

## APPENDIX C

**From:** Prickett, Mark <[Mark.Prickett@southwark.gov.uk](mailto:Mark.Prickett@southwark.gov.uk)>  
**Sent:** Thursday, June 22, 2023 3:57 PM  
**To:** Regen, Licensing <[Licensing.Regen@southwark.gov.uk](mailto:Licensing.Regen@southwark.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** EPT representation - Full variation licence consultation 59-61 Lant Street

Dear Licensing,

Southwark's Environmental Protection Team (EPT) have reviewed the variation application for Lant Street Wine Company, 59-61 Lant Street, SE1 1QN.

EPT have no objections to the removal of condition 125 & 127b.

EPT raise concerns with regards to the variation of condition 307 with regards to capacity.

EPT have been involved with Lant St Wine's previous planning permissions with regards to the granting of relevant planning use for the 59 wine bar space. This involved numerous acoustic reports and meetings with Lant St Wine & RBA acoustics.

In May 2021, planning application 21/AP/0148 was granted for '*Change of use of the front part of the ground floor of no 59 Lant Street from wine warehouse (Use Class B8) to a wine bar (Sui generis) in connection with the existing use of no 61 Lant Street as a wine shop ( Use Class E(a)).*' The application can be found here: <https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=QMZJENKBKQ600>

It was made clear within this application that the capacity of the venue was 32 and this would continue to be into the future. Please refer to the introduction, para 5 within RBA Acoustic note (ref: 10369.ATN01.IBF.0, dated: 22 March 2021). All acoustic predictions and subsequent installation of relevant insulation has been based off this assumption of 32 persons using the wine bar.

In December 2022, planning application 22/AP/3306 was granted for '*Variation of condition 5 (hours of use) of the planning permission 21/AP/0148 granted for: (Change of use of the front part of the ground floor of no 59 Lant Street from wine warehouse (Use Class B8) to a wine bar (Sui generis) in connection with the existing use of no 61 Lant Street as a wine shop) - to allow extension of the hours of use as follows: -Monday to Saturday 08:00 to 23:00 and Sunday 10:00 to 22:30*'. The application can be found here: <https://planning.southwark.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RIHXVBKBISJ00>

Section 42 of the officers report stated: "*The Application Form also seeks "To set the attendance capacity at 120 persons". Correctly, the council has not treated the application as seeking to vary the number of patrons, as there is no applicable condition to vary. This appears to be an omission from planning permission 21/AP/0148 as the Premises Licence limits the number of patrons to 32.*".

From EPT's understanding, the accommodation limit is specified on the current licence under condition 307. All previous and relevant planning permissions (via the RBA acoustic reports) have referenced this 32 person limit. The noise insulation subsequently installed is based on predictions with 32 persons using the space.

As such EPT have concerns that the increased capacity to 120 people could generate public nuisance by way of noise disturbance to surrounding residents as the noise insulation may not contain the noise levels generated by 120 people.

EPT would request a note from RBA Acoustics to assess the noise level from 120 persons using the space and the noise impact this would have, taking into account the insulation already installed.

In the meantime EPT raise objection to this variation application.

Kind regards

**Mark Prickett**  
**Principal Environmental Protection Officer**  
Environmental Protection Team  
Tel: 020 7525 0023

Postal address: Southwark Council, Environmental Protection Team, Regulatory Services, 3rd Floor Hub 1, PO Box 64529, London, SE1P 5LX  
Office address (By appointment only): Southwark Council, 160 Tooley Street, London, SE1 2QH

Air Quality web pages: <http://www.southwark.gov.uk/air-quality>  
Construction web pages: <http://www.southwark.gov.uk/construction>  
Centre for Low Emission Construction - <http://www.clec.uk/>

**airTEXT** - a free subscription service: daily information on pollution and more, by text, email, voicemail, or mobile phone app; download from: <http://www.airtext.info/>

# SOUTHWARK COUNCIL

Town and Country Planning Act 1990 (as amended)

Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)



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**LBS Reg. No.:** 22/AP/3306

**Date of Issue of Decision:** 14/12/2022

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Applicant      Mr Ben Wilcock  
                         Lant Street Wine Co. Ltd

**Variation (Minor Material Changes) were GRANTED for the following development:**

Variation of condition 5 (hours of use) of the planning permission 21/AP/0148 granted for: (Change of use of the front part of the ground floor of no 59 Lant Street from wine warehouse (Use Class B8) to a wine bar (Sui generis) in connection with the existing use of no 61 Lant Street as a wine shop) - to allow extension of the hours of use as follows:  
-Monday to Saturday 08:00 to 23:00 and Sunday 10:00 to 22:30

At                      59 - 61 Lant Street London Southwark SE1 1QN

In accordance with the valid application received on 22 September 2022 and supporting documents submitted which can be viewed on our Planning Register. For the reasons outlined in the case officer's report, which is also available on the Planning Register. The Planning Register can be viewed at:  
<https://planning.southwark.gov.uk/online-applications/>

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## Conditions

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**Permission is subject to the following Approved Plans Condition:**

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

Reference no./Plan or document name/Rev.	Received on:
DW/P/001 Revision A - Proposed Mixed A4/A1 Floor Plans -Acoustic Technical Note (Reference: 10369.ATN07.IBF.0) for Sound Insulation between Ground & First Floor Areas, prepared by RBA Acoustics dated 25 May 2022	08.12.2022
-Acoustic Technical Note (Reference: 10369.ATN07.IBF.0) for Sound Insulation between Ground & First Floor Areas, prepared by RBA Acoustics dated 25 May 2022	08.12.2022

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Reason:

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

### **Permission is subject to the following Compliance Condition(s)**

#### 2. HOURS OF USE

The use hereby permitted shall not be carried on outside of the hours of 08:00 -23:00 Monday to Saturday and 10:00 -22:30 on Sundays and Bank Holidays.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

#### 3. CYCLE STORAGE DETAILS

The cycle parking facilities shall be installed in accordance with approval given under 21/AP/2501 and shall be retained as such and the space used for no other purpose without written approval of the Local Planning Authority.

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 2021 and Policy P53 Cycling of the Southwark Plan 2022.

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4. The scheme of noise insulation shall be installed and permanently maintained as approved under application 21/AP/2564. This is to ensure that a minimum airborne sound insulation of 55dB DnT,w + Ctr is provided between the ground and first floor premises and that a noise level of 25dBA Leq5mins is not exceeded in the first floor flat of the premises due to noise from the use of the ground floor of the premises.

### Reason

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2021 and Policy P56 Protection of Amenity of the Southwark Plan 2022.

Signed: **Stephen Platts** Director of Planning and Growth

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### 1. Conditions

- If permission has been granted you will see that it may be subject to a number of planning conditions. They are an integral part of our decision on your application and are important because they describe how we require you to carry out the approved work or operate the premises. It is YOUR responsibility to comply fully with them. Please pay particular attention to those conditions which have to be met before work commences, such as obtaining approval for the siting and levels of buildings and the protection of trees on the site. If you do not comply with all the conditions in full this may invalidate the permission.
- Further information about how to comply with planning conditions can be found at:
- [https://www.planningportal.co.uk/info/200126/applications/60/consent\\_types/12](https://www.planningportal.co.uk/info/200126/applications/60/consent_types/12)
- Please note that there is a right of appeal against a planning condition. Further information can be found at:  
[https://www.planningportal.co.uk/info/200207/appeals/108/types\\_of\\_appeal](https://www.planningportal.co.uk/info/200207/appeals/108/types_of_appeal)

### 2. Community Infrastructure Levy (CIL) Information

- If your development has been identified as being liable for CIL you need to email Form 1: CIL Additional Information, Form 2: Assumption of Liability and Form 6: Commencement Notice to [cil.s106@southwark.gov.uk](mailto:cil.s106@southwark.gov.uk) as soon as possible, so that you can be issued with a Liability Notice. This should be done at least a day before commencement of the approved development.
- Payment of the CIL charge is mandatory and the CIL Regulations comprises a range of enforcement powers and penalties for failure to following correct procedures to pay, including stop notices, surcharges, late payment interests and prison terms.
- To identify whether your development is CIL liable, and further details about CIL including eligibility and procedures for any CIL relief claims, please see the Government's CIL guidance:
- <https://www.gov.uk/guidance/community-infrastructure-levy>
- All CIL Forms are available to download from Planning Portal:

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[www.southwark.gov.uk](http://www.southwark.gov.uk)

[https://www.planningportal.co.uk/info/200136/policy\\_and\\_legislation/70/community\\_infrastructure\\_levy/5](https://www.planningportal.co.uk/info/200136/policy_and_legislation/70/community_infrastructure_levy/5)

- Completed forms and any CIL enquiries should be submitted to [cil.s106@southwark.gov.uk](mailto:cil.s106@southwark.gov.uk)

### 3. National Planning Policy Framework

- In dealing with this application we have implemented the requirements in the National Planning Policy Framework to work with the applicant/agent in a positive, proactive and creative way by offering a pre-application advice service; as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible and if applicable suggesting solutions to secure a successful outcome. We have considered the application in light of our statutory policies in our development plan as set out in the officer's report.

### 4. Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If an enforcement notice is or has been served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, OR within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.

- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

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- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal.
- Further details are on GOV.UK (<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

### 5. Purchase Notice

- If either the local planning authority or the Secretary of State grants permission subject to conditions, the owner may claim that the land can neither be put to a reasonably beneficial use in its existing state nor made capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the owner's interest in the land in accordance with Part VI of the Town and Country Planning Act 1990

### 6. Provisions for the Benefit of the Disabled

- Applicants are reminded that account needs to be taken of the statutory requirements of the Disability Discrimination Act 1995 to provide access and facilities for disabled people where planning permission is granted for any development which provides:
  - i. Buildings or premises to which the public are to be admitted whether on payment or otherwise. [Part III of the Act].
  - ii. Premises in which people are employed to work as covered by the Health and Safety etc At Work Act 1974 and the Management of Health and Safety at Work Regulations as amended 1999. [Part II of the Act].
  - iii. Premises to be used as a university, university college or college, school or hall of a university, or intended as an institution under the terms of the Further and Higher Education Act 1992. [Part IV of the Act].
- Attention is also drawn to British Standard 8300:2001 Disability Access, Access for disabled people to schools buildings – a management and design guide. Building Bulletin 91 (DfEE 99) and Approved Document M (Access to and use of buildings) of the Building Regulations 2000 or any such prescribed replacement.



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### 7. Other Approvals Required Prior to the Implementation of this Permission.

- The granting of approval of a reserved matter or outstanding matter does not relieve developers of the necessity for complying with any Local Acts, regulations, building by-laws and general statutory provisions in force in the area, or allow them to modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either the land to which the permission relates or any other land or the rights of any persons or authorities (including the London Borough of Southwark) entitled to the benefits thereof or holding an interest in the property concerned in the development permitted or in any adjoining property. In this connection applicants are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

### 8. Works Affecting the Public Highway

- You are advised to consult the council's Highway Maintenance section [tel. 020-7525-2000] about any proposed works to, above or under any road, footway or forecourt.

### 9. The Dulwich Estate Scheme of Management

- Development of sites within the area covered by the Scheme of Management may also require the permission of the Dulwich Estate. If your property is in the Dulwich area with a post code of SE19, 21, 22, 24 or 26 you are advised to consult the Estates Governors', The Old College, Gallery Road SE21 7AE [tel: 020-8299-1000].

### 10. Building Regulations.

- You are advised to consult Southwark Building Control at the earliest possible moment to ascertain whether your proposal will require consent under the Building Act 1984 [as amended], Building Regulations 2000 [as amended], the London Building Acts or other statutes. A Building Control officer will advise as to the submission of any necessary applications, [tel. call centre number 0845 600 1285].

### 11. The Party Wall Etc. Act 1996.

- You are advised that you must notify all affected neighbours of work to an existing wall or floor/ceiling shared with another property, a new building on a boundary with neighbouring property or excavation near a neighbouring

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building. An explanatory booklet aimed mainly at householders and small businesses can be obtained from the Department for Communities and Local Government [DCLG] Free Literature tel: 0870 1226 236 [quoting product code 02BR00862].

### **12. Important**

- This relates to PLANNING PERMISSION only and does not operate so as to grant any lease, tenancy or right of occupation of or entry to the land to which it refers.



The Licensing Unit  
Floor 3  
160 Tooley Street  
London  
SE1 2QH

**Metropolitan Police Service**  
**Licensing Office**  
Southwark Police Station,  
323 Borough High Street,  
LONDON,  
SE1 1JL

Tel: 020 7232 6756

Email: SouthwarkLicensing@met.police.uk

**Our reference:** MD/23/229

**Date:** 08/062023

Dear Sir/Madam

**Re: Lant Street Wine Company 59-61 Lant Street SE1 1QN**

Police are in possession of an application from the above for a full variation to their premises Licence for supply of alcohol on sales and remove a number of licence conditions. The operating schedule describes it as a wine bar. The venue is situated in Borough and Bankside district Town Centre area and is also within the Cumulative Impact Zone. The extended hours requested as per the application are

Supply of Alcohol for sale by retail on sale  
Mon-Sat-0800hrs-2300hrs  
Sun-1000hrs-2230hrs

The premises are also situated in the Borough and Bankside Cumulative impact Zone (CIZ) as designated by Southwark Council. The High Court approval of Cumulative impact policies came in Westminster City Council v Middlesex Crown Court. In brief, it stated 'A licence could be refused on the sole ground that the area was already saturated with licensed premises'

The applicant has asked for a number of licence conditions to be removed as well as increasing the venues accommodation limit, they have also sought to extend the terminal hour for supply of alcohol on sales . In view of these amendments the application provides minimal additional control measures to address all of the licensing objectives in particular that of prevention of crime and disorder, we would like to see more robust measures as the venue sits within the cumulative impact zone. It should be noted that The Home office guidance issued under Sec 182 of the licensing Act 2003 General principles' state that it is important in setting the parameters within which the premises may operate. Conditions precise and enforceable.

Police object to the granting of this licence in its current form as the control measures offered do not address the licensing objectives sufficiently in particular the prevention of crime and disorder. Police welcome the opportunity to progress this application.

Submitted for your consideration.  
Yours Sincerely

**PC Mark Lynch 2246AS**  
Southwark Police Licensing Unit  
Tel: 0207 232 6756/6639

**From:** mark.A.Lynch@met.police.uk <mark.A.Lynch@met.police.uk>  
**Sent:** Wednesday, June 28, 2023 7:23 AM  
**To:** Regen, Licensing <Licensing.Regen@southwark.gov.uk>  
**Cc:** [REDACTED]; Franklin, David <David.Franklin@SOUTHWARK.GOV.UK>  
**Subject:** Lant Street Wine co 59-61 Lant Street SE1 1QN

Good Morning

Following further discussions with the applicant in regards to the application, the specific wording of conditions proposed initially have now been amended with the applicants approval . The police representation is withdrawn based on the applicants acceptance of the below conditions in red .Please can this be passed to the case officer ,

1. No alcohol supplied by the venue shall be consumed in Lant Street and/or Lant Estate. This shall be controlled by staff.
2. There shall be no use of the outside area to the front of the venue with the exception of those wishing to smoke, this area shall be clearly marked.
3. The CCTV system will record footage of evidential quality in all lighting conditions . All public areas will be covered by the CCTV system including the bar and smoking areas. The premises shall not be open at any time when the CCTV is not operating correctly.
4. That management shall risk assess the requirement for SIA on any day and implement accordingly.
5. When the venue holds events then a risk assessment shall be completed and kept on the premises for inspection by authorised council officers and police.
6. No open containers of alcohol shall be removed from the premises at any time.
7. All Licensable Activities shall cease 30 minutes prior to the terminal hour.
8. That staff shall monitor the internal and external areas of the premises and take any necessary action to prevent patrons causing any nuisance or disturbance to their neighbours.
9. That clearly legible signage shall be prominently displayed where it can easily be seen and read by customers, at all exits from the premises and in any external areas, requesting to the effect that customers leave the premises and locale in a quiet and orderly manner with respect to local residents. Such signage shall be kept free from obstructions at all times.
10. The Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by the police or authorised council officers.
11. That there shall be no DJ or music events held at the venue

Kind regards

**Mark Lynch 2246AS** | Police Constable

Central South BCU – Southwark | **Licensing Team**

Email: [mark.lynch6@met.police.uk](mailto:mark.lynch6@met.police.uk)

Address: Southwark Police Station

**From:** [REDACTED] >

**Sent:** 27 June 2023 17:33

**To:** Lynch Mark A - AS-CU <[mark.A.Lynch@met.police.uk](mailto:mark.A.Lynch@met.police.uk)>

**Subject:** Re: Lant Street Wine co 59-61 Lant Street SE1 1QN

Hi Mark - Sorry for the delay

I can now confirm that the Applicants will adopt all the Conditions 1.-11. in red below.

Regards, Des

On 24 June 2023 at 17:44 [mark.A.Lynch@met.police.uk](mailto:mark.A.Lynch@met.police.uk) wrote:

Afternoon Des

Apologies for this error , before I speak to the LA can you and the applicant look at the below, you will see I have removed any amendments to conditions already on the licence however I have submitted new conditions that do not conflict or amend the original ones merely adds a condition to support the original .

Please let me know your thoughts

1. No alcohol supplied by the venue shall be consumed in Lant Street and/or Lant Estate. This shall be controlled by staff.
2. There shall be no use of the outside area to the front of the venue with the exception of those wishing to smoke, this area shall be clearly marked.
3. The CCTV system will record footage of evidential quality in all lighting conditions . All public areas will be covered by the CCTV system including the bar and smoking areas. The premises shall not be open at any time when the CCTV is not operating correctly.
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10. The Premises must have a welfare and vulnerability policy and all staff must receive this training. All new staff must receive this training before starting their role and all staff must have refresher training every 12 months. All training must be recorded and these records must be available on immediate request by the police or authorised council officers.
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Kind regards

**Mark Lynch 2246AS** | Police Constable

Central South BCU – Southwark | **Licensing Team**

**Email:** [mark.lynch6@met.police.uk](mailto:mark.lynch6@met.police.uk)

**Address:** Southwark Police Station