

**LONDON BOROUGH OF TOWER HAMLETS**

**DEVELOPMENT COMMITTEE**

**4<sup>th</sup> March 2010 at 7.30 pm**

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**UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL**

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<b>Agenda item no</b>	<b>Reference no</b>	<b>Location</b>	<b>Proposal</b>
7.4	PA/09/02084	137 Tredegar Road, London, E3 2EU.	Change of use of retail shop (Use Class A1) to restaurant (Use Class A3) and installation of fume extraction system.

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<b>Agenda Item number:</b>	7.4
<b>Reference number:</b>	PA/09/02084
<b>Location:</b>	137 Tredegar Road, London, E3 2EU.
<b>Proposal:</b>	Change of use of retail shop (Use Class A1) to restaurant (Use Class A3) and installation of fume extraction system.

## 1.0 Additional Representations

1.1 One additional submission was received on behalf of the applicants, in support of the planning application.

1.2 The following issues were raised:

### 1.3 Land Use

- Section 8.4 of the planning report notes the loss of the retail unit is acceptable.

- Application is in compliance with policy S5 of the UDP.

- With relation to section 8.6 of the planning report, it is suggested the applicant is investing in the development, and does not intend to sell the site on.

*[Officer Comment: As per sections 8.3 – 8.5, and 8.12 – 8.18 of the planning report, whilst the loss of the retail unit is considered acceptable, the change of use to a restaurant (Use Class A3) is not considered acceptable with relation to the policies noted in the report]*

### 1.4 Design

- The proposal will not alter the general pattern of development along the street, nor will it affect the size of the unit.

- The proposal includes alterations to the shopfront which are more visually appropriate than the existing arrangement.

*[Officer Comment: As per sections 8.7 – 8.11 of the planning report, the design is not considered acceptable. No details of shopfront alterations have been provided, and the planning application form did not specify the application is applying for such]*

- The location of the flue is acceptable, and will not be visible from the front or side of the property. It is also noted that in the previous planning report (ref PA/07/01112 which was dismissed on appeal) the case officer found the location of the flue acceptable.

*[Officer Comment: As per sections 8.7 – 8.11, the location and design of the flue are considered unacceptable. Further, the location and design of the flue under planning ref: PA/07/1112 is different from that being considered. Under the 2007 application the flue was hard up against the western boundary, and did not exceed the ridge line of the roof. Under the current application the flue is further*

*toward the centre of the site, and extends above the highest point of the roof ]*

### 1.5 Amenity

- Scheme is considered acceptable in amenity terms.

*[Officer Comment: As per sections 8.12 – 8.18 of this report, the proposal is considered unacceptable in terms of amenity]*

### 1.6 Highways

- The applicant notes that measures can be introduced to advise customers that there should be no parking of vehicles around the site.

- Servicing will take place once a week during the day, and not past 5pm.

- Notices and CCTV to be erected.

- The planning process is not intended for 'social policing'.

*[Officer Comment: As per sections 8.19 – 8.23 of the officers report, the application is not being refused based on highways issues]*

- There are adequate facilities on site for the storage of refuse, in the form of a small area adjacent to the kitchen area as shown on the submitted floor plan. Collection would be dependant on arrangements with LBTH or a private provider.

*[Officer Comment: The area identified on plan shows sufficient space for one wheelie bin immediately next to the area designated for the preparation of food. As per section 8.24 of the officers report, the submitted detail is still considered unacceptable for the type of use being proposed.]*

### 1.7 Noise and Odour – Extraction System

- The applicant notes that appropriate extraction, ventilation, noise minimising and general food preparation measures will be installed.

*[Officer Comment: As per section 8.17 of the officers report, the level of detail required to fully consider such measures, such as a site-specific noise assessment, have not been submitted]*

## 2.0 **Recommendation**

2.1 The recommendation as outlined in section 2.1 of the officers report remains unchanged.