

LONDON BOROUGH OF TOWER HAMLETS

DEVELOPMENT COMMITTEE

10th May 2012 at 7.00pm

UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL

Agenda Item number:	7.3
Reference number:	PA/11/02495
Location:	4 Wilkes Street, London E1
Proposal:	Erection of roof extension to provide additional office space. Formation of roof terrace with associated timber screening.

1. NAME OF OWNER

- 1.1 Part of section 1 of the officer's report sets out the site owner's details.
- 1.2 The detail in the officer's report is incorrect and should read as follows:
- 1.3 Owner: Mr Ofer Zeloof

2. ISSUE OF LIGHT TO 6 WILKES STREET

- 2.1 Sections 8.23 to 8.27 deal with the issue of light to 6 Wilkes Street. There is a shared fire exit between the two properties and a glazed door on 6 Wilkes Street currently leads onto the roof of 4 Wilkes Street. This glazed door has been providing light to a non-habitable room in 6 Wilkes Street. It is noted that this door was changed from a solid door to a glazed one in 1995 following refurbishment works to the property.
- 2.2 Paragraph 8.25 is extended to read as follows:
- 2.3 Furthermore, the applicant has stated that there is no legal right to light enjoyed by the window in the flank wall at 6 Wilkes Street and a right to light notice was registered on the 6th of June 2011. A right to light will arise if a neighbouring building's windows enjoy light over adjoining land for a period of 20 years and more. A right to light notice prevents the acquisition of the 20 year period and must be challenged by the property asserting the right to light within a year of it being registered. A right to light protected in law is essentially a private matter; however, the impact of the development on the light to the adjoining property is considered to be a material consideration and this factor has been given some weight in the assessment of this proposal.

3. RECOMMENDATION

- 3.1 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 the main report.