



Appeal Decision

Site visit made on 22 June 2021

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 18 AUGUST 2021

Appeal Ref: APP/E5900/W/20/3256720

31 Garrick Court, Scarborough Street, London E1 8DR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Tariq Muhamad against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref PA/19/01535, dated 16 July 2019, was refused by notice dated 7 February 2020.
 - The development proposed is change of use of ground floor unit from B1 (office) to a flexible use for B1 (Office) and / or D1 (non-residential education and training centre).
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Decision

1. The appeal is allowed, and planning permission is granted for Change of use of ground floor unit from B1 (office) to a flexible use for B1 (Office) and / or D1 (non-residential education and training centre) at 31 Garrick Court, Scarborough Street, London E1 8DR in accordance with the terms of the application, Ref PA/19/01535, dated 16 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SCS/SP/01 Site Location Plan; SCS/SC/03 REV E Proposed Floor Plans and elevations.

Main Issue

2. The main issue is the effect of the proposal on the provision of B1 space within the Borough.

Reasons

3. The appeal site comprises the ground floor commercial space of a mixed commercial/residential block granted planning permission in 2005. The commercial space subject of this appeal is about 300m².
4. The ground floor has been marketed since November 2018 for B1 and D1 uses, and boards remain at the premises. The requested rental is £35 per square foot, which is a competitive rate for the area. An update in November 2020 identifies that there has been very limited interested in a B1 use of the site throughout the marketing process.

5. There has been interest for a D1 use of the commercial space to be used as an adult training centre. A D1 use of the space would provide training for local residents and support the policy drive to provide better skills for local people. There is policy support for this approach in the Vision for City Fringe within the Tower Hamlets 2031: Managing Growth and Sharing the Benefits' (2020) (Local Plan) which identifies Whitechapel and the surrounding area as being suitable for education facilities.
6. I find that the marketing that has taken place since 2018 demonstrates that there is insufficient interest in the use as solely B1 to justify loss of that use. The marketing process has complied with the requirements of policy D.EMP3 of the Local Plan.

Other Matters

7. Having regard to the lawful use of the site and its accessible location I consider that the change of use would not result in an increase in traffic which would have a detrimental impact on highway safety.

Conclusion and Conditions

8. I have found that the proposal would comply with the development plan when taken as a whole, accordingly the appeal should succeed. I have specified the plans by way of condition for certainty.
9. For the reasons above I conclude that the appeal is allowed.

J Ayres

INSPECTOR