
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 Jeff Shapiro Raykor Ltd	Reg. Number 15/AP/4980
Application Type	Full Planning Permission	
Recommendation	Grant subject to Legal Agreement	Case Number TP/1140-153

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of 153-159 Borough High Street, and erection of 7-storey hotel (with basement), comprising 50 bedrooms and roof terrace, top 2 floors set back; and A1/A3 use at basement and ground floor level.

At: 153-159 BOROUGH HIGH STREET, LONDON SE1 1HR

In accordance with application received on 05/02/2016

and Applicant's Drawing Nos.

14069_JA12_P_AL_001 (Existing Location Plan), 14069_JA12_E_W_001 (Existing West Elevation), 14069_JA12_E_E_001 (Existing East Elevation), 14069_JA12_E_N_001 (Existing North Elevation), 14069_JA12_S_AA_001 (Existing Section A-A), 14069_JA12_P_RF_001 (Existing Roof Level), 14069_JA12_P_00_001 (Existing Level 00), 14069_JA12_P_01_001 (Existing Level 00), 14069_G100_P_AL_001 Rev.A (Proposed Location Plan), 14069_G200_S_AA_001 Rev.A (Proposed Section A-A), 14069_G200_S_BB_001 Rev.A (Proposed Section B-B), 14069_G200_S_CC_001 Rev.A (Proposed Section C-C), 14069_G200_E_N_001 Rev.A (Proposed North Elevation), 14069_G200_E_E_001 Rev.A (Proposed East and South Elevation), 14069_G200_E_W_001 Rev.A (Proposed West Elevation), 14069_G200_P_A1_001 Rev.A (Proposed Location Plan), 14069_G200_P_B1_001 Rev.A (Proposed Basement), 14069_G200_P_00_001 Rev.A (Proposed Level 00), 14069_G200_P_01_001 Rev.C (Proposed Level 01), 14069_G200_P_02_001 Rev.C (Proposed Level 02), 14069_G200_P_03_001 Rev.C (Proposed Level 03), 14069_G200_P_04_001 Rev.C (Proposed Level 04), 14069_G200_P_05_001 Rev.A (Proposed Level 05), 14069_G200_P_06_001 Rev.A (Proposed Level 06), 14069_G200_P_RF_001 Rev.A (Proposed Roof Level), 2015/2930/003 Rev.A (New Taxi Bay Facility on Borough High Street), Flood Risk Assessment (revised version as submitted to the LPA on 22.02.2016), Stage II Structural Report (dated November 2015), Design and Access Statement, Heritage Statement, Transport Statement, Energy Statement, Delivery and Servicing Management Plan, Mechanical, Electrical and Public Health Services Brief, BREEAM Pre-Assessment Report, Daylight and Sunlight Impact Report, Construction and Environmental Management Plan, Revised Archaeological Desk Based Assessment including a Written Scheme of Investigation for an Archaeological Evaluation (Archaeology Collective, dated February 2016) and a Travel Plan (by RGP, dated December 2015).

Subject to the following twenty-seven 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:

14069_G100_P_AL_001 Rev.A (Proposed Location Plan)
 14069_G200_S_AA_001 Rev.A (Proposed Section A-A)
 14069_G200_S_BB_001 Rev.A (Proposed Section B-B)
 14069_G200_S_CC_001 Rev.A (Proposed Section C-C)
 14069_G200_E_N_001 Rev.A (Proposed North Elevation)
 14069_G200_E_E_001 Rev.A (Proposed East and South Elevation)

14069_G200_E_W_001 Rev.A (Proposed West Elevation)

14069_G200_P_A1_001 Rev.A (Proposed Location Plan)

14069_G200_P_B1_001 Rev.A (Proposed Basement)

14069_G200_P_00_001 Rev.A (Proposed Level 00)

14069_G200_P_01_001 Rev.C (Proposed Level 01)

14069_G200_P_02_001 Rev.C (Proposed Level 02)

14069_G200_P_03_001 Rev.C (Proposed Level 03)

14069_G200_P_04_001 Rev.C (Proposed Level 04)

14069_G200_P_05_001 Rev.A (Proposed Level 05)

14069_G200_P_06_001 Rev.A (Proposed Level 06)

14069_G200_P_RF_001 Rev.A (Proposed Roof Level)

2015/2930/003 Rev.A (New Taxi Bay Facility on Borough High Street)

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3 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 that 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 policy 3.19 of the Southwark Plan (July 2007).

4 Archaeological Mitigation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works across the entire site in accordance with a written scheme of investigation and public access programme, 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 policy 3.19 of the Southwark Plan 2007.

5 Archaeological Foundation Design

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground 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.

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with policy 3.19 of the Southwark Plan (July 2007).

6 Archaeological Evaluation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of trench-based archaeological evaluation works in each of the three affected properties 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 policy 3.19 of the Southwark Plan 2007.

7 Prior to commencement of demolition works, a valid construction contract (under which one of the parties is obliged to carry out and complete the works of redevelopment of the site for which planning permission was granted simultaneously with this consent) shall be entered into and evidence of the construction contract shall be submitted to for approval in writing by the Local Planning Authority.

Reasons

As empowered by Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and to maintain the character and appearance of the [insert name] Conservation Area in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.15 Conservation of the Historic Environment, 3.16 Conservation Areas, and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007.

- 8 Section detail-drawings at a scale of 1:5m through:
the facades;
parapets and roof edges; and
heads, cills and jambs of all openings,
to be constructed in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. In addition, and notwithstanding the drawings hereby approved, 1:20m sections and elevations of the shop-front design, showing greater articulation in accordance with the Council's shop front design guidance shall also be submitted and approved.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; Policy 3.15 Conservation of the historic environment; Policy 3.16 Conservation areas; Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites of The Southwark Plan (UDP) July 2007.

- 9 Detailed drawings, visualisations, material specifications and a sample and supporting statement showing the proposed façade art installation on the north elevation to be used in the carrying out of this permission shall be submitted to, and approved by, the Local Planning Authority in writing before any work in connection with this permission is commenced; 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 that the proposed façade art installation on the north elevation will make an acceptable contextual response to the site in terms of its appearance and the materials used so as to achieve a satisfactory quality of design and detailing in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; Policy 3.15 Conservation of the historic environment; Policy 3.16 Conservation areas; Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites of the Southwark Plan (2007).

- 10 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

the parking of vehicles of site operatives and visitors;
loading and unloading of plant and materials;
storage of plant and materials used in constructing the development;
the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
wheel washing facilities;
measures to control the emission of dust and dirt during construction;
a scheme for recycling / disposing of waste resulting from demolition and construction works

Reason:

To ensure that 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 Core Strategy (2011) saved policy 3.2 'Protection of amenity', of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 11 a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for

approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

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 policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 12 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to, and approved in writing by, the local planning authority which:

provide details on all structures,
accommodate the location of the existing London Underground structures and tunnels,
accommodate ground movement arising from the construction thereof, and,
mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and/or works which are required by the approved design and method statements in order to address the matters listed above shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that existing London Underground infrastructure would be adequately protected.

- 13 The development hereby permitted shall not be commenced until detailed design and method statements (AIP) for all of the foundations, basement and ground floor structures retaining the highway (temporary and permanent) in accordance with BD 2/12 'Technical Approval of Highway Structures' have been submitted to, and approved in writing by, the local planning authority (in consultation with the Local Highway Authority)

Reason:

To ensure that public highway infrastructure is adequately protected.

- 14 No development shall take place, including any works of demolition, until a Construction Logistics Plan (CLP) has been submitted to, and approved in writing by, the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall include the following information as may be relevant:

Site information: (Site location of the site; Size and nature of the development; Details of any parking constraints near the site; Details of site access including public transport, cycling and footways; Any changes to services during the construction phase)

Construction details: (Scheme details; Works programme showing indicative dates for each stage of construction; Overview of the different stages of the construction processes; Access arrangements for vehicles; Details of any parking bays that may need to be suspended to make way for large construction vehicles; Number of deliveries; Hours of site operation; Proposed routing; Number and type of construction vehicles for each development phase; Parking, loading and unloading arrangements and monitoring methods; Swept path analysis; Measures to address any issues regarding entry, access and exit to the site; Details of storage of plant and materials)

Traffic management: (Details of how traffic will be managed during the various stages of construction; Type of construction vehicles needed and when; Parking arrangements for delivery vehicles; Pedestrian, cyclist, bus and general traffic considerations)

Monitoring, compliance, reporting and review: (How the CLP will be monitored; Compliance arrangements; Reporting and review arrangements)

Reason:

To ensure that the impact of the demolition and construction works on the safe operation of the surrounding highway network and on the general amenity of the locality is minimised as far as possible in accordance with strategic policies 2 (Sustainable transport) and 13 (High environmental standards) of the Southwark Core Strategy (2011), saved policies 3.2 (Protection of amenity) and 5.2 (Transport impacts) of the Southwark Unitary Development Plan (2007) and the National Planning Policy Framework (2012).

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 15 Samples of all external facing materials to be used in the carrying out of this permission, including 1sqm panels of the brickwork, showing mortar and pointing, shall be presented on site to the Local Planning Authority and approved in writing before any work in connection with this permission is commenced; the development shall not be carried out otherwise than in accordance with any such approval given. The samples should demonstrate that the tone of the brick will be appropriate for the specific context of this site.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; Policy 3.15 Conservation of the historic environment; Policy 3.16 Conservation areas; Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites of The Southwark Plan (UDP) July 2007.

- 16 Before any fit out works to the development hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good or excellent' rating 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;
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 agreed standards at (a) have been met.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2012, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy Efficiency of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) 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.

- 17 The rated noise level from any plant, together with any associated ducting shall be 10 dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise sensitive premises. Prior to the plant being commissioned a validation test shall be carried out following the completion of the development. The results shall be submitted to the LPA for approval in writing prior to the commencement of the use.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from 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).

- 18 Before the first occupation of any part of the development hereby permitted, the cycle storage facilities, as shown on drawing ref. 14069_G200_P_00_001 Rev.A (Proposed Level 00), shall be installed and thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 19 Before the first occupation of the development hereby permitted, the refuse storage arrangements shown on the approved drawing ref. 14069_G200_P_00_001 Rev.A (Proposed Level 00) shall be provided and made available

for use by the occupiers of the [dwellings/premises] 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

- 20 The kitchen extract system shall be designed in accordance with DEFRA's 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' (2005) - https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69280/pb10527-kitchen-exhaust-0105.pdf.

Prior to the commencement of use, full particulars and details of a scheme for the ventilation of the kitchen (as per Annex B of aforementioned document) 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 approval given.

Reason:

In order to ensure that that the ventilation ducting and ancillary equipment will not result in odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity 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(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.

- 21 The roof terrace shall not be used between 22:00-07:00hrs on any given day, other than for maintenance or repair purposes or means of escape.

Reason:

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

- 22 The hotel bedrooms within the development sharing a party ceiling/floor element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise from the commercial premises does not exceed NR25.

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 accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 23 The development hereby permitted, in relation to the hotel, shall be designed to ensure that the following internal noise levels are not exceeded within the proposed hotel bedrooms: 30dB LAeq and 45dB LAFmax due to environmental noise between 23:00-07:00. The bedrooms shall be designed to include the provision of background ventilation without the need for occupiers to open windows.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 24 The A1/A3 (retail and/or restaurant/cafe) uses within the basement and ground-floor levels of the development hereby permitted shall not operate outside of the hours of 07:00 to 00:00hrs on Sunday to Thursday and including Bank Holidays and 07:00 to 01:00hrs on Fridays and Saturdays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with Section 11 of the National Planning Policy Framework (2012), policies 7.6 (Architecture) and 7.15 (Reducing and managing noise, etc.) of the London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

- 25 Any deliveries, unloading and loading to the A1/A3/C1 uses within the development hereby permitted shall only

occur between the following hours: 10:00-16:00hrs on any given day.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Section 11 of the National Planning Policy Framework (2012), policies 7.6 (Architecture) and 7.15 (Reducing and managing noise, etc.) of the London Plan (2015), strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) and saved policy 3.2 (Protection of amenity) of the Southwark Unitary Development Plan (2007).

- 26 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

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.

- 27 No external doors shall open outwards over the public footway in Borough High Street.

Reason:

To prevent the obstruction of the public footway in Borough High Street in the interests of pedestrian convenience and highway safety in accordance with the National Planning Policy Framework (2012), strategic policy 2 (Sustainable transport) of the Southwark Core Strategy (2011) and saved policies 5.2 (Transport impacts) and 5.3 (Cycling and walking) of the Southwark Unitary Development Plan (2007).

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.

Initially the scheme did not comply with guidance and no pre-application discussions were entered into. However, the local planning authority's suggested improvements were adopted by the applicant.

Informatives

- 1 The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods.
- 2 The applicant is advised that it would be appropriate to include the required Construction Logistics Plan within or appended to the required Construction and Environmental Management Plan when these details are subsequently submitted for approval.