

DRAFT

SCHEDULE

Refusal of Full Planning Permission

Location: Hertsmere House, 2 Hertsmere Road, London, E14 4AB

Proposal: Demolition of existing building. Erection of a ground and 63 storey building for office (use class B1), hotel (use class C1), serviced apartments (sui generis), commercial, (use classes A1-A5) and leisure uses (use class D2) with basement, parking, servicing and associated plant, storage and landscaping. (Maximum height 242 metres AOD).

Date:

Reference: PA/08/02709

Application Received on: 24 December, 2008
Application Registered on: 24 December, 2008

Drawings Submitted:

Registered Number: PA/08/02709

Applicant's Number: A1/PL/000 REVA, A1/PL/001 REVC, A1/PL/002 REVA, A1/PL/003 REVB, A1/PL/004 REVA, A1/PL/005 REVB, A1/PL/007 REVA, A1/PL/008 REVA, A1/PL/019 REVA, A1/PL/021 REVB, A1/PL/028 REVA, A1/PL/029 REVA, A1/PL/030 REVB, A1/PL/031 REVA, A1/PL/032 REVA, A1/PL/033 REVB, A1/PL/034 REVA, A1/PL/046 REVA, A1/PL/047 REVA, A1/PL/048, A1/PL/049, A1/PL/056 REVA, A1/PL/057 REVA, A1/PL/058 REVA, A1/PL/059 REVA, A1/PL/060 REVA, A1/PL/062 REVB, A1/PL/063 REVB, A1/PL/064 REVB, A1/PL/065 REVB, A1/PL/066 REVA, A1/PL/067 REVA, A1/PL/068 REVA, A1/PL/069 REVA, A1/PL/070 REVA, A1/PL/071 REVA, A1/PL/072 REVA, A1/PL/073 REVA, A1/PL/074 REVB, A1/PL/075 REVB, A1/PL/076 REVA, A1/PL/080 REVA, A1/PL/081 REVA, A1/PL/082 REVA, A1/PL/083 REVA, A1/PL/085 REVA, A1/PL/086 REVA, A1/PL/087 REVA, A1/PL/088 REVA, A1/PL/090 REVA, A1/PL/091 REVB, A1/PL/092 REVB, A1/PL/093 REVA, A1/PL/094 REVB, A1/PL/095 REVB, A1/PL/096 REVB, A1/PL/097 REVB, A1/PL/098 REVB, A1/PL/099 REVB, A1/PL/101 REVA, A1/PL/102 REVB, A1/PL/103 REVB, A1/PL/104 REVB, A1/PL/105 REVA, A1/PL/106 REVA, A1/PL/107 REVA, A1/PL/108 REVA, A1/PL/109 REVA, A1/PL/110 REVA, A1/PL/120 REVA, A1/PL/121 REVA, A1/PL/122 REVA and A1/PL/123 REVA.

- Environmental Statement and Further Information
Prepared by URS Corporation December 2008, March 2009 and May 2009.

ORACT

- Design and Access Statement
*Prepared by Mark Weintraub Architecture & Design
Dec. 2008*
- Planning Statement
prepared by GVA Grimley December 2008
- Transport Assessment and Interim Travel Plan
*prepared by Steer Davies Gleave dated December
2008*
- Sustainability Statement
Prepared by URS Corporation December 2008
- Consultation Sweep-Up (including revised Energy
Statement, Access Statement and Aerodrome
Safeguarding Assessment)
Prepared by various authors. April 2009.

Reasons for Refusal

1. The proposed development, by virtue of its design, scale and massing would detract from the setting of nearby Grade I and Grade II listed buildings and would fail to preserve or enhance the character and appearance of the West India Quay Conservation Area and as such is contrary to policies 4B.11 and 4B.12 of the London Plan (Consolidated with Alterations since 2004), saved policy DEV28 of the adopted Tower Hamlets Unitary Development Plan 1998, and policies CON1 and CON2 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure the preservation or enhancement of built heritage.
2. The proposed development would result in unacceptable loss of daylight to Matthew House, Riverside House and Mary Jones House and an unacceptable loss of sunlight to Riverside House and as such is contrary to saved policies DEV1 and DEV2 of the adopted Tower Hamlets Unitary Development Plan 1998 and policies DEV1 and DEV2 of the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, which seek to ensure development does not have an adverse impact on neighbouring amenity.

DRAFT

Your ref:
My ref: PA/08/02710

Development & Renewal
Town Planning
Mulberry Place (AH) Anchorage House
PO Box 55739
5 Clove Crescent
London
E14 1BY
www.towerhamlets.gov.uk
Enquiries to: Richard Murrell
Tel: 020 7364 5203
Fax: 020 7364 5415
TH:

Mr Andrew McIntyre
GVA Grimley
10 Stratton Street
London
W1J 8JR

**Planning (Listed Buildings and Conservation Areas) Act 1990
Planning (Listed Buildings and Conservation Areas) Regulations 1992**

Dear Sir/Madam,

REFUSAL OF CONSERVATION AREA CONSENT

In accordance with the Act and Regulations mentioned above, Tower Hamlets Council as the Local Planning Authority hereby gives notice of its decision to **REFUSE** Conservation Area Consent for the works described in the schedule to this notice, and shown on the submitted plans and particulars.

Your attention is drawn to the following statement of applicants' rights arising from the refusal of conservation area consent or grant of consent subject to conditions.

1) Appeals to the Secretary of State: If the applicant is aggrieved by the decision of the local planning authority to refuse conservation area consent they may appeal to the Secretary of State for the Environment in accordance with Section 20 & 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN tel. 0117 372 6372). The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal.

2) Purchase Notice: If conservation area consent is refused, or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, they may serve on the Council of the London Borough of Tower Hamlets a purchase notice requiring that Council to purchase their interest in the land in accordance with the provision of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3) Compensation: In certain circumstance, a claim may be made against the local planning authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Yours faithfully,

**Owen Whalley
Head of Planning and Building Control**

DRAFT

SCHEDULE

Refusal of Conservation Area Consent

Location: Hertsmere House, 2 Hertsmere Road, London, E14 4AB

Proposal: Demolition of existing building.

Date:

Reference: PA/08/02710

Application Received on: 24 December, 2008
Application Registered on: 24 December, 2008

Drawings Submitted:

Registered Number: PA/08/02710

Applicant's Number: Site Location Plan and A1/PL/112A

Reasons for Refusal

1. The proposed building, by virtue of its design, scale and massing would not represent a suitable replacement for the existing building. The proposed demolition of the existing office block on-site is therefore contrary to the objectives of saved policy DEV28 of the adopted Tower Hamlets Unitary Development Plan 1998 and policy CON2 of the Council's Interim Planning Guidance (2007) Core Strategy and Development Control.