

**DEVELOPMENT COMMITTEE 10 AUGUST 2022
UPDATE REPORT OF THE DIRECTOR OF PLANNING AND BUILDING CONTROL**

Agenda item no	Reference no	Location	Proposal / Title
5.1	PA/21/02729	42-44 Thomas Road	Erection of three sets of gates to the existing building

1. Removal of reason for refusal no. 3

1.1 Under Paragraph 8.1 of the committee report, there are 4 reasons for refusal of which being:

1. The proposed pedestrian access gates would restrict movement on a publically accessible space and would not promote socially inclusive and cohesive neighbourhood which is contrary to Policy D.DH2 of the Tower Hamlets Local Plan (2020 and Policies D3 and D5 of the London Plan (2021).
2. The proposed pedestrian access gates would restrict public access to water space, in the form of the Limehouse Cut, which is contrary to Policies S.OWS2 and D.OWS4 of the Tower Hamlets Local Plan (2020) and policy SI16 of the London Plan (2021).
3. The proposed gates would contravene the requirement agreed within the S106 to retain the public open space for use as a publically accessible open space for the lifetime of the development.
4. The proposed pedestrian access gate would act to restrict access to the Limehouse Cut, which is a key open space within the Limehouse Cut Conservation Area, and hence would not preserve or enhance the character of the conservation area. Therefore, the proposal is contrary to Policy S.DH3 of the Tower Hamlets Local Plan (2020).

1.2 However officers have since removed reason for refusal no. 3 which related to the contravention with the s106. The reason being that the applicant could apply to amend the s106 of the original parent permission (PA.16.01041) therefore making this reason for refusal invalid.

1.3 As such the final reasons for refusal are as follows:

1. The proposed pedestrian access gates would restrict movement on a publically accessible space and would not promote socially inclusive and cohesive neighbourhood which is contrary to Policy D.DH2 of the Tower Hamlets Local Plan (2020) and Policies D3 and D5 of the London Plan (2021).
2. The proposed pedestrian access gates would restrict public access to water space, in the form of the Limehouse Cut, which is contrary to Policies S.OWS2 and D.OWS4 of the Tower Hamlets Local Plan (2020) and policy SI16 of the London Plan (2021).
3. The proposed pedestrian access gate would act to restrict access to the Limehouse Cut, which is a key open space within the Limehouse Cut Conservation Area, and hence would not preserve or enhance the character of the conservation area. Therefore, the proposal is contrary to Policy S.DH3 of the Tower Hamlets Local Plan (2020).

2. RECOMMENDATION

- 2.1 Officer recommendation remains that planning permission should be REFUSED for the reasons set out in the main report.