

Committee: Development	Date: 06 June 2012	Classification: Unrestricted	Agenda Item No: 8.1
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Kamlesh Harris		Ref No: PA/11/02495	
		Ward(s): Spitalfields and Banglatown	

1. APPLICATION DETAILS

Location:	4 Wilkes Street, London E1 1QF
Existing Use:	Retail at ground floor and light industrial at upper levels.
Proposal:	Erection of roof extension to provide additional office space. Formation of roof terrace with associated timber screening.
Drawing Nos:	OS Site map no. P1000 Drawing no's: P100, P101, P102, P300, P304, P305, P307, P346, P348, P500, D40, D41, E11, E13, E42, S41, S42, S43, S45 and S47
Supporting Documents:	Design, Access and Impact Statement, by Brown and Pletts LLP and dated September 2011
Applicant:	Ofer Zeloof
Owner:	Applicant
Historic Building:	Adjoins 6 Wilkes Street. Grade II Listed. Adjoins 2 Wilkes Street. Grade II Listed.

Conservation Area: Fournier Street/Brick Lane

2. RECOMMENDATION

- 2.1 That the Committee notes the details of this report and officers' advice regarding the appropriate form of the new motion (at paragraph 3.4) when resolving to refuse the planning application.

3. BACKGROUND

- 3.1 At its meeting of 10 May 2012, the Council's Development Committee resolved **NOT TO ACCEPT** officers' recommendation to GRANT planning permission (subject to conditions) for the erection of roof extension to provide additional office space. Formation of roof terrace with associated timber screening.
- 3.2 Members were minded to refuse planning permission for the following reasons:
- Loss of light to the surrounding neighbours (in particular 6-10 Princelet Street and the garden of 6 Wilkes Street).
 - The cumulative impact on residents in terms of overlooking and the lack of environmental benefits.
- 3.3 Officers have interpreted Members' reasons/concerns and have drafted reasons for refusal to cover the points and issues highlighted. The two reasons for refusal are suggested as follows:-
-

- 3.4 1. The development by reason of its proximity to neighbouring properties, in particular 6-10 Princelet Street and the garden of 6 Wilkes Street, would result in a loss of light and outlook to the occupiers of the these properties. The proposal would therefore be contrary to the aims of saved policies DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998, policy SP10 of the adopted Core Strategy 2010, policy DM27 of the Managing Development DPD Submission version May 2012 and policy DEV1 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of surrounding existing and future residents.
- 3.5 2. The proposal by virtue of its elevated position and the provision of a roof terrace would result in an increase in the perception of overlooking to neighbouring residential properties. The provision of a roof terrace serving an office development would cause harm to the amenities of neighbouring occupiers without delivering any significant benefits for the users of the office building or other surrounding residents. The proposal is therefore contrary to the objectives of saved policy DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998, policy SP10 of the Adopted Core Strategy 2010, policy DM27 of the Managing Development DPD Submission version May 2012 and policy DEV1 of the Interim Planning Guidance (2007). These policies require development proposals to protect the amenity of surrounding existing and future residents.

4. OFFICER COMMENTARY

- 4.1 The Applicant has submitted additional information in response to the concerns raised by Members at the previous Committee Meeting. This information is attached to this report at Appendix 1. The information specifically responds to the concerns members raised about potential loss of light, overlooking and the environmental benefits of the scheme.

5. IMPLICATIONS OF THE DECISION

- 5.1 Should Members decide to re-affirm their previous resolution and refuse planning permission, either as previously confirmed or as amended (following consideration of this report) there are a number of possibilities opened to the Applicant. These would include (though not limited to):-
- Resubmit an amended scheme to attempt to overcome the reasons for refusal.
 - Lodge an appeal against the refusal of the scheme. The Council would defend any appeal against a refusal.
- 5.2 Officers consider that it is likely to be difficult to substantiate the proposed reasons for refusal and provide evidence to support these reasons.

6. CONCLUSION

- 6.1 All other relevant policies and considerations have been taken into account. It is recommended that Members consider the draft reasons for refusal alongside the previous report presented to the 10 May 2012 Development Committee (see Appendix 1), Section 4 of this report (Officer Commentary) and determine the planning application as they see fit.

7. APPENDICIES

- 7.1 Appendix One – Supplementary Information Submitted by Applicant dated 23rd May 2012
- 7.2 Appendix Two - Report to Development Committee
- 7.3 Appendix Three – Addendum Report to Members on 10 May 2012.