

# 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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## DECISION NOTICE

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**LBS Reg. No.:** 21/AP/3524

**Date of Issue of Decision:** 13/01/2022

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Applicant            Mr Kevin McNicholas

### The London Borough of Southwark REFUSES PERMISSION for:

Change of use of the ground floor of a public house (Use Class Sui Generis) to residential (Use Class C3) to provide 1x 2bedroom and 1x 1 bedroom units.

At                      The Beehive Public House 60-62 Carter Street London Southwark  
SE17 3EW

Received on:        22 November 2021

In accordance with the valid application received on 22 November 2021 and supporting documents:

Reference no./Plan or document name/Rev.	Received on
459 009 BLOCK PLAN	07/10/2021
459 010 PROPOSED GROUND FLOOR PLAN	07/10/2021
459 020 PROPOSED FRONT ELEVATION	07/10/2021
459 021 PROPOSED SIDE ELEVATION	07/10/2021
459 022 PROPOSED REAR ELEVATION	07/10/2021

For the reasons outlined in the case officer's report, which is available on the Planning Register. The Planning Register can be viewed at:  
<https://planning.southwark.gov.uk/online-applications/>

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## Reasons for Refusal

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1. The proposal has failed to justify the loss of the existing public house by a lack of marketing evidence and has failed to justify the loss of the pub as an asset of community value. This is therefore contrary to the National Planning Policy Framework 2021, Policy HC7 'Protecting Public Houses' of the London Plan 2021 and Policy 41 'Pubs' of the Southwark Plan 2022.
  
2. The proposed flat 1 would provide an inadequate outlook to the living area and flat 2 would be undersized, both resulting in a poor quality of accommodation. This would be contrary to Policy 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007 and the guidance within the 2015 Technical Update to the Residential Design Standards SPD (2011).
  
3. The proposal has failed to demonstrate what measures would be put in place to minimise fire risk for future and exiting occupiers. This is contrary to the NPPF 2021, and London Plan 2021 Policy D12 (Fire Safety).

Signed:                      Stephen Platts                      Director of Planning and Growth

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## Important Notes Relating to the Council's Decision

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### 1 Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development 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 you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

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.
- 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.

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Further details are on GOV.UK

(<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>).

## 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 Compensation

- In certain circumstances a claim may be made against the local planning authority for compensation, where permission is refused by the Secretary of State on appeal or on a reference of the application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Building and Conservation Areas) Act 1990.