occupation; or (in the case of any adjoining or nearby residential premises) as measured outside those premises; or (in the case of residential premises in the same building) as measured in the residential unit.

Reason

In order to protect neighbouring occupiers from noise nuisance thereby protecting the amenity of neighbouring occupiers in accordance with Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007, Strategic Policy 13 High Environmental Standards and Planning Policy Guidance 24 Planning and Noise.

32 External tables and chairs

Prior to occupation, details of the arrangement and location of external tables and chairs, including hours of their use, shall be submitted to and approved by the Local Planning Authority in writing before any such external seating is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and in the interests of pedestrian movement in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

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TP(Permit)

SOUTHWARK COUNCIL



TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

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33 Restrictions- no telecommunications equipment

Other than as shown on the submitted drawings, and notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted], no additional external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

Signed *Gary Rice*

Head of Development Management

Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Head of Development Management, Southwark Council, Regeneration and neighbourhoods, Planning & transport, Development management, PO Box 64529, London SE1P 5LX, or by email to planning.enquiries@southwark.gov.uk

UPRN: 10009794635

checked by

A handwritten signature in black ink, appearing to read 'B. T. Lewis', written over a horizontal line.

TP/1227-22

PLANNING PERMISSION WITH LEGAL AGREEMENT

LBS Registered Number: 11-AP-1955

Date of issue of this decision: 24/11/2011



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IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at www.planningportal.gov.uk/pcs. You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at www.planning-inspectorate.gov.uk. The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **PURCHASE NOTICE.** If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.
- [3] **PROVISIONS FOR THE BENEFIT OF THE DISABLED.** Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
- (i) Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
 - (ii) Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
 - (iii) Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities [including the London Borough of Southwark] entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property.
- [5] **WORKS AFFECTING THE PUBLIC HIGHWAY.** You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.
- [6] **THE DULWICH ESTATE SCHEME OF MANAGEMENT.** Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].
- [7] **BUILDING REGULATIONS.** You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].
- [8] **THE PARTY WALL Etc. ACT 1996.** You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a

neighbouring building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

IMPORTANT: This is a **PLANNING PERMISSION** only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.