

**Application for Planning Permission**[click here for case file](#)

Reference	PA/24/00173
Site	Site at 2-6 Commercial Street, 98,101-105 Whitechapel High Street and Canon Barnett Primary School, London E1
Ward	Spitalfields and Banglatown
Proposal	<p>Demolition of 101 Whitechapel High Street, 6 Commercial Street and the western annex of the Canon Barnett Primary School; partial demolition and partial retention of 102 - 105 Whitechapel High Street (with internal alterations) and 2 – 4 Commercial Street (façade retained); and redevelopment to provide buildings ranging from ground plus 17 storeys, comprising office floorspace (Class E(g)), community hall (Class F2); relocation and expansion of the existing school playground and School Annex (Class F1); associated car and cycle parking, hard and soft landscaping and other associated works.</p> <p>This application is accompanied by an Environmental Statement.</p>
Summary Recommendation	Refuse planning permission
Applicant	Alliance Property Asia Inc
Architect/agent	Foster + Partners (Plot 1 – office building), Haverstock LLP (Plot 2 – school), DP9 Limited (Planning agent)
Case Officer	Robin Bennett
Key dates	<ul style="list-style-type: none">- Application registered as valid on 26/02/2024- Significant amendments received on 30/09/2024- Public consultation first round ended on 22/04/2024- Public consultation second round ended on 10/11/2024

1. BACKGROUND

- 1.1. This application was considered by the Strategic Development Committee on 9 December 2024. A copy of the original Committee Report is included at Appendix A.
- 1.2. As set out in the Printed Decisions pertaining to that meeting, Committee voted to defer the application in order to undertake a site visit.
- 1.3. Following deferral, a site visit was arranged. This took place on 17 December 2024. The site visit was attended by Councillor Jahed Choudhury, Councillor Shahaveer Shubo Hussain, Councillor Kabir Hussain, Councillor Kamrul Hussain and Councillor Gulam Kibria Choudhury and two planning officers.

1.4. The site was observed from:

- Streets surrounding the application site;
- Within the NCP car park which forms part of the application site;
- Within the ground level external play areas to Canon Barnett Primary School; and
- Within Canon Barnett Primary School.

1.5. In addition, as noted during the Committee meeting on 9 December 2024 Councillor Iqbal Hossain attended an earlier site visit. That visit took place on 6 December 2024. Councillor Hossain was accompanied by a planning officer for the visit.

2. ADDITIONAL REPRESENTATIONS

2.1. Since publication of the Committee Report and the Update Report for the 9 December 2024 Committee, nine additional written representations have been received. Two are in objection and seven are in support of the proposal.

Additional representation objecting to the proposal

2.2. One objection is from The Spitalfields Trust, who have previously submitted written comments in objection to this application. In summary the Trust state that they wish to reiterate their previous strong objections to the proposals, and that the proposals would cause immense harm to the character and appearance of the Conservation Area and to the setting of Toynbee Hall and Whitechapel Art Gallery.

2.3. The second additional objection is from a resident of the Houblon Building. The representation provides information on existing occupiers on the site.

Organisation name	Nature of operation
Musidal Islamic Association UK	Evening madrasah Weekend madrasah Monthly Islamic circles Taraweeh prayers Eid prayers Classes for adults (tafseer, tajweed and Arabic grammar)
Time4London	Language school offering face to face course
Studypage Education	An organisation offering services to students who are planning on going to university in the UK
Innovative Education Services	Face to face security related education and training
SIA Licence London	Face to face security related education and training

2.4. The representation states that the resident has had conversations with all of the above occupiers who have confirmed that they are all operational.

Additional representations supporting the proposal

2.5. Five of the additional written representations in support of the proposal have no address and two are from addresses beyond the area within which notification letters were issued to residents.

2.6. The points raised in the representations are similar in nature to those raised within representations of support reported in the original Committee Report. In summary the

points raised relate to the development being well designed and located adjacent to existing tall buildings, that it will reduce ASB, provide community space, improve health and wellbeing and create employment opportunities.

3. UPDATED PLANNING POLICY

- 3.1. Since the original Committee Report was published, the National Planning Policy Framework (NPPF) has been revised. The revised NPPF was published on 12 December 2024. The revised NPPF does not materially alter the assessment in the original Committee Report.

4. RECOMMENDATION

- 4.1. That subject to any direction by the Mayor of London, **planning permission is REFUSED** for the following reasons:

1. The proposed development would not represent high quality or place sensitive design by virtue of its layout, scale, bulk and height, appearance and architectural features. It would fail to respect or integrate positively with the finer grained, low to medium rise context of the site. The proposals are therefore contrary to Policy S.DH1 of the Local Plan (2020), London Plan (2021) Policies D3 and D9 and the provisions of the NPPF (2023).
2. The proposed development would constitute a tall building outside of a designated Tall Building Zone, which has not been justified and would fail to accord with Policy D.DH6 of the Local Plan and Policy D9 of the London Plan. The proposed development would not deliver against the Local Plan criteria for tall buildings because it would not achieve exceptional architectural quality, would not enhance the character and distinctiveness of the area and would detract from important landmarks, heritage assets, key views and would not provide a positive contribution to the skyline during both the day and night time. The proposals are therefore contrary to Policy D.DH6 of the Local Plan (2020) and Policies D3, D9, HC1 and SD4 of the London Plan (2021), the provisions of the NPPF (2023) and Tall Buildings: Historic England Advice Note 4 (2015)
3. The proposed development would neither preserve or enhance the character or appearance of the Whitechapel High Street Conservation Area and would result in harm to the setting of the grade II* listed Whitechapel Gallery and the grade II Whitechapel Public Library. The proposal would cause less than substantial harm to these designated heritage assets which would not be outweighed by the public benefits of the proposals. The proposals are therefore contrary to Policies S.DH3 and D.DH3 of the Local Plan (2020), and Policies HC1 and SD4 of the London Plan (2021), and the provisions of the NPPF (2023).
4. The proposal would result in an unacceptable material deterioration in levels of daylight and sunlight to neighbouring residential developments, adversely affecting the living conditions of the occupiers of nearby dwellings. The proposal is therefore contrary to the development plan including Policy D.DH8 of the Local Plan (2020) and the provisions of the NPPF (2023).
5. The proposal would result in an unacceptable material deterioration in levels of daylight and sunlight to Canon Barnett School as well as an unacceptable level of overshadowing to the proposed school playground. The proposed office building would also cause an unacceptable degree of overlooking and invasion of privacy into the school building itself and its outside play areas as well as a introducing a high degree of enclosure and overbearing impact to the west of the school site.

The proposal is therefore contrary to the development plan including Policy D.DH8 of the Local Plan (2020) and the provisions of the NPPF (2023).

6. The proposal would result in the loss of all the existing ground floor retail space within the site and significantly reduce the level of ground floor activity. This would detrimentally affect the vitality and vibrancy of this part of Whitechapel District Centre and reduce availability of shops and services to local residents and those visiting the area. The proposal is therefore contrary to the development plan including Policies S.TC1, D.TC1, D.CF2, S.EMP1, D.EMP4 of the Local Plan (2020).
7. The proposed development would result in the loss of a number of existing education and training facilities from the site. The application does not include proposals for their replacement within the development itself, nor has it been demonstrated that there is no longer a need for the facilities or that there is a replacement facility of a similar nature that would better meet the needs of existing users. This is contrary to the development plan including Local Plan (2020) Policies S.CF1 and D.CF2.

Informative

1. At the time of the decision, there was no legal agreement in place, under Section 106 of the Town and Country Planning Act 1990 (as amended) to secure the proposed planning obligations, contrary to the requirements of development plan policies including London Plan (2021) Policy DF1 and Local Plan (2020) Policy D.SG5 as well as LBTH Planning Obligations Supplementary Planning Document (March 2021).

LIST OF APPLICATION PLANS AND DRAWINGS FOR REFUSAL

Drawings list

101WC-ARUP-P1-04-DR-L-000001 P04	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 LEVEL 04
101WC-ARUP-P1-08-DR-L-000001 P02	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 LEVEL 08
101WC-ARUP-P1-10-DR-L-000001 P01	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 LEVEL 10
101WC-ARUP-P1-12-DR-L-000001 P04	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 LEVEL 12
101WC-ARUP-P1-14-DR-L-000001 P04	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 LEVEL 14
101WC-ARUP-P1-GF-DR-L-000001 P04	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 GROUND FLOOR
101WC-ARUP-P1-RF-DR-L-000001 P04	LANDSCAPE GENERAL ARRANGEMENT PLOT 1 ROOF FLOOR
101WC-ARUP-P1-XX-DR-L-000001 P02	TYPICAL LANDSCAPE DETAILS PLOT 1 ROOF TERRACE LEVEL
101WC-ARUP-P1-XX-DR-L-000002 P02	TYPICAL LANDSCAPE DETAILS PLOT 1 BIODIVERSE ROOF LEVEL
101WC-ARUP-P1-XX-DR-L-000003 P02	TYPICAL LANDSCAPE DETAILS PLOT 1 GROUND LEVEL
101WC-ARUP-ZZ-GF-DR-L-000001 P01	LANDSCAPE GENERAL ARRANGEMENT SITEWIDE
1160-HAV-01-00-DR-A-P1001 P03	PROPOSED GROUND FLOOR PLAN (PLOT 2)
1160-HAV-01-00-DR-A-P1011 P02	SITE DEMOLITION PLAN (PLOT 2)
1160-HAV-01-01-DR-A-P1002 P03	PROPOSED FIRST FLOOR PLAN (PLOT 2)
1160-HAV-01-02-DR-A-P1003 P03	PROPOSED SECOND FLOOR PLAN (PLOT 2)
1160-HAV-01-03-DR-A-P1004 P03	PROPOSED THIRD FLOOR PLAN (PLOT 2)
1160-HAV-01-04-DR-A-P1005 P03	PROPOSED FOURTH FLOOR PLAN (PLOT 2)
1160-HAV-01-RF-DR-A-P1006 P03	PROPOSED ROOF PLAN (PLOT 2)
1160-HAV-01-ZZ-DR-A-P0290 P00	EXISTING NORTH ELEVATION
1160-HAV-01-ZZ-DR-A-P0291 P00	EXISTING WEST ELEVATION
1160-HAV-01-ZZ-DR-A-P0292 P00	EXISTING SOUTH ELEVATION
1160-HAV-01-ZZ-DR-A-P0293 P00	EXISTING EAST ELEVATION
1160-HAV-01-ZZ-DR-A-P1000 P03	PROPOSED SITE PLAN (PLOT 2)

1160-HAV-01-ZZ-DR-A-P2000 P00	SECTION AA
1160-HAV-01-ZZ-DR-A-P2001 P00	SECTION BB
1160-HAV-01-ZZ-DR-A-P2100 P00	PROPOSED NORTH ELEVATION
1160-HAV-01-ZZ-DR-A-P2101 P00	PROPOSED WEST ELEVATION
1160-HAV-01-ZZ-DR-A-P2102 P00	PROPOSED SOUTH ELEVATION
1160-HAV-01-ZZ-DR-A-P2103 P00	PROPOSED EAST ELEVATION
1160-HAV-01-ZZ-DR-A-P2104 P00	PROPOSED MATERIALS NORTH ELEVATION
1160-HAV-01-ZZ-DR-A-P2105 P00	PROPOSED MATERIALS WEST + MINOR ELEVATION
1160-HAV-01-ZZ-DR-A-P2106 P00	PROPOSED MATERIALS SOUTH ELEVATION
1160-HAV-01-ZZ-DR-A-P2107 P00	PROPOSED MATERIALS EAST ELEVATION
A-031-00-00	PLOT 1 GENERAL ARRANGEMENT PLAN GROUND FLOOR
A-031-01-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 01
A-031-02-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVELS 02-03
A-031-04-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 04
A-031-05-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 05
A-031-06-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVELS 06-07
A-031-08-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 08
A-031-09-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 09
A-031-10-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 10
A-031-11-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 11
A-031-12-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 12
A-031-13-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 13
A-031-14-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 14
A-031-15-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 15
A-031-16-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 16
A-031-17-00	PLOT 1 GENERAL ARRANGEMENT PLAN LEVEL 17
A-031-B1-00	PLOT 1 GENERAL ARRANGEMENT PLAN BASEMENT LEVEL B1

A-031-B2-00	PLOT 1 GENERAL ARRANGEMENT PLAN BASEMENT LEVEL B2
A-031-RF-00	PLOT 1 GENERAL ARRANGEMENT PLAN ROOF LEVEL
A-053-01-00	PLOT 1 GENERAL ARRANGEMENT SECTION 01
A-053-02-00	PLOT 1 GENERAL ARRANGEMENT SECTION 02
A-053-03-00	PLOT 1 GENERAL ARRANGEMENT SECTION 03
A-064-01-00	PLOT 1 GENERAL ARRANGEMENT ELEVATION WEST ELEVATION
A-064-02-00	PLOT 1 GENERAL ARRANGEMENT ELEVATION SOUTH ELEVATION
A-064-03-00	PLOT 1 GENERAL ARRANGEMENT ELEVATION EAST ELEVATION
A-064-04-00	PLOT 1 GENERAL ARRANGEMENT ELEVATION NORTH ELEVATION
A-199-02-00	CLADDING AND EXTERNAL WALL SYSTEMS PODIUM DETAILS CYCLE HUB ENTRANCE
A-199-03-00	CLADDING AND EXTERNAL WALL SYSTEMS TYPICAL OFFICE DETAILS WEST ELEVATION
A-199-04-00	CLADDING AND EXTERNAL WALL SYSTEMS UPPER OFFICE DETAILS SOUTH ELEVATION
A-199-XX-01	CLADDING AND EXTERNAL WALL SYSTEMS PODIUM DETAILS RETAINED FAÇADE WEST ELEVATION
A-199-XX-02	CLADDING AND EXTERNAL WALL SYSTEMS PODIUM DETAILS CYCLE HUB ENTRANCE
A-199-XX-03	CLADDING AND EXTERNAL WALL SYSTEMS TYPICAL OFFICE DETAILS WEST ELEVATION
A-199-XX-04	CLADDING AND EXTERNAL WALL SYSTEMS UPPER OFFICE DETAILS SOUTH ELEVATION
A-199-XX-05	CLADDING AND EXTERNAL WALL SYSTEMS COMMUNITY HALL DETAILS COMMUNITY HALL
A-EXSL-011-XX-01	EXISTING SITE LAYOUT MASTERPLAN DEMOLITION
A-EXSL-014-01-00	EXISTING SITE LAYOUT WEST ELEVATION
A-EXSL-014-01-01	EXISTING SITE LAYOUT MASTERPLAN DEMOLITION WEST ELEVATION
A-EXSL-014-02-00	EXISTING SITE LAYOUT SOUTH ELEVATION
A-EXSL-014-02-01	EXISTING SITE LAYOUT MASTERPLAN DEMOLITION SOUTH ELEVATION
A-EXSL-014-03-00	EXISTING SITE LAYOUT EAST ELEVATION
A-EXSL-014-03-01	EXISTING SITE LAYOUT MASTERPLAN DEMOLITION EAST ELEVATION
A-EXSL-014-04-00	EXISTING SITE LAYOUT NORTH ELEVATION
A-EXSL-014-04-01	EXISTING SITE LAYOUT MASTERPLAN DEMOLITION EAST ELEVATION
A-LO-011-EX-0	SITE LOCATION PLAN
A-LO-011-XX-01	PROPOSED SITE PLAN
A-LO-011-XX-02	EXISTING SITE PLAN
A-LO-011-XX-03	SITE LAYOUT MASTERPLAN PLOT SEPARATION PLAN

Document list:

- Basement Impact Assessment, prepared by Arup;
- Biodiversity Net Gain Assessment, prepared by Arup;
- BREEAM Assessments for plot 1 and plot 2, prepared by Arup;
- Circular Economy Statement, prepared by Arup (including supporting spreadsheets);
- Daylight, Sunlight and Overshadowing Report, prepared by GIA;
- Energy and Overheating Assessment, prepared by Arup;
- Environmental Statement:
 - ES Non-Technical Summary, prepared by Arup;
 - ES Volume 1: prepared by Arup and supporting consultants;
 - ES Volume 2: prepared by Montagu Evans;
 - ES Volume 3: prepared by Arup and supporting consultants.
- Environmental Statement Addendum prepared by Arup
- Fire Statement, prepared by Arup;
- Flood Risk Assessment and Sustainable Urban Drainage Strategy, prepared by Arup;
- Utilities Statements (for plot 1 and plot 2) , prepared by Arup;
- Health Impact Assessment, prepared by Quod;
- Heritage Assessment prepared by Donald Insall Associates
- Lighting Assessment, prepared by Arup;
- Site Waste Management Strategy, prepared by Arup;
- Outline Construction Environmental Management Plan, prepared by SRM;
- Planning Statement, prepared by DP9;
- Planning Addendum, prepared by DP9
- Preliminary Ecological Appraisal, prepared by ARUP;
- Security Needs Assessment, prepared by QCIC;
- Statement of Community Involvement, prepared by Capital Management Consultancy;
- Sustainability Statement, prepared by Arup;
- Transport Assessment (including Framework Travel Plan and Delivery and Servicing Management Plan), prepared by Arup;
- Urban Greening Factor Assessment, prepared by Arup;
- Ventilation and Extraction Statement, prepared by Arup;
- Whole Life Carbon Assessment, prepared by Arup.
- Wind Microclimate Assessment prepared by RWDI
- Affordable workspace document dated November 2024
- Planning Addendum note dated 22/11/2024
- Business Relocation Strategy dated November 2024

APPENDICES

Appendix A – Report to 9 December 2024 Strategic Development Committee

Appendix B – Update Report to 9 December 2024 Strategic Development Committee