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Town Hall, Mulberry Place  
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**Application Number:** PA/15/03356

25/04/2016

**Enquiries to:** Angelina Eke  
**Tel:** 020 7364 5365  
**Fax:** 020 7364 5415

Dear Sir/Madam,

### **Town and Country Planning Act 1990 (as amended)**

#### **CONDITIONAL PERMISSION FOR DEVELOPMENT**

In accordance with the Act and Order mentioned above, Tower Hamlets Council as Local Planning Authority hereby gives notice of its decision to grant permission for the development referred to in the schedule to this notice and as shown on the submitted plans and particulars subject to the conditions set out in the schedule.

You are advised that this permission does not modify or extinguish any covenants, easements or other restrictions applying to or affecting the land, or the rights affecting the land, or the rights of any other person entitled to the benefits thereof. You are also advised that this permission does not relieve you of the need to obtain any approval necessary under the Building Act 1984, Building Regulations 2000, or other related legislation. In this connection you should contact the Head of Building Control, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG (020 7364 5241) for advice or guidance on the necessity for obtaining building regulation approval in this particular case.

Applicants are reminded of the need to comply with the provisions of Part II of the London Building Acts (Amendment) Act 1939 in order to obtain official geographical and postal addresses and to get any newly created streets and access-ways officially named. **In order to avoid delays at completion stage of the work the application should be made on commencement of the work or shortly thereafter.** Details of the development, including site, block and internal plans annotated with unique plot numbers and additional development information such as tenure, number of bedrooms etc. with completed application forms (available from the Street Naming and Numbering webpage on the Councils website) should be sent to Planning and Building Control, Street Naming and Numbering, Mulberry Place, 5 Clove Crescent, London, E14 2BG.

Your attention is drawn to the following statement of applicants' rights:-

#### **1) Appeals to the Secretary of State**

If you are aggrieved by this decision you may appeal to the Secretary of State for Communities & Local Government in accordance with Section 78 of the Town and Country

must do so within six months, or 28 days, if the development in your application is the same or substantially the same as development that is currently or subsequently the subject of an enforcement notice. You must use a form which you can get from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0303 444 5000). The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order. In practice the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

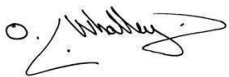
## **2) Purchase Notice**

If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Act 1990.

## **3) Compensation**

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him. These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Yours sincerely,



**Owen Whalley, Head of Planning and Building Control**

## **SCHEDULE**

### **Full Planning Permission**

**Location:** 1 Capstan Square, London, E14 3EU

**Proposal:** Erection of a new three storey dwelling within garden ground (Land to the west of the host building)

**Date:** 25/04/2016

**Reference:** PA/15/03356

**Application** 2 December, 2015

**Received on:**

**Application** 8 January, 2016

**Registered on:**

**Documents and Drawings** **Drawings:** CPSSQ-E201; CPSSQ-E202; CPSSQ-E203; CPSSQ-E204; CPSSQ-L200; CPSSQ-L201; CPSSQ-P201; CPSSQ-P202; CPSSQ-P203; CPSSQ-P204; CPSSQ-S201; CPSSQ-E301 Rev A; CPSSQ-E302 Rev B; CPSSQ-E303 Rev B; CPSSQ-E307 Rev A; CPSSQ-L301 Rev B; CPSSQ-P301 Rev B; CPSSQ-P302 Rev B; CPSSQ-P303 Rev B; CPSSQ-P304 Rev B; CPSSQ-S301 Rev A

**Documents:** Design and Access Statement, prepared by Drawing and Planning dated December 2015; Flood Risk Assessment, prepared by Drawing and Planning dated December 2015; Impact Statement, prepared by Drawing and Planning, December 2015 and Photographs document showing the site, prepared by Drawing and Planning dated December 2015.

### **Statement of positive and proactive engagement**

The Local Planning Authority has worked with the applicant in a positive and proactive manner by making available a formal pre-application process, including free duty officer advice. The Local Planning Authority has also produced policies and provided written guidance, all of which are available on the Council's website and which has been followed in this instance.

## **Conditions and Reasons:**

1 - The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

2 - The development hereby permitted shall be carried out in accordance with the approved plans listed in the Schedule to this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 - The materials to be used for the external surfaces of the development hereby permitted shall match those of 1 Capstan Square. All new works and works of making good to the retained fabric shall be finished to match the adjacent work with regards to material, colour, texture and profile except where otherwise stated on the approved drawings.

Reason: To ensure that the external appearance of the building is satisfactory in accordance with the requirements of policy SP10(4) of the Tower Hamlets Core Strategy 2010.

4 - If any suspected contamination or unusual or odorous ground conditions are encountered during any ground works, the developer should consult with the local planning authority. A proposal for any necessary remedial works to contain, treat or remove the identified or suspected contamination shall be submitted to the local planning authority for written approval. A verification report shall be produced on completion of the remediation works to demonstrate effective implementation of the remediation strategy.

Reason: The condition is required to ensure that in the event any underlying contamination is found that it is properly remediated and made safe prior to occupation of the new development, to protect public health and to meet the requirements of The NPPF, Policies 5.21 and 5.22 in the London Plan (MALP 2015-2016) and Policy DM30 in the Managing Development Document (2013) which provides guidance around protecting residents' health and the environment from contaminants and hazardous substances.

5 - Provision shall be made for the storage of refuse and recycling facilities in accordance with drawing CPSSQ P301 Rev B prior to the occupation of the building and shall thereafter be made permanently available for the occupiers of the building.

Reason: In accordance with Policy SP05 in the Adopted Core Strategy (2010 ) and policies DM14 and DM25 in the Adopted Managing Development Document (2013), which seeks to ensure that adequate refuse provision is provided within new developments.

6 - The approved provisions for cycle parking spaces ( 2 cycle parking spaces per house ) shall be provided for prior to the occupation of the development and shall be so maintained for the lifetime of the development.

Reason: To promote sustainable transport by reducing the need for car travel, and

prioritizing alternative methods of transport such as cycling in accordance with the

requirements of policy 6.9 of the London Plan (MALP 2015-2016), policy SP09 of the Tower Hamlets Core Strategy (2010) and policy DM20 of the Managing Development Document (2013) .

7 - The development hereby permitted shall not be first occupied until a scheme to secure the occupation of the site as a car-free development has been submitted to and agreed in writing by the local planning authority.

The scheme shall make explicit that all occupiers of the development (not being holders of a disabled person's badge issued pursuant to Section 21 of the Chronically Sick and Disabled Persons Act 1970 or similar legislation) including all such future occupiers, shall not apply for or hold an on-street parking permit to park a vehicle on public highway at any time within the administrative district of the local planning authority.

Any permit that is issued to or held by any occupant of the development shall immediately be surrendered to the local planning authority. The restrictions and requirements of the scheme shall apply to and be communicated to all future occupiers of the development including successors in title as well as any person occupying the premises as a tenant or licensee. The scheme shall be in place prior to first occupation of the development and retained in force thereafter.

Reason: To promotes sustainable transport by reducing the need for car travel, and to reduce pressure for on-street car-parking in accordance with the requirements of Policy 6.9 of the London Plan (MALP 2015- 2016), policy SP09(4) of the Tower Hamlets Core Strategy 2010 and Policy DM22 of the Managing Development Docment (2013).

8 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order) (with or without modification), no windows, dormer windows, doors or other openings other than those expressly authorised by this permission shall be constructed.

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings

**Informatives:**

**1** - The applicant must ensure that the treatment/finishing of flank walls can be implemented, before work commences, as this may involve the use of adjoining land and should also ensure that all development, including foundations and roof/guttering treatment is carried out entirely within the application property.

**2** - The applicant should note that this Planning permission does not override any restriction or condition arising from any restrictive covenant affecting the land and planning decisions cannot be based on a covenant.

