
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	Ms Anne Golden Mondrian Hotel Group	Reg. Number	15/AP/3857
Application Type	S.73 Vary/remove conds/minor alterations	Case Number	TP/1227-22
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Variation of Condition 14 of planning permission 14-AP-3111 to revise the opening hours of the hotel bars and restaurant to any guest who is not staying at the hotel from: - 07:00 to 23:30 on any day to:

- 07:00 to 01:00 on Monday to Wednesday, 07:00 to 01:30 on Thursday to Saturday and 07:00 to 00:30 on Sunday.

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

In accordance with application received on 23/09/2015 08:01:17

and Applicant's Drawing Nos. Site plan, Planning Statement (which includes the Noise Management and Dispersal Plan), D1112 Rev P1, D0100 Rev P7.

Subject to the following sixteen conditions:

Time limit for implementing this permission and the approved plans

- 1 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

As amended by:

Site plan, Planning Statement (which includes the Noise Management and Dispersal Plan), D1112 Rev P1, D0100 Rev P7.

Reason:

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

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

- 2 **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 remains 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 consolidated with revised early minor alterations 2013..

- 3 **Refuse storage**

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.

4 Service Management Plan

The development shall be carried out in accordance with the approved Service Management Plan 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.

5 External tables and chairs

The arrangement and location of external tables and chairs, including hours of their use, shall be as approved by the Local Planning Authority.

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.

6 Cycle Storage- details to be submitted

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 the 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.

7 Parking Management Plan

The car parking spaces shall be made available and offered to disabled users of the hotel 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.

8 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.

9 Air Pollution

The control of air pollution scheme shall remain as approved 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.

10 Roof terrace screening

The screening to the office and roof top bar shall 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.

- 11 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 and Strategic Policy 13 High Environmental Standards.
- 12 Restrictions- no telecommunications equipment
Other than as shown on the approved 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.
- 13 Noise management plan
The policies and procedures as outlined in the Noise Management and Dispersal Plan shall be implemented and remain in force during the hours of 0700 to 0100 hours Monday to Wednesday, 0700 to 0130 hours Thursday to Saturday, 0700 to 0030 hours on Sunday, unless otherwise agreed by the Local Planning Authority.
- 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 and Policy 7.15 Reducing noise and enhancing soundscapes of the London Plan July 2011 consolidated with revised minor early alterations October 2013..
- 14 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.
- 15 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 07:00 to 01:00 Monday to Wednesday, 07:00 to 01:30 Thursday to Saturday and 07:00 to 00:30 on Sunday.
- 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 and Policy 7.15 Reducing noise and enhancing soundscapes of the London Plan July 2011 consolidated with revised minor early alterations October 2013..
- 16 Hours of use (roof terrace)
The roof top hotel bar terrace hereby permitted shall not be accessed or used for any other 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.
- 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.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.