

---

## 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.

<b>Applicant</b>	Mr Dashi Mayooraan	<b>Reg. Number</b>	16/AP/1055
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/2666-3
<b>Recommendation</b>	Grant permission		

---

### Draft of Decision Notice

---

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

Retention of a change of use from A3 Cafe to A5 Takeaway.

**At:** 3 EAST DULWICH ROAD, LONDON SE22 9BA

**In accordance with application received on** 21/03/2016 08:01:22

**and Applicant's Drawing Nos.** Site location plan, Block plan, Existing front elevation, Existing side elevation, Existing and proposed section A-A, Existing and proposed ground floor plan, Design and access statement, Electrostatic precipitator manual, ON 100 odour neutraliser manual.

#### Subject to the following four 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: Existing and proposed section A-A, Existing and proposed ground floor plan

Reason:

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

**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.

- 2 Within one month of the decision date details of the arrangements for the storing of commercial refuse shall be submitted in writing to the Local Planning Authority. Any details approved shall be provided within one month of the approval date; the use hereby permitted shall only take place in accordance with such details as are approved.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting local amenity in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 high environmental standards of the Core Strategy 201 and saved policy 3.2 protection of amenity of the Southwark Plan.

**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.

- 3 The use hereby permitted shall only be carried out between the hours of 11:00-23:00 on any day.

Reason:

To protect the amenity of residents from noise and disturbance National Planning Policy Framework 2012; Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan; 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 Sustainable Design and Construction SPD 2009.

- 4 Within one month of the date of this permission, details of a kitchen exhaust system to ventilate the premises shall be submitted for approval to the local planning authority. The details shall include the means of odour control and sound attenuation (to ensure that the rating noise level (as defined in BS 4142:2014) from plant be at least 10dB(A) below the relevant background sound level (LA90) 1m from the nearby noise sensitive premises). Any

kitchen exhaust system approved shall be installed within two months of the date of approval and used to ventilate the premises thereafter.

Reason:

To protect the amenity of the local area and residents from noise and odour impacts in accordance with the National Planning Policy Framework 2012; Policy 7.15 reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes of the London Plan; 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 Sustainable Design and Construction SPD 2009.

**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.