

Committee: Development	Date: 14 September 2011	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal Case Officer: Ila Robertson		Title: Planning Application for Decision Ref No: PA/09/02576 & PA/09/02577 Ward(s): St Dunstan's and Stepney	

1. APPLICATION DETAILS

- Location:** British Prince Public House, 49 Bromley Street, London, E1 0NB
- Existing Use:** Vacant public house.
- Proposal:** Works to a Listed Building and change of use from public house (Use Class A4) to retail (Use Class A1) on front ground floor and conversion of rear ground floor and first floor to form one x one bedroom flat and one x three bedroom flat.
- Drawing Nos:** 09021 PD 101; 09021 PD 102; 09021 PD 103; 09021 PD 104; 09021 PD 201b; 09021 PD 202b; 09021 PD 203; 09021 PD 204b; 09021 PD 301; 09021 PD 302; 09021 PD 303; 09021 PD 304b; 09021 PD 305a; 09021 PD 306a; 09021 PD 307a; 09021 PD 308a; 09021 PD 311; 09021 PD 312; 09021 PD 321a; 09021 PD 322a; 09021 PD 323a; 09021 PD 324; 09021 PD 325; 09021 PD 326; 09021 PD 327; 09021 PD 328 and 09021 PD 329.
- Supporting Documents:** Planning Impact Statement (Version 2)
Schedule of Works to Listed Building (Version1.2)
- Applicant:** Mr Kiran Malde
Global Centre Limited
205 Mile End Road
London
E1 4AA
- Owner:** Mr Kiran Malde
- Historic Building:** Grade II
- Conservation Area:** York Square

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (2011), the Council's Core Strategy (2010), the London Borough of Tower Hamlets Unitary Development Plan (1998), the Council's Interim Planning Guidance (2007), associated supplementary planning guidance and Government Planning Policy Guidance and has found that:

- The loss of the A4 use Public House and conversion to two C3 use residential units and a small A1 use retail unit is acceptable, due to the 8 year period of vacancy of the public house, the proposed retention of a portion of the ground floor in A class use, the adequate provision of other public houses in the area and the contribution to

the provision of additional housing within the Borough, in accordance with policy 3.3 of the London Plan, policy SP01 and SP02 of the Core Strategy, saved policy ART2 of the UDP and policy RT6 of the IPG.

- The design and scale of the development is on balance acceptable, due to the listed building status of the existing building and the retention and repair of the historic fabric of the listed building, which will appropriately maintain the appearance and historic character of the building, in accordance with the guidance in PPS5 and the policies 7.1, 7.4, 7.5, 7.6, 7.8 and 7.9 of the London Plan, policies SP02, SP10 and SP12 of the Core Strategy, policies DEV1, DEV2, DEV3, DEV27 and DEV37 of the UDP and policies DEV1, DEV2, CON1 and CON2 of the IPG.
- The development adequately protects the amenity of future and neighbouring occupiers, due to appropriately maintaining daylight to adjoining residents, appropriate separation distances to maintain privacy, appropriate unit and room sizes for future occupants and by condition in respect of hours of operation of the shop, in accordance with policy 3.5 of the London Plan, policies SP02 and SP10 of the Core Strategy, saved policies DEV2, HSG13 and HSG16 of the UDP and policies DEV1 and DEV2 of the IPG.
- Parking and servicing provisions are considered to be appropriate, due to the listed building status of the development, servicing provisions adjacent the site and the condition of consent imposed to restricting vehicle parking on the highway, in accordance with policies 6.1, 6.11, 6.13 and 6.14 of the London Plan, policies SP08 and SP09 of the Core Strategy, saved policies T16 and T26 of the UDP and policies DEV17 and DEV19 of the IPG.

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission and Listed Building Consent subject to:
- 3.2 That the Head of Planning and Building Control is delegated power to impose conditions [and informatives] on the planning permission to secure the following:

Conditions on Planning Permission

- 1) 3 year Time Period
- 2) Development to be carried out in accordance with the approved plans
- 3) Hours of operation of A1 (07:00-22:00)
- 4 Level Accesses to all new entrances and maintained where existing
- 5) Car Free Development
- 6) Lifetime Homes where it does not conflict with Listed Building Consent requirements
- 7) Waste and Recycling Storage to be retained as shown on drawings
- 8) Cycle Storage to be retained as shown on drawings
- 9) Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives on Planning Permission

- 1) Linked to Listed Building Consent

- 3.3 That the Head of Planning and Building Control is delegated power to impose conditions [and informatives] on the Listed Building Consent to secure the following:

Conditions on Listed Building Consent

- 1) 3 year time period
- 2) New joinery work to match existing joinery
- 3) External works and finishes to match the existing adjacent work
- 4) New windows shall be single-glazed
- 5) Sash windows to be constructed without external horns
- 6) Historic iron sign armature shall be retained and repaired
- 7) Details of all paint finishes to external joinery
- 8) Details of all new handles, numbering or other door furniture to all external doors.
- 9) Detail of Shop Front Changes

Informatives on Listed Building Consent

- 1) Linked to Full Planning Permission

4. PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The applicant proposes the removal of the existing outbuildings to the rear of the site and the consolidation and conversion of the remaining rear extension to create a 70sqm two bedroom single storey residential unit, with a 27sqm courtyard amenity space. The existing non self contained residential accommodation on the first floor is proposed to be converted into an 88sqm three bedroom flat. The applicant also proposes the use of the ground floor premises 60sqm for a class A1 retail unit.
- 4.2 The basement, which was formerly used as part of the public house for storage, will continue to be used for storage in conjunction with the ground floor retail use.
- 4.3 The main access to the ground floor retail unit will be gained from Bromley Street with a service entrance to Chudleigh Street. Access to the two residential flats will be provided from two entrances along Chudleigh Street.

Site and Surroundings

- 4.4 The subject site is located on the west side of Bromley Street, approximately 160m north of Commercial Road, at the intersection of Bromley Street and Chudleigh Street. The site is occupied by a two storey end of terrace property, which is a vacant public house with a rear extension. The site is within a predominantly residential area and is currently vacant and in a poor state of repair, having been vacant for at least 6 years.
- 4.5 The property lies within the York Square Conservation Area and is also a grade II listed building. The building forms part of a terrace of grade II listed properties (Nos. 9-47 (odd) Bromley Street). The properties at 18-88 (even) Bromley Street are also grade II listed.
- 4.6 The surrounding area consists of a mix of building types and design, including terraced houses and blocks of flats. However, the majority of Bromley Street (south of the junction with Chudleigh Street) is characterised by two storey terraced houses designed as flat fronted buildings with front parapets and facing brickwork.
- 4.7 The homogeneous design and layout of the buildings, particularly in this part of the conservation area, including the adjoining Westport Street and Old Church Street, represents the main characteristic feature of this part of the conservation area.
- 4.8 The wider area includes a range and mix of uses, including local schools, nurseries, community centres, public open space and a range of local shopping facilities.

- 4.9 Due to the property having been squatted on at least two occasions over the past few years the internal fabric of the building has been significantly damaged and altered. The property is currently vacant and in a poor state of repair.

Planning History

- 4.10 PA/74/00549 – Advertising consent granted for the display of two illuminated lantern signs on 2 August 1974.
- 4.11 PA/87/00830 – Planning permission granted for the erection of a ground floor rear extension on 12 October 1987.
- 4.12 PA/8700829 – Listed building consent granted for the erection of a ground floor rear extension on 29 October 1987.

5. POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

The London Plan Spatial Development Strategy for Greater London (July 2011)

3.3	Increasing housing supply
3.4	Optimising housing potential
3.5	Quality and design of housing developments
3.8	Housing choice
3.9	Mixed and balanced communities
6.9	Cycling
6.11	Smoothing traffic flow and tackling congestion
6.12	Road network capacity
6.13	Parking
7.1	Building London’s neighbourhoods and communities
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.6	Architecture
7.8	Heritage Assets and Archaeology
7.9	Heritage Led Regeneration

Core Strategy 2025 Development Plan Document (September 2010)

SP01	Refocusing on our Town Centres
SP02	Urban Living for Everyone
SP05	Dealing with Waste
SP09	Creating Attractive and Safe Streets and Spaces
SP10	Creating Distinct and Durable Places
SP12	Delivering Placemaking

Unitary Development Plan 1998 (as saved September 2007)

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use Developments
DEV27	Demolition in Conservation Areas
DEV28	Development Adjacent to Conservation Areas
DEV31	Rear Extensions

DEV37	Alterations of Listed Buildings
DEV50	Noise
DEV55	Development and Waste
DEV56	Waste Recycling
HSG6	Accommodation Over Shops
HSG7	Dwelling Mix and Type
HSG13	Standard of Converted Dwellings
HSG16	Housing Amenity Space
T16	Traffic Priorities for New Development

Interim Planning Guidance for the purposes of Development Control (October 2007)

DEV1	Amenity
DEV2	Character and Design
DEV3	Accessibility and Inclusive Design
DEV4	Safety and Security
DEV10	Disturbance from Noise Pollution
DEV15	Waste and Recyclables Storage
DEV16	Walking and Cycling Routes and Facilities
DEV19	Parking for Motor Vehicles
RT6	Loss of Public Houses
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
CON1	Listed Buildings
CON2	Conservation Areas

Supplementary Planning Guidance/Documents

Residential Space – SPG 1998
Shop Front Design – SPG 1998

Government Planning Policy Guidance/Statements

PPS 1	Delivering Sustainable Development
PPS 3	Housing
PPS5	Planning and the Historic Environment
	Draft National Planning Policy Framework – July 2011

Community Plan – One Tower Hamlets

The following Community Plan objectives relate to the application:

A Great Place To Be
Healthy Communities
Prosperous Communities
Safe and Supportive Communities

6. CONSULTATION RESPONSE

- 6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

LBTH Environmental Health

Daylight and Sunlight

- 6.2 As there is no change in the footprint or height in respect to the existing situation there will be no sunlight or daylight impact experienced.

Noise and Vibration

- 6.3 Environmental Health has concerns in relation to the proposed use of the development as a class A3, A4, A5 or D1 establishment as this would cause noise and odour nuisance. There is no indication of opening hours. Application lacks detail with respect building noise break-out.

Officer's Comments

- 6.4 The applicant has clarified an initial inconsistency in the application regarding the proposed uses. The application is for a change of use to an A1 Use Class retail unit on the ground floor and would not permit A2, A3, A4, A5 or D1 Use Class uses. Conditions of consent are recommended to control hours of operation in the residential area and building regulations would adequately deal with noise between the uses within the building.

English Heritage

- 6.5 Do not wish to offer comments and consider the application should be determined in accordance with national and local policy guidance and on the basis of Council's specialist conservation advice.

LBTH Transportation and Highways

- 6.6 Cycle provisions can reasonably be conditioned to comply with standards. Details of servicing required. Development should be Car Free due to high PTAL.

Officers Comments

- 6.7 Although the end user is not known, servicing can be undertaken directly outside the site. This matter is discussed in Section 8 below.

7. LOCAL REPRESENTATION

- 7.1 A total of 142 neighbouring properties within the surrounding area were notified about the application and invited to comment. The application has also been publicised in East End Life and on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of responses:	3	Objecting: 3	Supporting: 0
Petitions:	1	(Objection to the scheme with 50 signatures)	

- 7.3 The following issues were raised in representations:

Representation Comments

- 7.4
- Concerns proposal includes a fast food outlet which would be noisy, have amenity impacts late into the evening, result in anti-social behaviour and provide inadequate refuse provision and opposition to the provision of any food outlet near sir John Cass School

Officer's Comments

- 7.5 The application seeks a change of use from the existing vacant A4 Public House to an A1 retail unit and two C3 residential flats. The application documents originally listed in the planning statement that a range of uses was proposed for the ground floor commercial unit. However the applicant has amended the document and the planning application only seeks permission for the use of the unit as an A1 retail unit. No restaurant or fast food takeaway use would be permitted by the granting of this application. It is therefore considered no further discussion on the objections related to such uses is relevant to this application.
- 7.6 A1 Use Class allows a range of retail outlets, from a local store to clothing shop or sports store. It does not allow business type uses such as banks, betting stores or real estate

agents, nor does it allow cafes, takeaway stores or restaurants.

Representation Comments

- 7.7
- Due to notification of application over 2009 Christmas period not long enough to make representations, requesting extension
 - No public notice visible

Officer's Comments

- 7.8
- The application was originally consulted in December 2009 and site notices were erected on sites. There has been an extended period of delay in reporting this matter to committee due to matters related to providing further information on the listed building matters and reviewing and receiving specialist comments on the listed building matters. During this time any representations received have been included in the consideration and assessment of this application.

Representation Comments

- 7.9
- Oversupply of the same A1 retail usages in the immediate area

Officer's Comments

- 7.10
- As detailed in section 8 of this report, the change from the existing vacant A4 use class to an A1 use class is a permitted activity. It is therefore considered that the change of use to A1 in this location does not cause any significant detrimental effects on the area.

Representation Comments

- 7.11
- Oversupply of one and two bedroom accommodation in the immediate area

Officer's Comments

- 7.12
- Comment has also brought up that there is an oversupply of one and two bedroom housing. The scheme proposes one 1 bedroom unit and one 3 bedroom unit. This provides for a family dwelling and is considered an acceptable mix. This is discussed in section 8.

Representation Comments

- 7.13
- Inaccuracy of submitted planning documents
 - Inaccuracy of planning statement
 - Developer has already altered the listed building
 - Public House unit would be focus for anti social gatherings
 - Retail unit would cause disruption in terms of Sir John Cass student using it
 - Bromley Street would experience increase in traffic from deliveries
 - Inappropriate location for A1
 - Difficult to understand how development can contribute to re-generation
 - More appropriate to develop as live-work units or affordable meeting place
 - While desirable for building to be brought back into beneficial uses redevelopment should respect historic character with appropriate high standard of living accommodation and should contribute not detract for the economic regeneration of the area.

Officer's Comments

- 7.14
- It is noted that objections have been raised in relation to alterations that have already been carried out to the Listed Building. These matters a subject to ongoing enforcement action.

- 7.15
- Officers consider that the proposed scheme would bring back into use a vacant building and protect the listed building, which has previously been subjected to squatting and has suffered considerable damage to the listed building qualities as a result.

- 7.16
- While the representation made details other uses that the objector considers appropriate, the consideration of this application must be limited to the acceptability of the proposed scheme

and not alternatives.

7.17 Traffic matters are addressed in section 8 of this report.

Representation Comments

- 7.18
- Lack of bin storage area for flats
 - No access to ground floor flat
 - Plans suggest the windows of ground floor flat face south when they face north facing making very dark flat with a narrow courtyard
 - Bedroom window very low facing onto pavement.

Officer's Comments

7.19 Design related matters are discussed in detail in section 8 of this report.

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

1. Principles of the Land Uses
2. Impact on the Amenity of Adjoining Occupiers and the Surrounding Area
3. Traffic and Servicing Issues
4. Design and Layout of the Development

Principle of the Land Uses

Loss of Public House

- 8.2 The property is currently occupied by the vacant British Prince Public House. The site, formally owned by the Council for between 15-20 years, has been vacant for approximately the last 8 years. During this time it has been squatted and substantial damage has been done to the interior of the listed building. The building currently remains boarded up and vacant.
- 8.3 Saved policy ART2 of the UDP states planning permission will not normally be granted for development that involves the loss of arts and entertainment facilities without suitable replacement. While it could be argued that this policy relates to D class uses, public houses also serve a purpose as an entertainment venue also.
- 8.4 Policy RT6 of the IPG seeks to prevent the loss of public houses unless it can be demonstrated that the loss will not create a shortage in the area and that there is no reasonable prospect of reuse or refurbishment for an appropriate A class use, particularly on the ground floor.
- 8.5 The area is considered fairly well serviced by existing Public Houses, with The White Swan being located within a 300m walk of the site, The White Horse a less than 350m walk, The Royal Duchess approximately a 400m walk, The Old Ship approximately a 450m walk and The Peacock approximately a 500m walk. Given that the British Prince Public House has not been in operation for a number of years, it is considered that the loss of the Public House on this site would not severely impact on the social and community functioning of the surrounding community.
- 8.6 While the applicant has provided no marketing evidence, as they are a recent purchaser of the site, the property remained vacant for a period of 6 years whilst the Council's was owner of the site. Furthermore, the applicant does seek to retain a portion of the ground floor in an A class use.

- 8.7 On the basis of the 8 year period of vacancy, the proposed retention of a portion of the ground floor in A class use and the adequate provision of other public houses in the area, the proposed loss of the public house use on the site is considered to be acceptable in terms of saved policy ART2 of the UDP and policy RT6 of the IPG.

Principle of Residential Use

- 8.8 The provision of additional housing is supported at the national, regional and local level. PPS3 states that “A flexible, responsive supply of land – managed in a way that makes efficient and effective use of land, including re-use of previously-developed land, where appropriate.” should be applied to the provision of housing. Within the London Plan policy 3.3 sets out targets for each Borough and requires Local Authorities to seek the maximum provision of additional housing possible. At the local level this is supported by policy SP02 of the Core Strategy.
- 8.9 Given the site is located outside a town centre and within an area dominated by other residential properties, the inclusion of residential units within the redevelopment proposal is considered acceptable and would contribute to the provision of additional housing within the Borough, in accordance with policy 3.3 of the London Plan and policy SP02 of the Core Strategy.
- 8.10 Council Policy only requires provision of affordable housing once a scheme exceeds 10 or more units, as noted in Policy SP02 of the Core Strategy and policy HSG3 of the IPG. Therefore, given the scheme only provides two residential units, these policy are not triggered and no further regard need be given to this matter.

Principle of A1 Retail Use

- 8.11 The General Permitted Development Order allows for a change of use from the A4 Use Class (Public Houses) to the A1 Use Class (Retail) without requiring planning permission, as permitted development. It is therefore considered that the change of part of the floorspace to an A1 Use Class is acceptable. Furthermore, policy RT6 seeks to retain the floorspace within an A class use.
- 8.12 Notwithstanding, the above given the residential nature of the area it is recommended that the hours of operation for the retail unit are limited to ensure adjacent residents amenity is protected.

Housing Provision

Housing Mix

- 8.13 Policy SP02 of the Core Strategy requires an overall target of 30% of all new housing to be of a suitable size for families (3 bedrooms or more). This is in accordance with saved policy HSG7 of the UDP, which expects a mix of unit sizes including a proportion of dwellings with between 3 and 6 bedrooms, and policy HSG2 of the IPG which requires a minimum 25% of market housing to comprise of 3 or more bedrooms.
- 8.14 The applicant is seeking to provide one 3 bedroom and one 1 bedroom dwellings as part of the proposed development. It is therefore considered that the proposal has an acceptable provision of family housing and would accord with policy SP02 of the Core Strategy, saved policy HSG7 of the UDP and policy HSG2 of the IPG.

Impact on the Amenity of Adjoining Occupiers and the Surrounding Area

Daylight and Sunlight

- 8.15 Policy SP10 of the Core Strategy, saved policy DEV2 of the UDP and policy DEV1 of the IPG seek to protect the amenity of surrounding existing and future residents, as well as the amenity of the surrounding public realm, including sunlight and daylight.

- 8.16 The proposed development does not provide any additional height or bulk to the existing building elevations. As such, there is no additional mass to block sunlight or daylight. Therefore in terms of the matters of daylight and sunlight to surrounding properties the proposed development will not alter the current situation and would be considered to have no impact.
- 8.17 It is therefore considered that the proposed development would accord with policy SP10 of the Core Strategy, saved policy DEV2 of the UDP and policy DEV1 of the IPG, in terms of daylight and sunlight.

Privacy

- 8.18 By seeking to protect the amenity of surrounding existing and future residents, policy SP10 of the Core Strategy, saved policy DEV2 of the UDP and policy DEV1 of the IPG also seek to protect neighbouring occupiers from the effects of overlooking from new developments and reduction in terms of privacy.
- 8.19 The proposed development would not seek to introduce any additional window openings within the upper level of the building. This level, previously occupied by the bedrooms associated with the public house, has two existing windows facing to the west, and one to the south.
- 8.20 Given the bedroom use of these rooms associated with the public house, the change in the floor space to bedrooms associated with the change in use to residential dwelling houses is not considered to cause any new privacy impacts. In any case, the windows looking to the west would be separated from habitable windows of the residential properties to the west by a distance greater than 18m, the distance that the Council's UDP states reduces inter-visibility to a degree acceptable to most people. In relation to the window looking to the south, this would not look directly into any habitable windows in the adjacent building and any overlooking is limited to the rear garden area.
- 8.21 It is therefore considered that the proposed development would not result in any unacceptable impacts in terms of overlooking or privacy and would accord with policy SP10 of the Core Strategy, saved policy DEV2 of the UDP and policy DEV1 of the IPG, in terms of overlooking and privacy.

Traffic and Servicing Issues

Trip Generation

- 8.22 Policies 6.1 and 6.3 of the London Plan, policy SP09 of the Core Strategy, policy T16 of the UDP and policy DEV17 of the IPG seek to restrain unnecessary motor-vehicle trip generation, integrate development with transport capacity and promote sustainable transport and the use of public transport systems.
- 8.23 The subject site is located within an area of high public transport accessibility with a PTAL of 5 (very good). This indicates that the public transport is easily accessible to future occupiers and that the development is appropriately situated to encourage occupiers and users to use the public transport options in the area, rather than less sustainable modes of transport, such as private cars.
- 8.24 Limehouse DLR and railway station are located only 350m walk south of the site and there are bus routes on Commercial Road, 180m walk, and Stepney Way, 200m walk.
- 8.25 The proposed A1 class retail and two residential dwellings are not considered to significantly increase the level of trip generation from that which would be expected if the lawful existing A4 public house use was established.

8.26 It is therefore considered that the development is well serviced by public transport and the scale of development and proposed uses are appropriate for the transport capacity of the area. The development is considered to accord with policies 6.1 and 6.3 of the London Plan, policy SP09 of the Core Strategy, policy T16 of the UDP and policy DEV17 of the IPG in terms of integrating development with transport capacity.

Parking

8.27 Policies 6.1, 6.11 and 6.13 of the London Plan seek to reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promoting use of public transport. This is supported by policy SP09 of the Core Strategy and policy DEV19 of the IPG.

8.28 In order to minimise the use of private motor vehicles, reduce motor vehicle traffic, prevent increased stress on the permit parking bays and promote sustainable transport use, it is considered that the future occupants should be prevented from obtaining parking permits for on-street parking. In order to achieve this, it is recommended a condition restricting the issuing of parking permits to the future occupiers be imposed on any approval.

8.29 With the imposition of a condition of consent restricting the issuing of on street parking permits and that there is no parking provided onsite, it is considered that the development would appropriately reduce traffic congestion and vehicle use by minimising vehicle parking within developments and promote the use of public transport and would accord with policies 6.1, 6.11 and 6.13 of the London Plan, policy SP09 of the Core Strategy and policy DEV19 of the IPG.

Cycle Parking and Facilities

8.30 Policy 6.9 of the London Plan, policy SP09 of the Core Strategy and policy DEV16 of the IPG seek to provide better facilities and a safer environment for cyclists.

8.31 The proposed development provides cycle storage for each of the two residential units, as well as the retail unit. The proposed cycle storage is located in secure, sheltered areas on the ground floor level of the development. This provision is in accordance with Council's standards and therefore considered to provide adequate cycle storage. A condition of consent is recommended to ensure the cycle storage is retained within the development for the lifetime of the use.

8.32 Given that the development provides adequate cycle storage provision, it is considered that the development would be acceptable in terms of policy 6.9 of the London Plan, policy SP09 of the Core Strategy and policy DEV16 of the IPG.

Deliveries and Servicing

8.33 Policies 6.1, 6.11 and 6.14 of the London Plan, policies SP08 and SP09 of the Core Strategy, policies T16 and T26 of the UDP and policy DEV17 of the IPG seek to minimise the impacts on the highway network and promote efficient and sustainable arrangements for deliveries and servicing.

8.34 Directly outside the property on Chudleigh Street the road is marked with a single yellow line. According to the Highway Code, a single yellow line means you may stop to load or unload (unless there are loading restrictions shown on signage) or while passengers board or alight. The signage shown at the location restricts stopping of trucks weighing 5 tonne or more and buses between the hours of 6:30pm to 8am. Therefore, during the day vehicles would be able to load and unload in this location.

8.35 The location of a loading directly outside the site would provide appropriately for deliveries and servicing of the development, without causing significant impacts on the highway network. It is considered that the provisions for servicing and delivery would be acceptably in terms of policies 6.1, 6.11 and 6.14 of the London Plan, policies SP08 and SP09 of the

Core Strategy, policies T16 and T26 of the UDP and policy DEV17 of the IPG.

Design and Layout of the Development

Mass and Scale

- 8.36 Policies 7.1, 7.4, 7.5 and 7.6 of the London Plan, policies SP02, SP10 and SP12 of the Core Strategy, policies DEV1, DEV2 and DEV3 of the UDP and policies DEV1 and DEV2 of the IPG seek to ensure developments are of appropriate mass and scale to integrate with the surrounding environment and protect the amenity of the surrounding environment and occupiers.
- 8.37 The proposal for alterations to the listed building and to change the use of the existing vacant A4 public house into an A1 retail and two C3 residential dwellings does not add additional mass to the height of the building. A small area of the rear ground floor extension is to be infilled, but a much larger area of existing sheds is to be removed. In any case the infill portion does not add substantially to the area of the building.
- 8.38 As such the scale and mass of the building remains substantially the same and the small alterations would not be perceivable from the street or any other public area. As previously stated, the scale and mass of the development would not impact on the amenity of neighbouring occupiers or the public realm. Therefore, it is considered to accord with policies 7.1, 7.4, 7.5 and 7.6 of the London Plan, policies SP02, SP10 and SP12 of the Core Strategy, policies DEV1, DEV2 and DEV3 of the UDP and policies DEV1 and DEV2 of the IPG, in terms of the scale and mass being appropriate and protecting the amenity of the surrounding environment.

Impact on Listed Building and Conservation Area

- 8.39 PPS5 states that the “Governments overarching aims are that the historic environment and its heritage assets should be conserved and enjoyed”. It also recognises that heritage assets are non-renewable resources.
- 8.40 Policy HE7.1 of PPS5 sets out that in decision making LPA’s should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal. Consideration should be given the significance of the heritage asset and value that it holds.
- 8.41 Policy HE9.1 clearly states that “*there should be a presumption in favour of the conservation of designated heritage assets*”. It continues to state that “*once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact.*” As such, “*loss affecting any designated heritage asset should require a clear and convincing justification*”.
- 8.42 Policies 7.8 and 7.9 of the London Plan, policy SP10 of the Core Strategy, policies DEV27 and DEV37 of the UDP and policies CON1 and CON2 of the IPG, seek to protect and restore heritage assets.
- 8.43 The British Prince Public House is a Victorian corner public house ranged over two floors with a particularly fine neo-Classical pub frontage with pilasters with Corinthian capitals and a strikingly radiused corner door. The building forms part of a street of uniform two storey Georgian houses, built between 1829 and 1843. The building is Grade II Listed and on the English Heritage Buildings at Risk Register, having been empty for some time. The site also lies in the York Square Conservation Area.
- 8.44 The interior of the building on the ground floor retains part of an historic staircase of some interest, probably dating from the original construction of the building. Beyond that it is devoid of significant historic interior fittings. The historic staircase is incorporated into the scheme and the drawings show acceptable historic detailing.

- 8.45 There is minimal alteration proposed to the external envelope of this building, and where this is proposed, it is shown in an appropriate historic style.
- 8.46 Although it is regrettable to see the loss of the traditional pub use, the reuse of this space for retail purposes allows the pub frontage to be incorporated into the scheme. The detail around its reuse will need to be carefully handled to give this part of the scheme real historic integrity and to protect the appearance of the building. For this reason it is recommended a condition of consent should be imposed on any approval, in order to control the detail of any changes to the shopfront.
- 8.47 Overall the proposed development retains much of the remaining historic fabric of the listed building. The exterior primarily remains unaltered. Where the new doors are proposed, they are located in existing openings and the historic detailing of the doors is considered acceptable.
- 8.48 Possibly of most importance to the protection of the historic asset of the listed building is that the proposed scheme will bring this currently vacant building back into use, with uses which allow the historic pub frontage to be retained. By bringing the building back into use, the development would protect the historic assets from further damage on a building which is currently listed on the English Heritage Buildings at Risk Register.
- 8.49 Given that the exterior of the building is mostly unaltered and that where new doors are proposed the historic detailing is appropriate, it is considered that the proposed development would not significantly impact on the appearance of the conservation area.
- 8.50 Overall it is considered that the scheme would appropriately protect and restore the historic assets of the listed building and conservation area and would generally accord with policies 7.8 and 7.9 of the London Plan, policy SP10 of the Core Strategy, policies DEV27 and DEV37 of the UDP and policies CON1 and CON2 of the IPG.

Appearance and Materials

- 8.51 Policies 7.1, 7.4 and 7.6 of the London Plan, policies SP02, SP10 and SP12, policies DEV1, DEV2 and DEV3 of the UDP and policies DEV1 and DEV2 of the IPG, also seek to ensure development is high quality in design, including materials and appearance.
- 8.52 As discussed above the development makes minimal alterations to the exterior of the building. In retaining the external appearance of the building, the development ensures that the exterior appearance of the development is in keeping with the local context and character and appropriate for the conservation area.
- 8.53 The Council's Conservation and Design Officer has reviewed the proposals and considers them acceptable, subject to conditions of consent covering aspects of materials and appearance. Therefore it is recommended conditions of consent are imposed on any consent granted covering the following matters:
- New joinery work to the existing pub frontage shall match the existing joinery work adjacent in respect of method of construction, materials, dimensions and profile.
 - All external works and finishes and works of making good to the retained external fabric of the building, including pointing and brickwork, shall match the existing adjacent work.
 - All new windows shall be single-glazed to match the character of the glazing to the adjacent listed buildings and the sash windows shall be constructed without external horns.
 - The historic iron sign armature to the first floor pub frontage to Bromley Street, shall be retained and repaired as part of this listed building consent.

- Details of all paint finishes to external joinery; and new handles, numbering or other door furniture to all external doors shall be submitted to the LPA prior to the commencement of this part of the works.

8.54 If the recommended conditions of consent are imposed, it is considered that the proposed appearance and materials of the development would be appropriate and that the development would be acceptable in term of policies 7.1, 7.4 and 7.6 of the London Plan, policies SP02, SP10 and SP12, policies DEV1, DEV2 and DEV3 of the UDP and policies DEV1 and DEV2 of the IPG with reference to high quality design.

Internal Amenity

Flat Sizes

8.55 Policy 3.5 of the London Plan, policy SP02 of the Core Strategy, policy HSG13 of the UDP and policy DEV2 of the IPG seek to ensure that adequate dwelling sizes and room sizes are provided to ensure appropriate living conditions for future occupiers. The London Plan provides minimum standards for overall dwelling sizes, while the Council's "Supplementary Planning Guidance Note – Residential Space" provides both minimum dwelling sizes as well as minimum room sizes.

8.56 The proposed room sizes and overall flat sizes are considered generous, exceeding the minimum standards provided by both the London Plan and the Council's Supplementary Planning Guidance.

8.57 It is therefore considered that the proposed development provides acceptable internal space for the amenity of the future residents in accordance with policy 3.5 of the London Plan, policy SP02 of the Core Strategy, policy HSG13 of the UDP and policy DEV2 of the IPG.

External Amenity Space

8.58 Policy 3.5 of the London Plan, policy SP02 of the Core Strategy, policy HSG16 of the UDP, and policy HSG7 of IPG and promote the good design and the provision of amenity spaces within developments.

8.59 The existing building on site generally covers the whole of the site, with the exception of the small courtyard area to the rear. This area of approximately 27sqm is shadowed by the building and would provide no quality external amenity space. Given the nature of the building coverage and the listed building status of the building it is not possible for the development to provide any quality onsite amenity or play space. Any alteration to the building to provide amenity on roof space would be unlikely to be acceptable, due to the listed building status and overlooking issues.

8.60 It is considered, due to the listed building status of the existing building and the close proximity to a range of open spaces and play facilities, that on balance the development would have adequate access within the area for external amenity provision and play facilities.

Access and inclusivity

8.61 Policies 3.8 and 7.2 of the London Plan, policy SP02 of the Core Strategy, policy DEV1 of the UDP and policies DEV3 and HSG9 of the IPG seek to ensure the development is accessible and that housing is appropriate for changing needs of residents.

8.62 The Council's Access Officer has reviewed the application and confirmed that they have no objection to the development. They have recommended that level access is provided to all entrances and exits and that accommodation is built to Lifetime Homes Standards. It is therefore recommended that conditions of consent requiring that the development is built to Lifetime Homes Standards and that level accesses are provided to all entrances and exits, where levels permit.

8.63 With such conditions imposed it is considered that the development would provide adequate access and would be appropriately inclusive, adaptable to the changing needs of residents, in accordance with policies 3.8 and 7.2 of the London Plan, policy SP02 of the Core Strategy, policy DEV1 of the UDP and policies DEV3 and HSG9 of the IPG.

Waste Storage

8.64 Policy 5.17 of the London Plan, policy SP05 of the Core Strategy, policy DEV56 of the UDP and policy DEV15 of the IPG require developments to make suitable waste and recycling provision within the development.

8.65 Both of the residential units, as well as the retail unit, have separate waste storage area provisions within the development. It is important that waste storage areas are incorporated within a development so that occupiers have an appropriate place to store waste and it is not stored on the street.

8.66 As the site is occupied by a listed building it is not considered appropriate to create additional openings in the exterior of the building. As such, the waste storage points would not be accessible to Council waste collection teams. Waste would have to be moved out to the street for collection by the occupants on waste collection days. This is a common occurrence throughout the borough and given the constraints as a result of the listed building nature of the site it is considered acceptable.

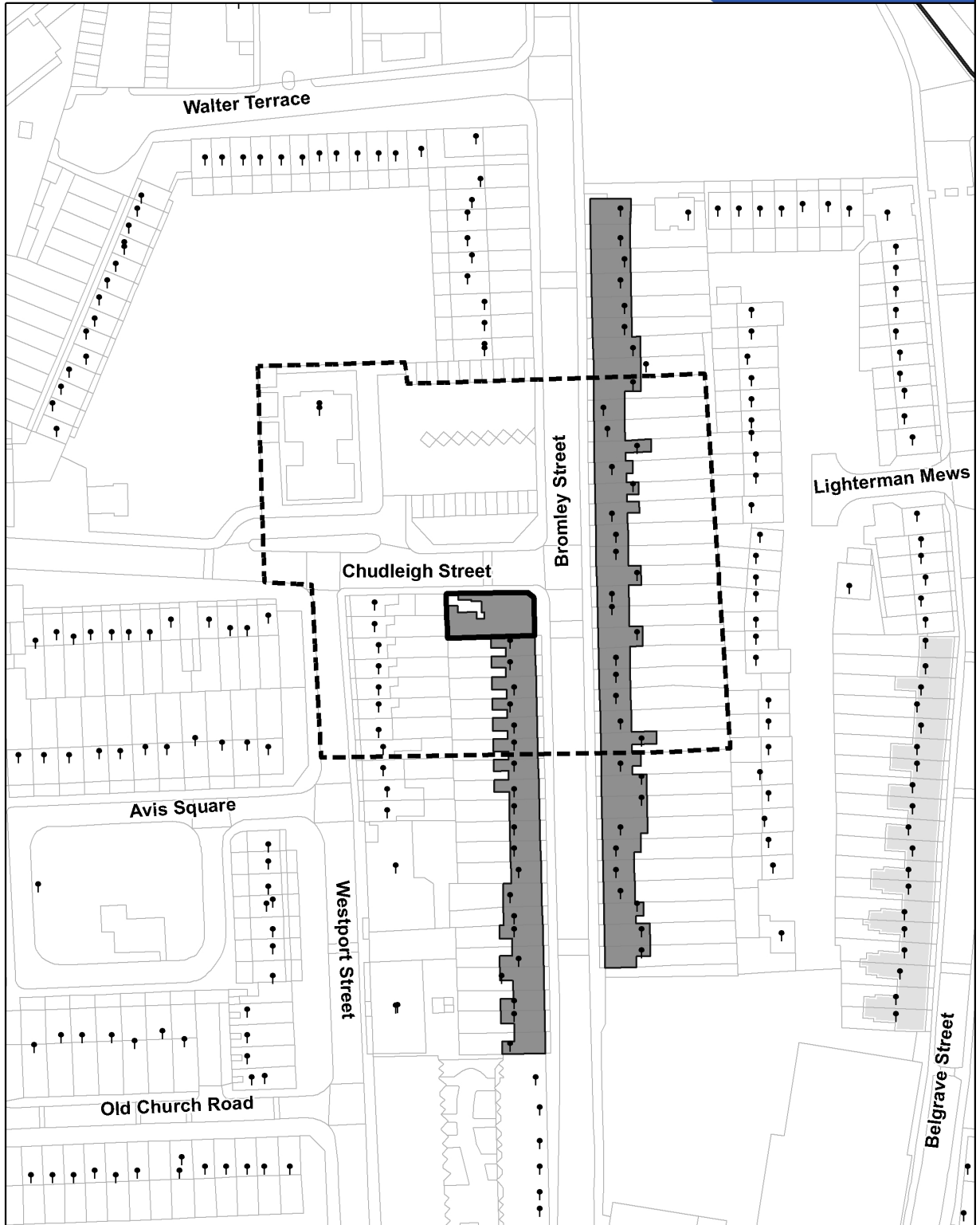
8.67 To ensure that the waste storage areas are retained it is recommended a condition of consent is imposed if permission for the development is granted.

8.68 With such a condition imposed ensuring that the waste storage facilities are retained for the lifetime of the development, it is considered that appropriate provisions for waste and recycling facilities are provided within the development in accordance with policy 5.17 of the London Plan, policy SP05 of the Core Strategy, policy DEV56 of the UDP and policy DEV15 of the IPG.

Conclusions

8.69 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address
Consultation Area	Statutory Listed Buildings	

0 30 m

 1:1,250

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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