

Development Committee

Agenda

**Thursday, 10 August 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel**

The meeting will be broadcast live on the Council's website. A link to the website is here - <https://towerhamlets.public-i.tv/core/portal/home>

Chair:

Councillor Kamrul Hussain

Members:

Councillor Gulam Kibria Choudhury, Councillor Abdul Mannan, Councillor Amin Rahman, Councillor Faroque Ahmed, Councillor Sabina Akhtar and Councillor Asma Islam

Substitute Members:

Councillor Shafi Ahmed, Councillor Iqbal Hossain, Councillor Bellal Uddin, Councillor Amina Ali, Councillor Asma Begum and Councillor Shahaveer Shubo Hussain

(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Tuesday, 8 August 2023**

The deadline for submitting information for the update report is Noon
Wednesday, 9 August 2023

Contact for further enquiries:

Thomas French, Democratic Services,
thomas.french@towerhamlets.gov.uk

Tel: 020 7364 3048

Town Hall, 160 Whitechapel Road, London, E1 1BJ

<http://www.towerhamlets.gov.uk/committee>



Public Information

Viewing or Participating in Committee Meetings

The meeting will be broadcast live on the Council's website. A link to the website is detailed below. The press and public are encouraged to watch this meeting on line.

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

Meeting Webcast

The meeting is being webcast for viewing through the Council's webcast system.
<http://towerhamlets.public-i.tv/core/portal/home>

Electronic agendas reports and minutes.

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A Guide to Development Committee

The role of the Development Committee is to determine applications for planning/listed/conservation area consent which have triggered over 20 representations (in support or against) and/or that meet certain criteria with regards to size amongst other issues.

The Committee is made up of seven Members of the Council as appointed by Full Council. Political balance rules apply to the Committee. Meetings are normally held on a monthly basis and are open to the public to attend.

Objectors to planning applications and applicants may request to speak at the Committee. If you wish to speak on an application, you must contact the Committee Officer listed on the agenda front sheet by 4pm one clear day before the meeting, as shown on the committee timetable. For further information, see the Council's website.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

London Borough of Tower Hamlets



Development Committee

Thursday, 10 August 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (PAGES 7 - 8)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. ELECTION OF VICE - CHAIR FOR THE COMMITTEE FOR 2023-24

To elect a Vice-Chair of the Committee for the duration of the municipal year 2023-24

3. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

The Committee is recommended to:

To note the Development Committee's Terms of Reference, Quorum, Membership and Dates of future meetings.

4. MINUTES OF THE PREVIOUS MEETING

To confirm as a correct record the minutes of the meeting of the Development Committee held on 27 April 2023.

5. RECOMMENDATIONS AND PROCEDURE FOR HEARING



Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

OBJECTIONS AND MEETING GUIDANCE (PAGES 9 - 10)

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.

6. DEFERRED ITEMS

7. PLANNING APPLICATIONS FOR DECISION

7.1 Flat 2, 1 Kingfield Street, London, E14 3DD PA/22/02477/NC (Pages 21 - 38)

Proposal: Proposed first floor rear extension.

Recommendation: Grant planning permission with conditions

7.2 Tower Hamlets Town Hall, 160 Whitechapel Road, E1 1BJ PA/23/01179 (Pages 39 - 54)

Proposal: Listed building consent for:

- Alterations to the first floor refectory area and second floor executive office and meeting space within the Grade II listed portico extension.
- Introduction of partitioning to create an additional meeting room at second floor (mezzanine level).
- Removal of kitchenette at first floor level within the refectory.
- Addition of doors within new partitioning associated with corridors leading to the above spaces.
- Internal amendments to fourth floor of historical building with addition of lightweight partitions and doors, closing off open plan spaces from corridor.



Recommendation: Grant listed building consent, subject to conditions

8. OTHER PLANNING MATTERS

Next Meeting of the Development Committee

Monday, 4 September 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall, Whitechapel



The best of London in one borough

Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Janet Fasan, Divisional Director Legal and Monitoring Officer Tel: 0207 364 4800.

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	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. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	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— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
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	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (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.



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

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. Members of the public in support	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. 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 C Section 35](#) Planning Code of Conduct

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 introduce the item with a brief description.
- (2) Officers will present the report supported by a presentation.
- (3) Any objections that have registered to speak to address the Committee
- (4) The applicant and or any supporters that have registered to speak to address the Committee
- (5) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (6) The Committee may ask points of clarification of each speaker.
- (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>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules – Part C of the Council’s Constitution Section 35 Appendix B. • Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7). 	 <p>Council’s Constitution</p>



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Advice on Planning Applications for Decision

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 can be made 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.

2.3 ADVICE OF CORPORATE DIRECTOR, GOVERNANCE

- 3.1 This is general advice to the Committee which will be supplemented by specific advice at the meeting as appropriate. The Committee is required to determine planning applications in accordance with the Development Plan and other material planning considerations. Virtually all planning decisions involve some kind of balancing exercise and the law sets out how this balancing exercise is to be undertaken. After conducting the balancing exercise, the Committee is able to make a decision within the spectrum allowed by the law. The decision as to whether to grant or refuse planning permission is governed by section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:

- the provisions of the Development Plan, so far as material to the application;
- any local finance considerations, so far as material to the application; and
- to any other material considerations.

- 3.2 What does it mean that Members must have regard to the Development Plan? Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains material policies (policies relevant to the application) and there are no other material considerations, the application should be determined in accordance with the Development Plan.

The Local Development Plan and Other Material Considerations

- 3.3 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
 - The London Plan 2016;

- The Tower Hamlets Core Strategy Development Plan Document 2025 adopted in 2010; and
 - The Managing Development Document adopted in 2013.
- 3.4 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are material to each planning application, and to other material considerations. National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.5 One such consideration is emerging planning policy such as the Council's Local Plan¹ and the Mayor of London's New London Plan². The degree of weight which may be attached to emerging policies (unless material considerations indicate otherwise) depends on the stage of preparation of the emerging Development 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 framework. As emerging planning policy progresses through formal stages prior to adoption, it accrues weight for the purposes of determining planning applications (NPPF, paragraph 48).
- 3.6 Having reached an advanced stage in the preparation process, the Local Plan now carries more weight as a material consideration in the determination of planning applications. However, the policies will not carry full weight until the Local Plan has been formally adopted. The New London Plan is at a less advanced stage of the adoption process.
- 3.7 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to take. Part of a Planning Officer's expert function in reporting to the Committee is to make an assessment of how much information to include in the report. Applicants and objectors may also want to direct Members to other provisions of the Development Plan (or other material considerations) which they believe to be material to the application.
- 3.8 The purpose of Planning Officer's report is to summarise and analyse those representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations.
- 3.9 Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local Finance Considerations

- 3.10 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration and both New Homes Bonus payments (NHB) and Community Infrastructure Levy (CIL) fall within this definition.

¹The Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits' was submitted to the Secretary of state for Housing, Communities and Local Government to undergo an examination in public on 28 February 2018. As part of the examination process, the planning inspector held a series of hearing sessions from 6 September to 11 October 2018 to discuss the soundness of the Local Plan. The planning inspector has put forward a series of modifications as part of the examination process in order to make it sound and legally compliant. These modifications are out to consultation for a 6 week period from 25 March 2019.

² The draft New London Plan was published for public consultation in December 2017, The examination in public commenced on 15 January 2019 and is scheduled until mid to late May 2019.

- 3.11 Although NHB and CIL both qualify as *“local finance considerations*, the key question is whether they are "material" to the specific planning application under consideration.
- 3.12 The prevailing view is that in some cases CIL and NHB can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a ‘material consideration’, it must relate to the planning merits of the development in question.
- 3.13 Accordingly, NHB or CIL money will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed Buildings and Conservation Areas

- 3.14 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant listed building consent for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.15 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, 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.
- 3.16 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in 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.

Trees and Natural Environment

- 3.17 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.
- 3.18 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority *“must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”*.

Crime and Disorder

- 3.19 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a *“dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)...”*

Transport Strategy

- 3.20 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and Human Rights

- 3.21 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (**Equality Act**) 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 Equality 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.
- 3.22 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, 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 Equality Act.
- 3.23 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. 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. 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 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.

Environmental Impact Assessment

- 3.24 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (2017 Regulations). Subject to certain transitional arrangements set out in regulation 76 of the 2017 Regulations, the 2017 regulations revoke the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (2011 Regulations).
- 3.25 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process. The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.26 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Third Party Representations

- 3.27 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to

take into account any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.

Daylight, Sunlight and Overshadowing

- 3.28 Amenity impacts resulting from loss of daylight and sunlight or an increase in overshadowing are a common material planning consideration. Guidance on assessment of daylight and sunlight is provided by the 'Site Layout Planning for Daylight and Sunlight' 2011 by BRE (the BRE Guide). The BRE Guide is purely advisory and an appropriate degree of flexibility needs to be applied when using the BRE Guide. The BRE Guide does not form part of the Development Plan and compliance is not a statutory requirement.
- 3.29 There are two methods of assessment of impact on daylighting: the vertical sky component (VSC) and no sky line (NSL). The BRE Guide specifies that both the amount of daylight (VSC) and its distribution (NSL) are important. According to the BRE Guide, reductions in daylighting would be noticeable to occupiers when, as a result of development:
- a) The VSC measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; or
 - b) The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.
- 3.30 The BRE Guide states that sunlight availability would be adversely affected if the centre of a window receives less than 25% of annual probable sunlight hours or less than 5% of probably sunlight hours 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%.
- 3.31 For overshadowing, the BRE Guide recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March with ratio of 0.8 times the former value being noticeably adverse.
- 3.32 Specific legal advice will be given in relation to each application as required.

General comments

- 3.33 Members are reminded that other areas of legislation cover aspects of building and construction and therefore do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.
- 3.34 The Committee has several choices when considering each planning application:
- To grant planning permission unconditionally;
 - To grant planning permission with conditions;
 - To refuse planning permission; or
 - To defer the decision for more information (including a site visit).

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 Agenda Item: Recommendations and Procedure for Hearing Objections and Meeting Guidance.

5. RECOMMENDATION

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

**DEVELOPMENT COMMITTEE. 10 AUGUST 2023
 UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL**

Agenda item no	Reference no	Location	Proposal / Title
7.1	PA/22/02477	Flat 2, 1 Kingfield Street, London, E14 3DD	Rear first floor extension

1. CLARIFICATIONS AND CORRECTIONS

1.1 The paragraph below should be inserted after Para 6.6:

It has been noted that there are inaccuracies in the existing rear elevation. Officers have conducted a site visit and have confirmed the rear elevation at first floor level consists of a single door and two windows. The officer’s assessment of the proposal has been based on the existing layout and elevation features observed on the site visit.

1.2 The sentence below should be inserted after Para 6.12:

A condition is recommended requiring details of 1.7m screening to be submitted to the LPA, prior to the completion of works, to mitigate any overlooking and privacy impacts.

2. RECOMMENDATION

2.1 The recommendation to grant planning permission is unchanged subject to the addition of the following condition:

5. Prior to the first occupation of the development, details of a 1.7 metre tall privacy screen between the proposed roof terrace and the adjoining property at 3 Kingfield Street shall be submitted for approval by the local planning authority.

The terrace shown on the approved plans shall not be occupied until the privacy screen has been constructed in full, in accordance with the details approved by the Council and shall be maintained as such thereafter.

REASON:

In order to safeguard the amenity of the occupiers of the adjoining property, in accordance with policy D.DH8 of Tower Hamlets Local Plan.

Agenda item no	Reference no	Location	Proposal / Title
7.2	PA/23/01179	Tower Hamlets Town Hall, 160 Whitechapel Road, E1 1BJ	<p>Listed building consent for:</p> <ul style="list-style-type: none"> • Alterations to the first floor refectory area and second floor executive office and meeting space within the Grade II listed portico extension. • Introduction of partitioning to create an additional meeting room at second floor (mezzanine level). • Removal of kitchenette at first floor level within the refectory. • Addition of doors within new partitioning associated with corridors leading to the above spaces. • Internal amendments to fourth floor of historical building with addition of lightweight partitions and doors, closing off open plan spaces from corridor.

1. ADDITIONAL REPRESENTATION

1.1 An additional representation has been received by Councillor Siraj Islam, in objection to the proposals. The comments are as follows:

Our hard-working staff are an asset of the Council and make this organisation what it is. Our staff deserve to be recognised and rewarded. The staff cafeteria in the historic rectory was a small appreciation in recognition of their contribution to the Council.

The Town Hall project board which I was a member of, chose the rectory due its historic value and quiet and pleasant space for members of staff to relax whilst having their lunch or just for some quiet time. As an employer staff health and wellbeing must be fundamentally important. For this reason, removing them from the rectory space into a dingy space on the 4th floor will in my opinion will have a mental health impact.

The former chapel is a significant feature of the Grade II listed portico extension of the Tower Hamlets Town Hall.

A significant part of the character of this space is its openness, it would therefore be detrimental to the quality of the space and to the heritage asset to add additional partition walls into the space.

A fundamental historic characteristic of the chapel would have been that it was accessible to everyone who used the building.

The room's current use as a refectory reflects this openness and allows everyone to appreciate such an important heritage feature of the listed building without restriction.

The proposals to remove the refectory function to become an executive room is therefore detrimental to the quality and appreciation of the heritage asset.

This proposal would therefore be contrary to Policy S.DH3 of the Local Plan which states that "proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where they enhance or better reveal the significance of assets or their settings".

Despite not being a planning consideration there are significant objections to the application from staff who do not want to be removed from a space which adds to the quality of their work environment to be relegated to a smaller substandard location within the building. No prior consultation with staff has taken place over this proposed change.

2. PLANNING HISTORY

- 2.1 The following is to be added to Section 3 (Planning History) of the committee report:
- 2.2 18 July 2019 – PA/19/01046 – A section 96A non-material amendment application was granted to the approved planning permission for the Town Hall redevelopment scheme, ref. PA/17/02825.
- 2.3 25 July 2019 – PA/19/01049 – A section 19 amendment application was granted to the approved listed building consent permission for the Town Hall redevelopment scheme, ref. PA/17/02828.

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Application for Planning Permission

Reference	PA/22/02477/NC
Site	Flat 2, 1 Kingfield Street, London, E14 3DD
Ward	Island Gardens
Proposal	Proposed first floor rear extension.
Summary Recommendation	Grant planning permission with conditions
Applicant	Mr Ajaykumar Dhanak
Architect/agent	Henry Dunleavy
Case Officer	Shahin Amin
Key dates	- Application registered as valid on 08/12/2022 - Public consultation finished on 29/12/2022

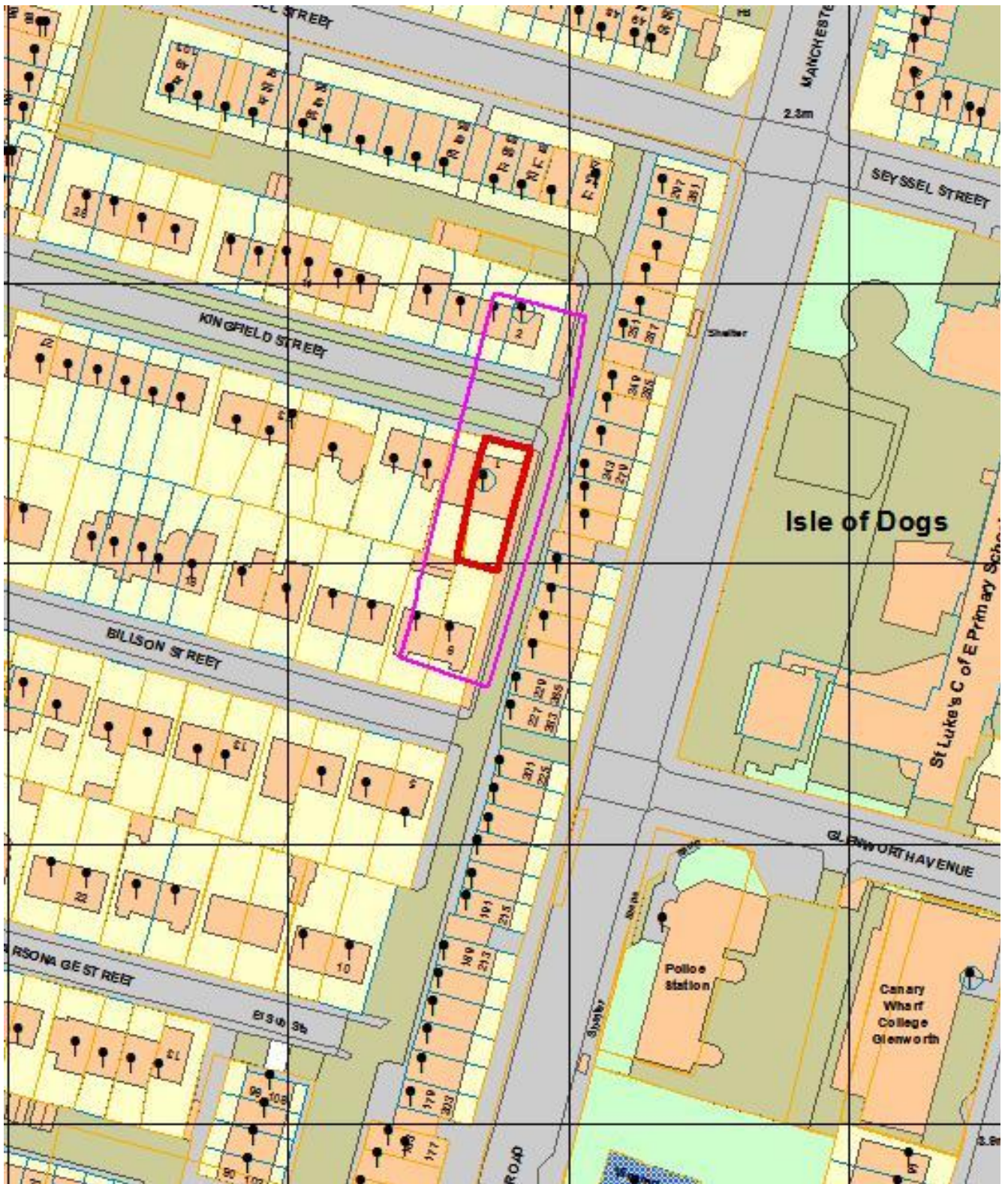
EXECUTIVE SUMMARY

This report considers an application for a first floor rear extension to Flat 2 at 1 Kingfield Street (application site).

The proposed development has been considered against the provisions of the development plan for the borough which includes the London Plan (2021) and the Tower Hamlets Local Plan 2031 (2020), as well as against the National Planning Policy Framework and all other material considerations.

The proposed extension would be acceptable in terms of its height, scale, design and appearance. The extension would not have a detrimental impact on the amenity enjoyed by the adjoining and neighbouring properties.

Officers recommend the proposed development be granted planning permission, subject to the proposed conditions.



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- Planning Application Site Boundary
- Other Planning Applications
- Consultation Area
- Land Parcel Address Point
- Locally Listed Buildings
- Statutory Listed Buildings

Planning Applications Site Map PA/22/02477/NC

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



**London Borough
of Tower Hamlets**

Scale : 50m grid squares

Date: 02 August 2023

1. SITE AND SURROUNDINGS

- 1.1 The application site is a first floor self-contained flat within a two-storey property with a dormer, situated on the southern side of Kingfield Street. The existing three storey property is formed of three self-contained flats, with one flat each on the ground, first and loft floors, and has an existing full-width ground floor rear extension which forms the first-floor terrace, and a rear dormer covering the majority of the rear roof slope.
- 1.2 The adjoining property, 3 Kingfield Street, is located to the west whilst a line of storage spaces accessed from the adjoining public footway lies to the east of the site.
- 1.3 The site is not within a designated conservation area; nor is it locally or statutorily listed. There are no assets of heritage interest in close proximity to the site.



Aerial view of the application site



Rear view of the application site

2. PROPOSAL

- 2.1 The proposal is for a part first floor rear extension measuring 4.13m in depth and 5.62m in width, to create additional floorspace for the first floor flat in the form of living room and dining space. The existing access door at first floor to the roof terrace would be replaced with a window. The proposed extension would reduce the extent of the existing first floor terrace and would not extend beyond the rear wall of the existing ground floor extension below.
- 2.2 The proposed first floor extension would have a double pitched roof covering 3.72m width of the eastern part of the extension whilst the remaining part of the proposed extension would have a flat roof. The height of the eaves of the proposed extension would reach 5.07m whilst the ridge of the roof would sit at the height of 6.05m.
- 2.3 The proposed fenestration includes one wide window within the pitched roof part of the extension, a smaller window within the flat roof part of the extension and a door on the side of the extension for access onto the terrace. In terms of the proposed materials, the applicant has proposed for these to match the existing ones.



Existing first floor plan

Proposed first floor plan

3. RELEVANT PLANNING HISTORY

- 3.1 Application for full planning permission (ref. PA/22/02477) for the erection of a proposed part-width first floor rear extension was withdrawn.
- 3.2 Application for full planning permission (ref. PA/18/02953) for the erection of a proposed part-width first floor rear extension was approved on 12/02/2019.
- 3.3 Application for full planning permission (ref. PA/13/00054) for the conversion of the property into three flats was approved on 30/07/2013.
- 3.4 Application for retrospective planning permission (ref. PA/10/00949) for the conversion of the existing house into seven self-contained flats/ studios was refused on 28/07/2010.
- 3.5 Application for full planning permission (ref. PA/09/01557) for the erection of a rear dormer roof extension and insertion of front rooflights was approved on 04/11/2009.
- 3.6 Application for full planning permission (ref. PA/04/01170) for a number of external works to the property was refused on 11/04/2006.

4. PUBLICITY AND ENGAGEMENT

4.1 The Council has sent 54 neighbour letters to occupiers of properties adjacent to the application site and properties situated directly opposite across the street.

31 letters of representations in objection were received and a petition was signed with 44 signatures objecting to the proposed development from residents living in around the surrounding area. 1 member objection was received.

4.2 The following concerns have been raised by the objectors:

- Proposal detracts from the character and appearance of the uniform terrace.
- Current usage of the property, including its short-term rentals and transient nature of tenants at the application site
- Current overdevelopment of the property
- Overlooking and loss of privacy to adjacent and neighbouring properties
- Overshadowing and loss of light to surrounding properties and their gardens
- Noise and disturbance
- Destabilisation of foundations of the surrounding properties
- Highways issues including vehicular access, traffic generation, highway safety and parking availability.
- Parking hazard and impact on the fire access route as a result of more tenants
- Waste issues
- Anti-social behaviour
- Misleading plans regarding the number of bedrooms, concerns over potential HMO
- Lack of community's benefit
- Previous disruption and permission at the application site

4.3 The impact from the proposed extension on ground stability is subject to the Building Control Regulations. Given the scale of the proposal and that the proposal is not creating a new residential unit, there would be no impact on the highways network, waste and physical infrastructure capacity. The proposal is considered too small (an extension to an existing flat) to secure any significant community benefits given that these would not meet the relevant legal tests. Other matters, regarding the current use of the property, impact on the local character and residential amenity are discussed in the sections below.

5. RELEVANT PLANNING POLICIES AND DOCUMENTS

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

5.2 In this case the Development Plan comprises:

- The London Plan 2021 (LP)
- Tower Hamlets Local Plan 2031 (THLP)
- Isle of Dogs Neighborhood Plan (2021)

5.3 -The key development plan policies relevant to the proposal are:

- 5.4 Other policy and guidance documents relevant to the proposal are:
- National Planning Policy Framework (2019)
 - National Planning Practice Guidance (updated 2019)
 - Building Research Establishment (BRE) “Site layout planning for daylight and sunlight: a guide to good practice” (2011)

6. PLANNING ASSESSMENT

6.1 The key issues raised by the proposed development are:

- i. Land Use
- ii. Design
- iii. Neighbouring Amenity

Land Use

- 6.2 The application site has lawful use as a dwelling house (C3). Given that the property only seeks to extend the first floor without the change of use from the lawful C3 use, there are no land use implications.
- 6.3 The submitted existing plans show the correct layout and access arrangement of the application site, as confirmed during the Officer’s site visit.
- 6.4 It should be noted that the Council has a confirmed Article 4 direction in place which restricts the permitted development right for the change of use from a residential unit (C3 Use Class) to a small house in multiple occupation (HMO) (C4 Use Class). Should the applicant wish to use the property as a small HMO, a planning permission would be required prior to the use taking place. An informative is proposed highlighting this requirement.

Design

- 6.5 Development Plan policies at all levels seek to secure developments of appropriate design which respond to the local character and distinctiveness of the area. In particular, Local Plan policy S.DH1 states that development should be of an appropriate scale, height, mass, bulk and form in its site and context.
- 6.6 The surrounding area is characterised by properties with extensions of various designs and scales. This is also the case with the application property which has been subject to changes previously through a full-width ground floor extension and a dormer to the rear.
- 6.7 The principle of a first floor extension to the rear of the application property has been established with the granted planning permission for a half-width rear extension (ref: PA/18/02953). The current proposal is slightly larger than the half width rear extension previously and still retains a step away from the neighbouring shared boundary.
- 6.8 Officers have carefully considered the combination of the two different roof forms for the proposed first floor rear extension. However, it is considered that the proposed roof forms would minimise the amenity impact given that the proposed extension steps down towards the first floor terrace and the adjoining property. The proposed roof form is considered to be subordinate to the main dwelling and therefore it is acceptable in design terms.



Existing rear elevation



Proposed rear elevation

- 6.9 Nonetheless, given the location of the application property at the end of a terrace and its visibility from nearby public spaces the proposed extension would be visible. However, it is not considered that this would be a significant adverse impact to the local character given its domestic scale.
- 6.10 To conclude, the scale, height and design of the proposed first floor rear extension is considered acceptable in design terms and complies with the relevant planning policies as listed in section 6 of this report.

Neighbour Amenity

- 6.11 Local Plan policy D.DH8 seeks to protect neighbour amenity safeguarding privacy, not creating allowing unacceptable levels of noise and ensuring acceptable daylight and sunlight conditions.

Privacy & Outlook

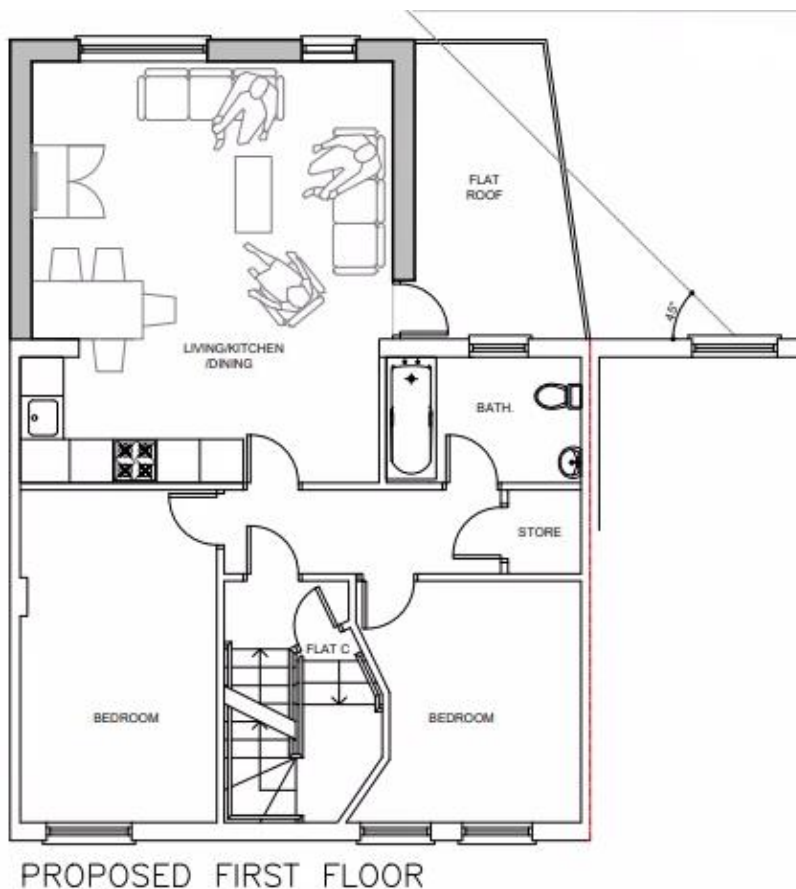
- 6.12 In terms of privacy and overlooking, the proposed first floor rear extension does include a side door. The proposed side door is limited in its projection along this side elevation and would look onto the roof of the neighbouring properties extension. Given that the terrace on the first floor currently exists, the proposed terrace would provide for less opportunity for large gatherings and prolonged use for extensive periods and thus would reduce impacts of overlooking and privacy in comparison to the existing large terrace.
- 6.13 Similarly, whilst the proposed extension would bring the separation distance between the windows closer together than the existing situation to the properties to the south along Billson Street, it will still maintain a separation distance over 18m. It is not considered that this would worsen the existing levels of residential amenity enjoyed by the residents and as such, it is considered acceptable.
- 6.14 The proposed extension would introduce additional massing to the first-floor terrace of the application property. The proposed extension set back from the shared neighbouring property's boundary, providing relief therefore reducing any impacts of sense of enclosure.

Daylight, Sunlight & Overshadowing

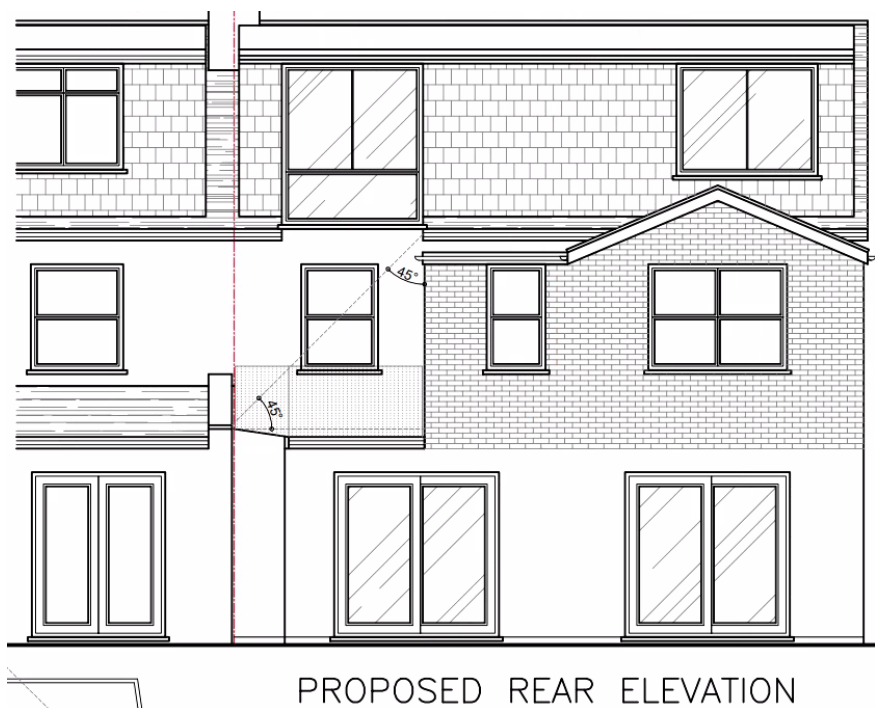
- 6.16 BRE's good practice guidelines recommend the use of 45 degree rule for domestic extensions to determine the reduction of light to existing properties. In short, a 45 degree angle line is drawn out from the centre point of the window on the elevation and also on the floorplan. The BRE Guidelines state that if a proposed neighbouring extension obstructs both of these 45 degree lines (i.e. in height and depth) then the extension may cause noticeable loss of light. If it obstructs one of these lines but not both then sufficient light should be maintained.
- 6.17 The rear elevation of the application property and the adjoining property to the west is mainly south-facing. These properties benefit from good daylighting and sun lighting conditions given

the distance between the terrace in which they are situated and the properties to the south along Billson Street.

- 6.18 The first floor window at No 3 Kingfield Street is relevant for the assessment based on the 45 degree rule. The applicant has carried out the assessment, as shown in the drawings below.



Proposed floor plan – 45 degree assessment



Proposed rear elevation – 45 degree assessment

- 6.19 In elevational assessment, this window would be well outside the 45 degree line whilst in assessment on a plan drawing, the window would be just outside the 45

degree line. As such, the reduction of light to this window is likely to be small and the extension would not cause significant adverse impact.

- 6.20 There would be some impact in terms of overshadowing to the garden space of the adjoining property at No 3 Kingfield Street; however, this is considered to be limited due to the mainly south-facing orientation of this space. As such, the impact is considered to be acceptable.

Noise & Vibration

- 6.21 The impact in terms of noise and vibration is likely to be felt by the adjoining and neighbouring properties during the construction stage. However, this would be short, particularly given the scale of the proposal, which is considered acceptable. A condition is proposed to ensure that all construction activities occur during the standard construction and demolition hours.

Conclusion

- 6.22 Due to its scale and design, the proposed first floor extension would have an acceptable impact on the amenity enjoyed by the adjoining and neighbouring properties, in accordance with planning policy D.DH8.

Other Issues

- 6.23 The application site is situated within the flood risk zone, however, the first floor rear extension would not pose a significant harm to flood risk.

Infrastructure Impact

- 6.24 The proposed development would not be liable for Tower Hamlets Community Infrastructure Levy (CIL) payments nor Mayor of London CIL.

Human Rights & Equalities

- 6.25 The application was subject to a statutory consultation process which provided opportunities for people to make representations to the Council as local planning authority. This report has considered all consultation responses received as part of the consultation process undertaken on the planning application.
- 6.26 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.
- 6.27 The proposed development would not result in adverse impacts upon equality or social cohesion.

7. RECOMMENDATION

- 7.1 That **planning permission is GRANTED** subject to the following compliance conditions and an informative:

Conditions:

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. External materials to match existing.
4. Restrictions on demolition and construction activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice;
 - b. Standard hours of construction and demolition;
 - c. Air quality standards for construction machinery;

- d. Ground-borne vibration limits; and
- e. Noise pollution limits.

Informatives:

1. Permission will be required for the use of property as a small HMO.

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Site Plans, Drawing No: X_01-1KF

Existing Plans, Drawing No: X_02-1KF

Existing Elevations, Drawing No: X_03-1KF

Proposed Plans, Drawing No: PP_01-1KF

Proposed Elevation & Plans, Drawing No: PP_02-1KF

Proposed Elevations & Sections, Drawing No: PP_03-1KF

Proposed Elevations & Plans, Drawing No: PP_04-1KF

Supporting documents:

Design Access + Impact Statement

APPENDIX 2

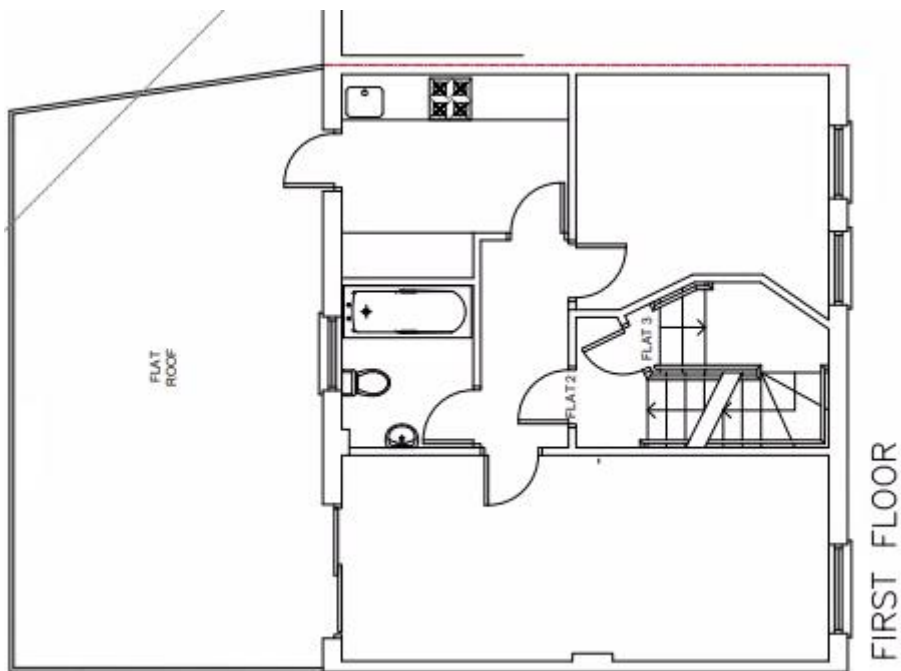
SELECTION OF APPLICATION PLANS AND IMAGES

Existing Plans

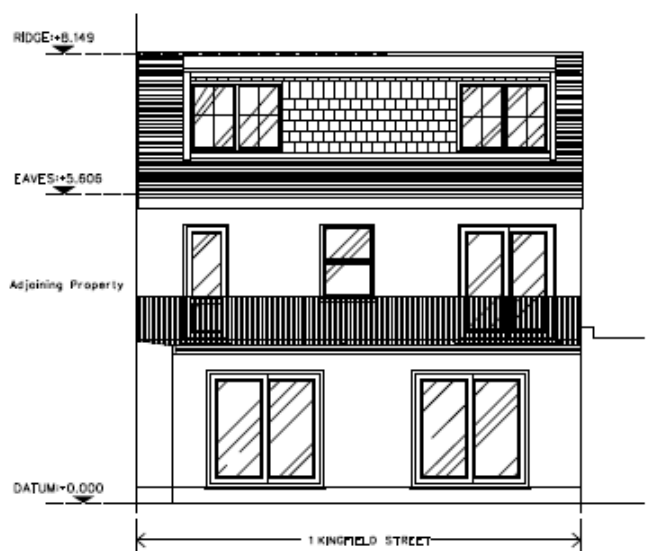


Existing Ground Floor Plan

(not part of the application property; however, included to demonstrate access to the application property)

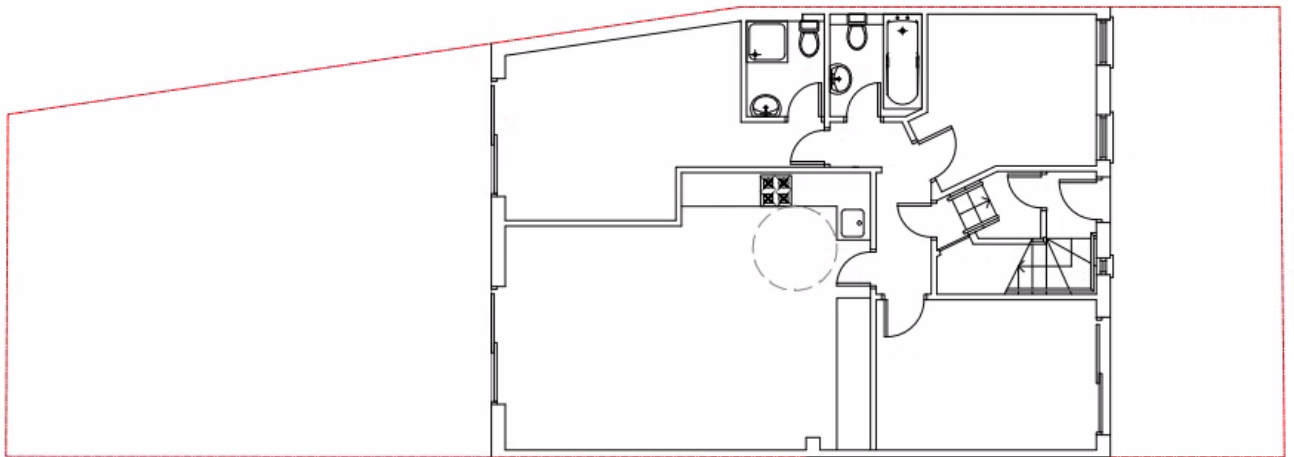


Existing First Floor Plan



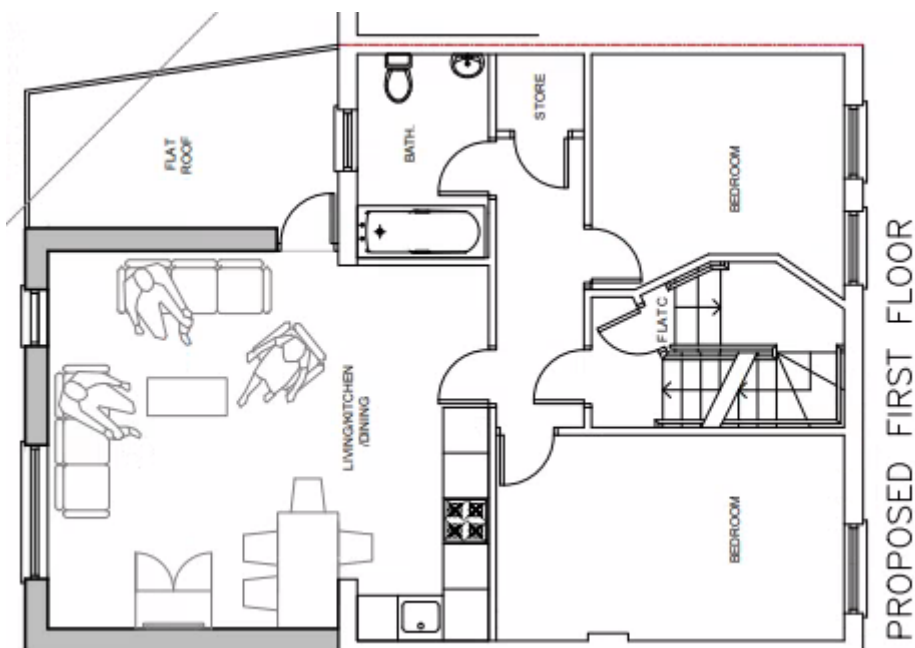
Existing Rear Elevation

Proposed Plans



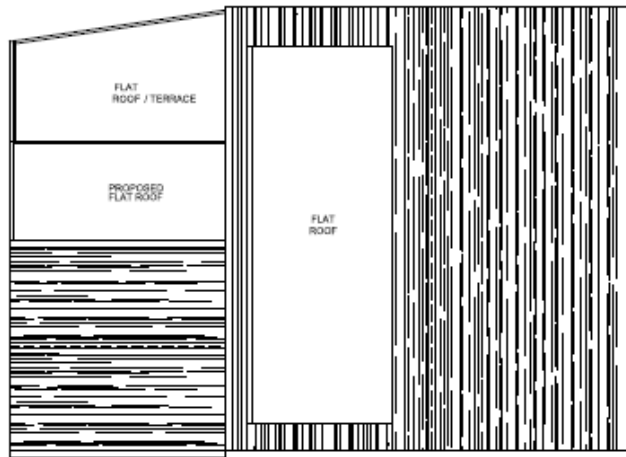
KINGFIELD STREET
GROUND FLOOR (Remain as existing)

Proposed Ground Floor Plan (no changes proposed)



PROPOSED FIRST FLOOR

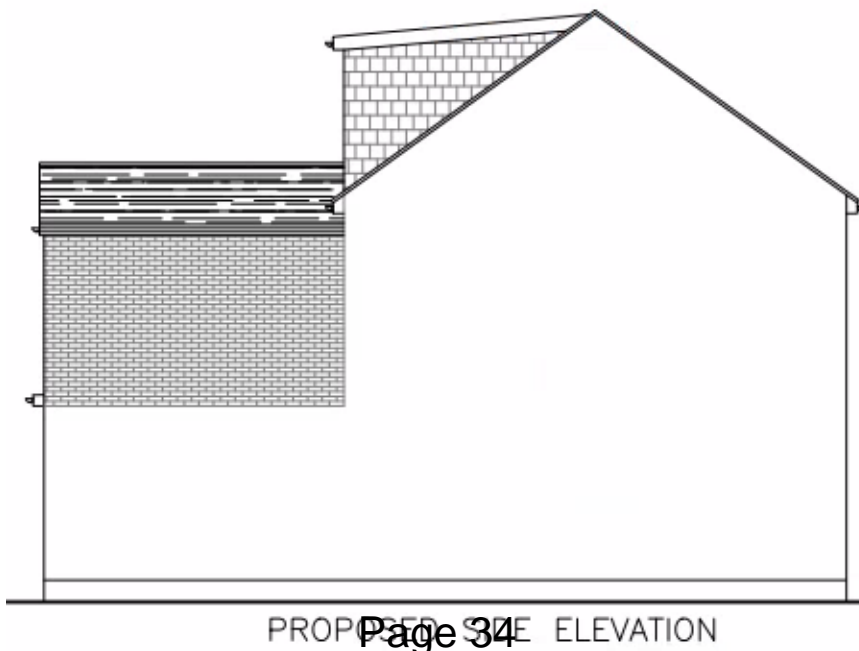
Proposed First Floor Plan



Proposed roof plan



Proposed rear elevation



Proposed side elevation (view from the public footway)



Proposed side elevation (view from the adjoining property)

Photos



Front view of the application property



Rear view of the application property



View from the east towards the application property (adjoining public footway and adjacent storage spaces)



View from the existing first floor terrace at the application site

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Application for Planning Permission

[click here for case file](#)

Reference	PA/23/01179
Site	Tower Hamlets Town Hall, 160 Whitechapel Road, E1 1BJ
Ward	Whitechapel
Proposal	Listed building consent for: <ul style="list-style-type: none">• Alterations to the first floor refectory area and second floor executive office and meeting space within the Grade II listed portico extension.• Introduction of partitioning to create an additional meeting room at second floor (mezzanine level).• Removal of kitchenette at first floor level within the refectory.• Addition of doors within new partitioning associated with corridors leading to the above spaces.• Internal amendments to fourth floor of historical building with addition of lightweight partitions and doors, closing off open plan spaces from corridor.
Summary Recommendation	Grant Listed Building Consent with conditions
Applicant	London Borough of Tower Hamlets
Agent	None.
Case Officer	Adam Hussain
Key dates	- Application registered as valid on 20 th June 2023 - Public consultation finished on 20 th July 2023

EXECUTIVE SUMMARY

The application site is the Tower Hamlets Town Hall. The application is for Listed Building Consent and relates to 3 parts of the building. Those parts of the building are the Chapel, first floor and second floor corridors, and meeting rooms on the fourth floor.

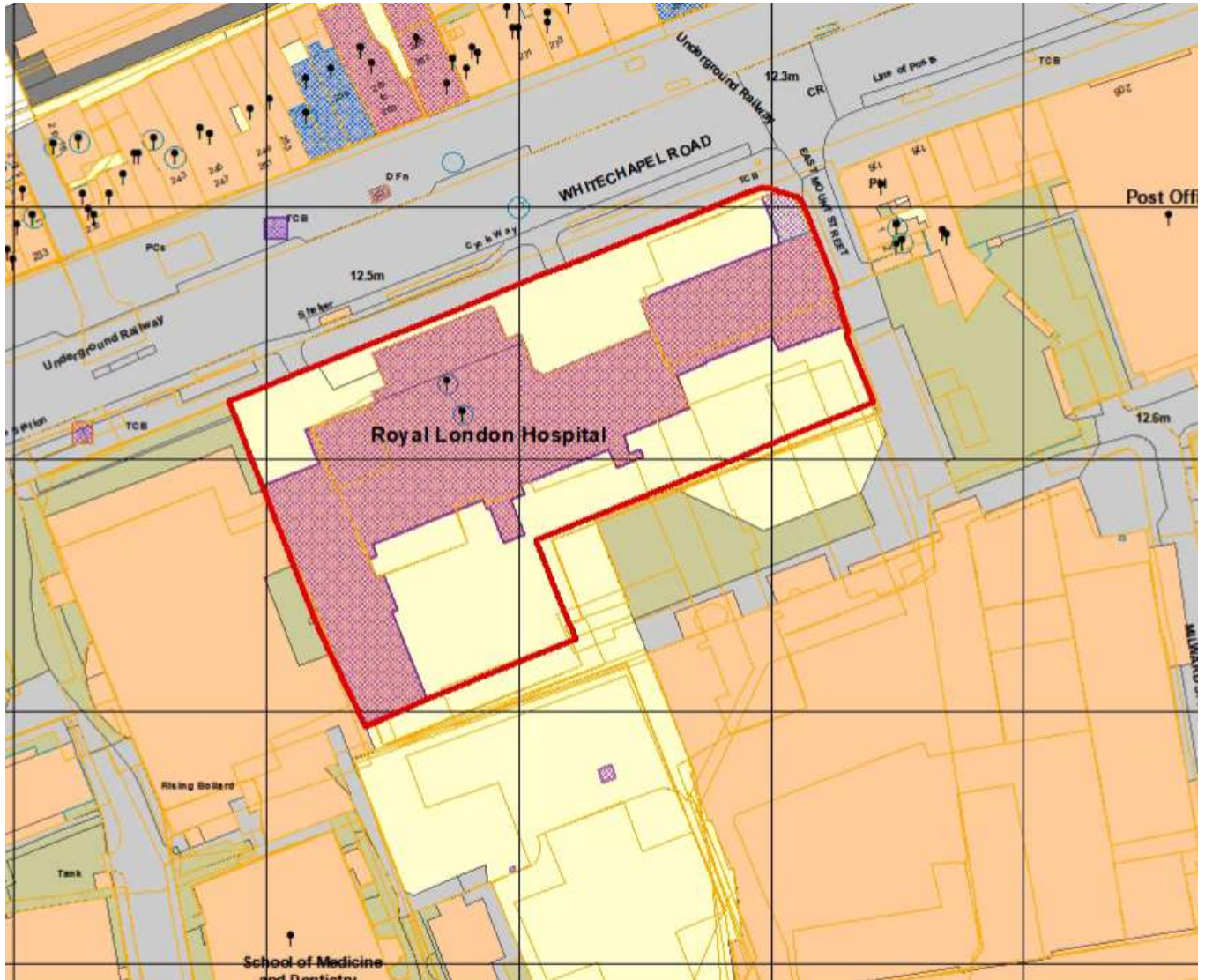
The proposal relates to physical works to install a new partition at mezzanine level in the Chapel. In addition, the installation of new partitions and doors in corridors at first and second floor level and to meeting rooms at fourth floor.

The works are related to the intended change of function of these rooms. The Chapel is currently used as a staff canteen. This would be moved to the fourth floor. The Chapel will then become an executive office. All of the space will continue to be working parts of the Town Hall. The function of these spaces cannot be controlled by this application.








The application has received 66 letters of objections. The matters raised in the objection letters include the reduced ability to appreciate the historic Chapel room because it will no longer be available as the canteen space for staff.

The proposed physical works would be modest in scale. The works would be reversible and would not harm the historic fabric of the building.

The application is recommended for approval subject to conditions.



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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 align="center">Planning Applications Site Map</p> <p align="center">PA/23/01179</p> <p>This site map displays the Planning Application Site Boundary.</p>	 <p align="center">London Borough of Tower Hamlets</p>
	<p>Scale: 50m grid squares</p>	<p>Date: 01 August 2023</p>

1. SITE AND SURROUNDINGS

- 1.1 Tower Hamlets Town Hall was opened in Whitechapel in the early part of 2023. The Town Hall occupies the old Royal London Hospital (RLH) building. The RLH is a Grade II Listed building.
- 1.2 The Listed building consent application, subject of this report, relates to 3 parts of the RLH:
 - The former Chapel, located on the first floor.
 - Corridors on the first and second floor that lead to the former Chapel
 - Rooms on the fourth floor
- 1.3 The oldest parts of the RLH date from the 1750s. The hospital has been subject to many alterations over its history. In the late 19th century the main façade facing Whitechapel Road was transformed. These changes included the addition of the entrance portico with a first floor Chapel in 1890.
- 1.4 The Chapel is located in the main projecting element of the RLH directly above the main entrance. When it was first built the Chapel occupied the full length of the projecting element and was a double-height space.



Fig.1 Photograph of the Town Hall. The Chapel is located at first and second floors immediately above the main entrance.

- 1.5 In 1900 the Chapel was subdivided. Most of the space was used for a lecture theatre. A floor was also installed between the two rows of windows (see Fig.1 above). The Chancel, at the east end (where one can see the decorative double-height window) was retained as a small, double-height Chapel space.
- 1.6 At the time of the submission of the New Town Hall redevelopment the Chapel remained subdivided. The lower part was occupied by shower rooms and the upper part subdivided into other individual rooms. The small Chapel area around the Chancel remained.
- 1.7 The Town Hall redevelopment opened up the space. The lower part is open plan and the upper part has a mezzanine floor. The whole area has a direct connection with the Chancel space.



Fig. 2 The Chapel, looking towards the Chancel.



Fig. 3 The Chapel, looking towards the Chancel.



Fig. 4. The Chapel, looking from the Chancel showing the mezzanine level.

- 1.8 The lower part of the Chapel is the canteen for staff of the Council. The upper part has an office. The wall to the office is set back from the edge of the mezzanine.

- 1.9 The lower part of the Chapel is accessed from first floor corridors at opposite ends, to the east and west. The upper part of the Chapel (the mezzanine) is accessed from a second floor corridor to the western end.



Fig. 5 First floor, west corridor.

- 1.10 At the fourth floor of the RLH there are a number of meeting rooms. These include rooms that are currently open to the corridor.



Fig. 6 Fourth floor meeting rooms

2. PROPOSAL

2.1 The proposal is as follows:

Chapel

- Removal of the kitchenette
- Introduction of a new partition at mezzanine level. The partition would be located approximately 6.10m forward of the existing partition. This would be set back from the edge of the mezzanine by approximately 3m. The partition would be dry-lined plasterboard to match the existing walls with a central glazed element.

Corridors leading to the Chapel

- Installation of new doors with partition surround to the corridors to the Chapel. This would be at 2 x first floor corridors (east and west) and 1 x second floor corridor (west). At first floor the doors would be wooden and at second floor the door would be glazed.

Rooms on the fourth floor

- Installation of solid partitions separating the rooms from the corridor, including two timber doors. Installation of partition separating the two rooms.

2.2 The purpose of the works, as set out in the application submission documents, is for the staff canteen to be moved from the lower level of the Chapel. This will be relocated

to the fourth-floor rooms. The lower floor of the Chapel will be used as a formal executive room.

3. RELEVANT PLANNING HISTORY:

- 3.1 8th May 2018 - PA/17/02825 - Planning permission granted for partial demolition, including removal of the remaining west wing and the grocer's wing (behind retained facade), alteration and refurbishment of the former Royal London Hospital and erection of a part four-storey and part seven-storey extension (including partial basement) to provide a new Tower Hamlets Council Civic Centre, comprising; office space (Use Class B1) on upper floors; a library and other customer facing functions (Use Class D1), council chamber, conference, exhibition and/or function space (Sui Generis) and an ancillary café on the ground floor; bicycle-parking spaces, refuse store and associated facilities within the basement; blue badge car-parking spaces, a new sub-station, landscaping and associated works.
- 3.2 8th May 2018 - PA/17/02828 - Listed building consent granted for Part-demolition, alterations and refurbishment of the former Royal London Hospital building including: retention and repair of the front and rear facades (including 1895 Portico and front Chapel extension); Removal of existing redundant pipework and wiring from facades; Demolition of existing south-west wing; Demolition of Grocer's Wing (behind retained façade at first, second and third floor level) and facsimile reconstruction of mansard roof, dormer windows and chimneys; repair and replacement of all existing windows; Internal reconfiguration and refurbishment works including opening up and removal of internal walls and partitions; and the installation of connecting 'bridge' links to a part four-storey and part seven-storey extension (including partial basement) at the rear of the building. All in connection with the proposed redevelopment and change of use of the building to provide new Tower Hamlets Civic Centre.

4. PUBLICITY AND ENGAGEMENT

- 4.1 A site notice was displayed and a press advert was published in a local newspaper.
- 4.2 A total of 66 representations were received. All representations are in objection to the proposals.
- 4.3 The matters raised in the objections are summarised as follows:
- The Chapel is a significant feature of the Grade II listed building. A character of the space is its openness. It would be detrimental to the heritage asset to add additional partitions.
 - A characteristic of the Chapel would have been its openness to everyone. The current use as a canteen reflects this openness and allows everyone to appreciate the heritage asset. The proposals to become an executive room is detrimental to the quality and appreciation of the heritage asset.
 - Local Plan policy S.DH3 states that proposals affecting heritage assets will only be permitted where they, "enhance or better reveal the significance of assets or their settings." The proposal would be contrary to this policy.

- Staff do not want to be removed from a space which adds to the quality of their work environment, to be relegated to a smaller substandard location within the building.
- There was no prior consultation with staff over this proposed change.

5. CONSULTATION RESPONSES

Tower Hamlets Borough Conservation Officer

- 5.1 Tower Hamlets Town Hall is located within the former Royal London Hospital which is listed at Grade II. The oldest parts of the building date from the 1750's and over its long history as a hospital it was subject to many alterations. The appearance of the main facade facing Whitechapel Road was transformed in the later nineteenth century by a series of additions including the Chapel (added in 1890) under which was located the main entrance to the hospital.
- 5.2 The Chapel which originally occupied the entire length of the projecting central section was an impressive double height space. In 1900 most of it the Chapel was converted into a lecture theatre with the exception of the chancel at the eastern end and the first bay within the main space which remained as a small, double height chapel. This Chapel space was separated from the other spaces by a wall running up through two storeys. A floor was inserted above the new lecture theatre at the height of the springing of the arches of the large windows overlooking Whitechapel Road. After WWII, the lecture theatre was subdivided, the early twentieth century floor was removed a new floor inserted at a lower level along with new windows at two levels.
- 5.3 As part of the conversion to the new Tower Hamlets Town Hall the various first floor level subdivisions which had been built within the former lecture theatre were removed. The inserted floor was retained with a glass balustrade to the double height space. Overall the changes significantly increased the ability of the viewer to appreciate the original proportions of the Chapel.
- 5.4 Below are the main elements of the proposed changes with my comments:
- Removal of the kitchenette from level 01*
- 5.5 The free-standing kitchenette within the staff refectory was added during the recent conversion works. The removal of this non-original feature would not harm the special architectural or historic interest of the listed building.
- The introduction of a partly glazed partition at level 02 (mezzanine) to create an additional meeting room.*
- 5.6 The proposed partition is closer to the glazed balustrade than the existing wall and despite the inclusion of glazing is slightly more intrusive in internal views looking west from the chancel area of the former Chapel.
- The addition of doors to the east and west corridors connecting the former chapel to the main corridor at first floor level.*
- 5.7 The doors would be located within existing openings which were formed from original window openings when the Chapel was added in 1890 and thus involve no loss of original fabric.

The addition of a glazed screen to opening on second floor corridor

- 5.8 The proposed screen is located within an existing opening which was originally a doorway into one of the Georgian hospital rooms which had then been widened. The east side of the opening is of Georgian brickwork. The proposal involves the loss of no original fabric.

Changes to rooms on level 04 to form a staff refectory with kitchenette. Works to include separating two rooms from each other and separating both rooms from the corridor.

- 5.9 This level was added to the hospital in 1906. The existing spaces are rather incoherent as before the conversion works to form the new Town Hall, they were separated into many small rooms. The proposed infill works would be set back from the existing walls.
- 5.10 Overall the proposals would incur no harm to historic fabric. The new screen at mezzanine level within the former Chapel is unfortunate in that it blocks the partial view of two upper windows and thus slightly reduces the ability of the viewer to appreciate the original spatial volume (albeit only from former the extreme east of the former Chapel). Should the proposal be approved, any fixings in relation to Georgian brickwork should be into the mortar joints and not the bricks.

Statutory consultees

- 5.11 The nature of the proposed works is such that there is no statutory requirement to notify Historic England or the national amenity societies.

6. RELEVANT PLANNING POLICIES AND LEGISLATION

- 6.1 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent, the local planning shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 6.2 The assessment of the application considers:
- The London Plan (2021)
 - Tower Hamlets Local Plan 2031 (2020)
- 6.3 The key development plan policies relevant to the proposals are:

Heritage and Design

Local Plan –S.DH1 (Delivering High Quality Design) & S.DH3 (Heritage and the Historic Environment).

London Plan – HC1 (Heritage Conservation and Growth)

- 6.4 Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act.
- 6.5 Other policy and guidance documents relevant to the proposals are:
- National Planning Policy Framework (2021)
 - National Planning Practice Guidance (2021)

7. PLANNING ASSESSMENT

Introduction

7.1 The application subject of this report is for Listed Building Consent and the local planning authority must consider the impact, if any, on the special architectural or historic interest of the Listed building. There is no development requiring planning permission.

7.2 The Tower Hamlets Town Hall is new to Whitechapel. The redevelopment of the Royal London Hospital (RLH) to deliver the Town Hall has transformed the building. Prior to the Town Hall redevelopment the RLH had been vacant, inaccessible and in a poor state of repair for many years.

7.3 The works to deliver the New Town Hall in this location were considered under planning and listed building consent applications. (See 'Relevant Planning History' above). These applications recognised the benefits of returning the RLH back into use. The Committee report from 2018 for those applications stated:

“Officers note that the building is a key part of the character and fabric of the London Hospital and the wider conservation area, thus contributing positively to the designated heritage asset. The retention of the key historic elements of the building and the internal historic features is viewed positively and will preserve the significance of the heritage asset as well as the character and appearance of the conservation area”. (paragraph 12.65)

7.4 The report also noted important benefits to the Chapel space, as stated:

“At first floor the later addition of partitioning and floors within the chapel space will be removed. This will create a free flowing space and provide a sense of the original proportions of the chapel. It is noted that the partitions to be removed are a later addition, the proposals will allow the original chapel space to be reinstated without harm to its special architectural and historic interest”. (paragraph 12.44)

“In terms of architectural features, the surviving chancel, associated panelling, original plasterwork and first floor eastern bay will be repaired, refurbished and reinstated”. (paragraph 12.45)

“The refurbished chapel will become the new staff refectory with a mezzanine floor for meeting space. The opening up of this space and intended regular use by staff allows this magnificent space and historic features to again be fully appreciated and the retention of the significant architectural elements”. (paragraph 12.46).

7.5 The history of the Chapel is set out above in 'Site and Surroundings'. It is relevant to note that the Chapel space has been subdivided since 1900. The majority of the space has been used as a lecture theatre, as shower rooms, and as general rooms serving the Hospital. The new works part of the arrival of the Town Hall has successfully made this space more open and free-flowing than since when it was first built, in the late nineteenth century.

Assessment of the proposed works

Chapel

- 7.6 The works inside the Chapel consist primarily of creating more office space on the mezzanine level. This would be achieved by installing a new part solid (dry-lined plasterboard) and partially glazed partition. The works would mean that when standing at the Chancel and looking back, the mezzanine area will look less open than it does currently. At present the open balcony part of the mezzanine is approximately 3 window bays deep. The proposals would mean it would be approximately 1 window bay deep.
- 7.7 The change is illustrated with the following images:



Fig. 7 3D image of existing Chapel space, looking from the Chancel.

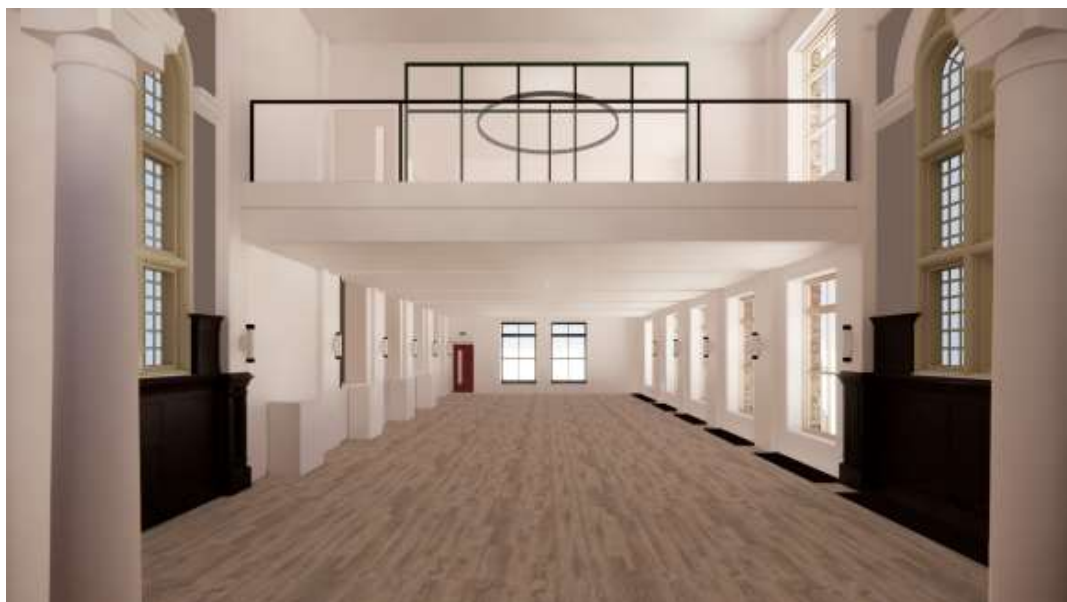


Fig. 8 3D image of proposed Chapel space, looking from the Chancel.

- 7.8 The images above are from the Chancel looking back towards the mezzanine. From this perspective the upper mezzanine area will appear less open than the existing arrangement. The Borough conservation officer commented that this change is unfortunate because it would block the partial view of two upper floor windows. However, it is noted this is from a specific position in the Chapel. There would be no impact of the appreciation of the space when elsewhere in the room and looking eastwards towards the Chancel.
- 7.9 The Chapel has been subdivided for most of its history. The changes associated with the New Town Hall have made this a much more open space. The proposed change to the mezzanine would not significantly affect the heritage benefits and experience of the space that have been delivered from the opening up of the Chapel.
- 7.10 The existing kitchenette was installed recently with the Town Hall works. The removal of this would have no impact on the special significance of the Chapel.

Corridors to the Chapel at First and Second Floor

- 7.11 The original RLH part of the building has long corridors on each floor with meeting rooms. The Chapel is accessed by shorter corridors that branch off the main corridors. The proposal includes installation of new doors on these shorter corridors.
- 7.12 The proposed works would follow the expected approach for installation of new doors and partitions. The doors would be set back from the face of the walls they are adjoining. This means the original opening in the corridor can be seen and appreciated. The installation of the doors and partitions would be reversible and there would be no loss of original building fabric.

Fourth Floor Meeting Rooms

- 7.13 The existing rooms have openings onto the corridor. The proposals would close these openings and introduce two doors.
- 7.14 The partitions would be light-weight additions that will be reversible. The partitions and doors would be set back from the face of the walls they are adjoining. This means the original gaps can be seen and appreciated.
- 7.15 The Borough conservation officer has reviewed the proposals. They note that the proposed works would not harm the historic fabric of the building.

Change to how the spaces are intended to be used

- 7.16 The reason for the proposed works, as described in the application submission documents, is that the Chapel is no longer intended to be used as the staff canteen. This function is intended to be moved to fourth floor rooms. The lower floor of the Chapel will become an executive office space.
- 7.17 It is relevant to note that, subject to rooms being used as part of the overall functions of the Town Hall, there is no planning control over how the individual rooms are used.
- 7.18 The high volume of objections to the application highlight that as a canteen use the Chapel space is accessible to everyone who works in the Council building. In this

respect the appreciation of this heritage asset can be enjoyed by many people. The objections also refer to Local Plan policy S.DH3. This policy sets out a number of factors to be applied to applications that affect heritage assets. One of those factors is that applications will only be permitted where they, *“enhance or better reveal the significance of assets or their settings.” (part 2.c).*

- 7.19 The listed building consent application for the New Town Hall redevelopment addresses the use of the Chapel space. (see paragraph 7.8 above). The report states that the *“intended regular use by staff allows this magnificent space and historic features to again be fully appreciated”*.
- 7.20 The Listed Building Consent application cannot control what rooms are used for in the Town Hall. Prior to the Town Hall redevelopment the Chapel was wholly inaccessible. The redevelopment to provide the Town Hall has transformed that. The use as a staff canteen, accessible to all staff in the building, is an effective way of ensuring the space can be used, appreciated and enjoyed. The use as an executive office would mean less people will be able to freely access this space. However, the space would remain a working part of the Town Hall with regular users and visitors.
- 7.21 In this respect, it is noted that all of the spaces relevant to this application will remain as working parts of the Town Hall. In this context, and strictly in respect of the Listed Building Consent assessment, the intended change of the functions of the spaces would not have an impact on the appreciation of the listed building to an extent that would prejudice the outcome of this application. Subject to any associated physical works, the functions of the spaces cannot be controlled through this application.

Conclusion

- 7.22 The proposed physical works would be of a modest scale and affect very specific parts of the overall listed building. The works would preserve the building and would not harm its setting or any features of special architectural or historic interest which it possesses. All of the works would be reversible and there would be no harm to historic fabric. In this respect it is considered that the application complies with Local Plan policies S.DH1 and S.DH3.

8. RECOMMENDATION

- 8.1 That **conditional Listed Building Consent is GRANTED**
- 8.2 That the acting Corporate Director of Place is delegated the power to impose conditions to address the following matters:
- 8.3 Planning Conditions:
1. 3 years deadline for commencement of development
 2. Development in accordance with approved plans
 3. Fixings shall be into mortar joints only, not brickwork.

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Schedule of Drawings

Unnumbered	Site Location Plan dated 19 th June 2023
23030(01)P121 P01	Existing First Floor Plan
23030(01)P122 P01	Existing Second Floor Plan
23030(01)P124 P01	Existing Fourth Floor Plan
23030(01)P400 P01	Existing Chapel Plan
23030(01)P401 P01	Existing Chapel Plan
23030(01)P402 P01	Existing Chapel Plan
23030(00)P121 P01	Proposed First Floor Plan
23030(00)P122 P01	Proposed Second Floor Plan
23030(00)P124 P02	Proposed Fourth Floor Plan
23030(00)P400 P01	Proposed Chapel Plan
23030(00)P401 P01	Proposed Chapel Plan
23030(00)P402 P01	Proposed Chapel Plan
23030(00)P441 P01	First Floor Internal Elevation
23030(00)P442 P01	Second Floor Internal Elevation
23030(00)P440 P01	Fourth Floor Internal Elevation