

# SOUTHWARK COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)



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## PLANNING PERMISSION

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**Applicant** The Vault 1894 Ltd  
**Date of Issue of this decision** 20/01/2016

**LBS Registered Number** 15/AP/4008

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

Temporary variation of Condition 5 (Opening hours) of planning permission ref. no. 14/AP/0893 to change the wording from: 'The use hereby permitted for a cafe bar/coffee shop, serving licensed alcoholic drinks, shall not be carried on outside of the hours 08:00 to 23:00 on Monday to Saturday or 08:00 to 22:30 on Sundays. The use of the outside seating area shall not be carried on outside of the hours 08:00 to 19:30 Monday to Sunday'; to 'The use hereby permitted for café bar/coffee shop, serving licensed alcoholic drink, shall not be carried on outside of the hours 08:00 to 23:00 on Monday to Saturday or 08:00 to 22:30 on Sundays. The use of the outside seating area shall not be carried on outside of the hours 08:00 to 21:30 Monday to Sunday'.

**At:** THE HORACE JONES VAULT, SHAD THAMES, LONDON, SE1 2UP

**In accordance with application received on** 05/10/2015 08:00:38 **Your Ref. No.:**

**and Applicant's Drawing Nos.** Pre application response, Planning Statement, Footfall study, Noise impact assessment, petition

### Subject to the following seven conditions:

**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.

1 No music, amplified or otherwise, shall be played or permitted to be played on any external area of the site.

Reason

In order to protect the amenity of nearby occupiers from noise and disturbance in accordance with with saved policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental standards of Core Strategy 2011.

2 The chairs and tables used on the external seating area shall be secured, or stored, in such manner that they are rendered incapable of use each day after 21:30 and not unsecured, or bought out of storage until 08:00 the following day.

reason

For the protection of the amenities of nearby occupiers from noise or disturbance and from anti social behaviour that might be associated with the mis use of this furniture in accordance with saved policies 3.2 Protection of amenity, 3.14 Designing out crime of the Southwark Plan 2007 and Strategic Policy 13 High Environmental standards of Core Strategy 2011.

**Continued overleaf...**

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- 3 The seating capacity of the external seating area shall be limited to no more than 40 seats at any one time, and at no point shall this limit be exceeded.

Reason

In order to protect the amenity of nearby occupiers from noise and disturbance which could potentially arise from the intensive use of the external seating area, in accordance with with saved policy 3.2 Protection of amenity of the Southwark Plan 2007 and Strategic Policy 13 High Environmental standards of Core Strategy 2011.

- 4 The means by which the seating area is to be demarcated or enclosed shall at all times accord with the scheme approved by application reference 07/AP/1556 and no additional furniture, fixture or fitting shall be placed or stored upon the terrace

Reason

In order that the area for seating shall be properly defined , and the area for unrestricted public access be protected from encroachment, in accordance with saved policies 3.2 Protection of amenity, 3.18 Setting of listed buildings, conservation areas and world heritage sites, 3.29 Development within the Thames Policy Area, 3.30 Protection of riverside facilities, Southwark Plan 2007 and Strategic Policy 12 Design and conservation Strategic Policy 13 High Environmental Standards Core Strategy 201.

- 5 Notwithstanding the use hereby permitted and the provisions of the Town and Country Planning (General Permitted Development) Order (or amendment or re-enactment thereof) no primary cooking shall take place on the premises.

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 The use hereby permitted for the use of a cafe bar/coffee shop, serving licensed alcoholic drinks, shall not be carried on outside of the hours 8:00am to 11pm on Monday to Saturday or 8:00am to 10.30pm on Sundays. The use of the outside seating area shall not be carried on outside of the hours 8:00am to 9.30pm Monday to Sundays, meaning that steps are taken so that at 9.31pm the outside seating area no longer has any patrons within it and all glassware, crockery and cutlery is removed from the area.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

**Continued overleaf...**

TP(VAR)(Permit)

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- 7 The hours of use of the outside seating area hereby permitted shall be for a period of one year from the date of this decision. After this year, the hours of use shall revert to the previous arrangements, unless otherwise agreed in writing by the local planning authority.

(Note - previous hours of use of the outside seating area: 08:00 to 19:30 Monday to Sunday)

### Reason

To allow a trial period of extended hours to operate during which assessment can be made of the impact upon amenity in accordance with strategic policy 13 High Environmental standards of the Core Strategy and saved policy 3.2 Protection of amenity of the Southwark Plan 2007.

### Statement of positive and proactive action in dealing with the application

This application has been decided having regard to the policies of the development plan and objections received and other material planning considerations.

Signed *Simon Bevan*

Director of Planning

### Your attention is drawn to the notes accompanying this document

Any enquiries regarding this document should quote the LBS Registered Number and be sent to the Director of Planning, Southwark Council, Chief executive's department, Planning division, Development management, PO Box 64529, London SE1 5LX, or by email to [planning.applications@southwark.gov.uk](mailto:planning.applications@southwark.gov.uk)

UPRN: 10090284184

TP/165-K

**PLANNING PERMISSION**

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**INFORMATIVE NOTES TO APPLICANT RELATING TO THE PROPOSED DEVELOPMENT**

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The applicant is advised that, in contemplation of and to inform any future application to make permanent the hours of operation hereby permitted, at least four further noise impact assessments, or professionally produced noise reports, should be obtained to demonstrate the impact of the use on a variety of dates including times of peak activity.

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### IMPORTANT NOTES RELATING TO THE COUNCIL'S DECISION

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- [1] **APPEAL TO THE SECRETARY OF STATE.** If you are aggrieved by this decision of the council as the local planning authority to grant permission subject to conditions you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990. If you appeal you must do so within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally 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 that the local planning authority could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you do decide to appeal you can do so using The Planning Inspectorate's online appeals service. You can find the service through the appeals area of the Planning Portal at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). You can also appeal by completing the appropriate form which you can get from The Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN [tel. 0117-3726372]. The form can also be downloaded from the Inspectorate's website at [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk). The Planning Inspectorate will publish details of your appeal on the internet on the appeals area of the Planning Portal. This may include a copy of the original planning application form and relevant supporting documents supplied to the council by you or your agent, together with the completed appeal form and information you submit to The Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you, that you are happy will be made available to others in this way. If you supply information belonging to someone else please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.
- [2] **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.
- [3] **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.
- [4] **OTHER APPROVALS REQUIRED PRIOR TO THE IMPLEMENTATION OF PLANNING PERMISSION.** The granting of planning permission does not relieve the developer 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.
- [5] **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.
- [6] **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].
- [7] **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].
- [8] **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 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].

**IMPORTANT:** This is a 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.

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