

Committee:	Date:
Planning and Transportation	1 October 2019
Subject: 26A Savage Gardens & 9A-9B Crutched Friars London EC3N Change of use of part ground floor from betting office (sui generis) to a mix of restaurant and drinking establishment (sui generis) (110sq.m) and works comprising: (i) replacement of shopfront on Crutched Friars; (ii) replacement of first floor windows on Crutched Friars and Coopers Row; (iii) installation of first floor window on Savage Gardens; (iv) replacement of first floor rear doors and windows fronting rear yard with new doors and glazing under the arches and installation of an external green screen; (v) replacement of door and installation of windows to the rear at ground floor; (vi) extension of external walkway on first floor rear elevation and replacement of external stairs for use as a means of escape; (vii) installation of a fence between the external walkway and neighbouring residential properties; and (viii) replacement of extract flue on rear elevation.	Public
Ward: Tower	For Decision
Registered No: 19/00292/FULL	Registered on: 23 April 2019
Conservation Area: Fenchurch Street Station	Listed Building: No

Summary

The application relates to two units located within the railway arches at the eastern end of Crutched Friars. The units comprise part of the ground floor and the first floor. The ground floor unit (9A-9B Crutched Friars) was until recently used as a betting office (*sui generis*). The part ground and first floor unit (26A Savage Gardens) is vacant but was previously used as a restaurant / bar (*sui generis*). To the rear of the arches is an empty yard which is included in the application area. The yard is bounded by the site to the north, and residential buildings of 25 and 26 Savage Gardens to the west and 1 Pepys Street to the south. The site is located within Fenchurch Street Station Conservation Area.

Planning permission is sought for the change of use of part ground floor from betting office (*sui generis*) to a mix of restaurant and drinking establishment (*sui generis*) (110sq.m) and associated works including the replacement of the shopfront on Crutched Friars; the replacement of first floor windows on Crutched Friars and Coopers Row and the installation of a first floor window on Savage Gardens; the replacement of first floor rear doors and windows fronting the rear yard with new doors and glazing under the arches, installation of an external green screen and a fence bounding the edge of the yard; the replacement of a door and installation of windows to the rear at ground floor; extension of the external walkway on the first floor rear elevation and replacement of external stairs for use as a means of escape; and the replacement of an extract flue on the rear elevation.

12 objections have been received from 8 residents regarding the proposed development over two separate rounds of consultation. The objections include the impact of the development on security and residential amenity, including loss of privacy from increased overlooking, noise from the unit and disruption from people using the yard and exiting the premises.

The proposed change of use would contribute to the vitality of Crutched Friars, relocating the entrance away from the slightly quieter Savage Gardens. A green screen has been proposed between the rear first floor glazing and the residents to limit any potential for overlooking. Conditions are proposed to protect the amenity of the surrounding residential units, including the submission and adherence to a robust management plan.

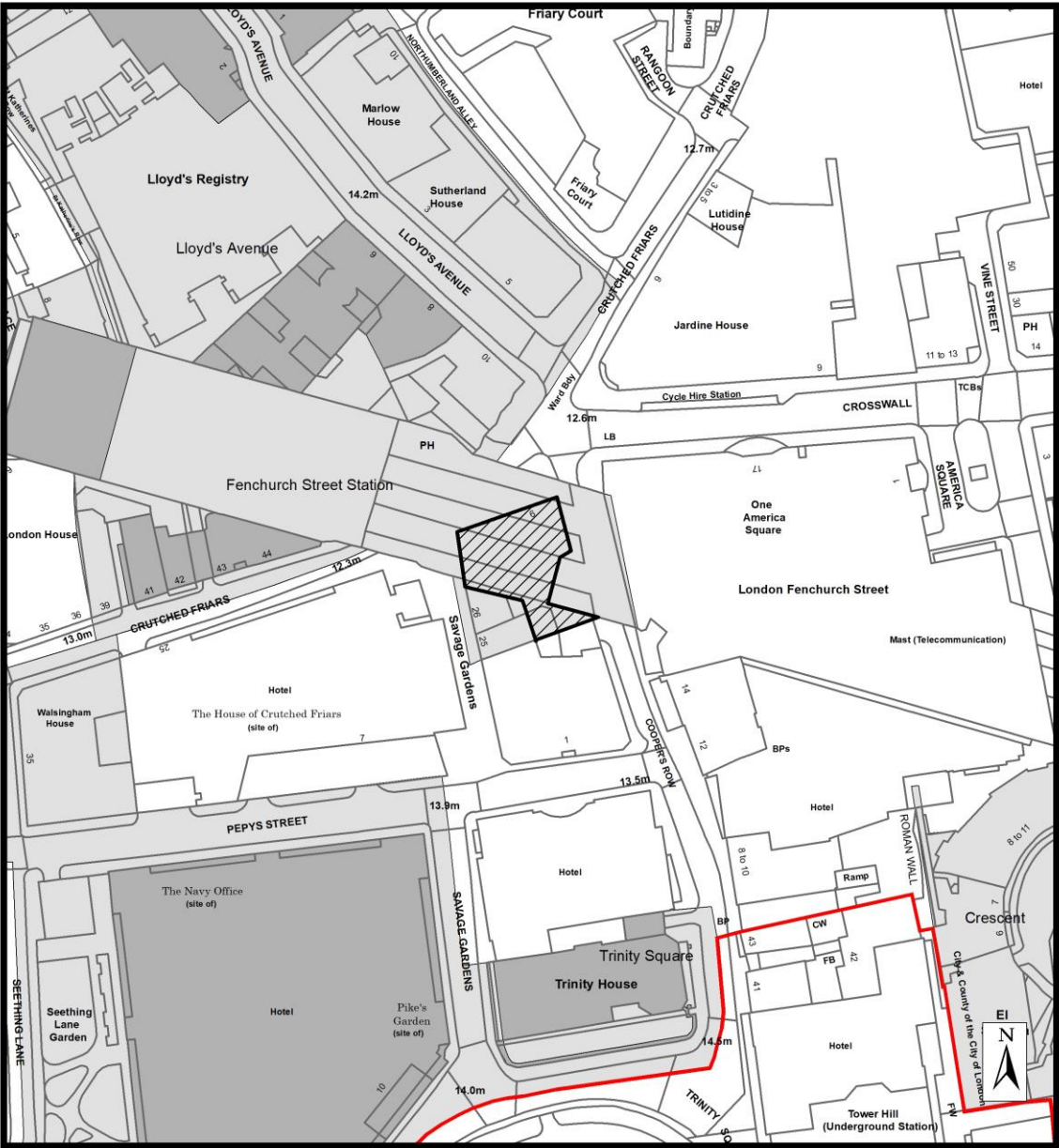
The proposed combined unit would not be fully accessible due to restrictions

in the entrance area of the unit, but the proposals would improve on the current situation. The proposed shopfront and external alterations would make a more positive contribution to the street scene than the existing building and would enhance the character and appearance of the Fenchurch Street Station Conservation Area.

Recommendation

That planning permission be granted for the above proposal in accordance with the details set out in the attached schedule.

Site Location Plan



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ADDRESS:
26A Savage Gardens & 9A-9B Crutched Friars

CASE No.
19/00292/FULL

- CITY BOUNDARY
- SITE LOCATION
- LISTED BUILDINGS
- CONSERVATION AREA BOUNDARY



DEPARTMENT OF THE BUILT ENVIRONMENT



View of the entrance to 9A-9B Crutched Friars (2018)



View of the first floor windows on Coopers Row (2018)



View of the entrance to 26A Savage Gardens (Now)



View of the rear wall of the premises from the rear of 1 Pepys Street prior to works beginning

Main Report

Site

1. The site comprises two units, 26A Savage Gardens and 9A-9B Crutched Friars. These form two out of three units located on the south side of Crutched Friars within the same section of railway arches over the eastern end of the road.
2. 26A Savage Gardens' entrance is located on Savage Gardens and the unit comprises part of ground floor and first floor, previously used as a mixed restaurant and bar (sui generis), which has been vacant since 2016. 9A/9B Crutched Friars forms part of the ground floor with its entrance off Crutched Friars, previously used as a betting shop (sui generis) (110sq.m).
3. The remainder of the building is a drinking establishment (Class A4) at part ground and lower ground floor with entrances on Crutched Friars and Coopers Row. This does not form part of the application site.
4. To the rear of the arches is a yard which is bounded by the railway arches to the north, the residential buildings of 25 and 26 Savage Gardens to the west and 1 Pepys Street to the south. 25 and 26 Savage Gardens contain a total of nine residential units and 1 Pepys Street contains 90 residential units. The flank wall of 26 Savage Gardens adjoins the yard and all the residential buildings have windows overlooking it.
5. Access to the yard is via the entrance to 26A Savage Gardens along a narrow covered alleyway. This route forms a secondary means of emergency escape with all 3 units located under the arches having access to the alleyway.
6. The surrounding area is characterised by a mixture of uses, largely comprising commercial office space at upper floor levels with retail uses at ground floor, with predominantly food and drink oriented sales. The majority of residents in the area are located directly adjacent to the site as described above. There are 7 more residential units further along Crutched Friars, with two hotels located to the south and the west of the site. In addition, there are two public houses on Crutched Friars, within 100m of the site.
7. The site lies within the Fenchurch Street Station Conservation Area.

Relevant Planning History

8. On 20 September 1962 planning permission was granted for change of use from warehouse to betting office at Arches 9a & 9b Crutched Friars.
9. On 6 February 1969 planning permission was granted for the change of use of the first floor from warehouse to licensed restaurant at Arches 9A, B, C, D & E Crutched Friars (Ref: 4489K).

Proposals

10. Planning permission is sought for the change of use of 9a/9b Crutched Friars from betting office (sui generis) to a mixed use of restaurant / drinking establishment (sui generis) (110sq.m), refurbishment and internal works to allow for the combination of the two units.
11. Associated external works are proposed. These include:
 - replacement of the shopfront on Crutched Friars;
 - replacement of first floor windows on Crutched Friars and Coopers Row;
 - installation of a window on Savage Gardens;
 - replacement of first floor doors and windows fronting the rear yard with new doors and glazing under the arches;
 - installation of a green screen to the rear of the property at first floor level;
 - replacement of door and installation of windows to the rear at ground floor;
 - extension of external walkway on first floor rear elevation and replacement of external stairs for use as a means of escape;
 - installation of a fence between the external walkway and neighbouring residential properties; and
 - replacement of extract flue on the rear elevation.
12. The external works relating to 26A Savage Gardens were commenced without permission but have been stopped pending the outcome of this application.

Consultations

13. The City of London Conservation Area Advisory Committee were consulted and raised no objections.
14. The application has been advertised on site and in the local press. Two rounds of consultations have been sent to the surrounding residential premises. The second consultation followed amendments to the proposals to address concerns regarding the windows at the rear overlooking residential properties and the need to provide accessible access to the unit.
15. A total of 12 representations have been received from eight people across the two rounds of consultation objecting to the application. A summary of the issues raised is below:

Topic	Objection	Number Received	
		1 st	2 nd
Residential Amenity	• Overlooking of the residential units from the proposed rear window	3	5
	• Overlooking of the residential units from people within the rear yard	2	
	• Noise from people (including staff) using the rear yard	3	2

	<ul style="list-style-type: none"> Smoke from people smoking (including staff) within the rear yard Noise escaping from the property Rear windows / doors should not be allowed to be opened to avoid noise escaping Ventilation duct located unacceptably close to residents Light pollution to the flats The proposed fence would be visually intrusive and reduce light to residential flats 	3 3 1 1	4 2 1 1 1 3
Security	<ul style="list-style-type: none"> People having access to the rear yard presents a security risk to the flats Would significantly increase the number of late-night drinkers in the area resulting in an increase in late night foot traffic, anti-social behaviour, noise 	1 2	2 1
Access	<ul style="list-style-type: none"> Savage Gardens entrance would need significant work to make it usable as an accessible entrance Sufficient lighting for disabled access would cause light pollution 		1 1
Other	<ul style="list-style-type: none"> Application information / documents are incomplete / incorrect / conflicting No details of external materials No reference made to the Fenchurch Street Station Conservation Area SPD Excessive external signage not in keeping with the conservation area Access to the roof of the rear extension of No 26 is needed for maintenance / cleaning There is already an excess of licenced premises within the area Off sales would increase the potential number of customers Window over Savage Gardens unnecessary Green screen would not be maintained A waste management plan should be agreed in order to avoid noise and smells from the bins / collection 	3 1 2 3 1 2 2	2 1 1 1 1

16. Not all the representations above are material planning considerations. Those that are have been dealt with in this report.

Policy Context

17. The development plan consists of the London Plan, the draft London Plan, the City of London Local Plan and the Draft City of London Local Plan.

18. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report. Relatively little weight should be afforded to the draft Local Plan as it is at an early stage prior to adoption.
19. Government Guidance is contained in the National Planning Policy Framework (NPPF).

Considerations

20. The Corporation, in determining the planning application has the following main statutory duties to perform:-
 - to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations. (Section 70 Town & Country Planning Act 1990);
 - to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
21. The principal issues in considering this application are:
 - The extent to which the proposals comply with Government policy advice (NPPF).
 - The extent to which the proposals comply with the relevant policies of the Development Plan.
 - The impact of the proposal on neighbouring residential buildings.
 - The impact of the proposal on the Fenchurch Street Station Conservation Area.

Existing Building

22. The Crutched Friars elevation of the arches contains three arched bays. The right-hand bay provides the entrance and shopfront at ground floor level for the existing betting office. This comprises a largely glazed entrance with louvre panels and a roller shutter box above. The other two bays at ground floor level do not form part of the application site.
23. At first floor level the middle arched bay is infilled in metal, and the outer bays are partially infilled and with industrial style windows both containing (or previously containing) a round vent.
24. On Coopers Row two arched bays contain first floor windows which match the ones facing Crutched Friars. The ground floor elevations do not form part of the application site.
25. On Savage Gardens, the site comprises a two-storey infill extension between the arches and no.26. The entrance to 26A Savage Gardens sits within this infill, immediately adjacent to the residential building of No. 26. To the left of the door are a series of simple 20th-century stained glass windows above timber panels.
26. At first floor level of the infill extension there appears to be an infilled window, which has been boarded / blocked up since at least 2008.

27. The rear elevation of the site is not visible from the street but would be visible from the rear windows of the residential properties at Nos 26 and 25 Savage Gardens, and 1 Pepys Street.
28. Due to the fact that the works to the exterior of 26A Savage Gardens had commenced prior to the application being submitted, it is not entirely clear how the rear elevation was and there is some contention in this regard.
29. It is known that there was a metal walkway at first floor level, with metal stairs into the yard, forming the emergency escape from the upper level. It is believed that there were two doors at first floor level, one from the customer area under the left-hand brick arch and one from the kitchen under the right brick arch, both leading onto the walkway. It is also believed that there was a window located on either side of the right-hand door.
30. At ground floor level there is a large amount of plant equipment, running alongside the passageway / emergency escape which leads through the entrance to No. 26A and onto Savage Gardens. There is a door providing access to a room providing storage for No. 26A.
31. It is considered that the existing shopfront on Crutched Friars and the first-floor windows facing Crutched Friars and Coopers Row detract from the significance of the conservation area, both in their design and materiality. The stained-glass windows on Savage Gardens are noted within the Fenchurch Street Station Conservation Area Character Summary & Management Strategy SPD.
32. External signage indicated on the drawings does not form part of this application and will be subject to a separate application under the Advertisement Regulations

Proposed alterations

33. It is proposed to replace the shopfront on Crutched Friars. The new shopfront would have two partially glazed doors with a glazed central panel and glazing above. It has been designed to match the style of The Cheshire Cheese Public House shopfront opposite.
34. The first-floor windows on Crutched Friars and Coopers Row would be replaced with new glazing panels matching the form of the first-floor windows opposite, with solid side panels. The infilled first-floor window over the Savage Gardens entrance would be opened up and a new window of a simple style installed.
35. To the rear of the site, the doors and windows under the arches at first floor level would be removed and replaced with two new glazed doors, and the arches would be fully glazed. An extract flue on the rear wall of the property would be replaced.
36. The walkway would be extended to meet the edge of the newly glazed right-hand arch, and would be clad in timber decking. The existing metal stairs would be removed, and new stairs would be installed in a new location, heading away from the unit and adjacent to the rear of Nos. 25

and 26 Savage Gardens. The walkway and stairs would form a secondary means of escape from the first floor of the site.

37. A living green screen is proposed to be installed around the edge of the first floor walkway, providing an attractive backdrop to the unit. Fencing is proposed to be installed along the edge of the site where the external walkway and stairs immediately adjoin the neighbouring residential units (No. 26 and 25 Savage Gardens) in order to provide them with some protection people using the rear walkway and stairs in the event of an emergency.
38. At ground floor level the door to the store room would be replaced by a new door as a secondary entrance for the public to the ground floor of the unit, and new glazing would be installed adjacent to the door (underneath the walkway).
39. Due to the nature of its location under the railway arches, views of the site are limited to very oblique views of the shopfront along Crutched Friars. It is considered that the proposed new shopfront and first floor windows would be an improvement on the existing situation, being more sympathetic to the significance of the Conservation Area.
40. The extension and cladding of the rear walkway, and installation of the green screen would be an improvement on the existing industrial metal platform, and would reduce the impact of the large glazed windows. The rationalisation of plant and clearing of the yard is welcomed.
41. Final details of the shopfront, materials, flues, fences, and green screen (including its maintenance) have been reserved by condition.

Use and Residential Amenity

42. The proposals include the change of use of the ground floor unit (9a/9b Crutched Friars) from betting office (sui generis) to a mix of restaurant and drinking establishment (sui generis).
43. 26A Savage Gardens has been vacant since approximately 2016 but the previous use was considered to be a sui generis mix of restaurant and drinking establishment, and does not require a change of use. Internal alterations are proposed to support the amalgamation of the two units.
44. The site does not fall within a Principal Shopping Centre or a Retail Link as set out in the City of London Local plan. There is no objection to the loss of the betting office.
45. Local Plan Policy DM3.5 (Night-time entertainment) sets out that any proposals for new night-time entertainment will only be permitted where there is no unacceptable impact on the amenity of residents. Policy DM3.5 requires that applications for Class A4 use should include a Management Statement detailing how the amenity of nearby residents would be addressed during the operation of the premises.
46. Policy DM21.3 (Residential Environment) states that noise-generating uses should be sited away from residential uses, where possible, and that adequate noise mitigation measures must be provided and, where

required, planning conditions will be imposed to protect residential amenity.

47. The proposal would not create a new late night premises, but would extend an existing premises by combining it with 9A/9B Crutched Friars, resulting in a greater capacity for customers within the premises as a whole.
48. Concerns have been raised about the proposals, concerning that the potential for noise and disturbance from within the property, the overlooking of residential windows from the proposed rear window, and the increase in late night drinkers resulting in higher levels of late-night foot traffic, anti-social behaviour and late-night noise.
49. Uniting the two units means that the primary entrance to the premises would be on Crutched Friars, where it would add to the vitality of the street, whilst moving it away from the residential units on Savage Gardens, where the entrance to the current restaurant/bar unit (No 26A) is located. This is considered to be a benefit of the scheme. A Management Statement detailing how the amenity of nearby residents would be addressed during the operation of the premises is required by condition.
50. The proposed green screen surrounding the first-floor walkway would restrict views of residential windows from within the premises. Details of the design and maintenance of the green screen is required by condition.
51. Whilst the potential for additional noise and disturbance from the increased capacity of a restaurant/bar use adjacent to residential units is acknowledged the relocation of the main entrance away from the residential units and adherence to a suitably robust management plan should ensure that the impact on the amenities of nearby residential properties is minimised.
52. Conditions requiring double glazing and controlling the use of the rear doors, and provision of the green screening would limit the potential impact of the external alterations on residential amenity.
53. A number of concerns have been raised around the use of the rear yard. While the rear yard area is included as part of the site area for this application, it is not included within the area of change of use and is not proposed to be used. Any proposed use of the yard area would require a separate application for planning permission.

Access

54. Level access is not available into the unit. The Crutched Friars entrance requires a stepped access due to the location of the basement areas beneath the entrance. The entrance on Savage Gardens has only a small external step of less than 10cm and is proposed to provide an accessible entrance, with a call point device being located adjacent to the Crutched Friars entrance so the staff can assist with access.

55. A disabled access toilet is provided within the ground floor area, and internal alterations have been proposed such as the provision of hand rails adjacent to the stairs and entrance steps.
56. The combination of the two units and provision of the call point improves on the current situation.

Waste

57. A bin store is proposed within the rear yard, beneath the external stairs. The proposed waste storage provision would be sufficient to meet the needs of the combined site.
58. A condition restricting the hours of servicing of the unit to daytime hours on Monday – Saturday is proposed

Conclusions

59. The proposed change of use would contribute to the vitality of Crutched Friars, relocating the entrance away from Savage Gardens.
60. The proposed shopfront and external alterations are considered to improve the street scene and to enhance the character and appearance of the Fenchurch Street Station Conservation Area.
61. Conditions are proposed to protect the amenity of the surrounding residential units, including the submission and adherence to a management plan. Taking into account the fact that the proposals relate to the extension and alteration of an existing restaurant / drinking establishment, it is considered that with the proposed conditions, the proposals are in accordance with policies DM3.5 and DM21.3.
62. It is recommended that the scheme is granted planning permission subject to the conditions proposed.

Background Papers

Internal

Memo Access Team 09/05/2019

Memo Contract and Drainage Services 09/05/2019

Memo Community Facilities Manager 12/06/2019

Letter City of London Conservation Area Advisory Committee 19/06/2019

External

Design & Access Statement & Planning Statement dated April 2019

Refuse and Recycling Report dated April 2019

Letter Antic London 23/04/2019

Letter Alan Martin 15/05/2019

Email Lopa Sarkar 20/05/2019

Email Nigel Iall 22/05/2019

Email Jayne Evans 23/05/2019

Email Beverley Hurley 24/05/2019

Email Timothy Jordan 29/05/2019

Letter Antic London 04/07/2019

Online Alan Martin 22/07/2019

Online Charles Mason 06/08/2019

Online Harsha Mason 06/08/2019

Email Jayne Evans 12/08/2019

Email Timothy Jordan 12/08/2019

Letter Antic London 12/08/2019

Email Beverley Hurley 17/08/2019

Appendix A

Relevant London Plan Policies

The London Plan policies which are most relevant to this application are set out below:

Policy 5.10 Promote and support urban greening, such as new planting in the public realm (including streets, squares and plazas) and multifunctional green infrastructure, to contribute to the adaptation to, and reduction of, the effects of climate change.

Policy 7.2 All new development in London should achieve the highest standards of accessible and inclusive design.

Policy 7.6 Buildings and structures should:

- a be of the highest architectural quality
- b be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm
- c comprise details and materials that complement, not necessarily replicate, the local architectural character
- d not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate. This is particularly important for tall buildings
- e incorporate best practice in resource management and climate change mitigation and adaptation
- f provide high quality indoor and outdoor spaces and integrate well with the surrounding streets and open spaces
- g be adaptable to different activities and land uses, particularly at ground level
- h meet the principles of inclusive design
- i optimise the potential of sites.

Policy 7.8 Development should identify, value, conserve, restore, re-use and incorporate heritage assets, conserve the significance of heritage assets and their settings and make provision for the protection of archaeological resources, landscapes and significant memorials.

Relevant Local Plan Policies

DM3.5 Night-time entertainment

- 1) Proposals for new night-time entertainment and related uses and the extension of existing premises will only be permitted where it can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on:

- a) the amenity of residents and other noise-sensitive uses;
 - b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.
- 2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

CS10 Promote high quality environment

To promote a high standard and sustainable design of buildings, streets and spaces, having regard to their surroundings and the character of the City and creating an inclusive and attractive environment.

DM10.1 New development

To require all developments, including alterations and extensions to existing buildings, to be of a high standard of design and to avoid harm to the townscape and public realm, by ensuring that:

- a) the bulk and massing of schemes are appropriate in relation to their surroundings and have due regard to the general scale, height, building lines, character, historic interest and significance, urban grain and materials of the locality and relate well to the character of streets, squares, lanes, alleys and passageways;
- b) all development is of a high standard of design and architectural detail with elevations that have an appropriate depth and quality of modelling;
- c) appropriate, high quality and durable materials are used;
- d) the design and materials avoid unacceptable wind impacts at street level or intrusive solar glare impacts on the surrounding townscape and public realm;
- e) development has attractive and visually interesting street level elevations, providing active frontages wherever possible to maintain or enhance the vitality of the City's streets;
- f) the design of the roof is visually integrated into the overall design of the building when seen from both street level views and higher level viewpoints;
- g) plant and building services equipment are fully screened from view and integrated in to the design of the building. Installations that would adversely affect the character, appearance or amenities of the buildings or area will be resisted;
- h) servicing entrances are designed to minimise their effects on the appearance of the building and street scene and are fully integrated into the building's design;
- i) there is provision of appropriate hard and soft landscaping, including appropriate boundary treatments;

- j) the external illumination of buildings is carefully designed to ensure visual sensitivity, minimal energy use and light pollution, and the discreet integration of light fittings into the building design;
- k) there is provision of amenity space, where appropriate;
- l) there is the highest standard of accessible and inclusive design.

DM10.2 Design of green roofs and walls

- 1) To encourage the installation of green roofs on all appropriate developments. On each building the maximum practicable coverage of green roof should be achieved. Extensive green roofs are preferred and their design should aim to maximise the roof's environmental benefits, including biodiversity, run-off attenuation and building insulation.
- 2) To encourage the installation of green walls in appropriate locations, and to ensure that they are satisfactorily maintained.

DM10.5 Shopfronts

To ensure that shopfronts are of a high standard of design and appearance and to resist inappropriate designs and alterations. Proposals for shopfronts should:

- a) respect the quality and architectural contribution of any existing shopfront;
- b) respect the relationship between the shopfront, the building and its context;
- c) use high quality and sympathetic materials;
- d) include signage only in appropriate locations and in proportion to the shopfront;
- e) consider the impact of the installation of louvres, plant and access to refuse storage;
- f) incorporate awnings and canopies only in locations where they would not harm the appearance of the shopfront or obstruct architectural features;
- g) not include openable shopfronts or large serving openings where they would have a harmful impact on the appearance of the building and/or amenity;
- h) resist external shutters and consider other measures required for security;
- i) consider the internal treatment of shop windows (displays and opaque windows) and the contribution to passive surveillance;
- j) be designed to allow access by users, for example, incorporating level entrances and adequate door widths.

DM10.8 Access and inclusive design

To achieve an environment that meets the highest standards of accessibility and inclusive design in all developments (both new and

refurbished), open spaces and streets, ensuring that the City of London is:

- a) inclusive and safe for all who wish to use it, regardless of disability, age, gender, ethnicity, faith or economic circumstance;
- b) convenient and welcoming with no disabling barriers, ensuring that everyone can experience independence without undue effort, separation or special treatment;
- c) responsive to the needs of all users who visit, work or live in the City, whilst recognising that one solution might not work for all.

CS12 Conserve or enhance heritage assets

To conserve or enhance the significance of the City's heritage assets and their settings, and provide an attractive environment for the City's communities and visitors.

DM12.1 Change affecting heritage assets

- 1. To sustain and enhance heritage assets, their settings and significance.
- 2. Development proposals, including proposals for telecommunications infrastructure, that have an effect upon heritage assets, including their settings, should be accompanied by supporting information to assess and evaluate the significance of heritage assets and the degree of impact caused by the development.
- 3. The loss of routes and spaces that contribute to the character and historic interest of the City will be resisted.
- 4. Development will be required to respect the significance, character, scale and amenities of surrounding heritage assets and spaces and their settings.
- 5. Proposals for sustainable development, including the incorporation of climate change adaptation measures, must be sensitive to heritage assets.

DM12.2 Development in conservation areas

- 1. Development in conservation areas will only be permitted if it preserves and enhances the character or appearance of the conservation area.
- 2. The loss of heritage assets that make a positive contribution to the character or appearance of a conservation area will be resisted.
- 3. Where permission is granted for the demolition of a building in a conservation area, conditions will be imposed preventing demolition

commencing prior to the approval of detailed plans of any replacement building, and ensuring that the developer has secured the implementation of the construction of the replacement building.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.
2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.
3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.
4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.
5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

DM17.1 Provision for waste

1. Waste facilities must be integrated into the design of buildings, wherever feasible, and allow for the separate storage and collection of recyclable materials, including compostable material.
2. On-site waste management, through techniques such as recycle sorting or energy recovery, which minimises the need for waste transfer, should be incorporated wherever possible.

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

CS21 Protect and provide housing

To protect existing housing and amenity and provide additional housing in the City, concentrated in or near identified residential areas, as shown in Figure X, to meet the City's needs, securing suitable, accessible and affordable housing and supported housing.

DM21.3 Residential environment

1. The amenity of existing residents within identified residential areas will be protected by:
 - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
 - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

SCHEDULE

APPLICATION: 19/00292/FULL

26A Savage Gardens & 9A-9B Crutched Friars London EC3N

Change of use of part ground floor from betting office (sui generis) to a mix of restaurant and drinking establishment (sui generis) (110sq.m) and works comprising:

- (i) replacement of shopfront on Crutched Friars;**
- (ii) replacement of first floor windows on Crutched Friars and Coopers Row;**
- (iii) installation of first floor window on Savage Gardens;**
- (iv) replacement of first floor rear doors and windows fronting rear yard with new doors and glazing under the arches and installation of an external green screen;**
- (v) replacement of door and installation of windows to the rear at ground floor;**
- (vi) extension of external walkway on first floor rear elevation and replacement of external stairs for use as a means of escape;**
- (vii) installation of a fence between the external walkway and neighbouring residential properties; and**
- (viii) replacement of extract flue on rear elevation.**

CONDITIONS

- 1** The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To ensure compliance with the terms of Section 91 of the Town and Country Planning Act 1990.
- 2** Works shall not begin until a scheme for protecting nearby residents and commercial occupiers from noise, dust and other environmental effects has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the Department of Markets and Consumer Protection's Code of Practice for Deconstruction and Construction Sites and arrangements for liaison and monitoring (including any agreed monitoring contribution) set out therein. A staged scheme of protective works may be submitted in respect of individual stages of the development process but no works in any individual stage shall be commenced until the related scheme of protective works has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved scheme (including payment of any agreed monitoring contribution)
REASON: To protect the amenities of nearby residents and commercial occupiers in accordance with the following policies of the Local Plan: DM15.6, DM15.7, DM21.3. These details are required prior to any work

commencing in order that the impact on amenities is minimised from the time that development starts.

- 3 Before any works hereby permitted are begun additional details and information in respect of the following shall be submitted to and approved in writing by the Local Planning Authority and all development pursuant to this permission shall be carried out in accordance with the approved details:

(a) detailed elevations and materials of the proposed new shopfront;

(b) details of windows and external joinery;

(c) details of the proposed bin enclosure;

(d) details and materials of the proposed boundary fences; and

(e) details of the proposed green screen.

Reason: To ensure that the Local Planning Authority may be satisfied with the detail of the proposed development and to ensure a satisfactory external appearance in accordance with the following policies of the Local Plan: DM3.2, DM10.1, DM10.5, DM12.2.

- 4 Details of a Management Statement demonstrating how the amenity of nearby residents would be addressed during the operation of the premises shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The Statement should detail:

1. How the operator proposes to discourage noise, disturbance and anti-social behaviour;

2. What measures will be put into place to ensure any music played will not disturb neighbouring residential units;

3. A smoking control scheme relating to the supervision and control of any smoking patrons outside the premises during the hours that the premises are open to the public;

4. A scheme relating to the dispersal of patrons leaving the premises after 23:00;

5. How the operator will ensure customers will not access the rear yard (except in an emergency);

6. The circumstances and time periods, which trigger the need for a review of the visitor management plan.

The building facilities shall thereafter be operated at all times in accordance with the approved Management Statement (or any amended Management Statement that may be approved from time to time by the Local Planning Authority) for the life of the use.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM3.5, DM21.3.

- 5 Details of the design, construction, planting irrigation and maintenance regime for the proposed green screen shall be submitted to and approved in writing by the local planning authority before any works

thereby affected are begun. The development shall be carried out in accordance with those approved details and maintained as approved for the life of the development unless otherwise approved by the local planning authority.

REASON: To assist the environmental sustainability of the development and provide a habitat that will encourage biodiversity in accordance with the following policies of the Local Plan: DM10.1, DM18.2, DM19.2.

- 6 No cooking shall take place within any unit hereby approved until fume extract arrangements and ventilation have been installed to serve that unit in accordance with a scheme approved by the Local Planning Authority. Flues must terminate at roof level or an agreed high level location which will not give rise to nuisance to other occupiers of the building or adjacent buildings. Any works that would materially affect the external appearance of the building will require a separate planning permission.

REASON: In order to protect the amenity of the area in accordance with the following policies of the Local Plan: DM15.6, DM21.3.

- 7 (a) The level of noise emitted from any new plant shall be lower than the existing background level by at least 10 dBA. Noise levels shall be determined at one metre from the window of the nearest noise sensitive premises. The background noise level shall be expressed as the lowest LA90 (10 minutes) during which plant is or may be in operation.
- (b) Following installation but before the new plant comes into operation measurements of noise from the new plant must be taken and a report demonstrating that the plant as installed meets the design requirements shall be submitted to and approved in writing by the Local Planning Authority.
- (c) All constituent parts of the new plant shall be maintained and replaced in whole or in part as often is required to ensure compliance with the noise levels approved by the Local Planning Authority.

REASON: To protect the amenities of neighbouring residential/commercial occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 8 Before any mechanical plant is used on the premises it shall be mounted in a way which will minimise transmission of structure borne sound or vibration to any other part of the building in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to protect the amenities of commercial occupiers in the building in accordance following policy of the Local Plan: DM15.7.

- 9 No servicing of the premises shall be carried out between the hours of 21:00 on one day and 07:00 on the following day from Monday to Saturday and between 21:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and

unloading of goods from vehicles and putting rubbish outside the building.

REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.

- 10 There shall be no use of the external space at the rear of the premises except for emergencies or for the servicing or maintenance of the surrounding properties unless otherwise agreed in writing by the local planning authority.
REASON: To protect the amenities of neighbouring residential occupiers in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 11 There shall be no promoted events on the premises. A promoted event for this purpose, is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 12 Unless otherwise approved by the Local Planning Authority the doors and windows at first floor level facing onto the rear yard shall be kept closed at all times. The doors may be used only in an emergency or for maintenance purposes.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 13 Self-closing mechanisms must be fitted on the doors at the rear of the premises before the sui generis use hereby approved commences and shall be retained for the life of the premises. The doors must not be left open except in an emergency.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 14 The refuse collection and storage facilities shown on the drawings hereby approved shall be provided and maintained throughout the life of the building for the use of all the occupiers.
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.
- 15 No doors, gates or windows at ground floor level shall open over the public highway.
REASON: In the interests of public safety

- 16 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission: Location Plan, SG SP, GF 100 GA 00, GF 200 GA AA, GF 200 GA 00 Rev 3, SG-200 GA 01 Rev 2, 200 EL 01 Rev 2, 200 EL 02 Rev 2.
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:
- detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;
- a full pre application advice service has been offered;
- where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.
- 2 This permission must in no way be deemed to be an approval for the display of advertisement matter indicated on the drawing(s) which must form the subject of a separate application under the Advertisement Regulations.
- 3 Access for people with disabilities is a material consideration in the determination of planning applications. The City of London Corporation has published design standards giving advice on access for people with disabilities and setting out the minimum standards it expects to see adopted in the City buildings. These can be obtained from the City's Access Adviser, Chief Planning Officer and District Surveyor. Further advice on improving access for people with disabilities can be obtained from the City's Access Adviser. Your attention is drawn to the Disability Discrimination provisions of the Equality Act 2010 to ensure that disabled people are not significantly disadvantaged.
- Service providers, etc., should make "reasonable adjustments" to facilitate access to their premises and the City asks all applicants for planning permission to ensure that physical barriers to access premises are minimised in any works carried out.