

**Application for Planning Permission**[click here for case file](#)

Reference	PA/23/02171
Site	82 Columbia Road, London, E2 7QB
Ward	Weavers
Proposal	Proposed single storey rear extension and a new rear garden entrance door from Wellington Row
Summary Recommendation	Grant planning permission with conditions
Applicant	Mr K Sohi
Architect/agent	Mr I Bolt, Hartleys Projects Ltd
Case Officer	David Mason
Key dates	- Application registered as valid on 31/01/2024 - Public consultation finished on 11/03/2024

EXECUTIVE SUMMARY

The application property is an existing two-storey terrace building with retail use at ground floor and basement, and a one-bedroom residential unit above. It is within the Jesus Hospital Estate Conservation Area.

The application proposes a modification to the existing single-storey rear extension at ground floor which would serve the first-floor residential unit as a kitchen and outdoor courtyard space. The proposal would create a larger residential unit (C3) but an overall reduction in the total built form of the building and a reduction in the provision of ground floor retail space (Class E). A revised internal layout for the ground floor shop unit is proposed which maintains access to the basement for storage and the reprovision of a WC and kitchenette.

The rear access to the ground floor from Wellington Row, currently served by a roller shutter into the shop unit, would be replaced with a header arch and timber framed doors, serving as an entrance into the proposed rear courtyard for the residential unit.

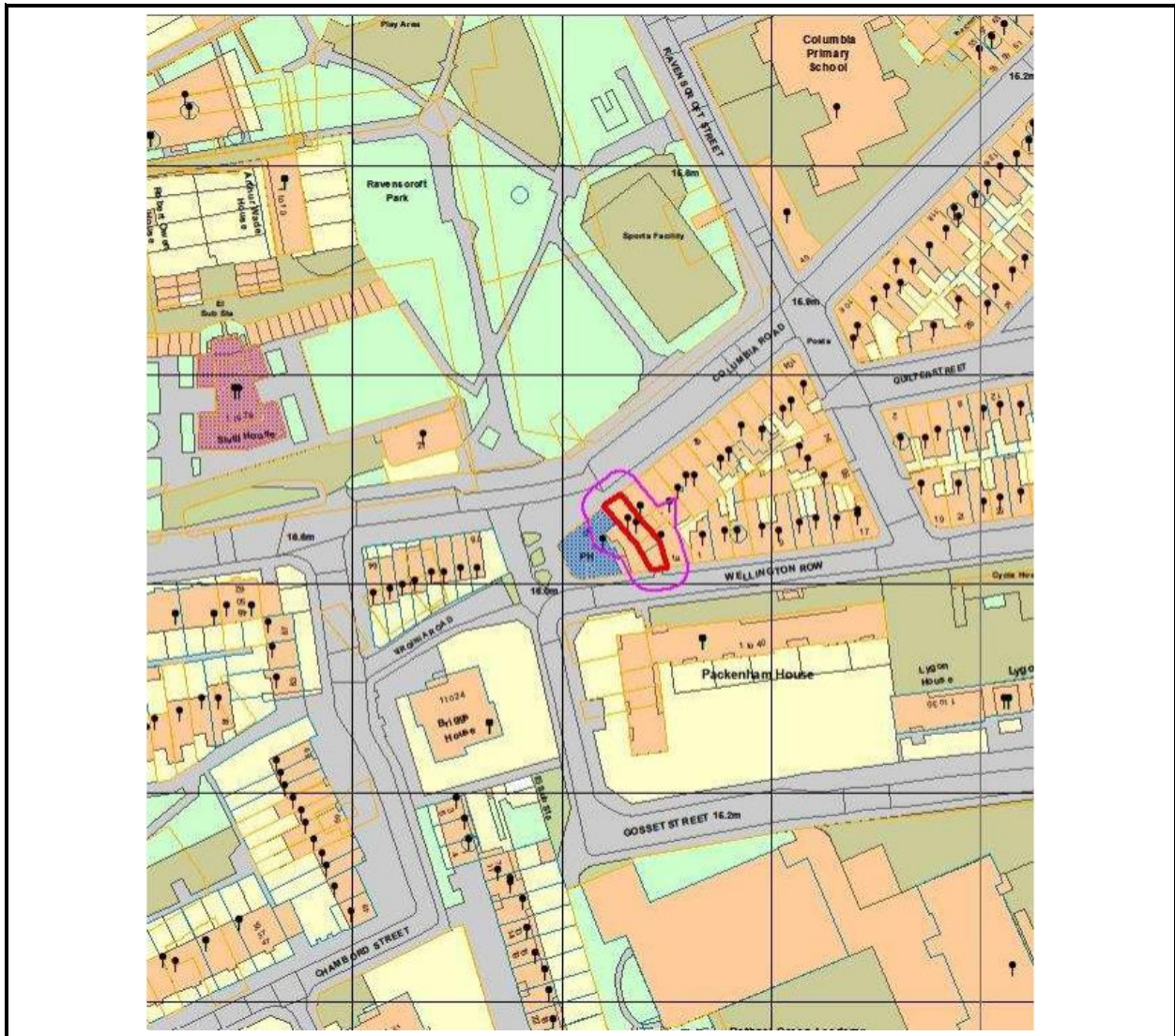
The proposal, by reason of its modest size and sympathetic design, would be in keeping with the scale and character of the Jesus Hospital Estate Conservation Area and the terrace of properties within which it sits.

The proposed reduction in Class E floorspace is considered minimal and would not result in any negative impacts to the vitality of the Columbia Road neighbourhood centre nor the viability and functioning of the shop unit at 82 Columbia Road.








It should also be noted that planning permission for the same scheme has been granted twice previously, in 2014 and 2017. There are now new Development Plan documents in place since the last consent was given, however there have been minimal changes to the policies relating to the key planning considerations for this application.

The proposal is acceptable in planning terms, and approval with conditions is recommended.

SITE PLAN:



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map PA/22/02454</p> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process.</p>	 <p>London Borough of Tower Hamlets</p>
	Scale: 50m grid squares	Date: 17 April 2024

1 SITE AND SURROUNDINGS

- 1.1 The application site is a two-storey building with retail at ground floor and residential above. The site fronts Columbia Road to the north and Wellington Row to the south. Its long and narrow form steps down from two storeys at Columbia Road to single storey at the rear. The rear entrance on Wellington Row features uncharacteristic roller shutters to what may have formerly been a garage but is now part of the retail unit.
- 1.2 The retail unit is currently occupied by a Vintage Shop with a cafe, ancillary to the shop in the rear extension, open only on Saturdays and Sundays.
- 1.3 The site is within the Jesus Hospital Estate Conservation Area which is defined by a homogenous layout of low scale streets. Its terraces are generally two storeys high, following the characteristic pattern of London Victorian terraces. Along the Conservation Area's north-western edge lies Columbia Road, formerly the site of the Victorian market building and now a designated Borough Neighbourhood Centre and the site of the popular Sunday flower market. The 19th century parade contains local shopfronts and several light industrial workshops, largely connected with the furniture trade.
- 1.4 Though the site itself is not listed, it is in the direct proximity of the locally listed Bird Cage Public House that greets the corner of Columbia Road and Wellington Row.
- 1.5 The site sits within the Columbia Road Neighbourhood Centre, recognised for its specialist function as a vibrant shopping and leisure destination which attracts visitors to the borough.



Figure 1 – Aerial photograph of the Site, viewing the Columbia Road shopping frontage with the Bird Cage Public House on the corner.



Figure 2 – Aerial photograph of the Site, view from the south along Wellington Row.

2. PROPOSAL

- 2.1 The application seeks planning permission for a proposed ground floor, single storey, rear extension creating a larger residential unit (C3) and a new rear garden entrance door to the property from Wellington Row.
- 2.2 This would result in a revised internal layout to the shop and cafe unit (Class E), reducing its internal floorspace by approximately 31 sqm from 128 sqm to 97sqm (including basement) and would result in an overall reduction to the built form of the building.
- 2.3 The retail unit would occupy space at ground and basement level at the front of the property, the historic footprint of the building, and the single storey rear element would become a kitchen space and small outdoor courtyard to serve the existing first floor flat, replacing the space currently used as a café.
- 2.4 The exterior roller shutter door facing on to Wellington Row is to be replaced with a header arch and timber framed doors, serving as an entrance into the proposed rear courtyard for the residential unit, designed to be in keeping with the character of the existing entrances along Wellington Row.
- 2.5 It is noted that planning permission was granted on the 22nd August 2017 and on 6th November 2014 for a scheme that is largely the same as the proposed, PA/17/01814/NC and PA/14/02511/NC, however these were not decided under the most recently adopted Local Plan.

3. RELEVANT PLANNING HISTORY

Application site

- 3.1 BG/91/00063: – Change of use of first floor from storage to a self-contained flat, including erection of a rear extension at first floor level and installation of a new shopfront. **Permitted**, 9th August 1991
- 3.2 FP/91/72242: – Proposed self-containment of upper part, shop improvement, part 2 storey rear extension. **Permitted**, 1st November 1991
- 3.3 BG/92/00039: - Change of use from grocers shop to laundrette. **Permitted**, 24th July 1992
- 3.4 ENF/08/00296: - Unauthorised use of premises as a café on Saturdays. **Case closed as not expedient**, 20th January 2009

Reasons:

- *The cafe, due to the level of seating probably constitutes an A3 use. As such, technically it needs a mixed-use application. However, if most of the seating is removed it can probably continue as it is. Either way, due to the low level of the operation (only open on weekends, etc) it's probably not expedient.*
- *In the absence of an application having been received or likely to be made, it is considered that the current use is not causing demonstrable harm.*

- 3.5 PA/14/00304/R: Rear extension at basement and ground floor, forming a new 1 bedroom self-contained flat. New rear access door from Wellington Row including formation of a new rear lightwell. Alterations to existing Columbia Road shop-front. **Refused**, 16th April 2014

Refused for the following reasons:

- *Inaccuracy of submitted plans*
- *Proposed new shopfront design is out of character with the Columbia Road frontages*
- *The proposed standard of new residential accommodation would have poor lighting levels and outlook, poor quality of outdoor amenity space and an undesirable entrance.*

- 3.6 PA/14/00305/R: New rear entry door. Revised internal layout forming enlarged self-contained flat over ground and first floors. Revised shop front. **Refused**, 22nd April 2014

Refused for the following reasons:

- *Inaccuracy of submitted plans*
- *Proposed new rear access door is out of character with the Conservation Area*
- *The proposed standard of new residential accommodation would have poor lighting levels and outlook, poor quality of outdoor amenity space and an undesirable entrance with no defensible space.*

- 3.7 PA/14/02509: Rear extension at basement and ground floor, forming a new one bedroom self-contained flat. Revised existing shop; new rear access doors; new rear lightwell. **Refused**, 6th November 2014

Refused for the following reasons:

- *Design and materials of the proposed new rear access door is out of character with the Conservation Area.*
- *The proposed standard of new residential accommodation would have poor lighting levels and outlook, poor quality of outdoor amenity space, an undesirable entrance with no defensible space and poor accessibility.*

- 3.8 PA/14/02511/NC: New rear entry door. Revised internal layout forming enlarged self-contained flat over ground and first floor. – **Permitted**, 6th November 2014
- 3.9 PA/17/01814/NC: New rear entry door and creation of external courtyard. Revised internal layout to shop (A1) to enlarge existing residential unit (C3). - **Permitted**, 22nd August 2017.

4. PUBLICITY AND ENGAGEMENT

- 4.1 10 letters were sent to nearby owners/occupiers to notify them of the development proposal on 06/02/2024.
- 4.2 A site notice was displayed in proximity to the site, informing of the development proposals on 19/02/2024.
- 4.3 The application was advertised in the Local Press on 08/02/2024.
- 4.4 23 representations were received in objection. None have been received in support.
- 4.5 The points raised have been summarised below:
- The loss of retail/café floorspace would be detrimental to the vitality of the area.
 - The increase in residential floorspace on the ground floor is out of character with the local area.
 - The proposal would have a negative impact on the Conservation Area.
 - The current shop and café are a key part of the community and work closely with local charities.
 - The café space is a unique space along Columbia Road and a beloved local business. It is one of the few spaces you can sit down in on a Sunday when the flower market is on.
 - The proposal will make the current tenant's business unviable and force them to close.
 - There is concern that the property is being developed for use as an Airbnb property. Airbnb properties are a significant source of antisocial behaviour issues that cause disruption to residents and increase workloads for the local council.
 - The development description is factually inaccurate. The area the planning application relates to is currently used as a cafe and is deemed as such under the current lease. The applicant has stated that there would be no loss of employment, however the cafe currently employs 4 people and the attached shop would be severely affected if not forced to close as a result of the proposal.
 - The submitted plans are inaccurate and do not provide sufficient detail of the proposal.
- 4.6 The material planning considerations raised above are addressed in the main body of this report.

5. CONSULTATION RESPONSES

5.1 The application was referred to the following consultees:

Design and Conservation

The proposals are acceptable in principle as they are considered to not contribute adverse impact on the host building, adjacent properties or the townscape of the wider Conservation Area.

It is recommended that full specifications of new rear access door from Wellington Row are to be provided for full assessment, including lantern and brickwork (header bond) of new arch lintel. It is recommended that new door glazing be 'vacuum' type glazing or slimline glazed units with coloured spacers. Further details of new bi-fold rear doors providing access to new courtyard are also required (aluminium/composite/timber doors would be supported).

5.2 In response to the comments from Design and Conservation, the applicant amended the proposal to include details of the proposed materials and specifications for the works.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

6.2 In this case the Development Plan comprises:

- The London Plan (2021)
- Tower Hamlets Local Plan (2020)

6.3 The key development plan policies relevant to the proposal are:

Land Use:

London Plan – SD6, SD7, SD8
Local Plan – S.TC1, D.TC2

Heritage and Design:

London Plan - D1, D3, D4
Local Plan - S.DH1, S.DH3

Residential Quality:

London Plan – D6
Local Plan – D.H3

Neighbouring Amenity:

London Plan – D3
Local Plan - D.DH8

6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2023)
- National Planning Practice Guidance (as updated)

- The Jesus Hospital Estate Conservation Area Character Appraisal and Management Guidelines (2009).

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Heritage and Design
- iii. Residential Quality
- iv. Neighbouring Amenity

Land Use

7.2 As set out in Policy S.TC1 of the Tower Hamlets Local Plan (2020), new development must contribute positively to the function, vitality and viability of the borough's town centres and support the role and function of the borough's town centre hierarchy and the provision of town centre uses in line with the principles set out in the policy.

7.3 The site sits within the Columbia Road Neighbourhood Centre and development in this location should support the following functions/roles:

- a) provide a range of shops and services to meet the needs of their local catchments;
- b) support the specialist functions that exist within Redchurch Street and Columbia Road Neighbourhood Centres to continue providing vibrant shopping and leisure destinations which attract visitors to the borough;
- c) ensure development is appropriate to the nature and scale of each individual centre.

7.4 As set out in part 1 of policy D.TC2 of the Tower Hamlets Local Plan (2020), development proposals within the boundaries of the Columbia Road Neighbourhood Centre should:

- a) contribute to achieving a minimum of 60% of ground floor units as A1 (retail) use, and
- b) contribute to the activity and vitality of the town centre by offering space to meet and relax, subject to A1 (retail) units not falling below the threshold set out above

7.5 Additionally, part 7 b of policy D.TC2 states that within Primary Frontages and Boundaries of the Columbia Road Neighbourhood Centre development must ensure that 'any loss of floorspace is of a scale that will not materially alter the nature of the unit, its future viability and the function of the of the host shopping area.'

7.6 It should be noted that with the revision to the Use Class Order in September 2020, the above uses set out in policy D.TC2 are all now considered as Class E floorspace.

7.7 Given that the proposal maintains the original shop unit facing on to Columbia Road, it is considered to still support the Neighbourhood Centre's function and role as a vibrant shopping and leisure destination as the majority of retail floorspace has been retained.

7.8 It is recognised that there would be some loss of Class E floorspace with the rear extension, currently used as a café space, becoming a residential extension; removing a space where people currently meet and relax within the Neighbourhood Centre. This could be seen to conflict with the principle of D.TC2 part 1 b

7.9 However, given that the current unit is only open on Saturdays and Sundays, any loss of meeting space would have minimal impacts in this regard. Consideration should also be given to the ancillary nature of the café space, which forms part of a unit in the E use class, and as such the owner/proprietor could make numerous changes to nature of this space without the requirement for planning permission.

- 7.10 Comments received in objection to the proposal set out that this loss of floorspace would render the current business unviable, however this is not a material planning consideration. This is because the basis for the protection is of the use, and not the specific business within the shop.
- 7.11 When considering the overall impact of the development, there would still be sufficient floorspace to enable the proposal to positively contribute to the vitality and viability of the Columbia Road Neighbourhood Centre. It is considered that the reduction in Class E floorspace by approximately 31sqm from 128sqm to 97 sqm (including basement) will not impact the viability of the shop unit, nor will it impact the vitality of the Columbia Road Neighbourhood Centre and it will not cause the provision of ground floor retail units to drop below 60%.
- 7.12 Furthermore, given the specifics of the site and its access onto both Columbia Road and Wellington Row, the size of ground floor unit is unusually large for this stretch of Columbia Road. The removal of approximately 31sqm, bringing the ground floor area to 75sqm would not result in a unit of markedly different size from the majority of neighbouring units.
- 7.13 Therefore, the proposal is deemed acceptable in terms of land use, as it maintains an appropriately sized retail unit on the ground floor and will therefore not negatively impact the vitality and vibrancy of the Columbia Road Neighbourhood Centre This assessment concurs with that made in both 2014 and 2017.

Heritage and Design

- 7.14 As set out in Local Plan (2020) policy S.DH1, development must positively respond to its context, ensure the architectural language complements and enhances the immediate and wider surroundings and uses high quality design, materials and finishes to ensure buildings are robust, efficient and fit for the life of the development.
- 7.15 Local Plan (2020) policy S.DH3 sets out that development within a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to its special character or appearance.
- 7.16 The only alterations to the building are internal and at the rear, the front elevation along Columbia Road is to remain as is.
- 7.17 At the rear, the single storey extension element is to be reduced in depth to create a small outdoor courtyard in between the newly created kitchen and the boundary wall. This will be hidden from public view by the rear boundary wall and will not compromise the character of the host building that is most readily expressed in its front elevation.
- 7.18 The reduction in overall size of the rear extension is seen to positively contribute to the Conservation Area, as it reduces the dominance of a later extension on the architectural and historic significance of the original building at 82 Columbia Road.
- 7.19 The rear boundary wall, viewed from Wellington Row, currently features an uncharacteristic roller shutter with a projecting box at the top. The proposal is to remove this and to insert timber narrow framed doors set under a semi-raised segmental brickwork header arch to match the existing brick of the boundary wall, in character with the entrances seen along Wellington Row. This would enhance the setting of Wellington Row and positively contribute to the overall character of the Conservation Area.
- 7.20 The proposed timber framed folding doors for the kitchen extension are also considered to be of an appropriate material and architectural quality. They will only be visible from within the newly created courtyard and will therefore have minimal impact on the surrounding context of the Conservation Area.
- 7.21 Therefore, the proposal poses no concerns in terms of heritage and design and complies with the relevant Development Plan policies.



Figure 3 – Existing rear of the site from Wellington Row

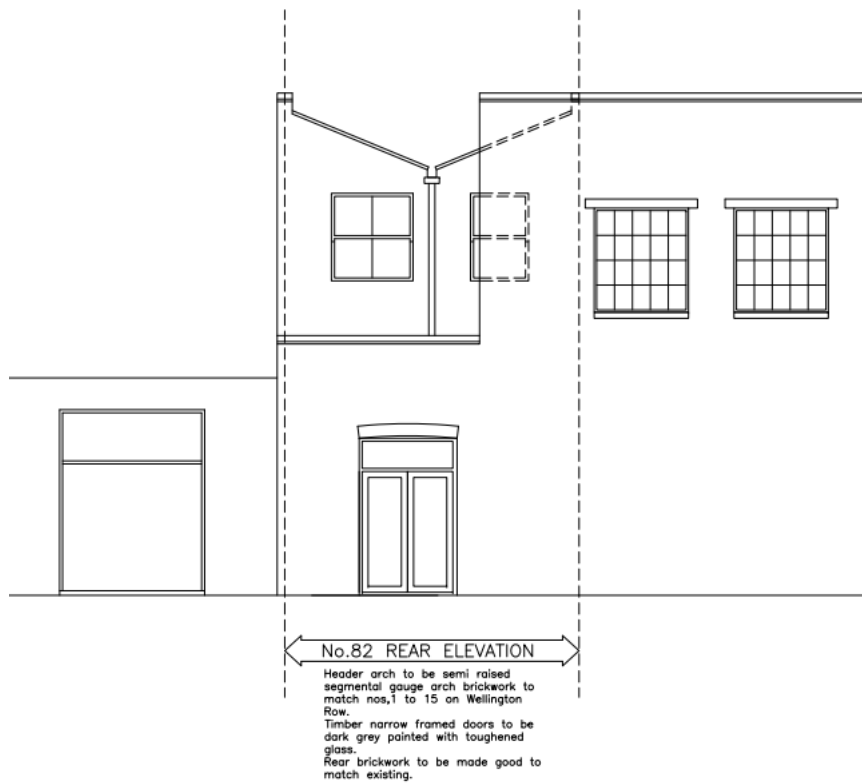


Figure 4 – Proposed rear elevation of the site from Wellington Row

Residential Quality

- 7.22 The proposed development looks to increase the residential floorspace of the first floor flat with the ground floor rear kitchen extension, and provides it with newly created outdoor private space with a rear courtyard.
- 7.23 London Plan D6 policy sets out that housing development should be of high-quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose. The design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 7.24 As set out in Local Plan policy D.H3, development must provide a minimum of five square metres of private outdoor space for 1-2 person dwellings.
- 7.25 The current residential unit has no access to private outdoor space, and so the creation of the rear courtyard (of around 10 sqm) to serve the flat is a key improvement in residential quality. The kitchen extension also results in greater overall living area, improving the overall residential quality of the residential unit.
- 7.26 The new kitchen folding doors provide increased access to south facing light. Despite having a restricted outlook due to the boundary wall, they will result in an overall improvement in access to daylight within the property.
- 7.27 The proposal is therefore in accordance with the relevant Development Plan policies regarding residential quality, as it creates key improvements in terms of increased living space and access to private outdoor space.

Neighbouring amenity

- 7.28 Policy D.DH8 of the Local Plan requires new development to protect the residential amenities of the neighbouring occupiers. To this end, developments should not unduly impact upon the privacy, outlook, daylight or sunlight experienced by neighbouring properties and should not lead to any undue sense of enclosure to the occupiers. In addition, developments should not lead to undue noise and disturbance during the operational or construction phases of a development.
- 7.29 The proposal would not materially alter the levels of daylight or sunlight for the neighbouring properties as the proposal results in an overall reduction in built form and projects no higher than existing.
- 7.30 The proposed courtyard space will be overlooked by the windows of one neighbouring property, 1a Wellington Row. The proposed outlook for 1a Wellington Row over the courtyard is considered acceptable, as it will not negatively impact visual amenity and the reduction in roof form will positively impact the outlook from their windows. Any noise generated by residential occupiers of the courtyard would be in keeping with the general residential character of the area.
- 7.31 Any undue noise and disturbance during the the construction phase of the development will be avoided through the securing of a planning condition to safeguard neighbouring amenity that ensures construction takes place in accordance with the Tower Hamlets Code of Construction Practice.
- 7.32 In light of the above, the proposal would have an acceptable impact on the residential amenities of the neighbouring occupiers, in compliance with Local Plan policy D.DH8.

8. RECOMMENDATION

8.1 That **planning permission is GRANTED** subject to the following conditions:

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Materials to match.
4. Construction activities mitigation.

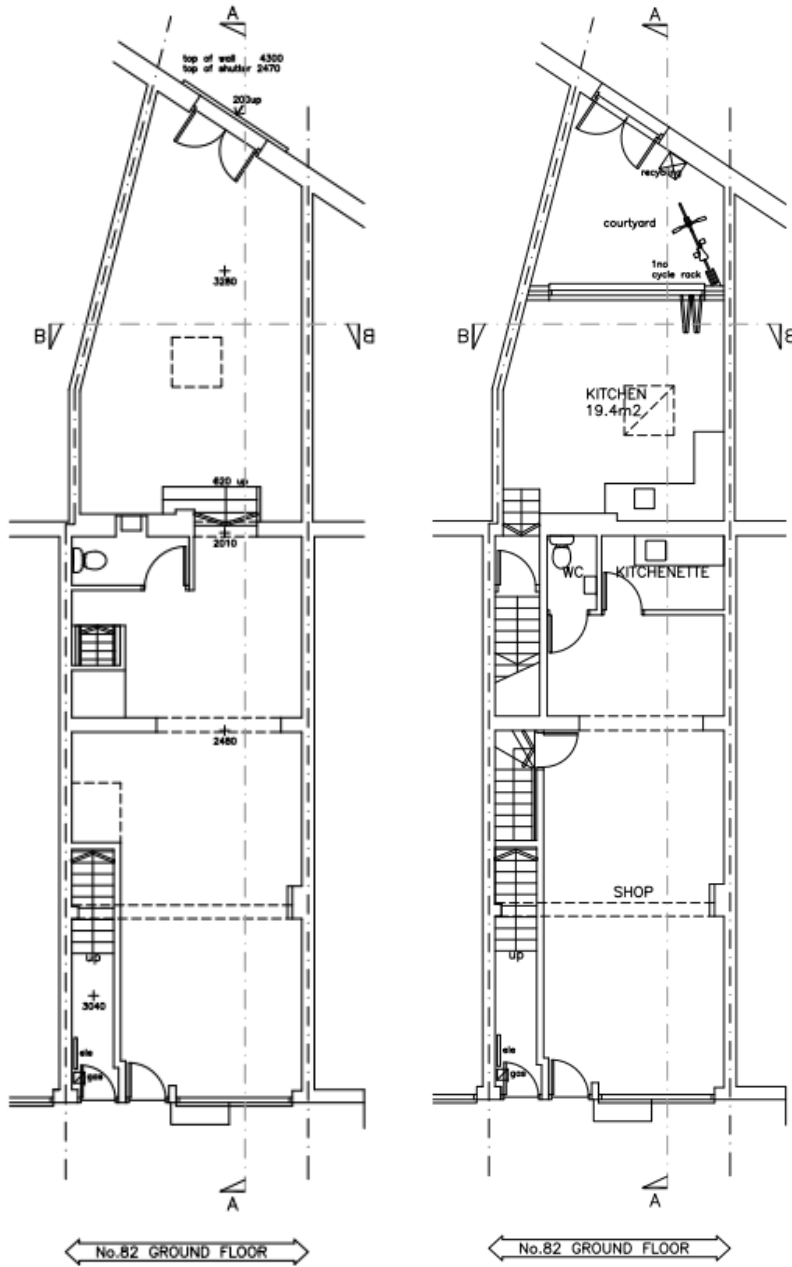
APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

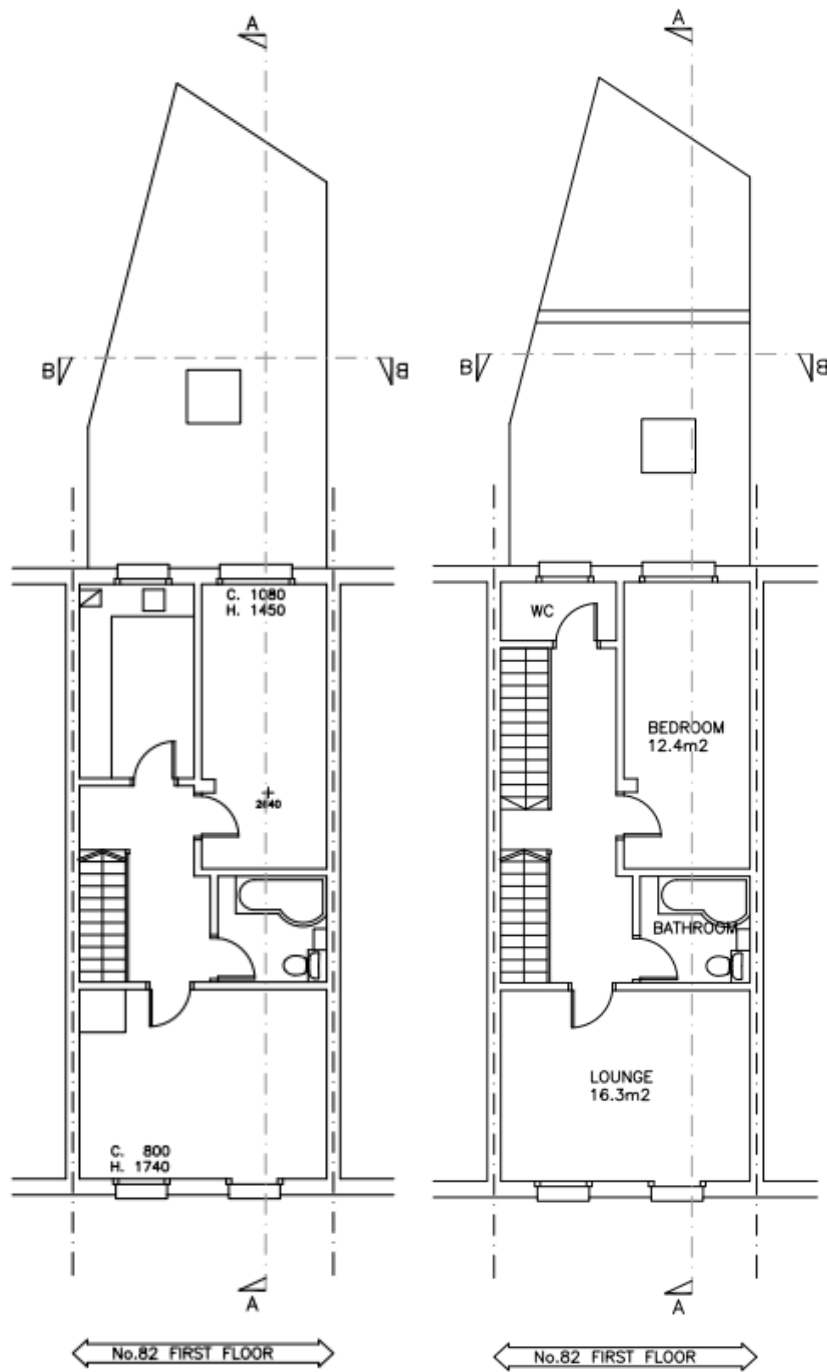
- CR.01.B
- CR.02.G
- CR.04
- CR.05
- Heritage Statement (18/01/2024)

APPENDIX 2

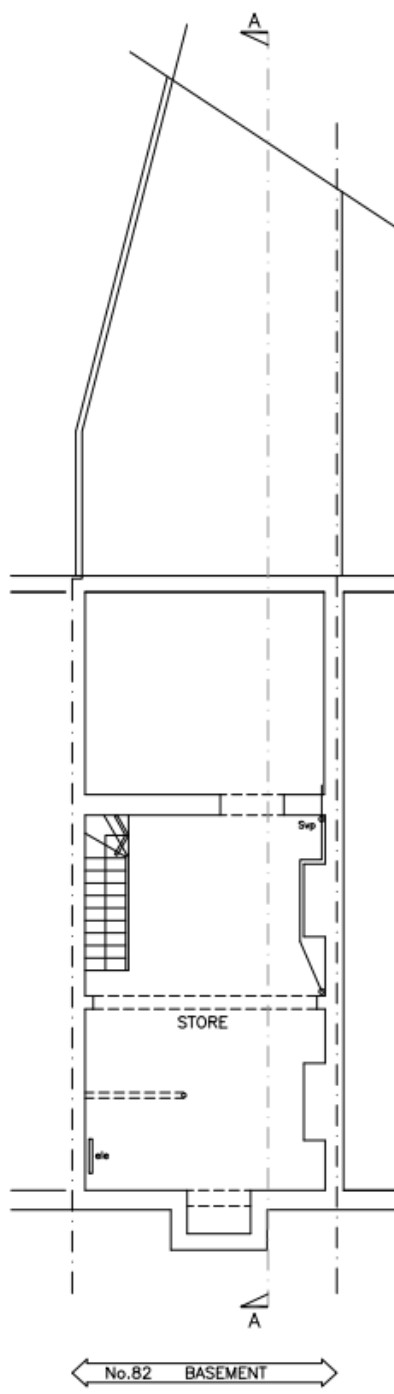
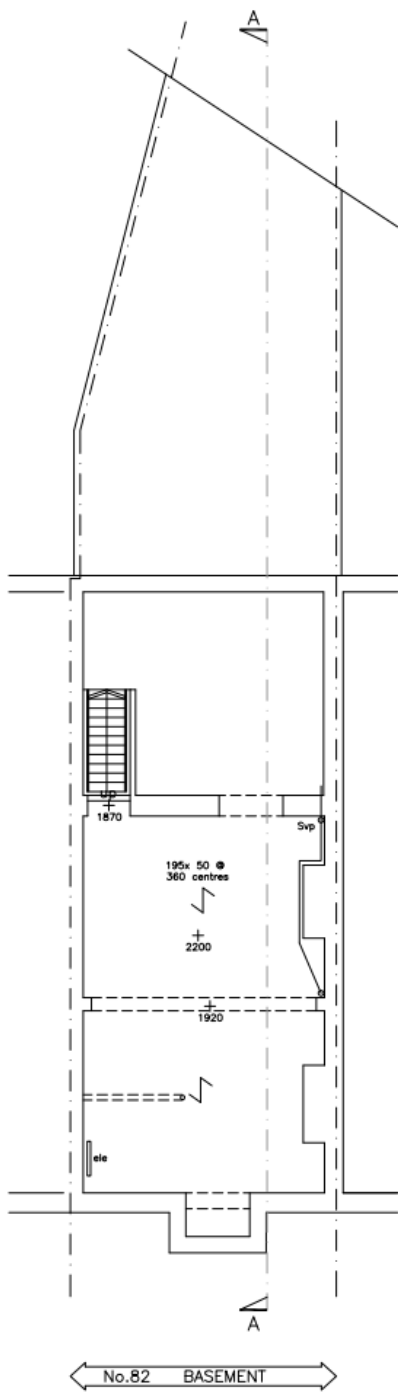
SELECTION OF APPLICATION PLANS AND IMAGES



Existing and proposed ground floor plans



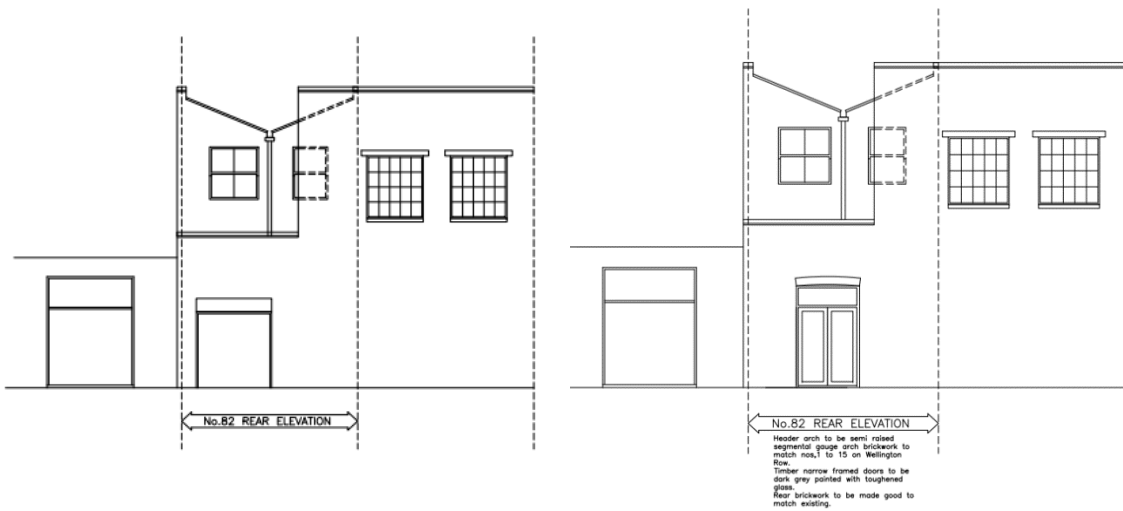
Existing and proposed first floor plans



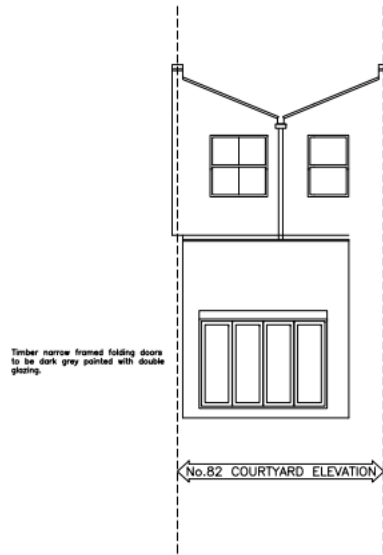
Existing and proposed basement plans



Existing front elevation – no change proposed



Existing and proposed rear elevations



Proposed courtyard elevation

APPENDIX 3

Site Images



Arial view of the site, from the northwest, looking at Columbia Road



Aerial view of the site, from the south, looking at Wellington Row



82 Columbia Road shop front (Vintage Heaven).



Rear of site, from Wellington Row



Shop interior



Café interior



Basement store



Rear extension view from upstairs flat window