



Mr Tom Lacey
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Place Directorate
Development Management
Town Hall, Mulberry Place
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Application Number: PA/22/00143

Enquiries to: Kitty Eyre

19/07/2022

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Dear Sir/Madam,

Town and Country Planning Act 1990 (as amended)

REFUSAL OF PLANNING PERMISSION

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

Your attention is drawn to the following statement of applicants' rights arising from the refusal of planning permission.

(1) APPEAL TO THE SECRETARY OF STATE

If you are aggrieved by the decision to refuse permission for the proposed development, then you can appeal to the Secretary of State for the Environment under section 78 of the Town and Country Planning Act 1990. If you want to appeal from the date of your decision notice then you must do so within **SIX months** (unless your proposal relates to householder appeal or minor commercial appeal as defined in Article 37 of the DMPO 2015 in which case you must do so within **TWELVE weeks** of the date of this notice) 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. Appeals can be made online at:

<https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000. The Secretary of State can allow a longer period for giving notice of an appeal but 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 the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

(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 Planning Act 1990.

(3) COMPENSATION

In certain circumstances compensation may be claimed from the Council of the London Borough of Tower Hamlets if permission is refused or granted subject to conditions by the Secretary of State for the Environment on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Peters', written in a cursive style.

Jennifer Peters, Divisional Director, Planning and Building Control

SCHEDULE

Refusal of Full Planning Permission

Location: 4th & 5th Floor, 34 Westferry Circus, London, E14 8RR

Proposal: Proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant. Alterations to the facade to include addition of new bi-folding glass doors to the 3rd floor in order to provide a terrace creating amenity space and minor alterations to the glass facade on the 4th floor in order to provide bi-folding doors.

Date: 19/07/2022

Reference: PA/22/00143

Application 26 January, 2022

Received on:

Application 2 February, 2022

Registered on:

Documents and Drawings Proposed south east elevation 1470-A-GA-EL-13 F
Design and access assessment
Noise Impact Assessment (updated)
Bin store
Bin store 1
Roof image
Service lift
Proposed drawings
Proposed Block plan 001 Rev 01
Proposed ground floor plan 101 Rev 01
Proposed terrace plan 102 Rev 01
Existing north east elevation 1470-A-GA-EL-00 B
Existing south west elevation 1470-A-GA-EL-01 B
Existing north west elevation 1470-A-GA-EL-02 B
Existing south east elevation 1470-A-GA-EL-03 B
Existing level -2 plan 1470-A-GA-PL-00 B
Existing level -1 plan 1470-A-GA-PL-01 B
Existing upper ground floor plan 1470-A-GA-PL-02 B
Existing first floor plan 1470-A-GA-PL-03 B
Existing second floor plan 1470-A-GA-PL-04 B
Existing third floor plan 1470-A-GA-PL-05 B
Existing fourth floor plan 1470-A-GA-PL-06 B
Existing roof plan 1470-A-GA-PL-07 B
Proposed third floor plan 1470-A-GA-PL-10 B
Proposed fourth floor plan 1470-A-GA-PL-11 E
Proposed roof terrace plan 1470-A-GA-PL-12 G
Location plan 1470-A-SP-01 D
Block plan 1470-A-SP-02 Rev.E

Statement of positive and proactive engagement

The Local Planning Authority has worked with the applicant in a positive and pro-active manner by making available a formal pre-application process, including free duty officer advice service. The Local Planning Authority has also produced policies and provided written guidance, all of which is available on the Councils website but which has not been adopted in this instance

Reasons for Refusal

1 - The anticipated noise from the development would have an unacceptably detrimental impact on neighbouring occupier's amenity by way of noise and disturbance, contrary to Policy D.DH8 and Policy D.ES9 of the Tower Hamlets Local Plan 2031 (2020).