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## RECOMMENDATION

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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

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<b>Applicant</b>	Mr G Bulger London Borough of Southwark	<b>Reg. Number</b>	04-AP-0167
<b>Application Type</b>	Council's Own Development - Reg. 3	<b>Case Number</b>	TP/1396-56
<b>Recommendation</b>	Grant		

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### Draft of Decision Notice

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**Permission was GRANTED, subject to the conditions and reasons stated in the Schedule below, for the following development:**

Alterations including erection of a roof extension at 3rd floor level to the front of the building and erection of a 3-storey rear extension with glazed screen above to the rear (Union St frontage), including helical wind turbine and photovoltaic roof arrays on main roof, and use of the building as a training and community facility with ancillary cafe (mixed Class B1/Class D1 use).

**At:** 56 Southwark Bridge Road SE1

**In accordance with application received on 02/02/2004**

**and Applicant's Drawing Nos.** Survey Drawings 4260/PL/01-12 (inclusive); as proposed drawings 4260/PL/13A, 14, 15A, 16A, 17A, 18A, 19A, 20A, 21A, 22A, 23A, 24A, 25, 26A, 27A, 28A and 29; 'Supporting Information for Planning Application' dated January 2004, 'Daylighting Impact Assessment' dated April 2004 and 'Energy Strategy/Wind Turbine and Wood Pellet Boiler' Statement dated April 2004.

#### **Schedule**

- 1 The development hereby permitted shall be begun before the end of five years from the date of this permission.

#### **Reason**

As required by Section 91 of the Town and Country Planning Act 1990.

- 2 Notwithstanding the provisions of Class D1 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted shall not include any use for, or in connection with, public worship or religious instruction.

#### **Reason**

Due to the restrictions of the site and likely traffic generation arising from use of the building as a place of public worship or for religious instruction, use of the building for this purpose would be contrary to policy T.1.2 'Location of Development in Relation to the Transport Network' and policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Southwark Unitary Development Plan adopted July 1995 and policy 5.1 'Locating Development' of the Draft Southwark Plan (Second Deposit, March 2004).

- 3 The mixed use hereby permitted for Class B1/D1 training/commercial/community purposes shall not be carried on outside of the hours 06.00 hours to 23.00 hours, and the first floor terrace facing Union Street shall not be used (except in cases of emergency) outside the hours of 09.00 hours and 21.00 hours.

#### **Reason**

In order to protect the amenity of the residential occupiers of the adjoining building, in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan and Policy 3.2 'Protection of Amenity' of the draft Southwark Plan as placed on Second Deposit March 2004.

- 4 The scheme of sound insulation shown on the approved drawings shall be carried out and provided before the use hereby permitted is commenced and those sound insulation works shall thereafter be retained and shall not be removed without the prior written consent of the Local Planning Authority.

#### **Reason**

To ensure that the residential occupiers of Ciba Apartments, 101 Union Street do not suffer a loss of amenity by reason of noise nuisance and disturbance in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary development Plan and Policy 3.2 'Protection of Amenity' of the draft Southwark Plan as placed on Second Deposit March 2004.

5 The ancillary cafe use hereby permitted shall not be begun and the wind turbine shall not be used until full particulars and details (2 copies) of the following have been submitted to and approved by the Local Planning Authority respectively and the development shall not be carried out otherwise than in accordance with any approval given:

i) a scheme showing the route of the cafe/kitchen ventilation extract to an appropriate outlet level, including full details of the roof level outlet, and details of sound attenuation for any necessary plant and the standard of dilution expected;

ii) full details of noise levels of the wind turbine, together with an acoustic report of existing noise levels around the building, demonstrating that the turbine will not cause an unacceptable increase in ambient noise levels.

**Reason**

In order that the Council may be satisfied that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Policy E.3.1 'Protection of Amenity' of Southwark's Unitary Development Plan, Policy 3.2 'Protection of Amenity' of the draft South Plan agreed for Second Deposit March 2004, and Planning Policy Guidance Note 24 'Planning and Noise'.

6 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the premises before the use of the premises is commenced and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

**Reason**

In order that the Council may be satisfied 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 Policy E.3.1 'Protection of Amenity' and Policy T.1.3 'Design of Development and Conformity with Council's Standards and Controls' of Southwark's Unitary Development Plan, and policy 3.2 'Protection of Amenity' and policy 3.7 'Waste Reduction' of the draft Southwark Plan agreed for Second Deposit March 2004.

7 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted (2 copies) by the applicant and approved by the Local Planning Authority.

**Reason**

In order that the archaeological operations are undertaken to an acceptable standard and that legitimate archaeological interest in the site is satisfied.

8 Detailed sections at a scale of 1:5 (2 copies), showing a typical window, shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

To ensure that the new frames are of an appropriate design in keeping the appearance of the building and the character and appearance of this part of the Union Street Conservation Area. This is in accordance with Policy E.2.3 'Aesthetic Control' and E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan adopted July 1995 and Policy 3.11 'Quality in Design' and 3.15 'Conservation of the Historic Environment' of the draft Southwark Plan agreed for Second Deposit, March 2004.

9 Samples of the new facing materials (panel mounted) shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

To ensure that the facing materials are sympathetic to and in keeping with the character and appearance of the building and this part of the Union Street Conservation Area. This is in accordance with Policy E.2.3 'Aesthetic Control' and Policy E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan adopted July 1995 and Policy 3.11 'Quality in Design' and 3.15 'Conservation of the Historic Environment' of the Draft Southwark Plan agreed for Second Deposit, March 2004.

10 A detailed drawing including sections at a scale of 1:20 (2 copies), showing the new security gate to the main entrance, shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

### **Reason**

To ensure that the security gate is of an appropriate design in keeping the appearance of the building and the character and appearance of this part of the Union Street Conservation Area. This is in accordance with Policy E.2.3 'Aesthetic Control' and E.4.3 'Proposals Affecting Conservation Areas' of the Southwark Unitary Development Plan adopted July 1995 and Policy 3.11 'Quality in Design' and 3.15 'Conservation of the Historic Environment' of the Draft Southwark Plan agreed for Second Deposit, April 2004.

- 11 The window(s) on the rear elevation of the building facing the courtyard of Ciba Apartments, 101 Union Street and shown on drawing 4260/PL/26A hereby approved shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

### **Reason**

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Ciba Apartments, 101 Union Street from undue overlooking and noise in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan and policy 3.2 'Protection of Amenity' of the draft Southwark Plan agreed for Second Deposit March 2004.

### **Reasons for granting planning permission.**

This planning application was considered with regard to various policies including, but not exclusively:

- a) Policy R.2.1 'Regeneration Areas', Policy E.2.2 'Heights of Buildings', Policy E.2.3 'Aesthetic Control', Policy E.2.4 'Access and Facilities for People with Disabilities', Policy E.3.1 'Protection of Amenity', Policy E.3.5 'Vacant Sites and Buildings', Policy E.4.3 'Proposals Affecting Conservation Areas', Policy E.5.1 'Sites of Archaeological Importance', Policy C.1.1 'Premises for Community Facilities', Policy C.2.2 'Health, Social and Educational Facilities', Policy B.2.3 'Class B1 Business Proposals' and Policy B.2.4 'Small Scale Industry and Offices', Policy B.3.1 'Access for People with Disabilities' Policy T.1.2 'Location of Development in Relation to the Transport Network' and Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Southwark Unitary Development Plan 1995.
- b) Policies 1.2 Local Policy Areas, 1.6 Small Business Units, 2.2 Provision of new Community Facilities, 2.4 Provision of new Educational Establishments, 3.2 Protection of Amenity, 3.3 Sustainability Appraisal, 3.4 Energy Efficiency and 3.5 Renewable Energy, 3.7 Waste Reduction, 3.11 Quality in Design and 3.16 Development in Conservation Areas, 3.19 Archaeology and 5.1 Locating Development of the Second Draft for Deposit of the Unitary Development Plan April 2004.
- c) Planning Policy Guidance Notes 24.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

### **Informatives**

- 1 You are advised to consult the Council's Head of Public Protection with regard to how best to comply with the terms of Condition 5 on this permission. Please contact Bill Legassick, Chaplin Centre, Thurlow Street, SE17 2DG (tel. 020-7525 4253).
- 2 You are reminded that the uses hereby permitted includes uses within Class B1 of the Town and Country Planning (Use Classes) Order 1987 which is restricted to office, research and development, or light industrial activities (other than professional or financial services) that can be carried out without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- 3 You are advised to consult the Council's Senior Archaeology Officer for more detailed advice on the implications of the redevelopment of the site and the requirements of condition 7. The officer can be contacted at the Regeneration Department, Council Offices, Chiltern, Portland Street, London SE17 2ES (020 7525 5448).
- 4 You are advised to consult the Borough Crime Prevention Design Advisor to ensure that the development complies with 'Secured by Design' standards, and to discuss security options concerning the first floor terrace adjacent to the flats in Ciba Apartments, 101 Union Street and the fire exist recess. Please contact Steve Mumford, southwark Police Station, 323 Borough High Street, London, SE1 1JL (telephone: 020 7232 6714).

- 5 The details and/or samples required by the Condition(s) above must be accompanied by a letter stating:
1. the LBS Reference Number which appears at the top of this decision notice;
  2. the full address of the application site;
  3. which condition(s) you seek to discharge; and
  4. a list of all drawing numbers/ sample name and manufacturer, together with the condition(s) they relate to.

Please note that the approval of details are subject to the same eight week timeframe as a full planning permission.