

# **POSITION STATEMENT**

**Zeloof LLP on behalf of The Old Truman Brewery– LBTH  
Response**

In respect of Session 2  
DM1

**London Borough of Tower Hamlets  
Managing Development – Development Plan Document  
Local Development Framework  
7 September 2012**

## **Zeloof LLP on behalf of The Old Truman Brewery LBTH Response Statement**

This statement provides the Council's response to the issues stated within Zeloof LLP on behalf of The Old Truman Brewery's Position Statement for the Managing Development – Development Plan Document (MD DPD) Examination in Public. This statement does not seek to repeat information relating to the Council's position as stated elsewhere.

### **Issue 1**

It is considered that if the MD DPD limits the amount of A3, A4 and A5 uses over the next 15 years in the manner proposed, that future development and changes of use within the Old Truman Brewery and the wider District Centre will be restricted, stifling sustainable economic development contrary to the NPPF. We consider that the MD DPD is unsound and is ineffective in that it does not provide enough flexibility for change. There should be an allowance for changing economic circumstances and the changing needs of businesses within the community, so that businesses can invest in the future of the borough.

Old Truman Brewery is under-concentrated in terms of restaurant use. We consider that the Old Truman Brewery has 'capacity' for more restaurant uses which would have no adverse effect on the balance of uses in the District Centre, or on residential amenity. We consider that seeking to restrict the fulfilling of this 'capacity' is unsound as it would be seeking to stifle appropriate sustainable economic development.

### **Summary**

Management of A3, A4 and A5

### **Response**

Disagree. The Council's policy seeks to strike the balance between supporting the character and vitality of town centres, with the need to protect those living in the area from the over concentration of A3, A4 and A5 uses.

The Council recognises that Brick Lane and the surrounding area contributes towards the evening and night time economy and it is also important to manage A3, A4 and A5 uses. To balance this, proposals for A3, A4 and A5 uses will only be supported where they do not exceed 25% of the total number of units in the Brick Lane town centre.

This approach will ensure that development proposals support a vibrant town centre whilst managing the adverse impacts on residents from the over concentration of A3, A4 and A5 uses.

### **Issue 2**

Those "missing" areas which are not currently within the boundary of the District Centre, but which we consider logically should be included within the District Centre, edged and shaded in green.

We would note that in addition to those "missing" premises which we refer to in the Earlier Submissions, we also consider 107 Brick Lane and 115B Brick Lane (which despite the numbering are adjacent to each other) to be incorrectly omitted from the District Centre boundary and we have accordingly shown these two units also edged and shaded in green on the Analysis Plan.

## **Summary**

Amendment to the District Centre boundary

## **Response**

Agree. Following a review of the proposed District Centre boundary, the Council will include the sites outlined in green (Appendix 1) within the Brick Lane District Centre boundary. Due to the existing retail use and potential development opportunity, the sites will support and enhance the character and function of Brick Lane Town Centre.

## **Issue 3**

These appeal decisions are relevant in that they are relatively recent, in particular the 'Corbet Place bar' decision. The decisions contain Inspector comments relating to the appropriateness and acceptability of the change of use of premises within the Old Truman Brewery site to restaurant (A3 use) and bar (A4 use). This is relevant in terms of the balance of uses within the District Centre, the under-concentration of restaurants in particular in the Old Truman Brewery, and the unsoundness of the MD DPD which proposes to restrict such changes of use. The appeal decisions also contain comments as to the acceptability of restaurant and bar uses in the Old Truman Brewery in terms of local residential amenity.

## **Summary**

Supporting Appeal Decisions

## **Response**

Noted. The Unit FG-14 (7 June 2011) appeal decision was made during the engagement consultation stage (3 May to 9 June 2011) on the Managing Development – Development Plan Document (MD DPD) where the policy approach (and not detail) was being consulted on. At this stage, the document would be regarded to have limited weight to determine planning applications. The existing Council policies were applied at that time to determine the decision.

The Corbet Place decision was made following the submission version of the MD DPD (May 2012). At this time, the MD DPD gained planning weight for the purposes of determination of planning applications, but due to its stage in the adoption process the Inspector did not apply the MD DPD to the appeal decision. The existing Council policies were applied at that time to determine the decision.

The MD DPD provides an up to date policy framework supported by robust evidence to manage A3, A4 and A5 uses. The MD DPD will ensure that development proposals support a vibrant town centre whilst managing the adverse impacts on residents from the over concentration of A3, A4 and A5 uses.