

Appendix 1: Recommendation

Recommendation for 21/AP/0507

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	c/o Agent MB Bermondsey (Guernsey) Ltd	Reg. Number	21/AP/0507
Application Type	S.73 Vary/Remove Conds/Minor Alterations		
Recommendation	AGREE variation		

Draft of Decision Notice

the variation is **AGREED (subject to completion of a legal agreement)** for the following development:

Minor material amendments to planning permission 19/AP/1649 dated 2.10.2019 (which was a variation of permission 15/AP/3066) for "Redevelopment of 1 Bank End, including reuse of railway arches and rebuilding and extension of the rear of Thames House (behind retained facade); remodelling of Wine Wharf building and development of a two storey building at 16 Park Street, all to provide a development with a maximum height of 6 storeys (maximum building height 27.419m AOD) comprising retail units (flexible class A1 shops, A3 cafes/restaurants and A4 drinking establishments use) at ground and first floor levels, a gallery (Class D1 use) at ground floor level, office floorspace (Class B1 use) at ground up to fifth floor level, a cinema (Class D2 use) at ground floor and basement level, associated cycle parking spaces, new access routes and public open space"

The amendments seek the following:

- amendment to Condition 28 to allow for an increased amount of floorspace to be occupied by restaurants and cafes (Class A3) or pubs, wine bars or drinking establishments (Class A4) from 30% to 45% of the total retail area, with no more than 10% of the total retail area to be used for pubs, wine bars or drinking establishments, and with no more than 1 unit on Stoney Street to be used as a pub, wine bar and drinking establishment;
- revised ground and first floorplan drawings showing amendments to unit layouts and sizes that have resulted from design development and construction.

1 Bank End (Site Including Railway Arches And Thames House Bounded By Stoney Street Clink Street And Park Street) SE1.

Time limit for implementing this permission and the approved plans

1. The development hereby permitted should be begun no later than 24/03/2020.

Reason:

As required by Section 73 and 91 of the Town and Country Planning Act 1990 as amended.

2. APPROVED DRAWINGS

The development shall be carried out in accordance with the following approved plans:

1405 SS P 00 0S 01 01 rev P5 Proposed Site Location Plan
 SS P 20 B1 01 01 P6 Proposed Basement Floor Plan
 1405-SS-20-0G-01-01-P_13 Proposed Ground Floor Plan
 1405-SS-20-01-01-01-P_10 Proposed First Floor Plan
 1405-SP-20-02-01-01 rev P6 Proposed Second Floor Plan
 1405-SP-20-03-01-01 rev P6 Proposed Third Floor Plan
 1405-SP-20-04-01-01 rev P6 Proposed Fourth Floor Plan
 SS P 20 05 01 01 rev P6 Proposed Fifth Floor Plan
 SS P 20 OR 01 01 rev P5 Proposed Roof Plan

SS P 21 MF 01 02 P2 Building 2 Facade Study 06
 SS P 21 MF 01 04 P2 Building 2 Facade Study 01
 SS P 21 MF 01 05 P2 Building 2 Facade Study 02
 SS P 21 MF 01 06 P1 Building 2 Facade Study 04
 SS P 21 MF 01 07 P1 Building 2 Facade Study 03
 SS P 21 MF 01 08 P1 Building 2 Facade Study 05
 SS P 21 MF 01 09 P1 Building 2 Facade Study Axonometric Long Elevation

1405 SS P 25 MF 01 01 rev P6 Proposed Elevation 01 Park St - South West (Thames House)
 1405-SS-P-25-MF-01-02 rev P6 Proposed Elevation 02 Stoney Street - East

SS P 25 MF 01 04 P2 Proposed Elevation 04 - Bank End - West
 1405-SS-P-25-MF-01-05-P_7 Proposed Elevation 05 - West
 1405-SS-P-25-MF-01-06 rev P8 Proposed Elevation 06 - East (Internal Courtyard)
 SS P 25 MF 01 07 P4 Proposed Elevation 07
 SS P 26 MF 01 01 P4 Proposed Section 01
 1405 SS P 26 MF 01 02 rev P6 Proposed Section 02
 SS P 26 MF 01 03 P5 Proposed Section 03
 SS P 26 MF 01 05 P5 Proposed Section 5 - Building 1 and 28 Park Street Building
 SS P 26 MF 01 07 P2 Proposed Section 07

Reason:

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

Permission is subject to the following Compliance Condition(s)

3. SURFACE WATER DRAINAGE

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, no below grade works shall commence until suitably developed details of a surface water drainage

strategy, incorporating sustainable drainage principles, that seeks to achieve a reduction in surface water run-off rates from the site to greenfield runoff rates during a 1% Annual Exceedance Probability (AEP) event has been submitted to (2 copies) and approved in writing by Local Planning Authority. The site drainage must be constructed to the approved details.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

4. CONTAMINATION

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019,

- 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 2019.

5. SITE INVESTIGATION AND VERIFICATION

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

- 1) a site investigation scheme, based on the submitted geo-environmental desk study document to provide information for a detailed assessment of the risk to all receptors which may be affected, including those off site;
- 2) the results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken;
- 3) a verification plan providing details of the data which will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the Local Planning Authority.

The scheme shall be implemented as approved.

Reason:

For the protection of controlled waters. The site is located over a Secondary Aquifer, and it is understood that the site may be affected by historic contamination.

6. ARCHAEOLOGICAL BUILDING RECORDING

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any work, including demolition, hereby authorised begins, the applicant or successors in title shall secured the implementation of a programme of archaeological building recording 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 archaeological operations are undertaken to a suitable standard as to the details of the programme of works for the archaeological building recording in accordance with PPS5, Strategic Policy 12 - Design and

Conservation of The Core Strategy 2011 and Saved Policy 3.19 Archaeology of the Southwark Plan 2007.

7. WRITTEN SCHEME OF INVESTIGATION

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any work hereby authorised begins, excluding demolition, 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

8. BREEAM

(a) Unless already approved under 15/AP/3066 dated 24/03/2017 or 19/AP/1649 dated 2/10/2019, before any fit out works to the commercial premises 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' rating for the railway arches and 'excellent' rating for the new offices and retail 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;

(b) Within six months of first occupation of the railway arches, and within six months of first occupation of the new offices and retail, 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 for the relevant part of the development.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2019, 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.

9. MATERIAL SAMPLES

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, samples of all external facing materials to be used in the carrying out of this permission shall be presented on site the Local Planning Authority and approved in writing before any above grade work hereby authorised begins; 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 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; 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 (UDP) July 2007 and SP12 Design and Conservation of the Core Strategy 2011.

10. SECURITY MEASURES

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason;

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark Plan 2007.

11. CYCLE STORAGE

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any above grade work hereby authorised begins details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of staff and visitor cycles 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 The National Planning Policy Framework 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

12. BAY STUDY DRAWINGS

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, notwithstanding the details on

the drawings hereby approved, revised bay study drawings at a scale of 1:20 of the Stoney Street railway arches showing the retention of the following elements: loading bays, hoists, arched windows, and piers with bullnose brickwork, 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 development would 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; 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 (UDP) July 2007 and SP12 Design and Conservation of the Core Strategy 2011.

13. SHOPFRONTS

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, a shopfront strategy, including drawings at a scale of 1:20, for the future design of all shop fronts 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 above grade work hereby authorised begins; 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 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; 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 (UDP) July 2007 and SP12 Design and Conservation of the Core Strategy 2011.

14. DETAILED DRAWINGS

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, bay study drawings at a scale of 1:20 through each facade type across the proposed development and section detail-drawings at a scale of 1:5 through:

- a) the facades;
- b) parapets and roof edges;
- c) roof structures,
- d) heads, cills and jambs of all openings, and
- e) the reduced scale and extent of brick motif street names.

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 above grade work hereby authorised begins; the development shall not be carried out otherwise than in accordance with any such approval given. This applies to

new buildings, the refurbishment of the Thames House facades and the alterations to the railway arches/viaduct

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; 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 (UDP) July 2007 and SP12 Design and Conservation of the Core Strategy 2011.

15. GREEN ROOFS AND WALLS

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any above grade work hereby authorised begins, details (including a specification and maintenance plan) of the green roofs and green walls to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given, and the green roofs and green walls and are to be retained for the duration of the use.

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 The National Planning Policy Framework 2019, Strategic Policy 11 Open spaces and wildlife, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; 3.12 Quality in Design, 3.13 Urban design and 3.28 Biodiversity of the Southwark Plan 2007.

16. LANDSCAPING

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme, including tree planting, showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to

BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2019 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

17. TRAVEL PLAN

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019;

a) Before the first occupation of the building hereby permitted commences the applicant shall submit in writing and obtain the written approval of the Local Planning Authority 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 The National Planning Policy Framework 2019, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 5.2 Transport Impacts, 5.3 Walking and Cycling and 5.6 Car Parking of the Southwark Plan 2007.

18. REFUSE STORAGE

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, before the proposed use hereby permitted begins details of the arrangements for the storing of commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the commercial units and the facilities 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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

19. FLOOD WARNING AND EVACUATION PLAN

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, prior to the commencement of any use, a flood warning and evacuation plan shall be submitted and approved setting out notification measures, warnings, directional signs etc to be followed in the event of any localised flooding. Once approved, the measures shall remain for as long as the development is occupied.

Reason:

To ensure that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood risk and ensure safety of the future occupants of the proposed development and to provide safe refuge and ensure safety of the future occupants of the proposed development in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy Saved Policy 3.9 Water of the Southwark Plan 2007.

20. BIRDS AND BAT BOXES

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, details of bird and bat nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 2 nesting bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2016, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

21. KITCHEN EXTRACT

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, all kitchen extract systems shall meet the standard required by DEFA Guidance on the control of odour and noise from commercial kitchen exhaust systems (2011). Prior to the commencement of use of any commercial unit where food will be prepared, full particulars and details of a scheme for the ventilation of the kitchen to an appropriate outlet level, including details of sound attenuation for any necessary plant, filtration systems and the standard of dilution of exhaust air expected, has been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any approval given.

Reason:

In order to ensure 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 2019, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

22. VERIFICATION REPORT

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the Local Planning Authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason:

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

23. NO CPZ PARKING PERMITS

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.

24. DELIVERY AND SERVICING HOURS

Any deliveries, unloading and loading to the commercial units shall only be between the following hours: Monday to Saturday - 07:00 - 10:00, Sundays/ Bank Holidays - 08:00 - 10:00 hours.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity of The Southwark Plan 2007.

25. OPENING HOURS

- a) The Class A3 and A4 uses hereby permitted shall not be carried on outside of the hours 08:00 to midnight on any day.
- b) The gallery and cinema (Class D2) shall not be carried on outside the hours of 08:00 to midnight on any day.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

26. OBSCURE GLAZING

The Stoney Street railway arches on the first floor elevation shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Stoney Street from undue overlooking in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

27. ROOF PLANT

No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the buildings as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure of any buildings hereby permitted.

Reason:

In order to ensure that no additional plant is placed on the roof of the building

in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2019, 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.

28. RESTRICTION ON USES

Notwithstanding the details shown on the drawings hereby approved:

(a) not more than 45% of the gross internal area of the retail floorspace situated at ground and first floor level shall at any time be used as restaurants, cafes public houses, wine bars and/or drinking establishments or any combination thereof;

(b) not more than 10% of the gross internal area of the retail floorspace situated at ground and first floor level shall at any time be used as public houses, wine bars and/or drinking establishments or any combination thereof; and

(c) not more than one unit on Stoney Street shall be used as a public house, wine bar and/or drinking establishment [and in the event such a unit is provided the relevant unit shall contribute to the overall provision of such uses when calculating the gross internal area of retail floorspace used for such a purpose pursuant to paragraph (a) and (b) above].

Unless otherwise agreed by the Council in writing and subject always to the restrictions contained in paragraph (a) to (c) above, the uses referred to in this condition (being restaurants, cafes, public houses, wine bars and drinking establishments) shall not be located other than within those units identified in green or yellow on drawing references 1405-SS-20-0G-01-200-P_1 and 1405-SS-20-01-01-200-P_1 both received 24 June 2021.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over concentrations of restaurant, cafe, public house, wine bar and drinking establishment uses in accordance with Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

29. NO SUPERMARKET

No high street supermarket (as defined in the associated legal agreement), shall occupy any retail unit hereby approved.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case specifically the desire to retain and protect the special and unique character of the area, and to ensure no adverse servicing impacts, in accordance with Strategic Policy 3 - Shopping, leisure and entertainment of The Core Strategy 2011, Policy 4.9 Small shops of the London Plan 2015 and SP2 Sustainable Transport of the Core Strategy 2011.

30. NO MERGING OF UNITS

No retail unit shall be merged, combined, or consolidated with any other retail unit to form a larger retail unit, without having first obtained express written consent from the council. A retail unit is defined as one which has been uniquely identified by an individual reference number, as illustrated on the ground and first floor plans hereby approved.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alterations in order to protect and preserve the special and unique character of the area, in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 3 - Shopping, leisure and entertainment of The Core Strategy 2011.

31. PLANT NOISE

The rated noise level from any plant, together with any associated ducting shall be 10dB(A) or more below the lowest relevant measured LA90 (15min) at the nearest noise Sensitive premises. Prior to the commencement of the authorised use, a written acoustic report detailing the proposed scheme shall be submitted to and approved by the Local Planning Authority. The method of assessment is to be carried in accordance with BS4142:1997 'Rating industrial noise affecting mixed residential and industrial areas'. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

32. BIA

The basement shall be constructed, retained and maintained in accordance with the principles set out in the submitted Basement Impact Assessment.

Reason:

To minimise the potential for the site to contribute to surface water flooding in accordance with Policy 5.12 Flood Risk Management of the London Plan, Strategic Policy 13 of the Core Strategy (2011) saved policy 3.9 Water of the Southwark Plan and guidance in the Sustainable Design and Construction SPD (2009).

33. LIGHTING

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, details of any external lighting [including design, power and position of luminaries] and security surveillance

equipment of external areas surrounding the building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting or security equipment 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 the amenity and privacy of adjoining occupiers in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.14 Designing out crime of the Southwark Plan 2007.

34. INFILTRATION

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, no drainage systems for the infiltration of surface water drainage in to the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil or made ground which could ultimately cause pollution of groundwater.

35. PILING

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason:

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into contaminated sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to controlled waters.

36. UNEXPECTED CONTAMINATION

Unless already approved pursuant to permission ref. 15/AP/3066 dated

24/03/2017 or ref. 19/AP/1649 dated 2/10/2019 if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason:

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to controlled waters.

37. ARCHAEOLOGICAL FINDINGS

Unless already approved pursuant to permission ref. 15/AP/3066 dated 24/03/2017 or ref. 19/AP/1649 dated 2/10/2019, within one year 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

38. ADDITIONAL CYCLE PARKING

The five additional short-stay cycle stands within Soap Yard shown on approved drawing 1405-SS-20-0G-01-01-P_13 received 30 June 2021 shall be installed within four months of the date of this permission. 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 The National Planning Policy Framework 2019, Strategic Policy 2 -Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

39. NO USE OF FLAT ROOF

The flat roof of the ground floor to unit 192/192A hereby permitted shall not be used other than for maintenance purposes, as a means of escape and as a green roof, and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of neighbouring properties may be protected from overlooking from use of the roof area in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

40. APPROVED DEVELOPMENT QUANTUM

The total quantum of built floorspace across the development shall not exceed the figures specified below in GIA and sqm:

Retail	7799.3
Office	5632
Cinema	670.5
Gallery	361.5
Ancillary	1893

Reason:

To ensure that the development is carried out in accordance with the approved plans and documents that form the basis of the decision, and otherwise conforms to the principles of sustainable development as described in the National Planning Policy Framework 2019.

41. NO CHANGE OF USE

Notwithstanding the provisions of use Class E of the Town and Country Planning (Use Classes) Order 1987 and any associated provisions of the Town and Country Planning General Permitted Development Order 2015 (including any future amendment or enactment of those Orders) the uses hereby permitted shall only be used as follows in the locations shown on the approved plans, and for no other use:

Shops - display or retail sale of goods, other than hot food
 Restaurants and cafes - sale of food and drink for consumption (mostly) on the premises
 Public houses, wine bars or other drinking establishments (but not night clubs) including drinking establishments with expanded food provision;
 Offices to carry out any operational or administrative functions,
 Cinema;
 Gallery - display of works of art (otherwise than for sale or hire).

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any proposed loss of retail, office, cinema or gallery space and its proposed replacement use in accordance with Strategic Policies 3 Shopping, leisure and entertainment, 10 Jobs and businesses and 13 High

environmental standards of The Core Strategy 2011, saved policies 1.7 Development within town and local centres and 3.2 Protection of Amenity of the Southwark Plan 2007, the National Planning Policy Framework 2019, and with regard to draft policies P31, P33, P34 and P55 and the area vision for Bankside and Borough of the emerging New Southwark Plan.

42. NOISE FROM COMMERCIAL UNITS

A scheme of sound insulation shall be installed to ensure that the LFmax sound from amplified and non-amplified music and speech shall not exceed the lowest L90,5min 1m from the facade of the nearby residential premises at all third octave bands between 63Hz and 8kHz.

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 associated with non-residential premises in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 'High environmental standards' of the Core Strategy (2011) and saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

Permission is subject to the following Special Condition(s)

43. GATE DETAILS

Within one month of the date of this permission, details of the gate to be installed near the Park Street access (including its siting, height, design and materials) shall be submitted to and approved in writing by the Local Planning Authority. The gate shall be installed in accordance with the approved details and within four months of the Local Planning Authority's approval.

Reason:

In order that the Local Planning Authority may be satisfied that the gates will achieve a quality of design and detailing for their prominent location, within a conservation area and setting of listed buildings, and would not raise highway safety issues in accordance with policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; 3.15 Conservation of the historic environment; 3.16 Conservation areas; 3.18 Setting of listed buildings, conservation areas and world heritage sites; and 5.2 Transport Impacts of The Southwark Plan (2007) and SP12 Design and Conservation of the Core Strategy (2011).

Appendix 1: Recommendation

Recommendation for 21/AP/0326

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	C/O Agent MB Bermondsey (Guernsey) Ltd	Reg. Number	21/AP/0326
Application Type	Variation/discharge of Legal Agreement		
Recommendation	Agreed - for App Types VLA & VNMC		

Draft of Decision Notice

the variation is AGREED for the following development subject to completion of a legal agreement:

Variation of the section 106 agreement relating to planning permission refs 15/AP/3006 and 19/AP/1649 (which was a variation of permission 15/AP/3066) for "Redevelopment of 1 Bank End, including reuse of railway arches and rebuilding and extension of the rear of Thames House (behind retained facade); remodelling of Wine Wharf building and development of a two storey building at 16 Park Street, all to provide a development with a maximum height of 6 storeys (maximum building height 27.419m AOD) comprising retail units (flexible class A1 shops, A3 cafes/restaurants and A4 drinking establishments use) at ground and first floor levels, a gallery (Class D1 use) at ground floor level, office floorspace (Class B1 use) at ground up to fifth floor level, a cinema (Class D2 use) at ground floor and basement level, associated cycle parking spaces, new access routes and public open space".

The proposal seeks to amend the definition of 'Small Enterprises' to read as: "means small and medium sized enterprises that operate 10 or fewer retail outlets within the UK at the date that heads of terms for a lease of an Independent Retail Unit are agreed between the intended parties to such lease, and for the avoidance of doubt an Small Enterprise shall not include any Supermarket owner and/or operator".

1 Bank End And Thames House, 18 Park Street London SE1 9BU

In accordance with application received on 28 January 2021