

**LONDON BOROUGH OF TOWER HAMLETS**

**DEVELOPMENT COMMITTEE - 14<sup>th</sup> June 2017**

**UPDATE REPORT OF DIVISIONAL DIRECTOR OF PLANNING AND BUILDING CONTROL**

<b>Agenda item no</b>	<b>Reference no</b>	<b>Location</b>	<b>Proposal / Title</b>
6.1	PA/16/03535	106 Commercial Street, E1 1JZ	Conversion of warehouse building (use class B1/B8) to fine dining food market (restaurant: use class A3).

**1.0 ADDITIONAL REPRESENTATION**

1.1 The Council has received eight additional letters of support (including one from a local resident, and six pro-forma emailed representations (non Tower Hamlets residents) and one objection (from a local resident) since the last committee which raised the following issues:

In support

- Provides an excellent alternative to existing night-time economy offer
- Can compromise be reached between residents?

In objection

- Proposal would give rise to anti-social behaviour,
- Proposal would give rise to road safety problems particularly at junction of Commercial St/ Hanbury St.

1.2 The above issues have already been addressed within the original officer report and previous update report.

1.3 No change to officer's recommendations. Committee is invited to take additional representations into account in their determination of the application

Agenda item no	Reference no	Location	Proposal / Title
7.1	PA/16/00988	Good Samaritan Public House, 87 Turner Street, E1 2AE	Refurbishment of existing public house (A4) along with 3 storey extension to the west elevation to allow for the use of the upper stories as residential (C3) and associated works.

**1.0 REGISTERED SPEAKER UNABLE TO ATTEND**

- 1.1 One of the registered speakers due to speak in objection to the proposal is unable to attend for personal reasons. Their statement to the committee is appended to this update report.
- 1.2 In summary, concerns are raised regarding the following,:
- Compromise of Privacy
  - Reduction of Light
  - Protected Trees
  - Party Wall Issues
  - Incomplete information on proposed rear elevation
  - Development of Basement Area
  - Installation of Lift
  - Impact on highway and transport networks, and waste management
  - Potential Change of Activity in the refurbished ground floor premises
  - Extent of current consultation
- 1.3 The issues listed above do not raise any additional material planning considerations that have not already been considered in the Officer report.
- 1.4 The Committee is invited to take additional representations into account in their determination of the application

Agenda item no	Reference no	Location	Proposal / Title
7.2	PA/16/03330	Former Royal Duchess Public House, 543 Commercial Road, E1 0HQ	Erection of a part 6, part 7 and part 8 storey building comprising 30 residential units (use class C3) and 70sqm of flexible floor space (Use Classes A1/A2/A3/B1/D1) together with associated access, cycle parking and landscaping

## 1.0 CORRECTIONS AND CLARIFICATIONS

- 1.1 Paragraph 2.3 and 9.27 refer to 34% affordable housing. The exact figure is 34.78% (based on 92 total habitable rooms).
- 1.3 Paragraph 4.6 should read "*..... A further three Several trees lie on the green space to the east of the site and these are owned by the Council*"
- 1.2 Paragraph 9.3 add "the loss of the public house use is considered acceptable given alternative local provision and no objections have been raised in relation to its loss and therefore local plan policy DM8 is given less weight in this instance."
- 1.3 Paragraph 9.60 - the residential density of the proposal is 1,745 habitable rooms per hectare. This is based on the Mayor of London's Housing SPG density methodology and therefore taking into account non-residential uses; a total site area of 540sqm, non-residential uses being 2.4% of the total proposed floorspace, and 92 habitable rooms).
- 1.4 For clarity, building along the south side of Commercial Road, are taller (up to 8 storeys) but the immediate context is predominately 4 storey in height.
- 1.5 Regarding the loss of street trees, four trees are proposed by the applicant to be located in the green space to the east of the site managed by Tower Hamlets Homes
- ## 2.0 RECOMMENDATION
- 2.1 Officer's recommendation is unchanged to REFUSE planning permission for the reasons set out in the officer's report.

## **APPENDIX 1 – Miss Gibby’s Statement to Committee**

Application number: PA/16/00988

Location: 87 Turner Street, London E1 2AG

Proposal: Refurbishment of existing public House (A4) with 3 storey extension to the west elevation to allow for the use of the upper stories as residential (C3) and associated works

This statement is on behalf of Miss Sandra Gibby who wishes to object to the above Planning Application on a number of grounds.

Miss Gibby is the Leaseholder and long-time resident of Flat 12 Gwynne House, which adjoins the Good Samaritan Public House and shares a party wall with those premises. The objections she raises suggest that there are serious omissions of fact and enquiry on the part of the Applicant.

### **Compromise of Privacy**

The application proposes to install four new windows on the side elevation of the Pub, to be located in the currently blank wall at right angles to the front of Gwynne House on Turner Street. These windows would be in very close proximity and directly overlook the bedrooms of four flats. In addition, the flats’ front doors and balconies would be under constant surveillance from the living rooms of the new flats.

### **Reduction of Light**

Miss Gibby questions the findings of surveys regarding the potential loss of light and sunlight on individual flats. No measurements were taken from within the flats. The space at the back of Gwynne House is already boxed in, affecting light, and the planned addition to the side of the pub (on Stepney Way) will reduce light to unacceptable levels.

### **Protected Trees**

There is no mention, either on the plans or in the supporting documents, of three trees at the back of Gwynne House that are subject to a Tree Protection Order. One of these is a mature mulberry tree that stands in very close proximity to the boundary wall between Gwynne House and the Good Samaritan Pub and is at serious risk of damage from any work or scaffolding required at the back of the Pub. In addition, any reduction of light as a result of new building, even if only from one angle, is likely to adversely affect the tree’s welfare and growth pattern. Lack of any mention of protected trees illustrates serious omissions of fact and enquiry on the part of the Applicant.

### **Party Wall Issues**

Four flats in Gwynne House, including Miss Gibby’s, share a party wall with the Pub. In drawing up the proposals, there has been no discussion with residents about issues that might affect them. The consultation process has been inadequate.

### **Incomplete information on proposed rear elevation**

There is no detailed illustration of the elevation of the building that would be seen at right angles and very close to the back bedroom windows in Gwynne House. Although there are no proposals for windows in that elevation, it is not possible to judge the full impact of the new building line, or its height in comparison to the existing building, all of which will undoubtedly have a huge impact on the general outlook from Gwynne House flats. The Application does not illustrate the proposals sufficiently to enable a fully informed assessment to be made by those most affected.

### **Development of Basement Area**

The application proposes to relocate and increase the capacity of the kitchen area. However, there appear to be no windows or sources of natural light and ventilation in the basement, or any proposal to install these. This suggests that extensive mechanical ventilation will be required, raising concerns about noise from the plant required to service the kitchen. It also appears that there is no provision for any separate route out of the kitchen area for fire exit purposes and that the existing single staircase appears to be the only exit. The plans seem to be incomplete as far as these issues are concerned.

**Installation of Lift**

The proposal includes the provision of a lift and new staircase to the new flats above the ground floor. The lift is located close to the back bedrooms of flats in Gwynne House. Miss Gibby raises concerns about noise associated with lift use, such as that of the lift plant, especially if used late at night. More information about this installation is required.

**Impact on highway and transport networks, and waste management**

Proposals suggest that the development of the Good Samaritan will not have a "severe impact on the local highway". However, if the business on the ground floor is developed and expanded, then undoubtedly it will have to be serviced by increased deliveries and more frequent collections of waste. And although 'car free', the new flats will also generate traffic, whether associated with visitors or deliveries. Traffic and parking is already at saturation point in the narrow streets around the area. The assessment of the impact on the surrounding highways is unrealistic and misleading and not enough attention has been given to waste management.

**Potential Change of Activity in the refurbished ground floor premises**

The Planning Application emphasises that the Applicant is committed to retaining the Public House. However, it is also obvious (e.g. from the increased kitchen facilities) that the whole nature of the business will change. There is considerable local concern that the Good Samaritan can survive as a traditional business, and as an appropriate amenity for local residents and those working in the nearby hospital, university and local businesses.

**Extent of current consultation**

Finally, Miss Gibby is concerned that there has not been adequate consultation on this Planning Application in order to ensure that all interested parties have been directly notified.

Gwynne House is a block of 21 flats, the majority of which are owned by absentee Leaseholders and occupied by tenants. The consultation letter, dated 6<sup>th</sup> May 2016, was addressed to The Owner/Occupier and delivered in the post to each individual flat but may not have been forwarded to the appropriate Leaseholder. Miss Gibby is concerned not all interested parties have been contacted and therefore may well not be fully aware of the development or their right to comment on it. She is also unclear whether the Freeholder of Gwynne House has been consulted.

Miss Gibby would be grateful if you could take her comments into consideration when considering this Planning Application.

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