



Appeal Decision

Site visit made on 2 May 2025

by **S Poole BA(Hons) DipArch MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 28 May 2025

Appeal Ref: APP/E5900/W/25/3359846

Land to the rear of Railway Arch 361, Yorkshire Road, Limehouse, London E14 7LR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Warren Riley, Riley Metalworks Ltd, against the decision of the Council of the London Borough of Tower Hamlets.
 - The application Ref is PA/24/01162.
 - The development proposed is partial demolition of, and extension to, the existing building to facilitate its change of use from a metal workshop into 2, 2 bedroom residential dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In the interest of clarity and brevity I have used the description of development provided on the appeal form in the banner heading above.

Main Issue

3. The main issue is the effect of the proposal on the supply of employment space in the borough.

Reasons

4. The appeal site comprises premises at the junction of Yorkshire Road and Chaseley Street that are currently occupied by a metal fabrication company. The site comprises a railway arch facing Yorkshire Road, behind which there is a purpose-built workshop with vehicular access from Chaseley Street and a small area of outdoor space to the rear. The workshop abuts a residential terrace which forms part of the York Square Conservation Area.
5. The appeal proposal would comprise the demolition of the taller part of the workshop building and its replacement by a 2-storey building. This would extend further to the rear than is currently the case and contain a pair of 2-bedroom flats. Whilst the arch and lower part of the workshop would be retained for their present use the proposal would result in a substantial reduction in employment floorspace within the appeal site. I note the current occupiers' intention to down-size their business and remain operational within the railway arch.
6. Policy D.EMP3 of the Tower Hamlets Local Plan 2031 (2020) (THLP) seeks to avoid the net loss of viable employment floorspace in the borough except where

evidence of active marketing over a continuous period of at least 24 months at a reasonable market rent demonstrates an absence of demand for the floorspace or in circumstances where a site is genuinely unsuitable for continued employment use due to its condition.

7. Marketing information is before me comprising 3 letters from Dobbin & Sullivan Chartered Surveyors dated 3 March 2021, 26 April 2023 and 20 June 2024. It is clear that some level of marketing has been ongoing for more than 24 months but the scope is less clear. In particular, there is limited evidence that the appeal premises have been viewable on the websites referred to by the agent throughout the entirety of the marketing period.
8. Notwithstanding this, the part of the workshop that is intended to be redeveloped is inherently unattractive to potential occupiers because it is currently in use, forms part of a larger unit and lacks basic facilities. Given these factors it is unsurprising that the marketing carried has failed to attract an occupier. In addition, there is no evidence before me that the inherent unattractiveness of the premises has been reflected in the rent sought. The rent level has been compared to that sought for a number of commercial properties in the area that, in the absence of any information to the contrary, I consider are most likely self-contained and/or ready for occupation and/or benefit from basic facilities.
9. For the reasons set out above a lack of demand for the part of the appeal site intended to be redeveloped has not been adequately demonstrated and, as this space is purpose-designed and very clearly suitable for continued employment use, the proposal fails to accord with THLP Policy D.EMP3 and would have an unacceptable effect on the supply of employment space in the borough.
10. I note the proposal would improve the appearance of the appeal site and the setting of the neighbouring conservation area; it would provide housing, albeit only 2 units; and accord with the aims of many development plan policies in these respects. However, these planning benefits do not outweigh the harm identified above.
11. I note that both the appellant and the Council are of the view that the current use of the appeal premises falls within Use Class B2 (General Industrial). Whether this remains the downscaling of industrial activities carried out of the site over recent years described by the appellant, and the fact the activities have been carried out in a residential area without any recorded detriment to residential amenity is open to debate. Notwithstanding this, potential amenity issues due to the close vicinity of an industrial use to dwellings would not cease to exist with the proposed development in place as the pair of proposed dwellings would be immediately next to the retained industrial space.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR