

**LONDON BOROUGH OF TOWER HAMLETS**

**DEVELOPMENT COMMITTEE**

**10<sup>th</sup> February 2016**

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**UPDATE REPORT OF HEAD OF PLANNING AND BUILDING CONTROL**

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<b>Agenda item no</b>	<b>Reference no</b>	<b>Location</b>	<b>Proposal / Title</b>
6.1	PA/15/01474	66-68 Bell Lane and 1-5 Tenter Ground, E1 7LA	The demolition of the existing building at 66-68 Bell Lane and the erection of a new single dwelling house set over five floors (including the basement) with ancillary private artist's studio space and the creation of linked ancillary residential accommodation located on the 2nd floor of No. 1-5 Tenter Ground.

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<b>Location:</b>	66-68 Bell Lane and 1-5 Tenter Ground, E1 7LA
<b>Proposal:</b>	The demolition of the existing building at 66-68 Bell Lane and the erection of a new single dwelling house set over five floors (including the basement) with ancillary private artist's studio space and the creation of linked ancillary residential accommodation located on the 2nd floor of No. 1-5 Tenter Ground.

## 1.0 UPDATES

### Planning Appeal

- 1.1 On the 3rd February 2016, the Planning Inspectorate notified the Council that an appeal has been submitted under Section 78 of the Town and Country Planning Act 1990 (as amended) because the statutory period for determining the application has expired and no decision has been made. This is described as a non-determination appeal.
- 1.2 As such the powers to determine the planning application have been taken away from the Council and now lie with the Secretary of State (Planning Inspectorate).
- 1.3 As such the officers' original recommendation to REFUSE the application is changed to gain the resolution the Development Committee would have taken in respect of the application, had the power for the Borough to determine the application had not been removed from the Development Committee. The Officer's recommendation remains unchanged in as much they remain of the same view that the scheme should be refused
- 1.3 The Development Committee are advised to consider the application in the same manner as it would have done as if the decision to determine application had not been removed from the Committee. Having regard to all the planning policies and considerations set out in the officer's report and representations received in respect of the application.
- 1.4 The resolution the Development Committee take will set the position that the Council will adopt at the Appeal.

## 2.0 CORRECTIONS

- 2.1 Paragraph 4.8 at the end of the first sentence, it should refer to the large window serving the proposed double height studio space at ground and first floor.

## 3.0 ADDITIONAL REPRESENTATIONS

- 3.1 Two additional representation have been received both letters of objection to the scheme.
- 3.2 The additional representations echo previous objections in respect of

- Objecting to the loss of a much admired building
- Expressing a view that thoughtful and able architects should be able to incorporate the existing building into the proposal rather than wholesale demolition
- Disappointed at the scale of demolition taking place in the area.

#### **4. RECOMMENDATION**

- 4.1 The officers' original recommendation to REFUSE the application is changed.
- 4.2 Officers recommend that the Committee confirms that it would be minded to REFUSE PLANNING PERMISSION based on the reasons set out in the Officer's report, had it the ability to determine the application - for the following reason.
- 4.3 The proposed development would result in the total demolition of a locally listed building at No 66-68 Bell Lane and would therefore result in the loss of a non-designated heritage asset. The loss of this locally listed building causes harm, albeit less than substantial harm, to the designated heritage asset, Artillery Passage Conservation Area. The proposal does not preserve or enhance the conservation area nor is design of the replacement building of sufficient architectural and townscape merit, to deliver a public benefit that would outweigh the harm to the conservation area and therefore the proposed development fails to comply with policies DM24 and DM27 of the Managing Development Document (2013), SP10 of the Core Strategy (2010), policies 7.4 and 7.8 of the London Plan (Consolidated with Alterations since 2015), the National Planning Policy Framework (2012) and National Planning Policy Guidance.

