

DEVELOPMENT COMMITTEE

Monday, 8 January 2018 at 7.00 p.m.
**Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG**

The meeting is open to the public to attend.

Members:

Chair: Councillor Marc Francis
Vice Chair : Councillor John Pierce
Councillor Helal Uddin, Councillor Suluk Ahmed, Councillor Gulam Kibria Choudhury,
Councillor Chris Chapman and Councillor Sabina Akhtar

Substitutes:

Councillor Danny Hassell, Councillor Ayas Miah, Councillor Clare Harrisson, Councillor
Peter Golds, Councillor Julia Dockerill, Councillor Md. Maium Miah and Councillor
Mohammed Mufti Miah

[The quorum for this body is 3 Members]

Public Information.

The deadline for registering to speak is **4pm Thursday, 4 January 2018**
Please contact the Officer below to register. The speaking procedures are attached
The deadline for submitting material for the update report is **Noon Friday, 5 January
2018**

Contact for further enquiries:

Zoe Folley, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
Tel: 020 7364 4877
E-mail: zoe.folley@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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agenda:



Public Information

Attendance at meetings.

The public are welcome to attend meetings of the Committee. However seating is limited and offered on a first come first served basis.

Audio/Visual recording of meetings.

Should you wish to film the meeting, please contact the Committee Officer shown on the agenda front page

Mobile telephones

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Access information for the Town Hall, Mulberry Place.



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Docklands Light Railway: Nearest stations are East India: Head across the bridge and then through the complex to the Town Hall, Mulberry Place

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Meeting access/special requirements.

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Fire alarm

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Electronic agendas reports and minutes.

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To access this, click www.towerhamlets.gov.uk/committee and search for the relevant committee and meeting date.

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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS (Pages 5 - 8)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. MINUTES OF THE PREVIOUS MEETING(S) (Pages 9 - 14)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 6th December 2017.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (Pages 15 - 16)

To RESOLVE that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and
- 2) in the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.
- 3) To note the procedure for hearing objections at meetings of the Development Committee and meeting guidance.

PAGE NUMBER	WARD(S) AFFECTED
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4. DEFERRED ITEMS

None.

5.	PLANNING APPLICATIONS FOR DECISION	17 - 18	
5 .1	327-329 Morville Street, London (PA/17/01253)	19 - 60	Bow East
	Proposal:		
	Demolition of the existing building and chimney and redevelopment of the site with the erection of a new six storey building to provide 58 residential units (Use Class C3), together with associated landscaping, rooftop amenity area, child play space and cycle and refuse storage facilities.		
	Recommendation:		
	That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement, conditions and informatives		
5 .2	Bancroft Local History And Archives Library, 277 Bancroft Road, London, E1 4DQ (PA/17/02495)	61 - 66	Bethnal Green
	Proposal:		
	Retrospective application for the addition of a new ventilation panel to an existing duct to the basement door on the building's facade.		
	Recommendation:		
	That the Committee resolve to GRANT Listed Building Consent subject to conditions		
6.	OTHER PLANNING MATTERS	67 - 68	
6 .1	PLANNING APPEALS REPORT	69 - 108	

Recommendation:

The Committee is invited to note the contents of the report.

Next Meeting of the Development Committee

Wednesday, 7 February 2018 at 7.00 p.m. to be held in the Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

Asmat Hussain Corporate Director of Law Probitiy and Governance and Monitoring Officer,
Telephone Number: 020 7364 4801

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 7.00 P.M. ON WEDNESDAY, 6 DECEMBER 2017

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Councillor Marc Francis (Chair)
Councillor John Pierce
Councillor Suluk Ahmed
Councillor Gulam Kibria Choudhury
Councillor Chris Chapman
Councillor Sabina Akhtar
Councillor Ayas Miah (Substitute for Councillor Helal Uddin)

Other Councillors Present:

None

Apologies:

Councillor Helal Uddin

Officers Present:

Jerry Bell	(Area Planning Manager (East), Planning Services, Place)
Julian Buckle	(Planning Officer, Place)
Jane Jin	(Team Leader, Planning Services, Place)
Kevin Chadd	(Legal Services, Governance)
Zoe Folley	(Committee Officer, Governance)

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS

No interests were declared

2. MINUTES OF THE PREVIOUS MEETING(S)

The Committee **RESOLVED**

That the minutes of the meeting of the Committee held on 6 December 2017 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that:

- 1) In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
- 2) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Place is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision
- 3) To note the procedure for hearing objections at meetings of the Development Committee and the meeting guidance.

4. DEFERRED ITEMS

5. PLANNING APPLICATIONS FOR DECISION

5.1 431 Roman Road, London E3 5LX (PA/17/01527)

Jerry Bell (Applications Team Leader) introduced the application for the conversion of kitchen, bathrooms, and storage space for restaurant on the first floor (Use Class A3) to two self-contained residential flats (Use Class C3) consisting of 2x 1 person studios measuring 37sqm and 39sqm with associated internal and external changes to ground and first floors.

The Chair invited the registered speaker to address the meeting.

Faruk Ahmed addressed the meeting in support of the application. He considered that the proposal would provide much needed housing in the borough and contribute towards it's housing target. The applicant had provided amended plans to address the concerns with the application. The proposal would be of a high quality design and the future occupants would have a good standard of amenity. The proposals would be in line with other properties in the street that had residential units at the upper floors. It would also enhance the appearance of the existing building benefiting the Conservation Area and would include cycle parking and waste storage. In response to questions about waste collection and ventilation, he confirmed that the applicant had provided plans to demonstrate how such features would operate. He considered that there would be sufficient space within the development for the waste storage area and the properties would have adequate ventilation. In response to questions about the design of the apartments and their single aspect nature, he reported that the plans had

been amended to address the concerns. He explained that there would be two windows in the front of the development.

Julian Buckle (Planning Services) presented the report describing the site and the surrounding area and also the planning history. The Committee were advised that a similar application was refused permission earlier in the year. However a separate proposal was granted permission in 2017 for a revised shop front with all of the services on the ground floor. Consultation had been carried out and no objections had been received. One petition was received in support of the application.

The Committee were advised of the key features of the application including the proposed external changes relating to the residential entrance, the window arrangements and the external amenity space. The Committee were advised that in land use terms, the proposal could be considered acceptable as it would provide housing and would not affect the viability of the restaurant use.

Nevertheless, it was considered that the proposed design of the scheme was unacceptable in terms of the overall quality of residential accommodation created. The proposed units would have insufficient daylight and overly enclosed private amenity space and experience privacy issues and overlooking. The proposal would also adversely impact on the adjacent site at No 433 and cause an unacceptable increase in the level of overlooking.

The waste storage arrangements within a communal corridor and the cycle parking facilities were also considered to be unacceptable

Given the above issues, officers were recommending that the application was refused planning permission.

The Committee were also advised that that the draft London Plan was currently out for public consultation. The Committee were advised to place limited weight on this draft plan at this stage of the process.

In response to the presentation, the Committee asked questions about the quality of the accommodation, given that flat 1 would be dual aspect and south facing. It was reported that one of the windows to this flat would have obscure glazing and this would act as a constraint on access to daylight. Moreover, there were concerns about the overall design of this flat and the associated amenity issues. Flat 2 would be east facing and be single aspect so would suffer from a lack of access to daylight.

In response to questions about the privacy screen, it was noted that Officers had explored with the applicant the possibility of increasing the height of the screen. However it was found that this would create further problems by creating a sense of enclosure amongst other things. In response to further questions, Officers confirmed that it was required that any new development provide amenity space.

In response to further questions, the Committee discussed the outcome of the consultation, the size and coverage of the Driffield Road Conservation Area and the changes to the application.

On a vote of 2 in favour and 4 against the Officer recommendation to refuse the application the Committee did not agree the officer recommendation.

On a vote of 4 in favour and 2 against the Committee **RESOLVED**

That planning permission be **GRANTED** at 431 Roman Road, London E3 5LX for the conversion of kitchen, bathrooms, and storage space for restaurant on the first floor (Use Class A3) to two self-contained residential flats (Use Class C3) consisting of 2x 1person studios measuring 37sqm and 39sqm with associated internal and external changes to ground and first floors (PA/17/01527) subject to conditions.

5.2 North side of Limehouse Cut between Upper North Street, Watts Grove, London (PA/17/01359)

Jerry Bell (Applications Team Leader) introduced the application for the erection of a pontoon for 10 residential moorings with ancillary cycle and refuse/recycling storage facilities.

Jane Jin (Planning Services) presented the report explaining the site and the surrounds and the outcome of the Council's consultation and the issues raised. The Committee were advised that the proposal could be considered acceptable in land use terms as it would not adversely impact upon the navigability or the open character of the Limehouse Cut and its use for waterborne leisure activities. The proposals had been designed in a manner that would protect the setting of the Conservation Area and it was not considered that it would have a noticeable impact on residential amenity subject to the submission and adherence to the conditions. This included a requirement to submit details of electric points and to restrict future occupants from burning solid fuels on board boats and the pontoon. In highway terms, the proposal would be acceptable. There would be a servicing agreement between the applicant and the adjacent landowner to facilitate servicing. Officers were recommending that the planning permission be granted.

In response to the presentation, the Committee sought reassurances about the plans to minimise clutter on the boats and keep the decks tidy. It was noted that such issues would be addressed through the site management plan. In relation to fuel burning, it was confirmed that there would be measures in the management plan to prohibit this and that such conditions would be binding and enforceable.

Members also asked whether this scheme could set a precedent and pave the way for other, possibly larger schemes coming forward. It was questioned whether there would be a limit on the size of such applications to minimise the impact on the water space. The Committee were advised that the plans had been amended to reduce the number of residential mooring to 10. Each application would need to be assessed on its merits in terms of its impact.

Whilst the policy allowed for the provision of the residential moorings, the policy also stated that such developments must be appropriate for the area.

In response to further questions, officers clarified the size of the proposal, the key features of the pontoon and the ancillary facilities.

On a vote of 6 in favour and 1 against the Committee **RESOLVED:**

1. That planning permission be **GRANTED** at North side of Limehouse Cut between Upper North Street, Watts Grove, London for the erection of a pontoon for 10 residential moorings with ancillary cycle and refuse/recycling storage facilities
2. That the Corporate Director of Place is delegated authority to recommend the conditions and informatives in relation to the matters in the Committee report

6. OTHER PLANNING MATTERS

None

The meeting ended at 8.00 p.m.

Chair, Councillor Marc Francis
Development Committee

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Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson.	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection.
Members of the public in support	It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under Council Constitution, Part.4.8, Development Committee Procedural Rules.

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair’s discretion. The procedure for considering applications for decision shall be as follows:
 Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will announce the item with a brief description.
- (2) Any objections that have registered to speak to address the Committee
- (3) The applicant and or any supporters that have registered to speak to address the Committee
- (4) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (5) The Committee may ask points of clarification of each speaker after their address.
- (6) Officers will present the report supported by a presentation.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council’s website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p>	 Scan this code to view the Committee webpages.
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules - Part 4.8 of the Council’s Constitution (Rules of Procedure). • Terms of Reference for the Strategic Development Committee - Part 3.3.5 of the Council’s Constitution (Responsibility for Functions). • Terms of Reference for the Development Committee - Part 3.3.4 of the Council’s Constitution (Responsibility for Functions). 	 Council’s Constitution

Agenda Item 5

Committee: Development	Date: 8 th January 2018	Classification: Unrestricted	Agenda Item No:
Report of: Corporate Director Place		Title: Planning Applications for Decision	
Originating Officer: Owen Whalley		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. Although the reports are ordered by application number, the Chair may reorder the agenda on the night. If you wish to be present for a particular application you need to be at the meeting from the beginning.
- 1.2 The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. ADVICE OF HEAD OF LEGAL SERVICES

- 3.1 The relevant policy framework against which the Committee is required to consider planning applications comprises the Development Plan and other material policy documents. The Development Plan is:
 - the London Plan 2016
 - the Tower Hamlets Core Strategy Development Plan Document 2025 adopted September 2010
 - the Managing Development Document adopted April 2013
- 3.2 Other material policy documents include the Council's Community Plan, supplementary planning documents, government planning policy set out in the National Planning Policy Statement and the Planning Practice Guidance.
- 3.3 Decisions must be taken in accordance with section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the Committee to make its determination in accordance with the

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 7

Brief Description of background papers:
See Individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See Individual reports

Development Plan unless material planning considerations support a different decision being taken.

- 3.4 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.5 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 3.6 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 3.7 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.
- 3.8 In accordance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, Members are invited to agree the recommendations set out in the reports, which have been made on the basis of the analysis of the scheme set out in each report. This analysis has been undertaken on the balance of the policies and any other material considerations set out in the individual reports.

4. PUBLIC SPEAKING

- 4.1 The Council's constitution allows for public speaking on these items in accordance with the rules set out in the constitution and the Committee's procedures. These are set out at the relevant Agenda Item.

5. RECOMMENDATION

- 5.1 The Committee to take any decisions recommended in the attached reports.

Agenda Item 5.1

Committee: Development Committee	Date: 8 th January 2018	Classification: Unrestricted
Report of: Director of Place		Title: Applications for Planning Permission
Case Officer: Brett McAllister		Ref No: PA/17/01253
		Ward: Bow East

1.0 APPLICATION DETAILS

Location:	327-329 Morville Street, London
Existing Use:	Vacant Boiler House (Use Class B8)
Proposal:	Demolition of the existing building and chimney and redevelopment of the site with the erection of a new six storey building to provide 58 residential units (Use Class C3), together with associated landscaping, rooftop amenity area, child play space and cycle and refuse storage facilities.
Drawings:	3392_PL(20)001, 3392_PL(20)116 Rev. B, 3392_PL(20)002, 3392_PL(20)117 Rev. E, 3392_PL(20)003, 3392_PL(20)118 Rev. B, 3392_PL(20)004, 3392_PL(20)119 Rev. D, 3392_PL(20)005, 3392_PL(20)120 Rev. B, 3392_PL(20)006, 3392_PL(20)121 Rev. D, 3392_PL(20)100 Rev. B, 3392_PL(20)122 Rev. A, 3392_PL(20)101 Rev. A, 3392_PL(20)123 Rev. J, 3392_PL(20)102 Rev. A, 3392_PL(20)126, 3392_PL(20)103 Rev. A, 3392_PL(20)131, 3392_PL(20)104 Rev. A, 3392_PL(20)132, 3392_PL(20)105, 3392_PL(20)133, 3392_PL(20)106, 3392_PL(20)134, 3392_PL(20)107 Rev. B, 3392_PL(20)135, 3392_PL(20)108 Rev. B, 3392_PL(20)136, 3392_PL(20)109 Rev. C, 3392_PL(20)137, 3392_PL(20)110 Rev. A, 3392_PL(20)111 Rev. A, 3392_PL(20)112 Rev. A, 3392_PL(20)113 Rev. A, 3392_PL(20)114 Rev. A, 3392_PL(20)115 Rev. C,
Documents:	Design & Access Statement Daylight, Sunlight & Overshadowing and Addendums Transport Statement Planning Statement Air Quality Assessment Contamination: Desktop Study Energy Statement

Noise & Vibration Report
Statement of Community Involvement
SuDs Assessment
Sustainability Statement

Ownership/applicant: IPE Morville Limited

Historic Building: No listed buildings on site.

Conservation Area: Not in a conservation area.
Fairfield Road Conservation Area approx. 90m to the east

2.0 EXECUTIVE SUMMARY

2.1 This report considers revisions made to the planning application at 327-329 Morville Street, which was heard at committee on 8th November 2017. At committee members were minded not to accept officers recommendation to grant planning permission for the erection of a new six storey building to provide 62 residential units (Use Class C3). The concerns raised by members include:

- 1) Height bulk and massing of the proposal
- 2) That the density of the proposal exceeded the London Plan density range in view of the adverse impact on residential amenity particularly in relation to sunlight and daylight impact.

2.2 Following committee, officers have worked with the applicant and secured amendments to the planning application. These include:

- 1) The number of residential units proposed within the scheme has been reduced from 62 to 58.
- 2) The upper floor of the western block has been set back.
- 3) The massing of the eastern block has been significantly reduced with this element stepping down by a storey at its northern half and by 2 storeys at its southern half.

2.3 The application site is vacant and unallocated in the Local Plan. The current application has been assessed against the development plan for the area that comprises the London Plan 2016 and the Tower Hamlets Local Plan (jointly the Core Strategy 2010, the Managing Development Document 2013 & Adopted Policies Map), the National Planning Policy Framework (NPPF), the National Planning Practice Guidance (NPPG), and relevant supplementary planning documents including the Mayor's 'Housing' SPG 2016, and the Building Research Establishment's handbook – 'Site layout planning for daylight and sunlight: a guide to good practice.'

2.4 The proposed redevelopment of this site for 58 residential units is considered to optimise the development potential of the site. As such, the development complies with policy 3.4 of the London Plan (2016), policy SP02 of the Core Strategy (2010) and policy DM3 of the Managing Development which seeks to ensure the use of land is appropriately optimised.

2.5 The development would provide an acceptable mix of housing types and tenure including the provision of 35% affordable housing that would be split 70% affordable rented (in line with Tower Hamlets preferred rent levels) and 30% intermediate. The

proportion of 35% affordable housing is strongly supported and would complement the range of accommodation provided within the area.

- 2.6 The report explains that the proposals would be acceptable in terms of height, scale, design and appearance and would deliver good quality homes in a sustainable location. The proposed flats would all be served by private balconies and terraces that meet or exceed minimum London Plan SPG space requirements.
- 2.7 The density of the scheme would not result in adverse impacts associated with overdevelopment and there would be no unduly detrimental impacts upon the amenity of neighbouring occupants in terms of loss of light, overshadowing, loss of privacy or increased sense of enclosure. The high quality accommodation provided, along with appropriate external amenity spaces would create an acceptable living environment for the future occupiers of the site.
- 2.8 Transport matters, including parking, access and servicing are acceptable and it is not considered that there would be any significant detrimental impact upon the surrounding highways network as a result of this development.
- 2.9 The scheme would meet the full financial and non-financial contributions.
- 2.10 Subject to the recommended conditions and obligations, the proposal would constitute sustainable development in accordance with the National Planning Policy Framework. The application is in accordance with the provisions of the Development Plan and there are no other material considerations which would indicate that it should be refused.

3.0 RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to the prior completion of a legal agreement to secure the following planning obligations:

Financial Obligations:

- a) A contribution of **£16,925** towards employment, skills, training for the construction phase
- b) A contribution of **£30,200** towards Carbon Off-Setting.
- c) **£3,000** monitoring fee (£500 per individual S.106 Heads of Terms)

Total £50,125

3.5 Non-financial Obligations:

- a) Affordable housing 35% by habitable room (16 units, 50 habitable rooms)
 - 70% Affordable Rent at Borough affordable rental levels (10 units, 35 habitable rooms)
 - 30% Intermediate Shared Ownership (6 units, 15 habitable rooms)
- b) Access to employment
 - 20% Local Procurement
 - 20% Local Labour in Construction
 - 20% Local Labour in End User Phase
 - 2 Apprenticeships
- c) Car-permit free agreement;
- d) Viability Review Mechanism

- e) Any other planning obligation(s) considered necessary by the Corporate Director of Place
- 3.4 That the Corporate Director, Place is delegated authority to negotiate and approve the legal agreement indicated above.
- 3.5 That the Corporate Director, Place is delegated authority to issue the planning permission and impose conditions and informatives to secure the following matters:
- 3.6 Conditions:

Compliance' Conditions

1. Permission valid for 3yrs;
2. Development in accordance with approved plans;
3. Withdrawal of permitted development rights for painting of brickwork and erection of fences & gates
4. Hours of construction
5. Refuse stores to be provided prior to occupation
6. Internal Noise Standards
7. All lifts operational prior to occupation of the relevant part of the development;
8. The accessible parking bay shall only be made available to a resident in possession of a blue badge and should be retained and maintained for the life of the development.
9. Compliance with Energy & Sustainability Strategy;

Prior to Commencement' Conditions:

10. Construction Environmental Management plan;
11. Site wide drainage scheme and surface water measures in consultation with Thames Water;
12. Ground contamination remediation and mitigation
13. Biodiversity mitigation and enhancements including biodiverse roof details;
14. Details of piling, all below ground works and mitigation of ground borne noise;

Prior to completion of superstructure works conditions:

15. Details of all plant and machinery including air quality neutral measures;
16. Details of all external facing materials including balcony details and screening details (both samples and design specification).
17. Details of public realm enhancements, landscaping (including soft & hard landscaping), street furniture and boundary treatment;
18. Child play space strategy including access arrangements, management and equipment.
19. Layouts of Part M wheelchair units
20. Details of all external lighting
21. Details of waste storage facilities
22. Details of Secured by Design measures
23. Detailed specification, tilt angle and location of photovoltaic panels;
24. Details of noise and vibration mitigation measures;
25. Scheme of highway improvement works;

Prior to Occupation' Conditions:

26. Details of cycle parking, access to cycle stores, design and associated facilities;

27. Post completion, prior to occupation, testing in relation to noise and vibration
28. Final energy calculations to show how the scheme has delivered the stated carbon emission reductions;

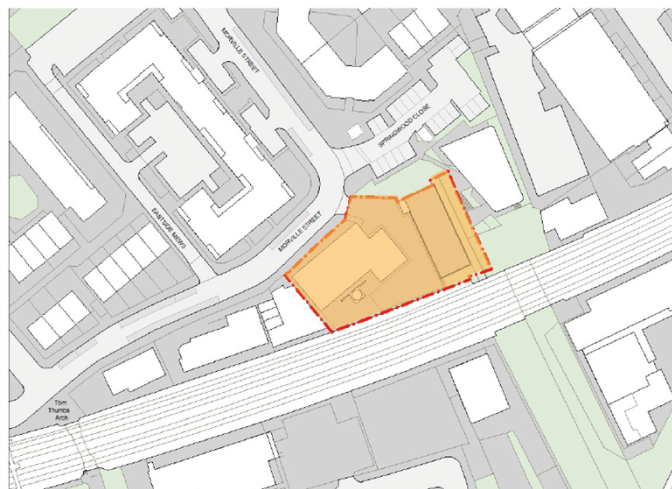
Informatives

1. Subject to s106 agreement
 2. CIL liable
 3. Thames Water informatives
 4. Fire & Emergency Recommendation for sprinklers
 5. Footway and Carriageway
 6. Building Control
- 3.8 Any other conditions or informatives considered necessary by the Committee or the Director of Place.

4.0 PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1. The application site is located on the south side of Morville Street on the corner just before the L shaped street bends northwest towards Tredegar Road. The site itself comprises of a redundant boiler house around 2 storeys in height, a 40m tall chimney and a small outbuilding previously used as a valve house that is excluded from the site. The east edge of the site used to contain oil storage cylinders and lies 1m below the rest of the site.



Existing Site Plan

- 4.2. To the south of the site there is an elevated railway line. The east of the site is bound by the curtilage of Olive Tree Court, a 5 storey residential block. To the west of the site there is a narrow 6 storey block, 331 Morville Street, which has recently been completed.
- 4.3. The surrounding area is residential in character with more recently completed residential blocks ranging from 4 to 6 storeys in height to the north of the railway line. To the south beyond the railway line there are predominantly 4 storey residential post-war blocks.

- 4.4. Bow Road (A11) is located 500m to the south and Roman Road 470m to the north of the site. Victoria Park and Queen Elizabeth Olympic Park are both within a 1200m distance from the site.
- 4.5. No part of the site is listed and it is not within a conservation area, although Fairfield Road conservation area is around 90m to the east of the site. The site is adjacent to an Archaeological Priority Area.
- 4.6. The site has good transport links reflected in a Public Transport Accessibility Level (PTAL) of 4. Bow Church DLR and Bow Road underground station are both located around 550m walk to the south of the site. These stations provide access to the DLR, District and Hammersmith & City lines with services to Canary Wharf, the City and West End. Bus stops are located on Tredegar Road and Bow Road 245m and 475m away. Transport for London have recently completed a large scale upgrade of the cycle infrastructure along Bow Road and Mile End Road providing separated lanes leading in and out of central London and there is a Cycle Hire docking station on Mostyn Grove a few minutes' walk away.

Planning History

Application site

PA/04/01786

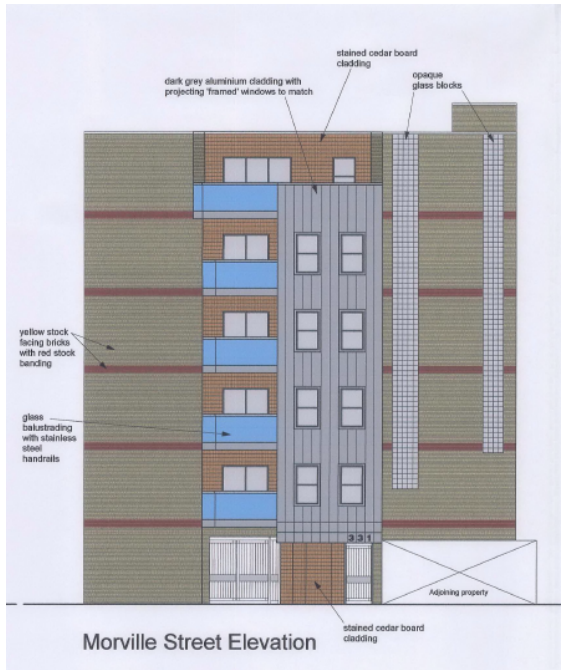
- 4.7. Change of use from a communal heating system boiler house to a depot for a general building contractor, carrying out responsive repair to LBTH housing properties. Includes ancillary office accommodation.
Permitted: 14.02.2005

Neighbouring sites

331 Morville Street

PA/09/00462 - 331 Morville Street, London

- 4.8. Erection of a six storey building to provide nine self-contained flats comprising one x four bedroom flat, four x two bedroom flats and four x one bedroom flats. Provision of 2 car-parking spaces, bicycle and refuse stores.
Approved 12/05/2009
- 4.9. The following is an approved elevation of the above consent.



ENF/16/00603

- 4.10. For information only, there is an open enforcement investigation for alleged amendments to the above consented scheme without planning permission.

Olive Tree Court

- 4.11. PA/12/02855- Land to the South of Springwood Close, Morville Street, London, E3 2DZ

- 4.12. The scheme provides eleven residential units within a single sculptural four - five storey building; with new landscaping, public and private open space and with associated plant, PV roof panels, cycle storage and car parking.



Plan showing approved elevation of Olive Tree Court

Proposal

- 4.13. Full planning permission is sought for the demolition of the existing buildings and chimney tower and the erection of a new six storey building to provide 58 residential units, with associated landscaping, cycle parking and refuse storage facilities,

5.0 POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

5.2 Government Planning Policy

National Planning Policy Framework 2012

5.3 London Plan FALP 2016

- 2.9 - Inner London
- 2.14 - Areas for regeneration
- 2.18 - Green infrastructure: the network of open and green spaces
- 3.1 - Ensuring equal life chances for all
- 3.2 - Improving health and addressing health inequalities
- 3.3 - Increasing housing supply
- 3.4 - Optimising housing potential
- 3.5 - Quality and design of housing developments
- 3.6 - Children and young people’s play and informal recreation facilities
- 3.7 - Large residential developments
- 3.8 - Housing choice
- 3.9 - Mixed and balanced communities
- 3.10 - Definition of affordable housing
- 3.11 - Affordable housing targets
- 3.13 - Affordable housing thresholds
- 4.12 - Improving opportunities for all
- 5.1 - Climate change mitigation
- 5.2 - Minimising carbon dioxide emissions
- 5.3 - Sustainable design and construction
- 5.5 - Decentralised energy networks
- 5.6 - Decentralised energy in development proposals
- 5.7 - Renewable energy
- 5.8 - Innovative energy technologies
- 5.9 - Overheating and cooling
- 5.10 - Urban greening
- 5.11 - Green roofs and development site environs
- 5.12 - Flood risk management
- 5.13 - Sustainable drainage
- 5.14 - Water quality and wastewater infrastructure
- 5.15 - Water use and supplies
- 5.18 - Construction, excavation and demolition waste
- 5.21 - Contaminated land
- 6.3 - Assessing effects of development on transport capacity
- 6.9 - Cycling
- 6.10 - Walking
- 6.13 - Parking

- 7.1 - Building London's neighbourhoods and communities
- 7.2 - An inclusive environment
- 7.3 - Designing out crime
- 7.4 - Local character
- 7.5 - Public realm
- 7.6 - Architecture
- 7.8 - Heritage assets and archaeology
- 7.13 - Safety, security and resilience to emergency
- 7.14 - Improving air quality
- 7.15 - Reducing noise and enhancing soundscapes
- 7.18 - Protecting local open space and addressing local deficiency
- 7.19 - Biodiversity and access to nature
- 8.2 - Planning obligations

5.4 **Core Strategy 2010**

- SP02 - Urban living for everyone
- SP03 - Creating healthy and liveable neighbourhoods
- SP04 - Creating a green and blue grid
- SP05 - Dealing with waste
- SP06 - Delivering successful employment hubs
- SP09 - Creating attractive and safe streets and spaces
- SP10 - Creating distinct and durable places
- SP11 - Working towards a zero-carbon borough
- SP12 - Delivering placemaking
- SP13 - Planning Obligations

5.5 **Managing Development Document 2013**

- DM0 - Delivering Sustainable Development
- DM3 - Delivering homes
- DM4 - Housing standards and amenity space
- DM8 - Community infrastructure
- DM9 - Improving air quality
- DM10 - Delivering open space
- DM11 - Living buildings and biodiversity
- DM13 - Sustainable drainage
- DM14 - Managing Waste
- DM15 - Local job creation and investment
- DM20 - Supporting a sustainable transport network
- DM21 - Sustainable transportation of freight
- DM22 - Parking
- DM23 - Streets and the public realm
- DM24 - Place sensitive design
- DM25 - Amenity
- DM26 - Building Heights
- DM27 - Heritage and the historic environments
- DM29 - Achieving a zero-carbon borough and addressing climate change
- DM30 - Contaminated Land

5.6 **Supplementary Planning Guidance/Documents and Other Documents**

Mayor of London

- Shaping Neighbourhoods: Play and Informal Recreation (2012)

- Sustainable Design and Construction (2013)
- All London Green Grid (2012)
- Housing (2016)
- Affordable Housing & Viability (2017)

Other

- Planning Obligations (2016)
- Fairfield Road Conservation Area Appraisal (2007)
- Development Viability SPD

5.7 Tower Hamlets Community Plan objectives

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

5.8 Statutory public consultation on the draft London Plan commenced on the 1st of December 2017 and will close on 2nd March 2018. This is the first substantive consultation of the London Plan, but it has been informed by the consultation on ‘A City for All Londoners’ which took place in Autumn/Winter 2016.

5.9 The current 2016 consolidation London Plan is still the adopted Development Plan. However the Draft London Plan is a material consideration in planning decisions. It gains more weight as it moves through the process to adoption, however the weight given to it is a matter for the decision maker.

5.10 LBTH are in the process of finalising the new Local Plan which, once adopted, will be the key strategic document to guide and manage development in the borough until 2031.

5.11 The document the Council are consulting on is the proposed submission version of the Local Plan.

5.12 Statutory public consultation on the ‘Regulation 19’ version of the above emerging plan commenced on Monday 2nd October 2017 and closed on Monday 13th November 2017. Weighting of draft policies is guided by paragraph 216 of the National Planning Policy Framework and paragraph 19 of the Planning Practice Guidance (Local Plans). These provide that from the day of publication a new Local Plan may be given weight (unless material considerations indicate otherwise) according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the NPPF. Accordingly as Local Plans pass progress through formal stages before adoption they accrue weight for the purposes of determining planning applications. As the Regulation 19 version has not been considered by an Inspector, its weight remains limited. Nonetheless, it can be used to help guide planning applications and weight can be ascribed to policies in accordance with the advice set out in paragraph 216 of the NPPF.

6.0 CONSULTATION RESPONSE

6.1 The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The summary of consultation responses received is provided below.

6.2 The following were consulted regarding the application:

External Consultees

Thames Water (TW)

6.3 No objections. Conditions and/or informatives are requested relating to the provision of a piling method statement, public sewers crossing or close to the development, surface water drainage and water/flow pressure.

Historic England Archaeology

6.4 No objections, having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, Historic England conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. Therefore, no further assessment or conditions are necessary.

London Fire

6.5 Pump appliance access and water supplies for the fire service appear adequate. In other respects this proposal should conform to the requirements of part B5 of Approved Document B.

6.6 This Authority strongly recommended that sprinklers are considered for the new development, this will be included as an informative.

Crime Prevention

6.7 No objection to the scheme proceeding as outlined. SBD would recommend that the scheme should by means of a condition achieve Secured by Design accreditation which would be formally acknowledged upon a final inspection once all works are complete.

6.8 The reason for this is to reinforce the committed approach and interest in the long term sustainability of both security and crime prevention measures throughout the development for the benefits of all future residents.

Network Rail

6.9 No comments received.

Internal Consultees

Highways

Car Parking

6.10 Highways require a section 106 'car and permit' free agreement for this development as it is located in good PTAL area (PTAL 4).

Cycle Parking

6.11 According to the FALP, the applicant is required to provide at least 96 cycle spaces for this development (two of which are for visitors). LBTH's preferred option is the Sheffield stand (1 Sheffield Stand = 2 cycle space) or a similar hoop design which allows bicycles to be rolled into a horizontal ground level position effortlessly while at

the same time providing increased security. Transport and Highways does not support cycle storage in the basement level. All cycle storage must be located on ground floor level where user can have step free access.

Travel Plan

- 6.12 The applicant is required submit, this can be secured through Section 106 Agreement.

Highway Works

- 6.13 Transport and Highways require the applicant to confirm if there are 2m footpath width remaining after the introduction of disabled bay and loading bay. During the pre-app stage, Transport and Highways advised the client that we would only support the loading and disabled bay at this location if 2m footpath can be achieved. The applicant confirmed they would be willing to dedicate some of their land to achieve 2m footpath width if necessary.

- 6.14 Highways require that a condition is attached to any permission that no development should start until Highways has approved in writing the scheme of highway improvements necessary to serve this development.

- 6.15 Due to the location of the proposed development, Transport and Highways require the applicant to submit a Construction Management Plan (CMP) to the local planning authority and receive written approval for the CMP prior to commencement. This must be secure through a planning condition.

Biodiversity

- 6.16 There will be no significant adverse impact on biodiversity. However as the site was cleared of vegetation loss of some wildlife habitat should perhaps be taken into account in assessing the baseline against which the net biodiversity gains required by policy DM11 should be assessed.

- 6.17 The Landscape Design Strategy includes proposals for a number of biodiversity enhancements which will contribute to objectives in the local Biodiversity Action Plan (LBAP). Overall, these enhancements should be sufficient to ensure net gains for biodiversity, assuming the habitats which have been removed by site clearance were of low quality. The enhancements will be secured by a condition.

Waste policy and Development

Bin Store

- 6.18 The bin store's construction, security, ventilation, lighting and cleansing requirements should be designed in accordance with British Standard BS5906:2005 Waste management in buildings – Code of practice and Building Regulations 2000, Part H6. Ensuring there is 150mm distance between each container and that the width of the door is large enough with catches or stays. The bin store must also be step free. The two individual properties that have bins at the front should have a sheltered bin store for the bins.

Bins

- 6.19 The applicant needs to provide information on the volume of waste by litres, size and type of containers to be used. The two individual properties appear to be space for 2 bins, there needs to be additional storage space created to cater for food waste bin as future proof for the service. All bins must meet the British Standard EN 840 Waste Collection Service The applicant needs to ensure there will be a dropped kerb from bin store to collection point.

Residents
6.20 The carrying distance for all residents to the bin store must be a maximum of 30 meters. The applicant will need to provide all units with internal storage bins for refuse, recycling each with a minimum capacity of 40 litres and 10 litres for food waste.

Bulky Waste Storage
6.21 The applicant needs to provide storage area for bulky waste that is separate from the bin store.

7.0 LOCAL REPRESENTATION

Applicants own consultation

7.1 According to the applicants statement of community involvement, around 1000 letters were sent to local residents and the applicant consulted the following groups:

- CitizensUK
- Eastside Youth and Community Centre
- Roman Road Neighbourhood Planning Forum
- Roman Road Trust
- Fairfield Conservation Area Residents' Association
- Tredegar Community Centre
- Bow Quarter Tenants' and Residents' Association
- Local ward councillors

7.2 The public exhibition took place at Tredegar Community Centre on 8 March between 2pm and 8pm. The applicant has advised around 35 people attended with 28 providing feedback, and 11 of those positive, 1 not sure and it is not clear what the response of the remaining resident was.

Statutory Consultees

7.3 Letters were sent to occupiers of neighbouring properties, on the original 62 unit scheme - a total of 399 in all, 2 site notices were displayed outside the application site, and a press advert was published in a local newspaper. The following responses were received in relation to that scheme.

No of individual responses:	Objecting: 3 Supporting: 2
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No of petitions received:	0
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7.4 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

Objections

Amenity

Noise during construction
Privacy impacts
Loss of light

Design

Disproportionate height
Positioned too far forward
Windows too large
Communal amenity space should be positioned to front
Land to the north will be neglected
More substantial intensive green roof should be provided
Parapet not level between blocks
Strict materials sample condition should be imposed
Entrances should be tenure neutral

Highways

More details are required for the cycle parking
No car parking

Other

Consultation was undertaken late in the process and ended too early for some at work to attend.

Support

Improved security
Provision of housing

- 7.5 Any further consultation responses resulting from the amended scheme will be reported within the update report.

8.0 MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Committee are requested to consider are:
- Land Use
 - Design
 - Housing
 - Amenity
 - Transport, Access and Servicing
 - Sustainability and Environmental Considerations
 - Planning Obligations

Land Use

- 8.2 The National Planning Policy Framework sets out the Government's land use planning and sustainable development objectives. The framework identifies a holistic approach to sustainable development as a core purpose of the planning system and requires the planning system to perform three distinct but interrelated roles:
- an economic role – contributing to the economy through ensuring sufficient supply of land and infrastructure;
 - a social role – supporting local communities by providing a high quality built environment, adequate housing and local services; and
 - an environmental role – protecting and enhancing the natural, built and historic environment.
- 8.3 These economic, social and environmental goals should be sought jointly and simultaneously.

- 8.4 Paragraph 9 of the NPPF highlights that the pursuit of sustainable development includes widening the choice of high quality homes, improving the conditions in which people live and take leisure, and replacing poor design with better design. Furthermore, paragraph 17 states that it is a core planning principle to efficiently reuse land that has previously been developed and to drive and support sustainable economic development through meeting the housing needs of an area.
- 8.5 Policy 2.9 of the London Plan identifies the unique challenges and potential of inner London and specifies that boroughs should work to sustain its economic and demographic growth while addressing concentrations of deprivation and improving the quality of life and health for those living there.

Loss of B8 (Storage)

- 8.6 The site is not within a Strategic Industrial Location (SIL) or Local Industrial Location (LIL). Policy DM15 of the MDD provides guidance for the development of land outside of these designations. Part 1 of this policy states that development should not result in the loss of active and viable employment uses, unless it can be shown, through a marketing exercise, that the site has been actively marketed (for approximately 12 months) or that the site is unsuitable for continued employment use due to its location, viability, accessibility, size and condition.
- 8.7 The area surrounding the site is all residential. The site is the last remaining industrial site in the area and is currently vacant. The currently permitted storage use is not considered to optimise this brownfield site within this residential area. This and other industrial uses could be considered inappropriate in proximity to the surrounding housing owing to potential pollution, noise and traffic impacts. The existing building is rundown; it would take a lot of investment to re-establish an industrial use on the site and it is considered there are far more suitable industrial sites elsewhere in the borough for such investment. Therefore the loss of the existing use is acceptable.

Principle of residential use

- 8.8 Delivering new housing is a key priority both locally and nationally. Through policy 3.3, the London Plan seeks to alleviate the current and projected housing shortage within London through provision of an annual average of 42,000 net new homes. The minimum ten year target for Tower Hamlets, for years 2015-2025 is set at 39,314 with an annual monitoring target of 3,931. The need to address the pressing demand for new residential accommodation is addressed by the Council's strategic objectives SO7 and SO8 and policy SP02 of the Core Strategy. These policies and objectives place particular focus on delivering more affordable homes throughout the borough.
- 8.9 The principle of residential use at this site is acceptable in line with SP02 (1a) which focuses new housing in the eastern part of the borough. The site was sold by the Council, with a view for it to come forward for a residential development.
- 8.10 Given the above and the residential character of surrounding area around the site, the principle of a housing development on this vacant brownfield site is strongly supported in policy terms.

Residential density

- 8.11 Policy 3.4 of the London Plan seeks to optimise the density of development with consideration for local context and public transport capacity. The policy is supported by Table 3A.2 which links residential density to public transport accessibility and

urban character. Policy SP02 of the Core Strategy while reiterating the above adds that density levels of housing should correspond to the Council's town centre hierarchy and that higher densities should be promoted in locations in or close to designated town centres.

- 8.12 Guidance on the implementation of London Plan Policy 3.4 is provided by the Mayor's 'Housing' SPG 2016. 'Optimisation' is defined as 'developing land to the fullest amount consistent with all relevant planning objectives.' (Para. 1.3.1).
- 8.13 The SPG states further that 'It is essential, when coming to a view on the appropriate density for a development, that proper weight is given to the range of relevant qualitative concerns' (Paragraph 1.3.9) and that 'Conversely, greater weight should not be given to local context over location or public transport accessibility unless this can be clearly and robustly justified. It usually results in densities which do not reflect scope for more sustainable forms of development which take best advantage of good public transport accessibility in a particular location.' (Paragraph 1.3.10).
- 8.14 The density ranges should be considered a starting point not an absolute rule when determining the optimum housing potential. London's housing requirements necessitate residential densities to be optimised in appropriate locations with good public transport access. Consequently, the London Plan recognises the particular scope for higher density residential and mixed use development in town centres, opportunity areas and intensification areas, surplus industrial land and other large sites. The SPG provides general and geographically specific guidance on the exceptional circumstances where the density ranges may be exceeded.
- 8.15 SPG Design Standard 6 requires development proposals to demonstrate how the density of residential accommodation satisfies London Plan policy relating to public transport access levels and the accessibility of local amenities and services, and is appropriate to the location.
- 8.16 Schemes which exceed the ranges in the matrix must be of a high design quality and tested against the following eight considerations:
- *local context and character, public transport capacity and the design principles set out in Chapter 7 of the London Plan;*
 - *the location of a site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;*
 - *the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and, in particular, accord with housing quality standards;*
 - *a scheme's overall contribution to local 'place making', including where appropriate the need for 'place shielding';*
 - *depending on their particular characteristics, the potential for large sites to define their own setting and accommodate higher densities;*
 - *the residential mix and dwelling types proposed, taking into account factors such as children's play space provision, school capacity and location;*
 - *the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and*
 - *whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development including opportunity areas.*

- 8.17 As stated earlier in this report, the site has a good public transport accessibility level (PTAL) of 4 of 6. The London Plan defines “Urban” areas as those with predominantly dense development such as, for example, terraced houses, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four storeys, located within 800 metres walking distance of a District centre or, along main arterial routes. The site and surrounding area has a character that fits this definition of an “Urban” area given in the London Plan.
- 8.18 Table 3.2 of the London Plan sets out an indicative density range for sites with these characteristics and transport accessibility of 200 to 700 habitable rooms per hectare (hrph) and with an average of under 3 habitable rooms per unit: 70 to 260 units/hectare (uph).
- 8.19 The proposed density as a result of the changes is 947hrph (from 1039) and 382uph (from 408). This is above the density ranges set out in this table, for both habitable rooms per hectare and unit’s per hectare and as such, particular care has been taken to ensure that this density can be appropriately accommodated on site.
- 8.20 The Housing SPG (2016) states that “in appropriate circumstances, it may be acceptable for a particular scheme to exceed the ranges in the density matrix, providing important qualitative concerns are suitably addressed.” Schemes that exceed the density matrix must be of a high quality design and should be tested against the following considerations:
- the factors outlined in Policy 3.4, including local context and character, public transport capacity and the design principles set out in Chapter 7 of the London Plan;
 - the location of a site in relation to existing and planned public transport connectivity (PTAL), social infrastructure provision and other local amenities and services;
 - the need for development to achieve high quality design in terms of liveability, public realm, residential and environmental quality, and, in particular, accord with the housing quality standards set out in Part 2 of this S PG;
 - a scheme’s overall contribution to local ‘place making’, including where appropriate the need for ‘place shielding’;
 - depending on their particular characteristics, the potential for large sites to define their own setting and accommodate higher densities;
 - the residential mix and dwelling types proposed in a scheme, taking into account factors such as children’s play space provision, school capacity and location;
 - the need for the appropriate management and design of refuse/food waste/recycling and cycle parking facilities; and
 - Whether proposals are in the types of accessible locations the London Plan considers appropriate for higher density development (e.g. town centres, opportunity areas, intensification areas, surplus industrial land, and other large sites).
- 8.21 The following report will go on to demonstrate that the scheme, on balance, meets the above criteria. Officers have sought to weigh up the proposal’s impacts against the benefits of the scheme and in particular the significant provision of housing in a highly sustainable location.

Design

- 8.22 The National Planning Policy Framework attaches great importance to the design of the built environment.

- 8.23 In accordance with paragraph 58 of the NPPF, new developments should:
- function well and add to the overall quality of the area,
 - establish a strong sense of place, creating attractive and comfortable places to live,
 - respond to local character and history, and reflect the identity of local surroundings and materials,
 - create safe and accessible environments, and
 - be visually attractive as a result of good architecture and appropriate landscaping.
- 8.24 Chapter 7 of the London Plan places an emphasis on robust design in new development. Policy 7.4 specifically seeks high quality urban design having regard to the local character, pattern and grain of the existing spaces and streets. Policy 7.6 seeks the highest architectural quality, enhanced public realm, materials that complement the local character, quality adaptable space and to optimise the potential of the site.
- 8.25 The Council's policy SP10 sets out the broad design requirements for new development to ensure that buildings, spaces and places are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds. Further guidance is provided through policy DM24 of the Managing Development Document. Policy DM26 gives detailed guidance on tall buildings and specifies that building heights should be considered in accordance with the town centre hierarchy, and sensitive to the context of its surroundings. Policies SP09 and DM23 seek to deliver a high-quality public realm consisting of streets and spaces that are safe, attractive and integrated with buildings that respond to and overlook public spaces.
- 8.26 The place making policy SP12 seeks to improve, enhance and develop a network of sustainable, connected and well-designed neighbourhoods across the borough through retaining and respecting features that contribute to each neighbourhood's heritage, character and local distinctiveness.

Local Context

- 8.27 The surrounding area is predominantly residential in character, with the application site being the last of the former industrial sites to come forward for redevelopment in the area. The surrounding area to the north of the railway viaduct includes a limited number two to three storey terraced houses and flats dating from the mid to late twentieth century, although the majority of buildings are more contemporary residential developments that typically range between four and five storeys in height.
- 8.28 The buildings in the immediate vicinity of the site: 331 Morville Street (west), Eastside Mews Apartments (north), Briar Court (north east) and Springwood Close (east) are all between 4 and 6 storeys including the 6 storey scale of 331 Morville Street that abuts the site.
- 8.29 The proposals seek the demolition of existing buildings and the erection of a 6 storey building (plus a lower ground floor) providing 58 residential units.

Height, Scale & Massing

- 8.30 The proposed development comprises two elements formed together in an 'L' shaped arrangement, with building entrances on the more prominent western block that fronts Morville Street.

- 8.31 The proposed height of 6 storeys is considered to appropriately respond to the sites local context. Due to a change in gradient the eastern element has a lower ground floor.
- 8.32 At committee on 8th November members were minded not to support the proposal in relation to the height, bulk and massing.
- 8.33 The massing of the scheme is broken up by the substantial stepping back of the eastern block (by 7.8 metres) and the use of a lighter brick and lower parapet for this block. The massing has been further reduced in response to members concerns with the eastern element stepping down by 1 storey at the northern half and a further storey at the southern half. The upper level of the western block has also been set back, corresponding with the set back upper storey of the neighbouring 331 Morville Street. The western and eastern blocks are shown in the following elevations, the red line shows the previous height of the scheme. It can be seen that the amendments have allowed the lift overrun to be removed.



Plan showing amended northern elevation



Plan showing amended southern elevation.

- 8.34 The communal amenity space on the roof of the eastern block would now be provided in two areas on the stepped down elements. These areas would be set in from the edge and would negate the need for a lift overrun as access would be gained from the fourth and fifth floor respectively. The setback from the edge would mean these areas would not be readily visible from the streetscene.
- 8.35 Overall, officers are satisfied with the reduced height, scale and massing of the proposal is an acceptable design led solution.

Layout

- 8.36 The following plan shows the proposed ground floor.



- 8.37 The development contains three points of entry, serving three residential cores. These are all accessed from the primary frontage of Morville Street. Each core, also contains its own cycle spaces and refuse facilities.
- 8.38 As originally submitted there were some issues with the layout of the lower ground floor of the development. Bedroom 2 of the lower ground floor south eastern corner unit fell well below the minimum width required by the London Plan. The lower ground communal amenity space extended in a thin wedge shape behind the private gardens of the lower ground units creating a conflict in privacy. The shape of the space and its isolated position was not considered particularly usable in any case. These family units were also completely single aspect.
- 8.39 Officers managed to secure a reorganisation of the layout of the lower ground floor. Externally, the communal amenity space was reduced and the private gardens for both lower ground floor units were extended to create very generously sized outdoor spaces for these affordable rented units. A small area of the communal amenity space was retained to the north where there would be a tiered wildlife garden that is considered to soften the visual impact of the blank retaining walls.
- 8.40 Internally, both units were reorganised so that all bedrooms were of an appropriate width. Windows were added to the north and south elevations creating dual aspects and the living rooms were re-located to these corner positions to exploit the increased light and outlook that this would offer.
- 8.41 Following these amendments the layout of the proposed development is now considered acceptable.

Architectural Detailing

- 8.42 The building would be predominantly of high quality brick construction with a red brick used for the west block and a lighter buff brick used for the east block. The brickwork would be accentuated by contrasting mortar. Similar shades of brick are seen in the immediate surrounding area and this approach is considered appropriate. Responding to the members concerns the top storey has been further set back with a lighter brick softening its appearance within the streetscene.
- 8.43 The windows and doors would be powder coated aluminium. Articulation and interest would be provided with horizontal polished concrete spandrel panels (buff or grey), deep reveals to windows, brickwork feature panels, brickwork returns to recessed balconies and steel balustrading to balcony railings.
- 8.44 In addition to the different coloured brick, variation between the two blocks would be achieved with subtle variation in the architectural detailing. The west block would have more articulation in terms of the depth of columns and recessed sections, the use of soldier courses and a higher parapet. The east block would be designed more simply with a flatter elevation design. There would also be variation in the balcony design with the west block having vertical railings and the east block zig-zag railings. Both blocks are considered to complement each other. The simpler approach for the eastern block would help to focus the attention on the northern block that fronts Morville Street and break up the appearance of the massing of the scheme.
- 8.45 The proposed materials and elevation design are considered appropriate. A full schedule of materials and product specification would be secured by condition.

Safety and security

- 8.46 The site has been design to high security standards. The proposed scheme uses shared amenity space and children’s play facilities to generate activity, foster a sense of neighbourhood and encourage territorial responsibility amongst residents. Passive surveillance is provided throughout the scheme through the overlooking to public spaces and the surrounding roads provided from upper floor windows and activity and animation generated in communal amenity spaces embedded within the site.
- 8.47 An integrated lighting strategy is proposed for the scheme. This strategy will employ the Secured by Design principles in order to create a landscape that is well lit, avoids dark loitering spaces and allows safe passage through the site after dark. Overspill lighting from upper level residential uses, alongside passive surveillance, will enhance the security of the streetscape and illuminate the shared amenity podiums.
- 8.48 A condition would be attached to the permission for secure by design standards to be secured.

Housing

Affordable housing

- 8.49 In line with section 6 of the NPPF, the London Plan has a number of policies which seek to guide the provision of affordable housing in London. Policy 3.8 seeks provision of a genuine choice of housing, including affordable family housing. Policy 3.9 seeks to encourage mixed and balanced communities with mixed tenures promoted across London and specifies that there should be no segregation of London’s population by tenure. Policy 3.11 identifies that there is a strategic priority for affordable family housing and that boroughs should set their own overall targets for affordable housing provision over the plan period. Policy 3.13 states that the maximum reasonable amount of affordable housing should be secured.
- 8.50 The LBTH Community Plan identifies the delivery of affordable homes for local people as one of the main priorities in the Borough and Policy SP02 of the Core Strategy 2010 sets a strategic target of 35-50% affordable homes on sites providing 10 new residential units or more (subject to viability).
- 8.51 Policy SP02 requires an overall strategic tenure split for affordable homes from new development as 70% social rent and 30% intermediate.
- 8.52 The scheme would provide 58 units (35% affordable by habitable room) in the following mix:

	Units	% Units	Hab Rooms	% Hab Rooms
Affordable Rent	10	17%	35	24%
Intermediate	6	10%	15	10%
Total Affordable	16	28%	50	35%
Market Sale	42	72%	94	65%
TOTAL	58	100%	144	100%

Table 1 - Affordable Housing Mix

- 8.53 The proposed delivery of 35% affordable housing meets the Council’s minimum policy target. The tenure split within the affordable housing would be 70:30 rented to intermediate which meets the Council’s preferred tenure split.

- 8.54 Viability information was submitted with the application and scrutinised by viability consultants appointed by the Council and discussions were ongoing. The Affordable Housing and Viability SPG was published in August 2017 which sets out a 'Fast Track Route' for schemes that meet or exceed 35% affordable housing provision without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA.
- 8.55 Following publication of this the applicant agreed to bring the proposed rent levels from the POD rents to the Council's most up-to-date affordable rent policy at the required 50/50 split between London Affordable Rent and Tower Hamlets Living Rent. This brought the scheme in line with the above mentioned criteria for the Fast Track route and the Council considers this an appropriate approach. This process would require an early viability review in the event that the completion of demolition works to grade level, all ground preparatory works and the commencement of basement excavation works, along with a contract for the formation of the basement structure and above ground superstructure being in place is not achieved within 2 years of the date of consent. Such a requirement would be inserted as a clause within the S.106 agreement in the event that planning permission was to be granted.
- 8.56 The affordable rent levels are:

2017-18 Borough wide figs.	1 bed	2 bed	3 bed	4 bed
London Affordable Rent (excl. service charge)	144.26	152.73	161.22	169.70
TH Living Rent (inc. service charge)	202.85	223.14	243.42	263.71

- 8.57 The intermediate properties are to be provided as shared ownership and would accord with affordability levels of the London Plan.
- 8.58 Overall, the provision of affordable housing has been maximised, the proposal meets policy targets and the overall tenure mix on site would assist in creation of a mixed and balanced community.

Dwelling mix

- 8.59 Pursuant to Policy 3.8 of the London Plan, new residential development should offer genuine housing choice, in particular a range of housing size and type.
- 8.60 Policy SP02 of the Core Strategy also seeks to secure a mixture of small and large housing, requiring an overall target of 30% of all new housing to be of a size suitable for families (three-bed plus), including 45% of new affordable homes to be for families.
- 8.61 Policy DM3 (part 7) of the Managing Development Document requires a balance of housing types including family homes.
- 8.62 The proposed dwelling mix for the revised scheme is set out in the table below, the figures in brackets state the previous mix:

Unit size	Total units	affordable housing						market housing		
		Affordable rented			intermediate			private sale		
		scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %	scheme units	scheme %	Core Strategy target %
studio	8	0	0	0%	0	0	0%	8	19%	0%
1 bed	23 (22)	1 (3)	10%	30%	4 (3)	66%	25%	18(16)	43%	50.00%
2 bed	19 (23)	4	40%	25%	1 (2)	17%	50%	14 (17)	33%	30.00%
3 bed	8 (9)	5	50%	30%	1	17%	25%	2 (3)	5%	20%
4 bed+	0	0	0	15%	0	0		0	0	
Total	58 (62)	10 (12)	100%	100%	6	100%	100%	42 (44)	100%	100%

Dwelling Mix

- 8.63 It can be seen that there is an overprovision of rented family sized units (3 beds and larger), which at 50% exceeds the Council's 45% target.
- 8.64 Within the intermediate, there is overall a small amount of units which means the percentages are skewed easily but an acceptable range of unit sizes within this tenure is proposed.
- 8.65 It can be seen that within the affordable rented and intermediate tenures of the proposed development the dwelling mix generally accords with the policy targets.
- 8.66 Within the private element of the scheme it can be seen that there is a slight under provision of 1 bed units and a slight overprovision 2 bed flats. A large percentage of studio units and an under provision of 3 bedroom units skews the percentages away from the policy targets for these sizes of units. This mix has been designed to maximise the viability of the scheme in order to provide more affordable housing. It is considered that although there is this divergence from the policy targets, having generally accorded with policy in the other tenures including providing 50% of affordable units as family-sized, it is considered that the housing mix is acceptable.

Standard of residential accommodation

- 8.67 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document seek to ensure that all new housing is appropriately sized, high-quality and well-designed. Specific standards are provided by the Mayor of London Housing SPG to ensure that the new units would be "fit for purpose in the long term, comfortable, safe, accessible, environmentally sustainable and spacious enough to accommodate the needs of occupants throughout their lifetime."
- 8.68 All of the proposed units would meet or exceed the baseline internal floorspace standard. In line with guidance, the detailed floor plans submitted with the application

demonstrate that the proposed dwellings would be able to accommodate the furniture, storage, access and activity space requirements.

- 8.69 The large majority of the proposed units would be double aspect and none of the units that would be single aspect would be north facing.

Daylight/Sunlight Impacts on Proposed Development

- 8.70 The application is supported by a Daylight and Sunlight Assessment (DSA) and subsequent addendums to this. The robustness of the methodology and conclusions has been appraised by the Council's independent daylight and sunlight consultants.

- 8.71 The Daylight Factor is used to assess if the amount of daylight entering a room through a window is sufficient. The BRE Guidance states that if a day-lit appearance is required the following daylight factors should be met as a minimum:

- Kitchens – 2%;
- Living rooms – 1.5%; and
- Bedrooms – 1%.

- 8.72 Originally the Kitchen/Living/Dining Room of the two lower ground floor units were the only units that failed this test, however the arrangement of these units has subsequently been amended locating the respective Kitchen/Living/Dining rooms on each corner where an additional window has been added in order to make them dual aspect. Following the amendments these would both meet the target Daylight Factor.

- 8.73 All the remaining units meet the ADF values which demonstrate the development has adequate daylight.

- 8.74 In terms of sunlight to the proposed development, the scheme is located within 90° due north of the railway line. The nearest surrounding buildings to the south, bar a single storey warehouse, would be located approximately 60m away on Malmesbury Road. It is therefore considered that there will be sufficient sunlighting at the proposed development.

- 8.75 It is considered that the proposal would meet and exceed the relevant design standards and would represent an acceptable standard of living accommodation and amenity to the future occupiers of the scheme.

Inclusive Access

- 8.76 Policy 3.8 of the London Plan and Policy SP02 of the Core Strategy require that all new housing is built to Lifetime Homes Standards and that 10% is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

- 8.77 Six wheelchair accessible homes are proposed which amounts to 10% of the total units. These would be spread across all tenures with 2 units to be located within the affordable rented tenure, 1 within the intermediate tenure and 3 within the private tenure.

- 8.78 The 2 rented units will be “wheelchair accessible” as opposed to “adaptable”. These 3 bed wheelchair units for rent will be generously sized and also benefit from a large private amenity space by way of 19 and 14.5sqm terraces respectively.

- 8.79 The detailed floor layouts and locations within the site for the wheelchair accessible homes will be conditioned. An on-street disabled accessible parking space on

Morville street would be allocated next to the loading bay should there be demand within the scheme.

Private, Communal and Child Play Space

- 8.80 London Plan policy 3.5, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require adequate provision of private and communal amenity space for all new homes.
- 8.81 All of the proposed units would have a private balcony or terrace that is at least 1500mm wide and would meet the minimum space standards set out in the MDD. These would all have level access from the main living space.
- 8.82 For all developments of 10 units or more, 50sqm of communal amenity space plus 1sqm for every additional unit should be provided. As such, a total of 98sqm of communal amenity space is required across the development.
- 8.83 In addition to the private and communal amenity space requirements, policy 3.6 of the London Plan, policy SP02 of the Core Strategy and policy DM4 of the Managing Development Document require provision of dedicated child play space within new residential developments. The Mayor of London’s SPG ‘Shaping Neighbourhoods: Play and Informal Recreation’ sets a benchmark of 10sqm of useable child play space per child. The GLA child yield calculator is used to project the number of children for the new development. Play space for younger children should be provided on-site, with older children being able to reasonably use spaces off-site, within short walking distances. The proposed scheme is anticipated to accommodate 18 children using the GLA yield calculator, translating to a policy requirement of 180sqm.
- 8.84 The combined total space across the scheme to meet the policy requirement for communal and child play space would therefore be 278sqm. Outdoor space would be provided on the ground floor to the rear of the development (218sqm), on the roof of the eastern block (120sqm) in addition to a tiered wildlife garden on the east of the site (34.5sqm) that would combine to provide 372sqm. As such the scheme overall would exceed the policy requirement by 94sqm.

	GLA Child Yield	Policy Space Requirement	Proposed within scheme
Under 5	8	80sqm	80sqm
5-11 year olds	6	60sqm	60sqm
12+	4	40sqm	40sqm
Total	18	180sqm	180sqm
Shortfall in play space			0sqm

Child Play Space Provision

- 8.85 Dedicated child play space would be provided within the ground floor amenity space. The table above shows the breakdown of the GLA child yield by age group and the corresponding space requirement. 180sqm of child play space would be provided meeting the requirement for all age groups in an integrated and well-designed space.



The 4th and 5th floor plans of the eastern block showing the roof top amenity areas.

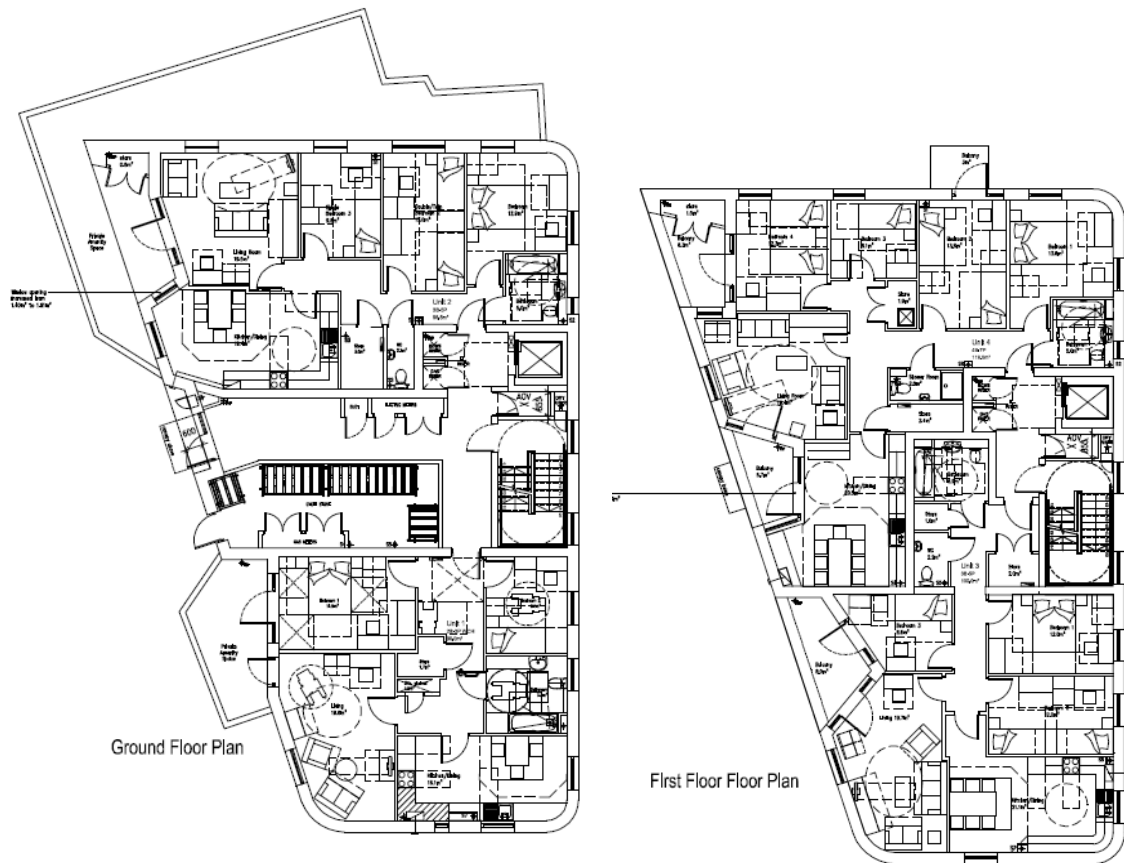
- 8.86 The proposed landscaping is considered to be well thought out and would be of a high quality. Overall, the proposed provision of private, communal and play space would make a significant contribution to the creation of a sustainable, family friendly and liveable environment.

Amenity

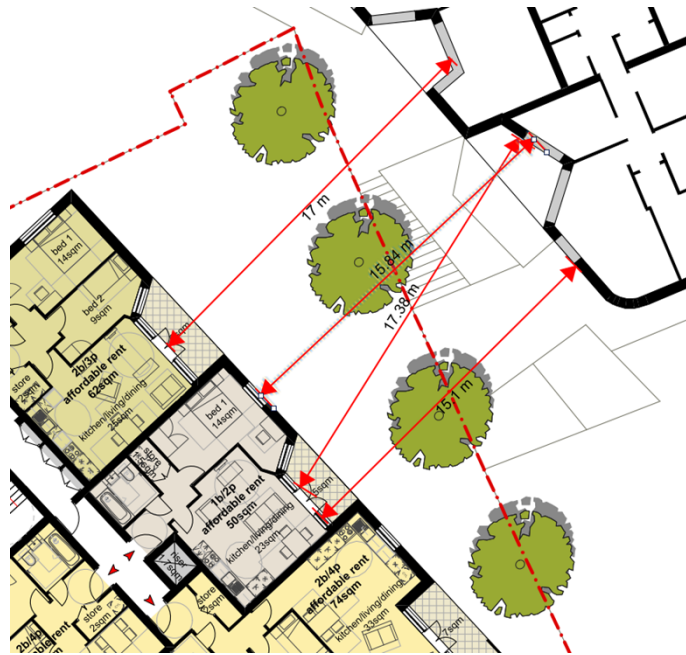
- 8.87 In line with the principles of the National Planning Policy Framework the Council's policies SP10 of the Core Strategy and DM25 of the Managing Development Document aim to safeguard and where possible improve the amenity of existing and future residents and building occupants, as well as to protect the amenity of the surrounding public realm with regard to noise and light pollution, daylight and sunlight, outlook, overlooking, privacy and sense of enclosure.

Overlooking and privacy

- 8.88 Policy DM25 of the Managing Development Document requires new developments to be designed to ensure that there is sufficient privacy and that they do not enable an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. The degree of overlooking depends on the distance and the horizontal and vertical angles of view. The policy specifies that in most instances, a distance of approximately 18 metres between windows of habitable rooms would reduce inter-visibility to a degree acceptable to most people. Within an urban setting, it is accepted that be lower distances could be acceptable reflecting the existing urban grain and constrained nature of urban sites such as this.
- 8.89 The aspects north across Morville Street to Eastside Mews and east to Olive Tree Court are relevant in this regard. The separation distance to Eastside Mews would be at least 17 metres at its closest point. This represents a typical street relationship and is considered acceptable.
- 8.90 The separation distances to Olive Tree Court would be tighter ranging between 13.5 metres and 17 metres. The closest relationships are experienced by the middle and southern units of this elevation. The following are the approved ground and first floor plans of Olive Tree Court.



- 8.91 It is clear the above site has been designed to avoid primary habitable rooms on the boundary wall to ensure the application site is capable of coming forward.
- 8.92 In many cases the angles and placement of the windows would be such that the windows do not directly face each other, helping to mitigate privacy impacts.
- 8.93 The following is the proposed first floor plan of the proposal and the separation distances to Olive Tree Court. It is clear the design has fully taken into account the neighbouring properties and for the urban context, it is considered the resulting separation distances are considered acceptable.



Outlook and sense of enclosure

8.94 The distance between the development proposal and habitable rooms of adjoining properties would follow the separation distances mentioned in the above section and the proposed massing generally would not result in an overbearing appearance or undue sense of enclosure.

Daylight, Sunlight and Overshadowing

8.95 Guidance on assessment of daylight and sunlight is set out in the Building Research Establishment (BRE) handbook 'Site Layout Planning for Daylight and Sunlight'. The primary method of assessment is through calculating the vertical sky component (VSC). BRE guidance specifies that reductions in daylighting materially affect the living standard of adjoining occupiers when, as a result of development, the VSC figure falls below 27 and is less than 0.8 times its former value. The BRE guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probably sunlight hours or less than 5% between 21 September and 21 March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight over the whole year of over 4%.

8.96 In order to better understand impact on daylighting conditions, should the VSC figure be reduced materially, the daylight distribution test (otherwise known as the no skyline test) calculates the area at working plane level inside a room that would have direct view of the sky. The resulting contour plans show where the light would fall within a room and a judgement may then be made on the combination of both the VSC and daylight distribution, as to whether the room would retain reasonable daylighting. The BRE does not set any recommended level for the Daylight Distribution within rooms but recommends that where reductions occur more than 20% of the existing they will be noticeable to occupiers.

8.97 The applicant submitted a Daylight and Sunlight Assessment prepared by SLR Consulting Ltd in line with the BRE methodology, which looks at the impact of the development on the neighbouring properties and the proposed development. This

was been reviewed by independent consultants appointed by the Council and their assessment is discussed below.

Daylight/Sunlight Impact on Neighbouring Properties

- 8.98 Based on the analysis presented, 331 Morville Street and Briar Court would be within the BRE guidelines for loss of daylight. Springwood Close and Eastside Mews would be impacted in terms of daylight and sunlight.
- 8.99 In terms of Springwood Close, the western elevation would be impacted by the proposal. Of the 20 receptors tested 19 of these would experience VSC losses greater than 20% of their former value and VSC figures that would fall below 27%. The varying level of VSC reduction is shown below, the figures in brackets show the impact of the previous scheme.

Springwood Close - % VSC Reductions		
% Loss		No. of Receptors
0-20% - Negligible		4 (1)
20-30% - Minor Adverse		7 (4)
30-40% – Moderate Adverse		6 (4)
40%+ Major Adverse	40-60%	3 (11)
	60-80%	0
	80-100%	0

- 8.100 Of the failures, it can be seen that the amended plans have reduced the major adverse impacts from 11 to 3 windows, and there has been a general shift upwards towards less pronounced impacts. There would now be 6 windows that would experience a moderate impact and 7 that would experience a minor impact. The impact would increase as you move towards the ground floor and the south of this elevation. Before the amendments 4 windows on the ground floor and 3 on the first floor would have had a VSC below 17%, now there would only be 2 windows on the ground floor that would be below 17%. Officers consider the improvements in daylight to Olive Tree Court to be significant.
- 8.101 It is considered that the design of Olive Tree Court with inset balconies and the fact that the buildings opposite are presently low rise contribute to the relative reductions in VSC set out above. Within this residential area, it should be a reasonable assumption that a scheme of a similar scale to Olive Tree Court would come forward. The comparison between a scheme of a similar scale that optimises the site and the predominantly low rise nature of the existing site would naturally lead to significant losses in VSC to the western elevation of Springwood Close.
- 8.102 In any case, the impacts would be mitigated by the fact that of the 11 units within Springwood Close, 8 are triple aspect and 1 is double aspect, meaning these flats would receive good levels of daylight/sunlight from other elevations. Sunlight received by the kitchens positioned on the southern elevation for example would be unaffected by the development. Of the 2 single aspect units, 1 is positioned on the east elevation so will be unaffected and the unit on the west elevation would now only experience minor VSC reductions and retain a total VSC of 25%.
- 8.103 In terms of Eastside Mews, the southern elevation would be impacted by the proposal. Of the 32 receptors tested, following the amendments 14 of these would

experience VSC losses greater than 20% of their former value and 19 would fall below 27% as a result of the development.

Eastside Mews - % VSC Reductions		
% Loss		No. of Receptors
0-20% - Negligible		18 (14)
20-30% - Minor Adverse		14 (10)
30-40% – Moderate Adverse		(0) 7
40%+ Major Adverse	40-60%	(0) 1
	60-80%	0
	80-100%	0

8.104 It can be seen from the table above that of the daylight losses to Eastside Mews; all windows would now experience losses of negligible or minor adverse. Following the amendments there would be no longer any windows that would experience moderate or major adverse reductions.

8.105 In order to provide a robust assessment the Daylight Factor has been calculated at locations where the VSC method has failed. The Daylight Factor is used to assess if the amount of daylight entering a room through a window is sufficient. The BRE Guidance states that if a day-lit appearance is required the following daylight factors should be met as a minimum:

- Kitchens – 2%;
- Living rooms – 1.5%; and
- Bedrooms – 1%.

8.106 When this test was applied, all of the windows met the above requirement.

8.107 In terms of sunlight, obstruction to sunlight can occur if part of the proposed redevelopment is situated within 90degrees due south of a main window wall of an existing building.

8.108 Table 3 of the originally submitted Daylight, Sunlight and Overshadowing Assessment submitted in support of the planning application indicated that individual windows at 331 Morville Street and Briar Court would all achieve the 25 degree rule (typically used to assess Daylight impact) and thus achieve acceptable levels of sunlight. However, individual windows of receptors Olive Tree Court and Eastside Mews do fail the 25 degree rule. Therefore, in these locations sunlighting has been considered further.

8.109 BRE Guidance states that if a reference point in the centre of a window receives at least a quarter of the annual probable sunlight hours (APSH), including at least 5% of the annual probable sunlight hours during the winter months of between 21st September and 21st March, then the room should receive sufficient sunlight.

8.110 Following the amendments, of all 52 windows tested on across Eastside Mews and Olive Tree Court all met or exceeded the guideline figure for APSH. All windows tested would meet the targets for sufficient sunlight.

8.111 The amendments have resulted in a significantly more favourable daylight impact on surrounding buildings. Taking the above into consideration it is acknowledged that there would still be certain daylight impacts, in particular on the Olive Tree Court

development but it considered that the internal daylighting and sunlighting to this development would be acceptable and is mitigated further by the number of triple and double aspect flats within this building.

- 8.112 The BRE guidelines should be interpreted flexibly and account should be taken of the constraints of the site and the nature and character of the surrounding built form. Officers consider that there are impacts; however benefits of the scheme outweigh those impacts given the nature of the area.

Sunlight/overshadowing to Gardens and Open Spaces

- 8.113 A sun-path analysis was undertaken to determine the proportion of any amenity areas which the development would cast a shadow over at 12:00 on the 21st March (i.e. the equinox). It should be noted that existing / proposed foliage was not included within the analysis. Periods when shadows are present may also be caused by trees rather than the proposals. The results presented provide a representation of the potential impacts associated within the development only as a worst-case.
- 8.114 Overshadowing was shown to occur as a result of the proposals, at some of the outdoor areas associated with the Olive Tree Court residential development, specifically the area to the north and east of the proposal. However, it is noted that there is further open space associated with the Olive Tree Court development located to the north and south– albeit locations which the Springwood Close development itself impacts on within its own development boundary.
- 8.115 Additionally, the outside areas associated with Eastside Mews are impacted upon to a minor extent. However, it is noted that the majority of this impact is as a result of the Eastside Mews development itself. The outdoor area associated with the proposals to the south, is not affected by the development and only receives some overshadowing as a result of the raised railway line to the south. For the above reasons, overshadowing impacts are considered acceptable.

Noise and Vibration

- 8.116 Policy 7.15 of the London Plan (2015), Policies SP03 and SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development Document (2013) seek to ensure that development proposals reduce noise by minimising the existing and potential adverse impact and separate noise sensitive development from major noise sources.
- 8.117 The proposal could experience high levels of noise and vibration from the railway line to the south. This consists of 4 tracks and serves Greater Anglia National Rail line and TfL Rail between Stratford and Liverpool Street. Trains stop just after 01.00 and restart just after 05.00 and are frequent throughout the day. A Noise and Vibration Assessment by AIRO accompanied the application. The contents of the report takes into account the glazing specification required to achieve good noise insulation from the high levels of railway noise. Noise and vibration surveys have been undertaken at the site and daytime and night-time noise levels have been determined. In order to mitigate the high levels of noise, measures relating to glazing, ventilation, building fabric and vibration have been recommended for the proposed building.
- 8.118 All of these specialist mitigation measures will ensure that internal and external noise/ levels will meet the recommended acoustic criteria based on the guidelines set out in BS 8233: 2014 and meet vibration standards set out in BS 6472: 2008. To ensure that the railway noise and vibration is acceptable a condition will be imposed for an

updated noise and vibration survey to be undertaken and for the measures to be strictly implemented.

- 8.119 It is considered that the quality of the build and these appropriate measures would guard against a significant impact on the amenity of the occupants of the proposed development.

Air Quality

- 8.120 An Air Quality Assessment by Bluecroft accompanied the application. The report notes that the London Air Annual Pollution maps indicate NO₂ concentrations at the application site and within the immediate locale are within the relevant AQO's and therefore unlikely to expose new receptors to high pollutant concentrations. As such, no further mitigation is required with regards to site suitability.
- 8.121 The proposed development has the potential to give rise to construction impacts of dust and emissions therefore the Council's Air Quality team recommend that included within the CEMP condition should be the requirement for dust mitigation & monitoring and that all Non-Road Mobile Machinery must meet the emissions standards as set out in the GLA's 'Control of Dust & Emissions from Demolition and Construction' SPG.
- 8.122 The Information on the proposed boilers was not available at the time of the assessment therefore the Air Quality Neutral Assessment for the building emissions has not been carried out. A condition is recommended that an Air Quality Neutral Assessment must be carried out once the relevant information is available to ensure that the development does not have a negative impact on the local air quality.
- 8.123 Provided the above recommended conditions are complied with, the air quality is considered acceptable.

Transport, Access and Servicing

- 8.124 The National Planning Policy Framework emphasizes the role transport policies have to play in achieving sustainable development and stipulates that people should have real choice in how they travel. Developments should be located and designed to give priority to pedestrian and cycle movements, and have access to high quality public transport facilities, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and consider the needs of people with disabilities.
- 8.125 The London Plan seeks to shape the pattern of development by influencing the location, scale, density, design and mix of land uses such that it helps to reduce the need to travel by private vehicle by making it safer and easier for people to access jobs, shops, leisure facilities and services by public transport, walking and cycling. Strategic Objective SO20 of the Core Strategy states that the Council seeks to: "Deliver a safe, attractive, accessible and well-designed network of streets and spaces that make it easy and enjoyable for people to move around on foot and bicycle." Policy SP09 provides detail on how the objective is to be met.
- 8.126 Policy DM20 of the Council's Managing Development Document reinforces the need to demonstrate that developments would be properly integrated with the transport network and would have no unacceptable impacts on the capacity and safety of that network. It highlights the need to minimise car travel and prioritise movement by walking, cycling and public transport. The policy requires development proposals to be supported by transport assessments and a travel plan.

- 8.127 The site benefits from good access to public transport. Bow Church DLR and Bow Road underground station are both located around 550m walk to the south of the site. These stations provide access to the DLR, District and Hammersmith & City lines with services to Canary Wharf, the City and West End. The area is also well served by buses which stop at Tredegar Road and Bow Road. The proposed development site has a Public Transport Accessibility Level (PTAL) of 4.
- 8.128 Transport for London (TfL) have also recently completed a large scale upgrade of the cycle infrastructure along Mile End Road providing separated lanes leading in and out of central London.
- 8.129 Overall, the proposal's likely highways and transport impact are considered to be acceptable by the Council's Transportation & Highways section. The relevant issues are discussed below.

Cycle Parking

- 8.130 The London Plan (FALP 2016) cycle parking standards require 85 cycle parking spaces to be provided for use by residents. The development provides 94 covered secure cycle parking spaces in 5 stores across the development, one store which would be in the basement. 8 cycle spaces would be provided as Sheffield stands, with the remaining 86 two-tier cycle racks.

Car Parking

- 8.131 The development would be subject to a 'car free' planning obligation restricting future occupiers from obtaining residential on-street car parking permits.
- 8.132 One accessible space is proposed on Morville Street next to the loading bay. One accessible space would be under the policy target of 6, representing 1 for each accessible unit within the development, however owing to the site constraints the offer of one on-street space is considered acceptable.

Servicing and Refuse Storage

- 8.133 The servicing would be conducted from a proposed loading bay on Morville Street. A condition requiring a delivery and servicing management plan to be submitted and approved will be attached to the permission.
- 8.134 Further to policy SP05 of the Core Strategy which requires provision of adequate waste storage facilities in all new development, policy DM14 of the Managing Development Document sets out the Council's general waste and recycling storage standards. The proposed capacity of the waste storage has been calculated is in accordance with current waste policy.

Public Realm

- 8.135 Highways require that a condition is attached to any permission that no development should start until Highways has approved in writing the scheme of highway improvements necessary to serve this development. This would secure a dropped kerb from the bin store to the collection point in addition to a 2 metre pavement width on Morville Street. The Council's Transport and Highways team advised the applicant that they would only support the loading and disabled bay at the location proposed if

2m footpath could be achieved. The applicant has dedicated some of their land to achieve this.

Construction

- 8.136 Condition securing a Construction Management Plan and the standard hours of construction would also be secured by condition. Hours of construction was raised in a neighbour representation. Construction will be limited to the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 09:00 and 13:00 on Saturday. No works would be carried out at any time on Sundays or on Public Holidays. Any breach of this would be liable for enforcement action.

Sustainability and Environmental Considerations

Energy efficiency and sustainability standards

- 8.137 The National Planning Policy Framework sets out that planning plays a key role in delivering reductions to greenhouse gas emissions, minimising vulnerability and providing resilience to climate change. The NPPF also notes that planning supports the delivery of renewable and low carbon energy and associated infrastructure. At a strategic level, the climate change policies as set out in chapter 5 of the London Plan, London Borough of Tower Hamlets Core Strategy (SO24 and SP11) and the Managing Development Document Policy DM29 collectively require developments to make the fullest contribution to the mitigation and adaptation to climate change and to minimise carbon dioxide emissions.
- 8.138 The London Plan sets out the Mayor's energy hierarchy which is to:
- Use Less Energy (Be Lean);
 - Supply Energy Efficiently (Be Clean); and
 - Use Renewable Energy (Be Green).
- 8.139 From October 2016 LBTH Policy DM29 requires major residential developments to achieve zero carbon (with at least 45% reduction achieved through on-site measures). The remaining regulated carbon emissions (to 100%) are to be offset through a cash in lieu contribution in accordance with our carbon offset solutions study. The study identifies the scope of the fund and types of projects to be delivered.
- 8.140 The submitted Energy Statement (XCO2 Energy -March 2017) has followed the principles of the Mayor's energy hierarchy, and focuses on the Be Lean stage to reduce energy demand and Be Green to integrate renewable energy technologies (Photovoltaic array (6.3kWp)).
- 8.141 The current proposals seek to minimise CO2 emissions through Be Lean and Be Green measures as follows:
- Be Lean – 12.2% reduction
 - Be Clean – 0% reduction
 - Be Green – 12.1% reduction
- 8.142 The cumulative CO2 savings from these measures are proposed to be significantly short of policy DM29 requirements and deliver approximately a 24.3% reduction. A carbon offsetting contribution has been proposed in the submitted Energy Statement of £30,200 to be paid through the adopted carbon offsetting procedures.
- 8.143 The CO2 emissions are:

- Baseline CO2 emissions: 22.1 Tonnes/CO2/yr
- Proposed design CO2 emissions: 16.78 Tonnes/CO2/yr
- Carbon offsetting payment to zero carbon: 16.78 (Tonnes/CO2/yr) x £1,800 = £30,200

8.144 In order to support the proposed scheme carbon reduction proposals, a S106 agreement for **£30,200** to be payable prior to commencement of development, should be incorporated to deliver carbon savings off-site. The applicant would need to submit the as built building regulations calculations (SAP) to demonstrate that the carbon savings have been delivered. This would be secured by condition. An additional carbon offsetting payment could be payable should the required CO2 emission reductions not be realised.

8.145 The proposals have sought to implement energy efficiency measures and renewable energy technologies to deliver a 24.3% reduction in CO2 emission reductions. Subject to Conditions securing the energy and sustainability proposals and the CO2 emission reduction shortfall being met through a carbon offsetting contribution, the proposals would be considered acceptable in accordance with adopted policies for sustainability and CO2 emission reductions.

Biodiversity

8.146 Policy DM11 of the MDD requires developments to provide net benefits for biodiversity in accordance with the Local Biodiversity Action Plan (LBAP).

8.147 The Landscape Design Strategy includes proposals for a number of biodiversity enhancements which will contribute to objectives in the local Biodiversity Action Plan (LBAP).

8.148 The most significant enhancement is the inclusion of 688 square meters of biodiverse roofs. The proposed design for these is good, and this will contribute to a LBAP target for new open mosaic habitat. Bat boxes and nest boxes for swifts and black redstarts will be incorporated into the buildings. The locations for these look acceptable, though the proposed inclusion of only two swift boxes is not ideal. Swifts are colonial nesters, and it is usual to include at least three boxes in a scheme. Swift boxes with multiple chambers are available, and if two of these are used instead of the proposed single boxes, that would be preferable. These will contribute to LBAP targets.

8.149 The proposed tiered wildlife garden is located to the north of the new building, where it will be shaded by the building for most of the day. That will restrict its value to butterflies, bees and other pollinating insects. Nevertheless, the log pole and insect wall will be of value to some species, and will contribute to LBAP targets.

8.150 If some nectar-rich planting could be included in the landscaped area to the south of the new buildings, that would contribute to a LBAP target to increase forage for bees and other pollinators. Overall, these enhancements should be sufficient to ensure net gains for biodiversity, assuming the habitats which have been removed by site clearance were of low quality.

8.151 The enhancements discussed above would be secured by a condition.

Land Contamination

8.152 The site has been identified as having potential historic contamination. In accordance with the Environmental Health Contaminated Land Officer's comments a condition will be attached which will ensure the developer carries out a site investigation to identify potential contamination and remediate the land as appropriate.

Health Considerations

8.153 Policy 3.2 of the London Plan seeks to improve health and address health inequalities having regard to the health impacts of development proposals as a mechanism for ensuring that new developments promote public health within the borough while the Council's policy SP03 of the Core Strategy seeks to deliver healthy and liveable neighbourhoods that promote active and healthy lifestyles, and enhance people's wider health and well-being.

8.154 Part 1 of Policy SP03 in particular seeks to support opportunities for healthy and active lifestyles through:

- Working with NHS Tower Hamlets to improve healthy and active lifestyles.
- Providing high-quality walking and cycling routes.
- Providing excellent access to leisure and recreation facilities.
- Seeking to reduce the over-concentration of any use type where this detracts from the ability to adopt healthy lifestyles.
- Promoting and supporting local food-growing and urban agriculture.

8.155 The application proposal would result in the delivery of much need affordable housing. A proportion of housing on site would also be provided as wheelchair accessible or capable of easy adaptation.

Planning Obligations and CIL

8.156 The NPPF requires that planning obligations must be:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

8.157 Regulation 122 of CIL Regulations 2010 brings the above policy tests into law, requiring that planning obligations can only constitute a reason for granting planning permission where they meet such tests.

8.158 Securing appropriate planning contributions is supported by policy SP13 of the Core Strategy which seeks to negotiate planning obligations through their deliverance in kind or through financial contributions to mitigate impacts of the development.

8.159 The proposed heads of terms are:

Financial Obligations:

- a) A contribution of **£16,925** towards employment, skills, training for the construction phase
 - b) A contribution of **£30,200** towards Carbon Off-Setting.
 - c) **£3,000** towards monitoring fee (£500 per s106 HoT's)
- Total £50,125**

8.160 The following non-financial planning obligations would also be secured:

- a) Affordable housing 35% by habitable room (16 units, 50 habitable rooms)
70% Affordable Rent (10 units, 35 habitable rooms)
30% Intermediate Shared Ownership (6 units, 15 habitable rooms)
- b) Access to employment
20% Local Procurement
20% Local Labour in Construction
20% Local Labour in End User Phase
2 Apprenticeships
- c) Car free agreement
- d) Viability Review Mechanism
- e) Any other planning obligation(s) considered necessary by the Corporate Director of Place.

Local Finance Considerations

8.161 Section 70(1) of the Town and Country Planning Act 1990 (as amended) provides:
“In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.”

Section 70(4) defines “*local finance consideration*” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.162 In this context “grants” might include the Government’s “New Homes Bonus” - a grant paid by central government to local councils for increasing the number of homes and their use. The Community Infrastructure Levy would be the London Mayor’s CIL and Tower Hamlets CIL.

8.163 Using the DCLG’s New Homes Bonus Calculator, this development is estimated to generate approximately £91,648 in the first year and a total payment £549,886 over 6 years.

8.164 Tower Hamlets CIL liability would be £101,473 and the London CIL liability would be £101,473.

8.165 The Committee should take these estimates into consideration when determining the application.

Human Rights Considerations

8.166 In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:

8.167 Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the

European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-

- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
- Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
- Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court of Human Rights has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

8.168 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as local planning authority.

8.169 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest.

8.170 As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

8.171 The balance to be struck between individual rights and the wider public interest has been carefully considered. Having taken into account the mitigation measures governed by planning conditions and the associated section 106 agreement, officers consider that any interference with Convention rights is justified.

Equalities Act Considerations

8.172 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

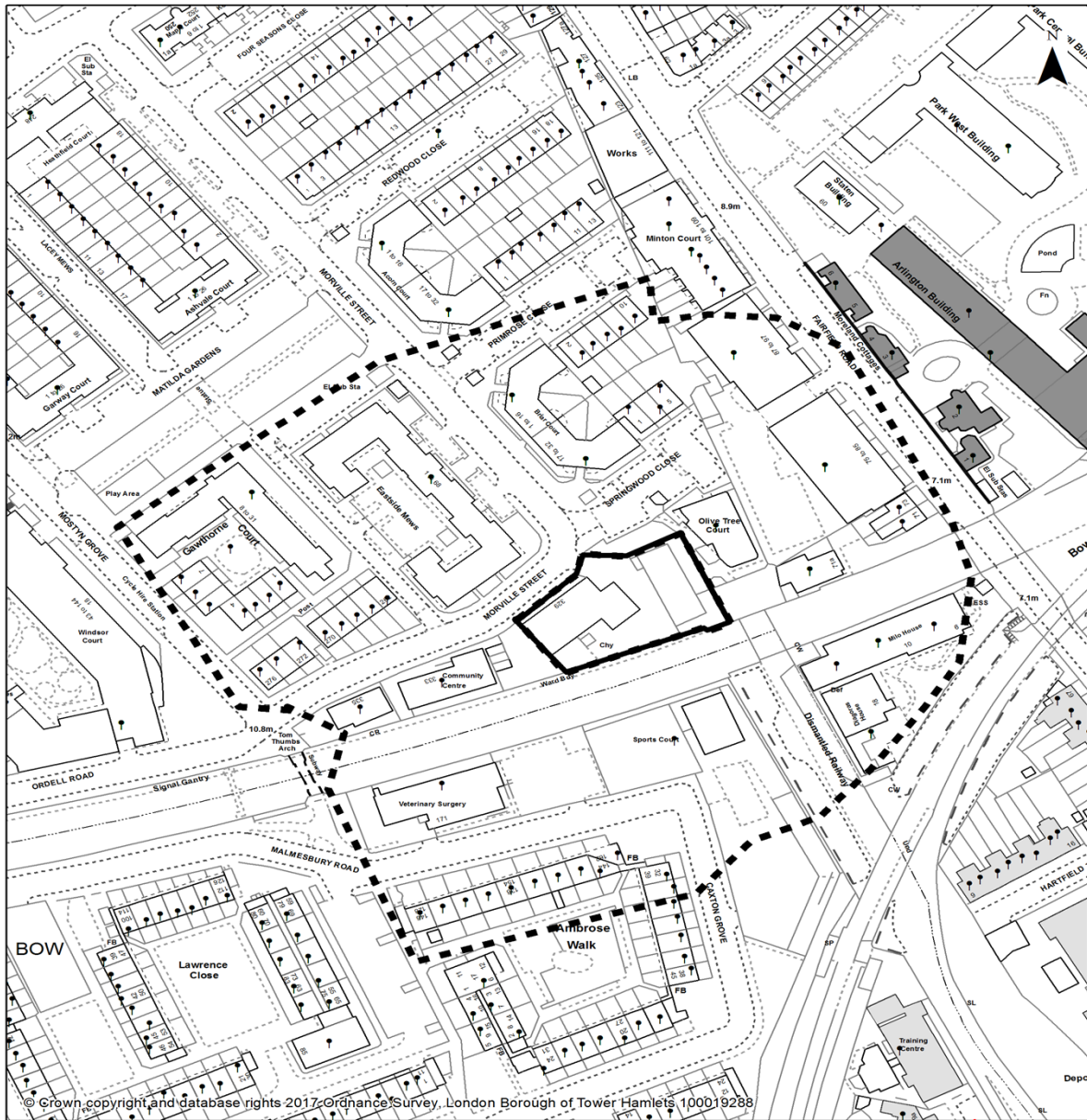
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

8.173 The proposed contributions towards, commitments to use local labour and services during construction, apprenticeships and employment training schemes, provision of a substantial quantum of high quality affordable housing and improvements to permeability would help mitigate the impact of real or perceived inequalities and would serve to support community wellbeing and promote social cohesion.

9.0 CONCLUSION

9.1 All other relevant policies and considerations have been taken into account. Planning permission should be GRANTED for the reasons set out in the EXECUTIVE SUMMARY and MATERIAL PLANNING CONSIDERATIONS sections and the details of the decision are set out in the RECOMMENDATION at the beginning of this report

Appendix 1 SITE MAP



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- Consultation Area
- Planning Application Site Boundary
- Statutory Listed Buildings
- Locally Listed Buildings

Scale @ 1:1,500
 20 10 0 20 40 60 Meters

Planning Application Site Map PA/17/01253

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.



LONDON BOROUGH OF TOWER HAMLETS
Date: 20/10/2017



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Agenda Item 5.2

Committee: Development Committee	Date: 08 January 2018	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director Place	Title: Listed Building Consent
Case Officer: Adam Garcia	Ref No: PA/17/02495
	Ward: Bethnal Green

1. APPLICATION DETAILS

Location: Bancroft Local History And Archives Library, 277 Bancroft Road, London, E1 4DQ

Existing Use: D1 Education

Proposal: Retrospective application for the addition of a new ventilation panel to an existing duct to the basement door on the building's facade.

Drawing and documents: Design & Access Statement
17 020 PA 00 001 P1 – Location Plan
17 020 PA 00 020 P1 – Existing Front Elevation
17 020 PA 00 010 P1 – Existing Basement & Ground Floor Plan
17 020 PA 00 011 P1 – Existing First Floor Plan
17 020 PA 00 012 P1 – Existing Second, Third & Mezzanine Floor Plans
17 020 PA 00 120 P1 – Proposed Front Elevation
17 020 PA 00 110 P1 – Proposed Basement & Ground Floor Plan

Applicant: London Borough of Tower Hamlets
Ownership: London Borough of Tower Hamlets

Historic Building: Grade II Listed Building
Conservation Area: Carlton Square

2. EXECUTIVE SUMMARY

2.1 The local planning authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Core Strategy (2010) and Tower Hamlets Managing Development Document (2013), the London Plan (2015) and National Planning Policy Framework (2012) and has found that:

2.2 The proposed refurbishment works have been sensitively designed to preserve the special character and fabric of the Grade II listed building.

- 2.3 In accordance with the Arrangements for Handling Heritage Applications Direction (2015), Historic England has directed the Council to determine the listed building consent application. The direction requires that if the Council is minded to grant listed building consent it should do so. The direction has been endorsed by the Secretary of State (via the National Planning Casework Unit) who have confirmed the application does not need to be referred to them (Secretary of State).

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** Listed Building Consent subject to conditions as set out below.
- 3.2
1. Time Limit.
 2. Completion in accordance with approved drawings.

4. SITE AND SURROUNDINGS

- 4.1 The application site is located on the eastern side of Bancroft Road and north of the Queen Mary University Campus. The building itself is two storeys in height plus basement and has an elegant street facing front façade with distinctive corncicing and fenestration detailing. The site and surrounding area form part of Carlton Square Conservation Area. The Bancroft Local History and Archives Library and the nearby London Hospital are the only Grade II listed buildings within the Carlton Square Conservation Area.

- 4.2 The Carlton Square Conservation Area Appraisal describes the library as follows:

“Bancroft Road is the library which was built in two parts, with the northern end built in 1865 and the southern part probably built earlier. 2 storeys in scale, the library building is constructed of white stone with heavy eaves cornice. Presented with banding between storeys, the ground floor is rusticated and has central round arched windows and its door flanked by Tuscan pilasters.”

- 4.3 The Historic England listing description of the building is as follows:

“BANCROFT ROAD E1 1. 4431 (North East Side) No 277 (Tower Hamlets Library) TQ 3532 10/167 II 2. Built in 2 parts. Northern end 1865. White stone with heavy eaves cornice, panelled below. Broad frieze and blocking course. 2 storeys, 5 windows with bands above those of 1st floor. 3 light windows with round arched heads separated by Corinthian pilasters. Double engaged pillars at ends. Ground floor has central round arched windows and door flanked by Tuscan pilasters, outer ones rusticated. Broad entablature with cornice, frieze and architrave above ground floor. Southern part probably earlier. 2 storeys, 6 windows: those of top floor round headed. Cornice with blocking course and frieze with wreaths. Band between storeys. Enriched keystones to windows. Bottom floor rusticated”.

- 4.4 The building is not subject to any other designations.

5 Relevant Planning History

- 5.1 PA/10/01432 - Retention of 30 replacement timber windows on ground to second floors of south and south - west elevations. Works would include the replacement of rotting sash and casement frames with identical units and the replacement of single glass panes, within those frames with double glazed sealed units of similar size. Permitted 15 July 2011

6. POLICY FRAMEWORK

- 6.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

6.2 Government Planning Policy

National Planning Policy Framework 2012
Planning Practice Guidance

6.3 London Plan (MALP 2016)

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

6.4 Tower Hamlets Core Strategy 2010

SP02 - Urban living for everyone
SP10 - Creating Distinct and Durable Places
SP12 - Delivering placemaking

6.5 Managing Development Document 2013

DM23 - Streets and the public realm
DM24 - Place-sensitive design
DM25 - Amenity
DM27 - Heritage and the historic environment

7. CONSULTATION

- 7.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

External Consultees

Historic England

- 7.2 Historic England has considered the information received and do not wish to offer any further comment on this occasion.

Victorian Society

- 7.3 No comments received

Internal Consultees

LBTH Conservation and Design Officer

- 7.4 No objection

8. LOCAL CONSULTATION

- 8.1 A total of 24 planning notification letters were sent to nearby properties as detailed on the attached site plan. A site notice was displayed and a press notice was placed. No letters of representation have been received either in support or objection.

9. MATERIAL PLANNING CONSIDERATIONS

- 9.1 When determining listed building consent applications, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, requires that special regard should be paid to the desirability of preserving the building or its setting, or any features of special interest. Pursuant to Section 72(1) of the above mentioned Act a local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 9.2 The main issue for Members' to consider is whether the proposed works are appropriate in this respect.

Impact on Special Architectural and Historic Character of the Listed Building.

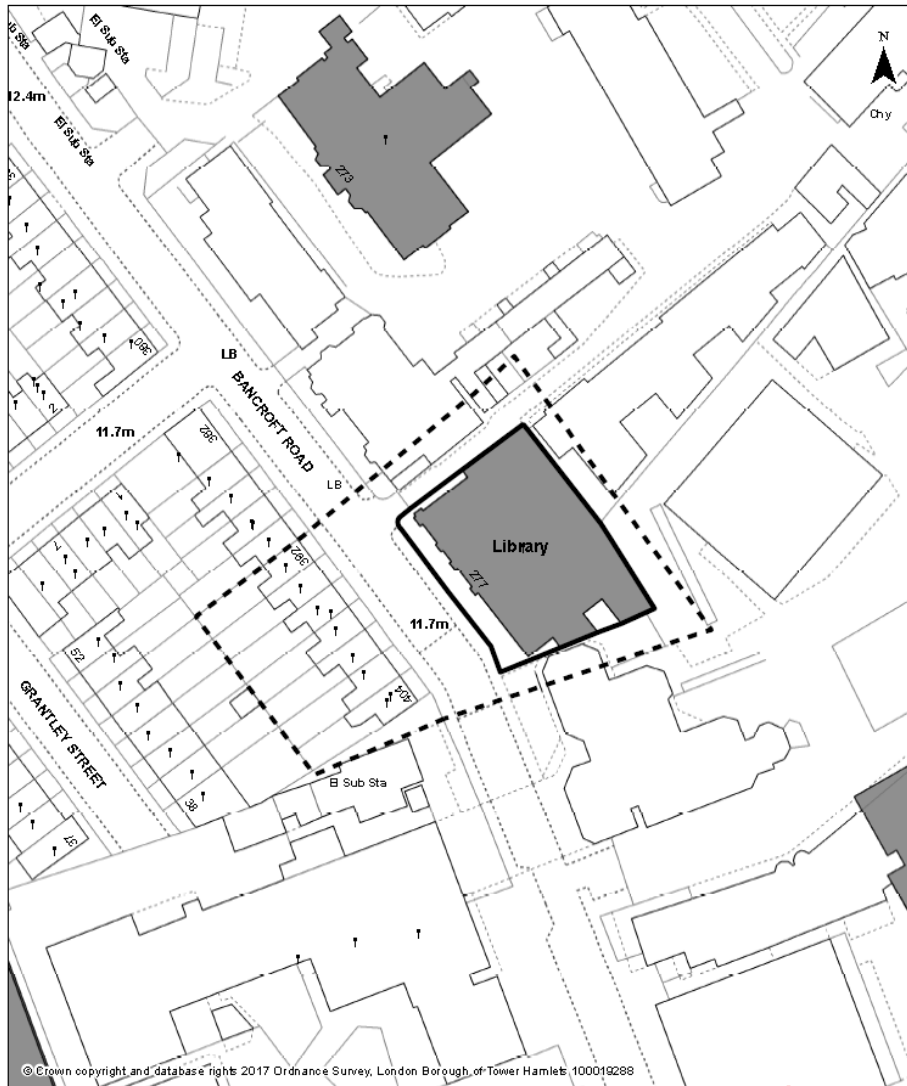
- 9.3 London Plan Policy 7.8 requires development to identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate and requires development affecting heritage assets and their settings to conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 9.4 Adopted CS Policy SP10 seeks to protect and enhance the boroughs Heritage Assets and policy DM27 of the Managing Development Document seeks to ensure development, does not result in an adverse impact on the character, fabric or identity of the heritage asset or its setting; is appropriate in terms of design, scale, form, detailing and materials in its local context and that it enhances or better reveals the significance of the asset or its setting.
- 9.5 The works relate to the existing basement door, located on the front façade of the building. The works have already been carried out. From street view this area is obscured by a hedge located to the right of the main entrance doors.
- 9.6 The former clear access to the door was limited by existing ductwork and a vent located to the top left hand corner of the door when viewed externally. The former

vent measured 500mm x 500mm which reduced to clear width of the basement door from 1300mm to 800mm. The newly installed ducting measures 300mm, positioned adjacent to the door. The door has been resized and reused to accommodate the new vent, and has created a clear door width of 1000mm. The metal vent is powder coated and matches the existing colour of the door.

- 9.6 It is noted that the proposals involve no loss of the original fabric which has been preserved as a result of the refurbishment works described above. The impact on the exterior of the building is very minor due to the basement door's location hidden from the main street level view of the front façade. Officers are supportive of this retrospective application which is not detrimental to the historic or architectural importance of the listed building and causes no harm to the heritage asset. The alterations do not significantly alter the fabric or identity of the listed building.
- 9.7 Overall, it is considered that the works have an acceptable impact on the character of the Grade II listed building. In line with s66 of the Planning (Listed Building and Conservation Areas) Act the development preserves the special architectural interest of the listed building, according with the aforementioned planning policies. Further, there is not considered to be any impact on the conservation area.

10 CONCLUSION

- 10.1 The works are considered to preserve the special historical and architectural character and appearance of the Grade II Listed Building. As such, the works accords with the aims of Sections 7 and 12 of the NPPF, policy 7.8 of the London Plan, policy SP10 of the CS, policy DM27 of the MDD, which seek to ensure works to listed structures preserve features of special historic and architectural interest.
- 10.2 All other relevant policies and considerations have been taken into account. Listed Building Consent should be GRANTED for the reasons set out in the EXECUTIVE SUMMARY and MATERIAL PLANNING CONSIDERATIONS sections as set out in the RECOMMENDATION at the beginning of this report.



-  Consultation Area
-  Planning Application Site Boundary
-  Statutory Listed Buildings
-  Locally Listed Buildings

Scale @ 1:800
 10 5 0 10 20 30 Metres

Planning Application Site Map PA/17/02495

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.



GIS for
 Place Directorate
 LONDON BOROUGH OF TOWER HAMLETS
 Date: 12/12/2017



Agenda Item 6

Committee: Development	Date: 8 th January 2018	Classification: Unrestricted	Agenda Item No: 8
Report of: Corporate Director Place		Title: Other Planning Matters	
Originating Officer:		Ref No: See reports attached for each item	
		Ward(s): See reports attached for each item	

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

4. RECOMMENDATION

- 4.1 That the Committee take any decisions recommended in the attached reports.

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER ITEM 8

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:
✓

Name and telephone no. of holder:
See individual reports

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Development Committee	Date: 8 January 2018	Classification: Unrestricted
Report of: Director of Development and Renewal		Title: Planning Appeals Report
Author: Paul Buckenham		Ref No: n/a
		Wards: All

1. INTRODUCTION

2.1 This report summarises appeal decisions in Tower Hamlets made by the Planning Inspectorate (on behalf of the Secretary of State) over a 14 month period since the last report - from 1 October 2016 to 30 November 2017.

Recommendation

2.2 The Committee is invited to note the contents of this report.

2. WHY APPEAL DECISIONS ARE IMPORTANT

2.1 Appeals to the Secretary of State can be made following a refusal of planning permission, listed building consent, advertisement consent and other related planning decisions. Relevant legislation is set out in the footnote below.¹

2.2 Appeals can also be made if the Council fails to make a decision within the specified time period (e.g. 13 weeks for major planning applications and 8 weeks for all other planning applications). In non-determination cases the Council will put forward reasons for refusal, either using delegated powers or with the agreement of the relevant Committee. The formal process for dealing with appeals is the same for refusal and non-determination cases and the Inspector will continue to deal with the proposals on their planning merits.

2.3 Most planning appeals are decided by independent Planning Inspectors appointed by the Secretary of State. On rare occasions, the Secretary of State may intervene to recover an appeal and determine it themselves. In these cases the Inspector's report acts as a recommendation rather than a decision.

2.4 Planning Inspectors have the same powers as local planning authorities to impose planning conditions and can also take into account proposed planning obligations (usually a Section 106 unilateral undertaking, rather than an agreement) in coming to a decision.

2.5 Appeal decisions are important for a number of reasons. There is a general presumption in the NPPF that planning permission should be granted for sustainable development, unless there is a clear conflict with the Development Plan or material considerations suggest otherwise.

¹ Town and Country Planning Act 1990 (as amended) - Sections 78 and 195
 Planning (Listed Buildings and Conservation Areas) Act 1990 – Section 20
 Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended)

- 2.6 Tower Hamlets (in common with most other planning authorities) tends to grant more planning permissions than refusals, aiming to work with applicants proactively by providing pre-application advice and negotiating to improve the quality of proposals, ensuring they are compliant with the development plan.
- 2.7 When planning permission (or other consent) is refused, the reasons need to be clear, evidence based and robust, otherwise there is a risk that the decision could be overturned on appeal. If the Council is deemed to have acted unreasonably, there is also a risk of an award of costs irrespective of the appeal decision itself.
- 2.8 Appeal decisions can be helpful in testing the wording of current policies and indicate where future changes could be made to improve policies or prevent unintended consequences, for example when preparing a new local plan or supplementary planning document.
- 2.9 Whilst all planning decisions are made on the merits of the proposal, appeal decisions can be helpful in understanding how to frame robust reasons for refusal taking into account the weight that Inspectors place on different planning policies and considerations.
- 2.10 When an appeal is dismissed and permission refused, it may be for all of the reasons in the Council's original decision, it may be for a selection of these or in rare cases for a different reason to that which the Council put forward.
- 2.11 Appeal decisions are part of the planning history of a site and hence are a material planning consideration when determining any subsequent applications on the same site. An appeal decision can also indicate how a development could be amended to make it acceptable. For example, the decisions on Corbridge Crescent highlighted the harm caused by a tall building in part of the scheme, but acknowledged that the other parts of the proposals had many merits.
- 2.12 Planning decisions always involve a careful balancing of the issues. Understanding where Inspectors place weight on different policies, material planning considerations and their interpretation of the NPPF can help to improve local decision making.

3. APPEAL PROCEDURES

- 3.1 There are three types of appeal procedure: written representations, informal hearings and public inquiries.
- 3.2 Written representations are the most common procedure and suitable for most types of minor scale development. They are also usually the quickest route with the average time from start to decision currently 18 weeks (11 weeks for householder appeals).
- 3.3 Informal hearings are suitable for smaller scale major development where there is one or more planning issue. Public Inquiries are the most formal, with the parties having legal representation and cross examination of the planning and other expert witnesses. Inquiries tend to be reserved for the most complex cases or where there is substantial public interest.
- 3.4 Public Inquiries take longer with the current average time period being 51 weeks from start to decision. In all cases the Inspector will carry out a site visit before making a decision.

Impact on resources

- 3.5 Officers will always work hard to defend the Council's planning decisions. Appeals can be resource intensive and whilst the Directorate has not carried out any detailed analysis the main impacts are on officer time and the associated costs in terms of preparing statements or proofs of evidence, coordinating any arrangements for hearings and inquiries.
- 3.6 Once an appeal has been accepted, it will run to a strict timetable in terms of the requirements for the Council and the appellant. Failure to adhere to the timetable can present a risk of a successful costs award in favour of the appellant. Hence where resources are finite, dealing with an appeal can impact on the capacity of officers to deal with live applications or other case work.
- 3.7 Other impacts on Council resources can arise from the need to appoint specialist expert witnesses, if the resource is not available in-house and the costs of appointing legal representation.
- 3.8 Public Inquiries are time consuming and resource intensive for the Council. They involve formal examination and cross examination of the planning and other expert witnesses. The recent Inquiry at Whitechapel Estate, sat for 10 days and is estimated to cost in excess of £100,000 in terms of legal costs and professional witness cost. This does not include the impact on officer time, preparing for, administering and appearing at the inquiry.

Award of costs

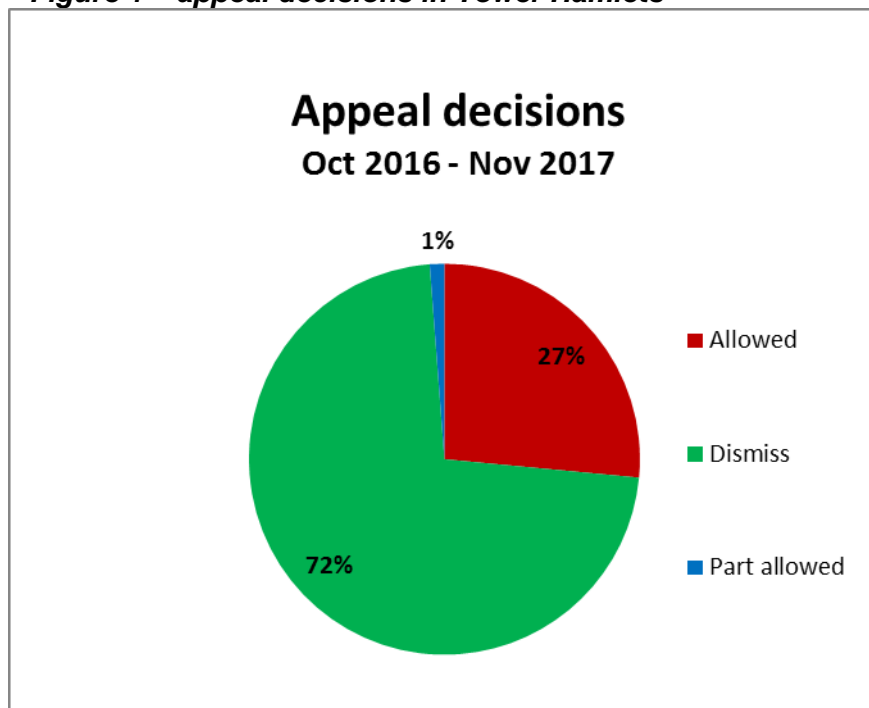
- 3.9 Either party in the appeal can apply for an award of costs. The Inspector will make the costs decisions separately to the planning decision. Costs can be awarded against the Council if it has behaved unreasonably in terms of reaching the original decision or in terms of not complying with the procedural requirements of the appeal process.

4. APPEAL DECISIONS OVERVIEW

- 4.1 During the 14 month period, **83** decisions were made on appeals in Tower Hamlets. **79** were following a refusal of permission and 3 were non-determination appeals.
- 4.2 All were dealt with by written representations except the two linked appeals at the George Tavern which were dealt with through a hearing.
- 4.3 Over the same period a number of appeals against refusal of prior approval for the installation of telephone boxes by a new operator "Maximus Communications" were turned away by the Planning Inspectorate for procedural reasons.
- 4.4 Of the 83 decisions, **22 were allowed, 60 dismissed and 1 was part allowed**. This means that the **Council's original decision was upheld in full in 72% of cases**. This is consistent where the Council's success rate over previous years, which tends to be between 70 – 80% per annum. The last report, which covered a longer 18 month period showed that 74% of decisions were dismissed.
- 4.5 This headline figure indicates that where the Council has refused permission, or would have been minded to, the decision was upheld on appeal in nearly three quarters of cases demonstrating robust decision making.

- 4.6 Split appeal decisions can be made on appeals against refusal to vary conditions, householder development and advertisement consent where there is more than one advertisement proposed. The single split decision in this report refers to a householder application at 36 Blondin Street.
- 4.7 Appendix 1 provides a full breakdown of all of the appeal decisions during this period.

Figure 1 – appeal decisions in Tower Hamlets



5. CURENT UNDECIDED APPEALS

- 5.1 There are 48 current appeals against decisions (or non-determination) that have not yet been decided. The majority of these will be dealt with through written representation and are relatively small in scale or complexity.
- 5.2 However there are 5 cases that will be deal with through a public Inquiry, two of which have taken place during December, the others have dates to be set in 2018. There are also two linked cases that will be dealt with at a hearing in March.

Table 1 – Forthcoming appeal inquiries and hearings

Reference & appeal procedure	Address	Proposed development	Decision type	Inquiry/ hearing start date
PA/15/02929 Inquiry	Site between Varden Street and Ashfield Street (Whitechapel Estate), London, E1	Demolition of all existing buildings and redevelopment to provide 12 buildings ranging from ground plus 2 - 23 storeys (a maximum 94m AOD height), comprising 343 residential dwellings (class C3), 168 specialist accommodation units (Class C2), office floorspace (class	SDC refused on officer recommendation	21 November 2017 10 days

		B1), flexible office and non-residential institution floorspace (Class B1/D1), retail floorspace (class A1 - A3), car parking, cycle parking, hard and soft landscaping and other associated works.		
PA/15/03561 Inquiry	Site at 14 to 16 Clegg Street, 13 to 15 Cinnamon Street and 125 to 129 Wapping High Street, London E1W	Partial demolition of the existing buildings and redevelopment of all three sites to create 41 residential units and a retail unit along Wapping High Street, together with associated hard and soft landscaping works and the provision of cycle parking across all three sites.	DC refused against officer recommendation	12 December 2017 7 days
PA/15/00837 Inquiry	Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD	Demolition of the existing store and decked car park to allow for a replacement Sainsbury's store (Use Class A1) of 5,766 sqm. (net sales area), (11,208 sqm GIA to include a Use Class D1 'explore learning ' facility (118 sqm GIA), 871 sqm (GIA) of flexible retail/office/community floorspace (Use Class A1, A2, A3, B1 and D1) and 559 residential units (Use Class C3) arranged in 8 buildings, including a 28 storey tower (SDC refused on officer recommendation	TBC Likely at least 10 days
PA/17/01920 Inquiry	Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD	Demolition of the existing store and decked car park to allow for a replacement Sainsbury's store of 5,766 sqm (net sales area), 11,414 sqm (GIA) to include a Use Class D1 'explore learning ' facility (118 sqm GIA); 871 sqm (GIA) of flexible retail/office/community floorspace (Use Class A1, A2, A3, B1 and D1); 471 residential units arranged in 8 blocks ranging from six to 14 storeys in height.	Non determination	TBC Likely at least 10 days
PA/16/02808 Inquiry	225 Marsh Wall, London, E14 9FW	Full planning application for the demolition of all existing structures and the redevelopment of the site to provide a building of ground plus 48 storey (maximum AOD height 163.08m) comprising 332 residential units (Use Class C3); 810 square metres of community floorspace (use class D1); 79 square metres of flexible retail/restaurant/community (Use Class A1/A3/D1), basement cycle parking; resident amenities; public realm improvements; and other associated works.	SDC refused against officer recommendation	TBC Likely at least 7 days
PA/16/03535 Inquiry	106 Commercial Street	Conversion of building (class A1/B8) to fine dining food market (Class A3).	DC refused against officer recommendation	TBC Likely at least 5 days

PA/16/03771	1-3 Corbridge Crescent And 1-4 The Oval, London	Demolition of existing single storey commercial buildings, with the retention, restoration, external alteration and residential conversion of the existing Regency and Victorian Cottages, together with the erection of three linked blocks of 4, 5 and 10 storeys to provide 57 residential dwellings (Use Class C3), with associated private and communal amenity space, cycle parking and refuse storage, and 461sqm of dual use office/community floorspace (Use Class B1/D1).	SDC refused against officer recommendation	1 March 2018 Likely 4 days
PA/16/03773	1-3 Corbridge Crescent And 1-4 The Oval, London	Demolition of existing single storey commercial buildings, with the retention, restoration, external alteration and residential conversion of the existing Regency and Victorian Cottages, together with the erection of three linked blocks of 4, 5 and 8 storeys to provide 51 residential dwellings (Use Class C3), with associated private and communal amenity space, cycle parking and refuse storage, and 461sqm of dual use office/community floorspace (Use Class B1/D1).	SDC refused against officer recommendation	1 March 2018 Likely 4 days

6. BENCHMARKING AND PERFORMANCE

- 6.1 All appeal decisions are published on-line on the Planning Inspectorate website (<https://www.gov.uk/government/organisations/planning-inspectorate>) and the Council's on-line planning register (www.towerhamlets.gov.uk).
- 6.2 The Secretary of State takes into account the percentage of major decisions and non-major decisions that are subsequently overturned on appeal as an indicator of the quality of decisions made by planning authorities. This indicator is used alongside the speed of decisions making indicators in deciding whether to designate a poorly performing local planning authority.
- 6.3 The current criteria are 10% or more of all major decisions made by the authority subsequently overturned at appeal over a two year period and 10% or non-major decisions overturned at appeal over a two year period.
- 6.4 The latest data published by Department for Communities and Local Government (DCLG) covers appeal decisions on applications determined over a 24 months period to end of December 2016. Nine months are allowed after that for appeals to be made and decided.

- 6.5 This data shows that Tower Hamlets had only 1 of a total of 132 major decisions overturned at appeal. This is equivalent to 0.7%, ranking fifth out of 13 comparable inner London boroughs and 110 out of 336 local planning authorities in England.
- 6.6 For the same period 2,058 non-major decisions were made and 28 were overturned at appeal, equivalent to 1.4%. Tower Hamlets ranks 5th out of 13 comparable inner London authorities and 270 out of 336 local planning authorities in England.
- 6.7 In both cases Tower Hamlets is well below the designation criteria, again demonstrating that the quality of decision making was generally good over this two year period. The final data sets used for the designation process will cover a slightly different period from April 2015 to end of March 2017 and are due to be published shortly. Whilst there may be some adjustment to Tower Hamlets scores, it is likely to remain well below 10%.

Table 2 – Inner London authorities, major appeals

Local Authority	Total major planning decisions	Total major appeal decisions	Major decisions overturned at appeal	Quality of decisions (% overturned at appeal)
Hackney	81	3	0	0.0
Wandsworth	120	5	0	0.0
Southwark	118	1	0	0.0
Lewisham	85	3	0	0.0
Tower Hamlets	132	4	1	0.7
Lambeth	107	3	1	0.9
Islington	92	9	1	1.1
Newham	77	6	1	1.3
Greenwich	103	4	2	1.9
City of London	40	1	1	2.4
Kensington and Chelsea	78	7	5	6.4
Hammersmith and Fulham	58	5	4	6.8
Camden	109	11	8	7.1

Table 3 - Inner London authorities, non-major appeals

Local Authority	Total non-major planning decisions	Total non-major appeal decisions	Non-major decisions overturned at appeal	Quality of decisions (% overturned at appeal)
City of London	550	2	0	0.0
Wandsworth	6,463	163	47	0.7
Southwark	3,611	128	32	0.9
Westminster	8,063	289	103	1.3
Tower Hamlets	2,058	106	28	1.4
Camden	3,887	162	57	1.5
Lewisham	3,539	249	64	1.8
Hackney	3,003	169	59	2.0

Greenwich	2,734	186	54	2.0
Islington	3,024	215	63	2.1
Kensington and Chelsea	6,366	307	137	2.2
Hammersmith and Fulham	4,835	247	106	2.2
Lambeth	4,567	291	113	2.5

7. SUMMARY OF KEY APPEAL DECISIONS

7.1 This section provides a summary of key decisions and Inspector's comments which may be of interest to the Committee. These include a mix of appeals following delegated decisions and Committee decisions.

Former Stepney's Nightclub, 373 Commercial Road, Stepney

7.2 Planning permission was refused by the Council for the erection of a 3 storey mixed use building to provide new commercial floorspace within Use Class A1, A2 and/ or B1, together with 6 new homes on the upper floors including cycle parking, refuse/ recycling facilities and amenity provision. This was subsequently allowed on appeal on 28 October 2014.

7.3 The owner of the adjoining public house, the George Tavern, challenged the decision in the Court of appeal, initially on the grounds that the development would be adversely impacted by noise from the public house, which has hosted live music events over many years and that potential complaints from new residents would threaten the viability of the pub. The challenge also contended that the Inspector had not properly considered the effect of loss of light to the east windows of the adjoining George Tavern public house, which provide light to upper areas of the pub that are hired out and used for photography and film shoots.

7.4 The legal challenge was successful on the issue of consideration of loss of light and the appeal decision was quashed by order of the Court.

7.5 The appeal was re-run and a new hearing arranged with a different Inspector to consider all of the planning issues again. The Court's judgement did not criticise the Inspector's reasoning on the noise issue and the appellant continued to rely on its 2014 Acoustic Assessment Review. Further noise evidence was submitted by the owner of the George Tavern and the council.

7.6 The Inspector concluded that whilst the development would have some impact on daylight to the east facing windows this would not be noticeable on the basis of the BRE guidance. There would be reduction in direct sunlight in the winter months but in any event the actual availability of winter sunlight is unpredictable. Other habitable rooms would not be affected.

7.7 On the issue of noise from the operation of the public house as a live music venue, the Inspector's decision goes into much detail about the noise level assessments, the impact of noise and especially the low frequency bass beats, the attenuation and mitigation measures proposed in the new housing development and the likely impact on living conditions.

7.8 The Inspector was unable to conclude that a satisfactory living environment would be provided for future occupiers of the proposed flats. This in turn led her to conclude that the likelihood of complaints about noise nuisance would be relatively high and that

this would have a material bearing on any request to review the music licence at eth George Tavern. There would be a high probability that the future of the music venue would be put at risk if the appeal proposal were to go ahead.

- 7.9 The Inspector ultimately came to a different conclusion to the previous appeal decision that was quashed by the Court. The appeal was dismissed and planning permission refused based on the impact of noise on the future occupiers and the risk to the future viability of the public house.

Duke of Wellington Public House, 12 Toynbee Street, Spitalfields

- 7.10 This appeal concerned the change of use from a public house (Class A4) to a mixed public house and hotel (sui generis) with the public house being retained at basement & ground level, together with a two storey extension with mansard roof at second floor level and the installation of dormer windows to allow the conversion of the loft space into hotel accommodation.

- 7.11 The application was recommended for approval by officers, but planning permission was refused by Development Committee for reasons relating to

- The effect of the proposal on the viability and retention of the public house, an Asset of Community Value;
- The effect of the proposal on the safety and capacity of the road network in the vicinity of the appeal site;
- Whether the proposal should make provision for wheelchair accessible bedrooms.

- 7.12 The site had been the subject of a previous application for alterations and change of use of the upper floors to residential accommodation, also refused by the Council but not appealed.

- 7.13 The Council considered that the noise and disturbance generated by ordinary use of the bar and yard area would lead to tensions with the hotel users requirements for a reasonable degree of peace and quiet. This could lead to pressure to reduce or curtail public house activity.

- 7.14 However, the Inspector noted that the proposed hotel would be a small scale operation and the nature of the combined hotel and the pub use would reflect the long established tradition of let rooms above pubs. Prospective hotel users would be aware of the nature of this establishment when booking accommodation with its location above a traditional drinking establishment being an attractive feature. In this respect it would be highly unlikely that the activities of the public house would be so disruptive that the presence of the hotel would inevitably lead to pressure to reduce them and so diminish the social value of the pub.

- 7.15 There could be some potential for noise transference between the pub and hotel rooms, but the reconstruction associated with the proposal would provide an opportunity introduce an appropriate standard of noise insulation and that this could be controlled through the use of a planning condition.

- 7.16 In terms of future viability of the pub, objectors were concerned that this mixed use proposal would ultimately lead to the loss of the public house. The Inspector discussed the use of a condition requiring the Class A4 use to be retained as shown on the plans at ground floor and basement levels. Whilst noting that such a condition would not be able to secure the retention of the existing character of the pub or to

ensure it would fulfil the same community role, it would protect an existing community use in line with relevant policies. It would mean that the hotel use could not expand and occupy that area without further assessment by the Council through a planning application.

- 7.17 In terms of the safety and capacity of the road network, the Council's objections related to the use of private cars and taxis by hotel guests and the servicing requirements of the proposed hotel accommodation.
- 7.18 The Inspector concluded that the hotel guests are likely to be short-stay and could also bring some additional traffic in terms of private cars and taxis, though my view is that in this location most hotel users would use public transport to access the building. As this is already a busy commercial area, additional delivery and servicing vehicles to a hotel of this size would not in themselves add noticeably to congestion or road safety issues in this area. Nevertheless, there would be some increase in vehicle movements in this area which could impact on the free flow of traffic. Therefore further information about delivery and servicing arrangements should be required in order that they are suitably controlled, taking into consideration existing restrictions on movement in surrounding streets.
- 7.19 The London Plan Policy 4.5 states that where new hotel accommodation is created at least 10% should be wheelchair accessible. This would amount to a single room in this case. No such provision was made as part of the proposal. The Inspector comments that this is an existing building of modest size and meeting the terms of the policy would require internal alterations, including the installation of a lift, which would themselves reduce the floor area on the ground floor and so impact on the community facility that other policies seek to protect. The Inspector notes that whilst giving access to all is a priority, the effect on the achievement of this objective would be very limited given the London Plan's aim of achieving 40,000 net additional hotel bedrooms by 2036. In these circumstances, whilst the proposal is strictly contrary to Policy 4.5 a departure from it is justified by other material considerations.
- 7.20 The appeal was allowed and conditions included for details of sound-proofing, provision of a servicing and delivery plan and control over the 78 sq.m. of ground floor and basement floor space to be used as a public house (use class A4).

Flat 39A, Northesk House, Tent Street, Whitechapel

- 7.21 The appeal concerned the temporary change of use (for five years) of the flat from residential (class C3) to a short-term let (Class C1).
- 7.22 Permission was refused under delegated powers. The main issue was whether the proposed change of use would result in an unacceptable loss of a residential dwelling.
- 7.23 Policy 3.3 of the London Plan 2016 seeks to ensure the provision of an adequate housing supply in London. The Policy sets benchmark targets for the provision of additional homes in each London Borough over a ten-year period from 2015 to 2025. The Council's target over ten years is 39,314 new homes, which roughly equates to 3,931 new homes per year.
- 7.24 To help reach this target, Policy DM3 of the Tower Hamlets Managing Development Document 2013 (the Local Plan) seeks to ensure the retention of units in the existing housing supply. Policy DM7 of the Local Plan seeks to ensure that any development creating visitor accommodation does not compromise the Council's ability to meet housing supply targets.

- 7.25 The appellant contended that the change of use would not result in the loss of a housing unit because once any temporary planning permission expired the flat would revert to Class C3 use. The appellant suggested this is similar to a property being taken out of the available housing supply for renovation. The Inspector noted that unlike renovation, the change of use would result in the flat no longer being residential accommodation and therefore would result in a loss of a residential unit.
- 7.26 The Inspector also considered whether the detrimental effect of the change of use would be reduced by a shorter temporary permission. However he concluded that given Tower Hamlets very high target for new housing units, even the modest reduction of one unit for a short period of time would have a substantial detrimental effect on the Council's ability to meet its housing supply target. Therefore the proposed change of use would not be in accordance with Policies DM3 and DM7 of the Local Plan.
- 7.27 This decision is significant and helpful in terms of how the Council moves forward to tackle the growing issue of unlawful changes of use of residential properties to short term let properties advertised on internet platforms such as "Air BnB".

Harley House and Campion House, Frances Wharf

- 7.28 The appeal concerned roof extensions at 7th floor and 9th floor levels of the existing block of flats to provide 6 new residential units along with reconfiguration of 1 existing unit.
- 7.29 Officers had recommended that planning permission be granted and subject to a Section 106 agreement to provide three additional intermediate (shared ownership) residential units.
- 7.30 Development Committee refused permission for reasons relating to
- The effect of the proposal on the character and appearance of the area and the adjacent Limehouse Cut Conservation Area;
 - The effect of the proposal on the living conditions of existing occupiers with specific reference to sunlight, daylight and noise, disturbance, vibration and dust;
 - The proposal would represent over-development of the site; and
 - The proposal would be incremental development and should make provision for affordable housing.
- 7.31 The Inspector noted that area is characterised by a mix of building heights and designs. There are a number of taller buildings which exist or are approved to both the site's north and south sides including an 11 storey building, Argyll Point which sits to the north of the site. Permission also exists for an 11 storey building to the south side of Limehouse Cut which is under construction.
- 7.32 The additional storey would raise the building by only 2.75m at ninth floor level on a building which is over 30m high and would be set back from the main south elevation. Due to the small increase in height and set back of the proposal it would not interfere with long views of the canal from the surrounding area or result in a material increase

in enclosure or reduce openness. The Inspector concluded that the proposal would preserve the character and appearance of the Conservation Area.

- 7.33 The Inspector considers the impact on daylight and sunlight within the development in some detail. He concluded that there would be no materially harmful effect on daylight and sunlight. The short term impacts arising from constructing the extension (noise and disturbance) could be controlled through the use of a robust construction management plan, imposed by condition.
- 7.34 In terms of density, whilst the resultant proposal would exceed the densities set out in the London Plan and Housing SPG, there would only be a marginal increase in density when compared to the existing development. The Inspector considered there is no evidence to suggest that the proposal would put undue pressure on social infrastructure, amenities or services and disagreed with the Council's view that the qualitative concerns in the Housing SPG had not been met. . He concluded that an increase in density can be supported in the specific circumstances of this case.
- 7.35 Policy SP02 of the Core Strategy seeks to ensure that new housing assists in the creation of sustainable places by optimising the use of land and delivers the maximum reasonable amount of affordable housing. Policy DM3 of the MDD seeks to ensure that development maximises affordable housing and provides a balance of housing types. Criterion 4b of Policy DM3 states that affordable housing will be calculated based on the total housing existing or permitted as part of a development, where a scheme proposed additional housing.
- 7.36 In terms of incremental development, the supporting text at paragraph 3.8 goes on to state that "where a housing development has been permitted and the permission is subsequently amended (e.g. by means of a variation of the extant planning permission or a new planning application) to the extent that the development would provide 10 new units or more, affordable housing policies will be applied to the whole development and not restricted to the additional number of dwellings in the amended or new proposal".
- 7.37 The original planning permission³ provided 35% affordable housing by way of a section 106 agreement. The Council argued that as the proposed development involves the creation of additional residential units which would be both physically and functionally linked to an existing development which consists of more than 10 residential units, the appeal proposal would be incremental development and should provide a policy compliant level of affordable housing.
- 7.38 The Inspector commented that the wording of Policy DM3 and the supporting text is not entirely clear and thus open to interpretation and noted that the proposal does not seek to amend an extant planning permission. Whilst the proposal would result in the creation of new floor space the existing development is complete and occupied and has been for some time. The Inspector concluded that the proposal cannot, therefore, be considered to be incremental development and should be treated as a standalone application. Consequently, as the proposal is below the 10 unit threshold, the affordable housing requirement does not apply.
- 7.39 The Inspector went on to consider the unilateral undertaking suggested by the appellant to provide three intermediate units and recommended by officers. However he concluded that because the development would not be considered as incremental, the proposal would not be required to make any provision for affordable housing.

7.40 The appeal was allowed and permission granted, subject to planning conditions but without any requirement for affordable housing.

Vic Johnson House, Armagh Road, Bow

7.41 The appeal concerned the part demolition, part refurbishment, part new build extension to provide a total of 60 age-restricted apartments (over 55s) sheltered housing scheme, including new communal areas and managers' office) and associated landscaped gardens.

7.42 Officers had recommended that planning permission be granted. The Development Committee refused permission for reasons relating to;

- The effect of the proposed development on the character and appearance of the area, including the setting of the nearby conservation area;
- Provision of satisfactory living conditions for residents, with regard to indoor communal lounge space and communal outdoor space;
- The effect of proposed development's construction phase on the living conditions, health, and welfare of residents
- Inadequate provision for any additional need for affordable and wheelchair housing, employment and skills training, and parking demand arising from the development.

7.43 The appeal site accommodates 32 self-contained flats with accommodation restricted to people over 60 years of age. The majority of the flats are contained within a single three-storey building, set perpendicularly with Armagh Road. The accommodation also contains managed internal communal areas, with outdoor communal space to the south of the main building, and parking and vehicular circulation areas to the north, adjacent to the building's main entrance.

7.44 The appeal proposal included the retention of the existing flats and the creation of 28 new flats. The existing three-storey building would be extended to the rear of the site, occupying the present location of a separate flat. Most of the new accommodation would be in the space presently occupied by the single-storey element. There would be some renewal of the existing elevations, with the new-build elements integrated to the main building and incorporating a contemporary appearance.

7.45 The Inspector considered the proposed height and massing of the development, the proposed set back from the street and the proposed materials in the context of a varied street scene and the varying heights of surrounding buildings. The Inspector also took into account the view northwards from Roman Road Market Conservation Area.

7.46 The Inspector concluded that the wide variation in the appearance, age and ornamentation of buildings within the immediately surrounding area meant there was an absence of unifying or predominant character elements, and as such, the proposed building would not be out of character. He also noted that the distance retained between the proposed building and the conservation area boundary along the site's southern edge would ensure it would not appear overbearing or dominant.

- 7.47 The Council had raised concerns about the effect of the development on reducing the amount of indoor communal space (lounge) and outdoor communal space within the grounds of the development.
- 7.48 The Inspector noted that neither the Council's Local Plan nor the London Plan incorporates standards for the provision of communal or amenity space in sheltered housing developments. However the small reduction in the amount of indoor and outdoor communal space must be balanced against the proposed increase in the occupation of the site, as well as any loss of amenity for existing residents.
- 7.49 The Inspector noted that the present facilities remain usable and are clearly valued by residents. However, on balance, considered that the provision of improved facilities (despite the small reduction in size), would not lead to a loss of their value. The investment and modernisation of these facilities is likely to ensure that they remain fit for purpose and satisfactorily serve the development's existing and future residents. He concluded that the proposed development would provide satisfactory living conditions the residents, with regard to indoor communal lounge space, and communal outdoor space.
- 7.50 The Council and existing residents of the development expressed concerns about the impacts of the proposed development on their living conditions, particularly in respect of the effects of construction and any stress that could result from 'decanting' of residents or moving between flats or locations. The Inspector agreed this is a particularly sensitive issue, bearing in mind the ages of residents, their periods of residency, and "the importance attached to their homes as places of sanctuary and shelter".
- 7.51 The appellant provided a proposed mitigation framework for existing residents, to apply during the construction phase, which included measures such as provision of a respite area, transport to and attendance at partner facilities within the area, and appointment of a resident liaison officer, one-to-one communication meetings, and noticeboard and website updates.
- 7.52 The Inspector acknowledged that the proposed measures would not ameliorate all impacts of construction, but considered that combined with detailed construction management plan, that the appellant is committed to residents' welfare and minimising these impacts as much as possible. The use of conditions to control these matters would be sufficient to allow permission to be granted.
- 7.53 The appeal was allowed and permission granted subject to conditions.

DECIDED APPEALS

Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/15/01851/NC	18 Old Bellgate Place, London, E14 3SW	Application for certificate of lawfulness in respect of existing use of former garage as a self-contained dwelling house.	17/09/2015	DEL	Refuse	20/05/2016	Dismiss
PA/15/01224/NC	245-247 Mile End Road, London, E1 4BJ	Application for certificate of lawfulness in respect of existing high level advertisement signs to side and front of building.	09/07/2015	DEL	Refuse	04/07/2016	Dismiss
PA/14/03474/A1	519-523 Cambridge Heath Road, London, E2 9BU	Demolition of the existing building and construction of a new five storey building to provide training facility (Class D1) at ground floor and nine dwellings (Class C3) on first to fourth floors (2 x 3 bed, 5 x 2 bed and 2 x 1 bed.)	23/10/2015	DEL	Refuse	05/10/2016	Allowed
PA/15/02890/NC	379 Mile End Road, London, E3 4QS	Replacement and relocation of front facade and windows.	24/12/2015	DEL	Refuse	21/10/2016	Dismiss
PA/15/03058/R	357-361 Commercial Road, London	First floor rear extension, second floor rear extension, and roof extension at 361 Commercial Road. Second floor rear extension to 357 and 359 Commercial Road.	27/01/2016	DEL	Refuse	25/10/2016	Dismiss
PA/16/00254/NC	16-36 Goulston Street, London, E1 7TL	Erection of a 2.3 metre high metal security gate on a private estate road between nos. 16 and 36 Goulston Street at the entrance to Herbert House and Jacobson House.	24/03/2016	DEL	Refuse	31/10/2016	Dismiss
PA/16/00451/R	103 Bow Road, London	Erection of a three storey rear extension and installation of UPVC window at second floor level to the rear of the building.	07/06/2016	DEL	Refuse	31/10/2016	Dismiss
PA/15/02971/R	Flat 1, 1 Wellington Way, London, E3 4NE	Erection of a single storey infill extension at rear of ground floor flat and internal alterations.	19/04/2016	DEL	Refuse	31/10/2016	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/15/02972/R	Flat 1, 1 Wellington Way, London, E3 4NE	Erection of a single storey infill extension at rear of ground floor flat and internal alterations	19/04/2016	DEL	Refuse	31/10/2016	Dismiss
PA/15/03244/NC	1 Hickin Street, London, E14 3LW	Proposed porch, rear extension and loft conversion (retrospective).	07/03/2016	DEL	Refuse	02/11/2016	Allowed
PA/16/00526/NC	Flat 69, Solander Gardens, Lowood Street, London, E1 0DW	Single storey rear extension and enclosure of front porch.	25/04/2016	DEL	Refuse	21/11/2016	Allowed
PA/15/03171/R	19 Senrab Street, London, E1 0QE	Roof conversion and dormer to rear.	23/06/2016	DEL	Refuse	29/11/2016	Dismiss
PA/16/00981/R	2A-20A Spelman Street, London, E1 5LQ	Replacement of timber sash to UPVC sash at 2a, 2b, 4, 6a, 6b, 8a, 8b, 10a, 10b, 12a, 12b, 14, 16a ,18a ,and 20a Spelman street.	06/07/2016	DEL	Refuse	30/11/2016	Dismiss
PA/16/00983/R	11-25B Casson Street, London, E1 5LA	Replacement of timber sash windows to UPVC sash at 11, 13, 15, 19A, 19B, 25A, 25B Casson Street.	13/06/2016	DEL	Refuse	30/11/2016	Dismiss
PA/15/02894/NC	Lancaster Drive, Jamestown Harbour Estate, London E14	Erection of electronically controlled security gates fronting Lancaster Drive, Jamestown Hraour Estate, off Prestons Road	18/02/2016	DEL	Refuse	05/12/2016	Allowed
PA/16/00637/NC	129 Mile End Road, London, E1 4UJ	Removal of part of roof structure and construction of extension to second floor / roof of building with associated external and internal works.	05/05/2016	DEL	Refuse	15/12/2016	Allowed
PA/16/00638/R	129 Mile End Road, London, E1 4UJ	Removal of part of roof structure and construction of extension to second floor / roof of building with associated external and internal works.	05/05/2016	DEL	Refuse	15/12/2016	Allowed
PA/15/02991/NC	199 and 199A East Ferry Road, London, E14 3BB	Demolition of 2 existing dwelling houses and construction of 5 dwelling houses. Removal of some existing trees on site and construction of bike store and composting facility.	23/03/2016	DEL	Refuse	16/12/2016	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/16/00956/R	196A-B Old Ford Road, London, E2 9PT	Ground and first floor extension to existing house.	26/07/2016	DEL	Refuse	04/01/2017	Dismiss
PA/16/01392/R	15 Artillery Passage, London, E1 7LJ	First Floor rear Extension	26/07/2016	DEL	Refuse	06/01/2017	Dismiss
PA/16/01393/R	15 Artillery Passage, London, E1 7LJ	First Floor rear Extension	26/07/2016	DEL	Refuse	06/01/2017	Dismiss
PA/16/01298/R	42 Arnold Road, London, E3 4NU	Demolition of existing rear lean-to and erection of new single storey Orangery extension.	28/07/2016	DEL	Refuse	11/01/2017	Dismiss
PA/16/01299/R	42 Arnold Road, London, E3 4NU	Demolition of existing rear lean-to and erection of new single storey Orangery extension.	28/07/2016	DEL	Refuse	11/01/2017	Dismiss
PA/15/02021/A1	16A, Martha Street, London, E1 2PX	Conversion of void space at ground floor to one bedroom flat and alterations including opening of window to east elevation and insertion of two windows to west elevation and removal of metal gates to front elevation.	05/04/2016	DEL	Refuse	13/01/2017	Allowed
PA/16/01285/R	East One Building, 22 Commercial Street, London, E1 6LP	Application for advertisement consent for the display of 1x LED panel and associated cladding.	06/07/2016	DEL	Refuse	13/01/2017	Dismiss
PA/16/00684/R	Flat B, 17 Wentworth Street, London, E1 7TB	New timber decking with steel support structures to rear of flat B (second floor) roof of flat A at first floor level with obscure balustrade to perimeter to form terrace.	11/05/2016	DEL	Refuse	06/02/2017	Dismiss
PA/16/01764/NC	Advert 150 East India Dock Road, East India Dock Road, London	Replacement of existing single sided internally-illuminated backlit 48 sheet advertising unit with single new internally-illuminated digital LED 48 sheet advertising unit	18/08/2016	DEL	Refuse	13/02/2017	Allowed
PA/16/01382/R	Advert Flank Wall Dundee Arms 339, Cambridge Heath Road, London	Display of an illuminated advertising hoarding (retrospective) on the southern flank wall of existing public house.	18/08/2016	DEL	Refuse	13/02/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/15/01601/A1	Vic Johnson House Centre, 74 Armagh Road, London, E3 2HT	Part demolition, part refurbishment, part new build (extension) to total 60 age restricted apartments (over 55s) sheltered housing scheme, including new communal areas (loung, function room, hair salon and managers office), and associated landscape gardens. The proposed use remains as existing. The scheme is on part 2, part 3 and part 4 storeys.	18/12/2015	DC	Refuse	14/02/2017	Allowed
PA/15/01608/R	10 Tredegar Square, London, E3 5AD	Wooden bin bag store and external double doors in basement.	15/08/2016	DEL	Refuse	17/02/2017	Dismiss
PA/16/00829/R	Flat 22, Pakenham House, Wellington Row, London, E2 7BA	Erection of single storey rear extension.	06/07/2016	DEL	Refuse	23/02/2017	Dismiss
PA/16/02919/R	Land at Whitechapel Road/ Cambridge Heath Road, Tower Hamlets, E1	Removal of existing internally illuminated 12m x 3m advertisement, to be replaced by a 12m x 3m internally illuminated digital advertisement.	29/11/2016	DEL	Refuse	09/03/2017	Dismiss
PA/16/03036/NC	3 Isambard Mews, London, E14 3XB	Single storey side and rear extension.	24/01/2017	DEL	Refuse	22/03/2017	Allowed
PA/16/03236/NC	29 Alderney Road, London, E1 4EG	Roof alterations including replacement of pitched roof with mansard roof, rear dormer window and extension at roof level over the existing outrigger. Single storey rear extension	18/01/2017	DEL	Refuse	22/03/2017	Allowed
PA/16/02345/R	40 Claire Place, London, E14 8NJ	Conversion of a loft space to form an additional bedroom with associated dormer.	11/11/2016	DEL	Refuse	27/03/2017	Dismiss
PA/16/02593/NC	33 Eric Street, London, E3 4TG	Excavation of lightwell to the front of the property with insertion of bay style window and installation of a cast iron grille to the front.	01/11/2016	DEL	Refuse	28/03/2017	Allowed
PA/16/01149/R	8 Sewardstone Road, London, E2 9JG	Roof extension to existing two-storey property to include construction of box dormer.	26/09/2016	DEL	Refuse	31/03/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/16/02488/R	White Hart Public House, 1 Mile End Road, London, E1 4TP	Externally illuminated advertisement projected onto a shroud and supported by scaffolding	01/11/2016	DEL	Refuse	31/03/2017	Dismiss
PA/16/02801/R	24 Durant Street, London, E2 7BP	Proposed rear and side extensions with internal refurbishment.	17/11/2016	DEL	Refuse	07/04/2017	Dismiss
PA/16/01278/R	233-237 East India Dock Road, London, E14 0EG	3rd and 4th roof extension to incorporate 2 x One bedroom flats, 2 x two bed room flats and 1 x three bedroom flat.	22/07/2016	DEL	Refuse	27/04/2017	Dismiss
PA/16/02824/R	Flat 15 - 16, Bullen House, Collingwood Street, London E1 5DY	Conversion of property back into two self contained flats	10/11/2016	DEL	Refuse	27/04/2017	Dismiss
PA/15/02489/A1	Duke Of Wellington, 12-14 Toynbee Street, London, E1 7NE	Change of use from public house (A4) to a mixed public house / hotel use (sui generis). Erection of two storey extension at second floor and roof level and installation of dormer windows to allow the conversion of the first, second and third floor to accommodate 11 hotel rooms. (AMENDED DESCRIPTION).	28/04/2016	DC	Refuse	28/04/2017	Allowed
PA/16/01872/R	32C East India Dock Road, London, E14 6JJ	Mansard Loft extension to a one bedroom flat, creating a two bedroom maisonette	22/08/2016	DEL	Refuse	02/05/2017	Dismiss
PA/16/02230/R	Arnhem Wharf, 2 Arnhem Place, London, E14 3RU	Proposed 2.4m security fencing and access gates located between the building and the River Thames.	20/09/2016	DEL	Refuse	02/05/2017	Dismiss
PA/11/03302/R	George Tavern, 373 Commercial Road, London, E1 0LA	Demolition of a vacant single storey nightclub building attached to the listed George Tavern public house and 2a Aylward Street listed building within Commercial Road conservation area and re-development of site for commercial and residential use.	31/07/2013		Refuse	03/05/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/11/03301/A1	George Tavern, 373 Commercial Road, London, E1 0LA	Demolition of existing/vacant single-storey building adjacent to the George Tavern (PH). The re-development of site by the erection of a 3 storey mixed use building to provide new commercial floor space falling within use classes A1, A2 and/or B1 together with 6 new flats (3 x 1 bed & 3 x 2 beds) on upper floors including cycle parking, refuse/recycling facilities and amenity provision.	31/07/2013		Refuse	03/05/2017	Dismiss
PA/11/03367/R	Former Stepneys Nightclub, 373 Commercial Road, London, E1 0LA	Minor alteration works to the eastern flank wall and southern wall of 2a Aylward Street and to the eastern flank wall of the George Tavern Public House	31/07/2013		Refuse	03/05/2017	Dismiss
PA/16/01252/R	Unit F2, 82-88 Mile End Road, London, E1 4UN	Retrospective application for change of use of lower floors of unit f2, 82-88 mile end road to residential accommodation.	12/10/2016	DEL	Refuse	12/05/2017	Dismiss
PA/16/03093/R	Land at rear of 48 to 52 Grove Road, London	Erection of single storey B1 (office) building and extension to cycle storage	12/01/2017	DEL	Refuse	18/05/2017	Dismiss
PA/16/02620/R	Trinity Hall, 6 Durward street, London, E1 5BA	Proposed extension and alteration at roof level to provide one x 2 bed flat.	27/10/2016	DEL	Refuse	18/05/2017	Dismiss
PA/16/02009/R	35 Artillery Lane and 1 To 2 Steward Street, Artillery Lane, London	Demolition of existing 5th floor mansard roof and erection of 5th floor brick facade to existing commercial space. Erection of additional 2 storey residential maisonette apartment at 6th floor and 7th floor levels.	08/09/2016	DEL	Refuse	19/05/2017	Dismiss
PA/16/02828/R	City & Central Cars, 323 Bethnal Green Road, London, E2 6AH	Demolishment of existing 2 storey building and replacement with 3 storey building & basement. Change of use from retail to mixed used retail & residential	05/12/2016	DEL	Refuse	23/05/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/15/03433/A1	Harley House and Campion House, Frances Wharf, LONDON	Roof extensions at 7th floor and 9th floor levels to provide 6 new residential units of use class C3 along with reconfiguration of 1 existing unit at Harley House and Campion House, Frances Wharf, Burdett Road. (Amended design of roof extensions)	29/11/2016	DC	Refuse	02/06/2017	Allowed
PA/16/01125/R	93 Ricardo Street, London, E14 6EQ	Erection of dormer loft conversion.	21/06/2016	DEL	Refuse	07/06/2017	Dismiss
PA/16/01670/NC	Telecommunications Base Station, Collingwood Street, London	Proposed telecommunications installation and associated works including: x1 Lancaster Enclosure x2 Cabinets x1 Street Pole	20/10/2016	DEL	Refuse	22/06/2017	Allowed
PA/16/03272/R	9 Elizabeth Close, London, E14 6DW	Proposed conversion of third floor (loft) into habitable floor space and the construction of a dormer window on the rear elevation and 3no roof lights on the front elevation	19/01/2017	DEL	Refuse	14/07/2017	Dismiss
PA/17/00064/R	Flat 39A, Northesk House, Tent Street, London, E1 5DS	Change of Use from C3 to C1 (Short-term Let) for a temporary period of 5 years	23/02/2017	DEL	Refuse	25/07/2017	Dismiss
PA/16/03750/R	8 Tredegar Road, London	Erection of dormer roof extension at the rear of the property.	27/02/2017	DEL	Refuse	27/07/2017	Dismiss
PA/16/03384/NC	Stars Cottage, 4 Mews Street, LONDON, E1W 1UG	Removal and replacement of existing single glazed timber windows and rear doors with double glazed aluminium windows and doors.	31/03/2017	DEL	Refuse	31/07/2017	Allowed
PA/16/03205/NC	3 Mews Street, London, E1W 1UG	Replace existing timber doors and windows with double-glazed aluminium doors and windows.	25/01/2017	DEL	Refuse	31/07/2017	Allowed
PA/16/03383/NC	Swan Cottage, 2 Mews Street, London, E1W 1UG	Removal and replacement of existing single glazed timber and doors with double glazed aluminium windows and rear doors.	31/03/2017	DEL	Refuse	31/07/2017	Allowed
PA/17/00063/R	14 Matlock Street, London, E14 7NN	Erection of a part single, part two storey rear extension	16/03/2017	DEL	Refuse	04/08/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/17/00375/NC	12 Galsworthy Avenue, London, E14 7RA	Notification for Prior Approval for a Proposed Larger Home Extension under Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A	22/03/2017	DEL	Prior Approval Refused	04/08/2017	Dismiss
PA/16/03530/R	The Crown Public House, 667 Commercial Road, London, E14 7LW	LED panel 3m high by 6m wide showing sequential static displays	07/02/2017	DEL	Refuse	11/08/2017	Dismiss
PA/17/00137/NC	23 Rigden Street, London, E14 6DJ	Erection of a 2-storey rear extension; addition of two bedrooms to create a 7-bed HMO (Sui Generis); internal and external alterations.	13/04/2017	DEL	Refuse	11/08/2017	Dismiss
PA/16/03754/R	161 Bethnal Green Road, London	Application for consent to display an advertisement for erection of a wall mounted digital advertising display	03/03/2017	DEL	Refuse	15/08/2017	Dismiss
PA/16/03292/NC	27A Lockhart Street, London, E3 4BL	Erection of a single storey side extension to the ground floor flat	09/01/2017	DEL	Refuse	18/08/2017	Allowed
PA/16/03522/NC	536 Roman Road, London, E3 5ES	Change of use from existing retail unit (Use Class A1) to part retail/part restaurant use (Use Class A1/A3). Installation of a new extractor flue (cooker hood) on the rear elevation of the building.	11/04/2017	DEL	Refuse	22/08/2017	Allowed
PA/17/00125/R	77 Ricardo Street, London, E14 6EQ	Single storey rear extension	13/03/2017	DEL	Refuse	24/08/2017	Dismiss
PA/17/00639/NC	5 Mariners Mews, London, E14 3EQ	Widening of existing second floor patio door openings plus replacements of existing timber window/door with aluminium/timber composite window.	26/04/2017	DEL	Refuse	04/09/2017	Dismiss
PA/17/00138/R	3 Ford Road, London, E3 5LY and 503 Roman Road, London, E3 5LX	Conversion of disused retail unit to a studio flat with alterations to shopfront.	10/03/2017	DEL	Refuse	12/09/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/16/03120/R	156-158 Mile End Road, London, E1 4LJ	Retrospective planning application for change of use from Large HMO (Sui Generis) to Hostel (Sui Generis).	08/03/2017	DEL	Refuse	15/09/2017	Dismiss
PA/15/03326/R	60-62 Cleveland Way, London, E1 4UF	Application for certificate of lawfulness in respect of existing unit running a sushi delivery business, preparation of cold foods and sales, no consumption on site.	24/10/2016	DEL	Refuse	19/09/2017	Dismiss
PA/16/02222/R	269-271 Stepney Way, London, E1 3DH	Retention of existing building, with alterations including: Additional windows Changes to external materials Increased parapet height Additional of one residential unit and changes to the mix of housing	04/10/2016	DEL	Refuse	21/09/2017	Dismiss
PA/17/00484/NC	36 Blondin Street, London, E3 2TR	The erection of a dormer extension on the rear elevation as well as 3 roof lights on the front elevation. Replacement of all existing glazing with high performance triple-glazed UPVC frame windows, and the installation of 2 glazed roof lights to rear dormer.	27/04/2017	DEL	Refuse	27/09/2017	Part allowed
PA/17/00037	18 East India Dock Road, London, E14 6JJ	Subdivision of the existing property into three no. residential units comprising 1 no. 1 bedroom (2 person) lower ground floor level unit, 1 no. 1 bedroom (1 person) ground floor unit and 1 no. 3 bedroom (4 person) maisonette across the first and second floors, together with a part single and part 3 storey rear extension.	01/03/2017	DEL	Refuse	17/10/2017	Dismiss

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Reference	Address	Description	LBTH Decision Date	Decision Level	Decision	Appeal Decision Date	Appeal decision
PA/16/02859	Flat 75, Exchange Building, 132 Commercial Street, London, E1 6NQ	Construction of a new roof extension at eighth floor level to provide additional sleeping accommodation to the existing dwelling. Replacement of existing rooflight above communal lobby void to accommodate extended lift run.	22/11/2016	DEL	Refuse	17/10/2017	Dismiss
PA/17/00191/A1	72 Manilla Street, London	The demolition of the existing garage (light industrial B1(c) - NIA 100 sq m) single storey building on the site and the erection of an 8 storey building to accommodate a ground floor B1a office unit (42 sq m) and 6 flats (1 x 3 bedroom and 5 x 1 bedroom) on the upper floors and a communal residential roof terrace at roof level	24/04/2017	DEL	Refuse	18/10/2017	Allowed
PA/16/02814/R	2 Coverley Close, London, E1 5HY	Application for Prior Approval for the erection 6m rear extension to create two extra rooms and one bathroom	11/11/2016	DEL	Prior Approval Refused	18/10/2017	Dismiss
PA/16/01892/R	Pier Tavern, 299 Manchester Road, London, E14 3HN	Demolition of the existing public house (Class A4), and the erection of a 6 storey residential (Class C3) development consisting of 16 units.	06/02/2017	DEL	Refuse	02/11/2017	Dismiss
PA/17/00133/R	26-28 Brick Lane, London, E1 6RF	Change of Use from A1 Sandwich/cake bar to A5 Hot Food Takeaway and installation of ventilation duct to the side of the property	03/04/2017	DEL	Refuse	08/11/2017	Dismiss
PA/16/02590/NC	88 Whitethorn Street, London, E3 4DB	Front infill extension and single storey rear extension	26/01/2017	DEL	Refuse	16/11/2017	Allowed

CURRENT LIVE APPEALS

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/15/03561	Site at 14 to 16 Clegg Street, 13 to 15 Cinnamon Street and 125 to 129 Wapping High Street, London E1W	Partial demolition of the existing buildings and redevelopment of all three sites to create 41 residential units and a retail unit along Wapping High Street, together with associated hard and soft landscaping works and the provision of cycle parking across all three sites. Site A would contain the majority of the units, with 27 flats; Site B would contain 10 and Site C, the 4 town houses. Amendments consist of the enlargement of the footpath along the eastern edge of Clegg Street (Site C) to 1.50m wide; Marketing Assessment Comparables and Market Assessment for the application sites; closing the walls between Site B and neighbouring residential buildings, Ross and Tasman Houses; and detailed articulation in proposed brick work added to north west elevation of Site A.	22/12/2016	NEY	Refuse	23/01/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/16/01962/R	419-425 Commercial Road, London, E1 0HA	Display of various non illuminated small advertising panels. 1 panel measuring: H - 1740mm x W - 5240mm 1 panel measuring: H - 1740mm x W - 3250mm 1 panel measuring: H - 1740mm x W - 2240mm 4 panels measuring: H - 1740mm x W - 1200mm	16/11/2016	DEL	Refuse	07/03/2017
PA/16/02335/R	7, 8 And 10 Teesdale Yard, London, E2 6QE	Application for certificate of lawfulness in respect of existing use as a single dwelling house began more than four years before the date of this application.	18/11/2016	DEL	Refuse	10/03/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/15/02929	Site between Varden Street and Ashfield Street (Whitechapel Estate), London, E1	Demolition of all existing buildings and redevelopment to provide 12 buildings ranging from ground plus 2 - 23 storeys (a maximum 94m AOD height), comprising 343 residential dwellings (class C3), 168 specialist accommodation units (Class C2), office floorspace (class B1), flexible office and non-residential institution floorspace (Class B1/D1), retail floorspace (class A1 - A3), car parking, cycle parking, hard and soft landscaping and other associated works.	17/10/2016	SDC	Refuse	10/03/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/16/01081/R	Balmoral House, 12 Lanark Square, London E14	Erection of three additional storeys to building to create nine new residential units (4 x 1 bed, 3 x 2 bed and 2 x 3 bed) plus external amenity space, associated refuse storage and secure cycle parking.	22/05/2017	NEY	Refuse	27/06/2017
PA/16/03175/R	23 Tomlins Grove, London, E3 4NX	Application for Listed Building Consent to strip paint from front elevation face brickwork.	30/03/2017	DEL	Refuse	06/07/2017
PA/17/00754/R	50-52 Brushfield Street, London	Temporary advertisement consent to display a non-illuminated scaffold shroud display from 17/07/2017 to 11/01/2018.	16/05/2017	DEL	Refuse	11/07/2017
PA/16/03178/R	18 to 76 (evens) Bromley Street, London, E1 0NB	Replacement of front and rear single glazed timber sash windows with double glazed timber framed sash windows.	18/01/2017	DEL	Refuse	14/07/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/16/02795/R	Land at rear of 129 Cadogan Terrace, Cadogan Terrace, London	Demolition of existing walls and erection of a two storey building to provide a cafe and offices	30/05/2017	DEL	Refuse	21/07/2017
PA/16/03745/R	Studio 4, 71 Stepney Green, London, E1 3LE	Provision of a glazed door on the north-east elevation	22/02/2017	DEL	Refuse	26/07/2017
PA/17/00761/R	Flat 5, Ivory House, East Smithfield, London, E1W 1AT	Replacement of the existing single glazed casement windows on North and South facades and casement windows and French door set on the East facade, with new double glazed timber framed units and sills.	10/05/2017	DEL	Refuse	02/08/2017
PA/17/00762	Flat 5, Ivory House, East Smithfield, London, E1W 1AT	Replacement of the existing single glazed casement windows on North and South facades and casement windows and French door set on the East facade, with new double glazed timber framed units and sills.	10/05/2017	DEL	Refuse	02/08/2017
PA/16/03784/R	Studio 4, 71 Stepney Green, London, E1 3LE	Provision of a glazed door on the north-east elevation	22/02/2017	DEL	Refuse	07/08/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/00477/R	604A Commercial Road, London, E14 7HS	Conversion of basement storage vaults and installation of lightwell under existing grating.	30/05/2017	DEL	Refuse	10/08/2017
PA/17/00478/R	604A Commercial Road, London, E14 7HS	Conversion of basement storage vaults and installation of lightwell under existing grating.	30/05/2017	DEL	Refuse	10/08/2017
PA/16/03734/R	11 Hanbury Street, London, E1 6QL	Retention of two chillers on the south roof	07/04/2017	DEL	Refuse	14/08/2017
PA/17/01405/R	16A Turners Road, London, E3 4LE	Construction of an additional room and w/c in the loft space at the rear of the property. Sedum roof to the front of the property with maintenance access from the proposed loft room.	13/07/2017	DEL	Refuse	14/08/2017
PA/17/00726/R	1-5 Alfred Street, London	Fourth floor roof extension to 1-5 Alfred Street to create 2 no. 2 bedroom residential dwellings	12/05/2017	DEL	Refuse	18/08/2017
PA/17/01456/R	2 & 3 Ambassador Square, London, E14 9UX	Proposed first floor rear extension at nos 2 and 3 Ambassador Square	20/07/2017	DEL	Refuse	30/08/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01782/R	3 Undine Road, London, E14 9UW	Erection of Conservatory to rear elevation of ground floor flat.	25/08/2017	DEL	Refuse	05/09/2017
PA/16/03043/S	58 To 64 Three Colts Lane And 191 To 205 Cambridge Heath Road, London, E2 6JR	Application for variation of condition 2 (Approved plans) and removal of condition 19 (Commercial units) of planning permission PA/14/03569 dated 20/03/2015 to allow the provision for a ground floor A4 use.	22/08/2017	DEL	Permit	06/09/2017
PA/17/01619/R	2 Macquarie Way, London, E14 3AU	Single storey rear extension.	09/08/2017	DEL	Refuse	18/09/2017
PA/16/01798/R	Millwall Outer Dock, London, E14 9RP	Erection of a 16 berth residential mooring, including the installation of mooring pontoons and associated site infrastructure.	20/06/2017	NEY	Refuse	19/09/2017
PA/17/01187/R	19 Lime Close, London, E1W 2QP	Proposed addition of a ground floor rear extension, a front hipped roof extension at second floor and the addition of two new rooflights to front roof slope.	10/07/2017	DEL	Refuse	29/09/2017

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Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01307/R	29 Wellington Row, London, E2 7BB	Extension works for a ground floor side return extension and a first floor extension above the existing building footprint	14/07/2017	DEL	Refuse	06/10/2017
PA/17/01759/R	74 Whitechapel High Street, London, E1 7QX	Micromesh PVC with printed visual representation of host building covering 100% of whitechapel high street elevation and 70% of osborn street elevation, with 30% sponsorship area inset.	22/08/2017	DEL	Refuse	17/10/2017
PA/17/01889/R	Unit 105 -106, Cannon Workshops, 3 Cannon Drive, London, E14 4AS	Retrospective application for alteration to windows and doors, and ductwork to a Grade II listed building.	22/09/2017	DEL	Refuse	17/10/2017
PA/17/01890/R	Unit 105-106, Cannon Workshops, 3 Cannon Drive, London, E14 4AS	Retrospective application for alteration to windows and ductwork to a Grade II listed building.	22/09/2017	DEL	Refuse	17/10/2017
PA/17/01748/R	234 Cambridge Heath Road, London, E2 9NN	Advertisement on a scaffold shroud	23/08/2017	DEL	Refuse	18/10/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01018/R	31 New Road, London, E1 1HE	Erection of mansard roof and change of use of upper floors to provide a 2 bedroom self-contained flat.	13/06/2017	DEL	Refuse	23/10/2017
PA/17/01020/R	31 New Road, London, E1 1HE	Erection of mansard roof and change of use of upper floors to provide a 2 bedroom self-contained flat.	13/06/2017	DEL	Refuse	23/10/2017
PA/17/01232/R	Flat 37A, Ajax House, Old Bethnal Green Road, London, E2 6QY	Extension above existing flat roof at third floor level with new windows.	13/07/2017	DEL	Refuse	23/10/2017
PA/16/03535/R	106 Commercial Street, London, E1 6LZ	Conversion of building (class A1/B8) to fine dining food market (Class A3).	16/06/2017	NEY	Refuse	30/10/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/15/00837/R	Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD	Demolition of the existing store and decked car park to allow for a replacement Sainsbury's store (Use Class A1) of 5,766 sqm (net sales area), (11,208 sqm GIA to include a Use Class D1 'explore learning ' facility (118 sqm GIA), 871 sqm (GIA) of flexible retail/office/community floorspace (Use Class A1, A2, A3, B1 and D1) and 559 residential units (Use Class C3) arranged in 8 buildings, including a 28 storey tower (101.375m (AOD)), an energy centre and plant (2,509 sqm (GIA)) is proposed at basement level with 240 'retail' car parking spaces and 40 disabled car parking spaces for use by the proposed residential units. 2 additional disabled parking bays are proposed at ground floor level at Merceron Street. The creation of an east-west public realm route from Cambridge Heath Road to Brady Street, including further public realm provision and associated highway works to Brady Street, Merceron Street, Darling Row, Collingwood Street and Cambridge Heath Road.	11/05/2017	SDC	Refuse	06/11/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/00422/R	250 Bethnal Green Road, London, E2 0AA	The demolition of the existing building and the construction of a 5 storey building to provide a commercial unit (A1 Use Class) and 5 residential units, comprising 4 x studio units and 1 x 2 bedroom maisonette.	10/05/2017	DEL	Refuse	06/11/2017
PA/17/01719/R	7 Barnes Street, London, E14 7NW	Addition of a rear extension to the existing kitchen, opening up one wall.	29/08/2017	DEL	Refuse	12/11/2017
PA/17/01720/R	7 Barnes Street, London, E14 7NW	Construct rear extension to the existing kitchen, opening up one wall.	29/08/2017	DEL	Refuse	13/11/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/16/03771/R	1-3 Corbridge Crescent And 1-4 The Oval, London E2 9DS	Demolition of existing single storey commercial buildings, with the retention, restoration, external alteration and residential conversion of the existing Regency and Victorian Cottages, together with the erection of three linked blocks of 4, 5 and 10 storeys to provide 57 residential dwellings (Use Class C3), with associated private and communal amenity space, cycle parking and refuse storage, and 461sqm of dual use office/community floorspace (Use Class B1/D1).	24/11/2017	SDC	Refuse	15/11/2017
PA/17/02341/R	30 Commercial Road, London, E1 1LN	Open weave mesh banner advertisement attached to existing scaffold with associated lighting for a temporary period of 9 months.	01/11/2017	DEL	Refuse	17/11/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01495/R	494-496 Roman Road, London, E3 5LU	Change of use from Retail (Use Class A1) to Restaurant (Use Class A3) and installation of flue stack.	21/08/2017	DEL	Refuse	24/11/2017
PA/16/02808/R	225 Marsh Wall, London, E14 9FW	Full planning application for the demolition of all existing structures and the redevelopment of the site to provide a building of ground plus 48 storey (maximum AOD height 163.08m) comprising 332 residential units (Use Class C3); 810 square metres of community floorspace (use class D1); 79 square metres of flexible retail/restaurant/community (Use Class A1/A3/D1), basement cycle parking; resident amenities; public realm improvements; and other associated works. The application is accompanied by an Environmental Impact Assessment.	10/11/2017	SDC	Refuse	30/11/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01596/R	60B Bruce Road, London, E3 3HL	Second floor extension above existing two-storey rear outrigger.	08/08/2017	DEL	Refuse	01/12/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/01920	Sainsbury Foodstore, 1 Cambridge Heath Road, London, E1 5SD	Demolition of the existing store and decked car park to allow for a replacement Sainsbury's store (Use Class A1) of 5,766 sqm (net sales area), 11,414 sqm (GIA) to include a Use Class D1 'explore learning ' facility (118 sqm GIA); 871 sqm (GIA) of flexible retail/office/community floorspace (Use Class A1, A2, A3, B1 and D1); 471 residential units arranged in 8 blocks ranging from six to 14 storeys in height (up to a maximum height of 58.9m AOD); an energy centre and plant at basement level; 240 'retail' car parking spaces and 40 disabled car parking spaces for use by the proposed residential units; two additional disabled parking bays proposed at Merceron street; creation of an east-west public realm route from Cambridge Heath Road to Brady Street and public realm provision and enhancements; associated highway works to Brady Street, Merceron Street, Darling Row and Collingwood Street, and Cambridge Heath Road.			NDA	01/12/2017

Appeals Report – Appendix 1

Reference	Address	Description	Decision Date	Decision Level	Decision	Appeal Received Date
PA/17/02191/R	17 Milligan Street, London, E14 8AT	Proposed rear and side extension with first floor terrace. Garage conversion to habitable room and replacement windows and doors.	16/11/2017	DEL	Refuse	05/12/2017
PA/17/00936/R	43A Commercial Street, London	Erection of an additional storey at roof level over entire building to create 2 two bedroom flats and 1 one bedroom flat (3 new units).	08/06/2017	DEL	Refuse	08/12/2017
PA/17/00937/R	43A Commercial Street, London	Internal and external alterations in connection with the erection of an additional storey at roof level over entire building to create 2 two bedroom flats and 1 one bedroom flat (3 new units).	08/06/2017	DEL	Refuse	08/12/2017
PA/17/02143/R	Rear of 387 Hackney Road, London, E2 8PP	Change of use from storage facility to a one bed three storey residential unit.	23/10/2017	DEL	Refuse	08/12/2017