

Committee:	Date:
Planning and Transportation Sub-Committee	13 February 2024
Subject: Portsoken Pavilion 1 Aldgate Square London EC3N 1AF Retention of a change of use of the premises from the lawful permitted use as Class E(b) (restaurant) to Sui Generis (drinking establishment) use.	Public
Ward: Portsoken	For Decision
Registered No: 23/00255/FULL	Registered on: 6 April 2023
Conservation Area:	Listed Building: No

Summary

The proposal seeks to retain an unauthorised change of use of the Portsoken Pavilion, 1 Aldgate Square, from the permitted retail (Class E) use to a drinking establishment with substantive food offer (Sui Generis) use. No physical works are proposed.

The Portsoken Pavilion and Aldgate Square were constructed as part of the City's remodelling of the Aldgate gyratory system (2015 to 2019). Aldgate Square is located to the south-east side of the City, close to the boundary with the LB Tower Hamlets.

Representations were received from the Aldgate School (x2), St Botolph Without Aldgate Church and 15 members of the public. The representations covered the broad themes of (a) loss of a community building (including public toilet provision); (b) anti-social behaviour; (c) public safety; and (d) the negative impact on community use of the square (particularly on after school play). The representations are addressed within the body of the attached report.

The proposal aligns with the changes to the Use Classes Order which allow flexibility for businesses to adapt and diversify to meet changing demands and supports the primary business function of the City. There would be no loss of active retail frontage and the application supports the aims of Policy DM20.3: Retail uses elsewhere in the City, as the spaces would provide local facilities for the City's workforce, enhance vibrancy, and create active frontages.

The uncontrolled spilling-out of the customers into the main Square, particularly during the warmer months, has been of concern for the parents of children attending the Aldgate School (representations have also been received from the church and other users). Officers recognise that the overall use of the Square has increased with the introduction of the bar, and as footfall in the City has increased over the same period. To mitigate concerns, conditions are proposed that would prevent spilling-out from the premises, other than to an area specifically licenced for such purposes, before 17:30 Monday to Friday during The Aldgate School's term time. This would keep the main Square free throughout the day for all users of the space, and would provide a two-hour 'buffer' period between the end of the school day and any potential spilling-out of customers into the wider area, at a point in the day where the City transitions to a more night-time based economy.

Colleagues from the Licencing Team inspected the site seven times across June and July 2023 (when use of the Square was at its busiest) and did not find anything of note with regards to anti-social behaviour or obstruction.

The premises implemented their Management Plan, which now forms part of the approved documents, after the principal objections to the proposals were received.

The site is in a busy and lively area of the City, linking Aldgate High Street to the southeast with Bishopsgate to the north, and contributes to a vibrant and dynamic City. There are five drinking establishments (including a publicly accessible hotel bar) within 130m of the proposal site; seven within 200m. This will rise to eight when the Little Ship PH (an Asset of Community Value) is reinstated after redevelopment. The proposed bar/public house use, which also provides a substantive food offering, would not be out of character in this location.

During operational hours, the premises provide for publicly accessible toilets with a fully accessible WC with baby change facility at ground floor level. The premises hold a weekly community chess club and was a distribution centre for the Community Feast, operated by the Aldgate Connect BID, in December 2023.

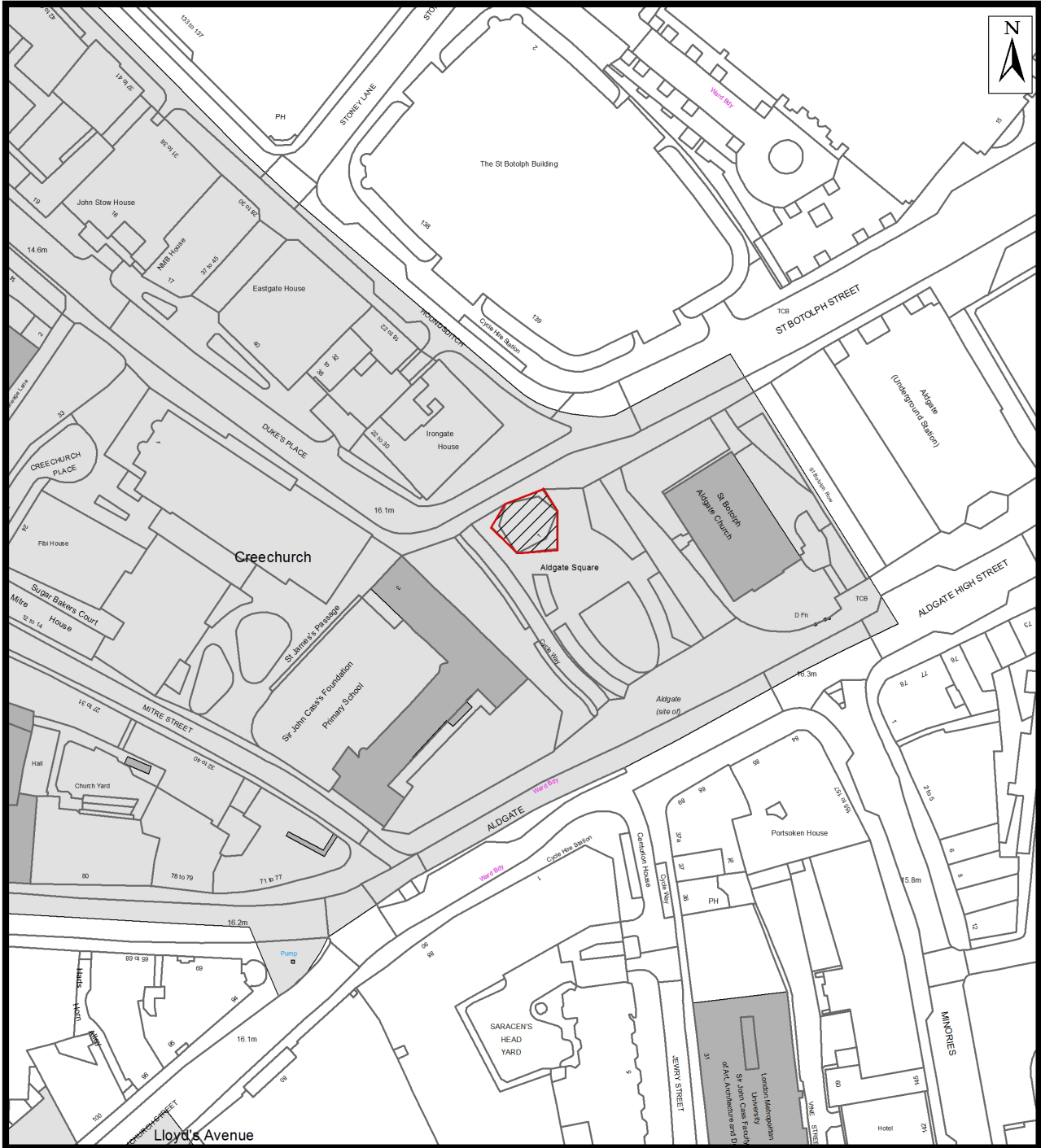
A condition is recommended to ensure that the premises seek to join the Community Toilet Scheme (CTS) within three months of the grant of planning permission, to ensure all the public toilets are made available to the general public during operational hours without the perceived requirement to purchase

goods and to support an increase in the membership of the Community Toilet Scheme in accordance with Policy DM 22.2 Provision of public toilets.

Recommendation

(1) That Planning Permission be granted for the above proposal in accordance with the details set out in the attached schedule.





Site Location Plan



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ADDRESS:
Portsoken Pavilion, 1 Aldgate Square

CASE No.
23/00255/FULL

-  SITE LOCATION
-  LISTED BUILDINGS
-  CONSERVATION AREA BOUNDARY
-  CITY OF LONDON BOUNDARY



ENVIRONMENT DEPARTMENT

APPLICATION COVER SHEET

The Portsoken Pavilion, 1 Aldgate Square London EC3N 1AF

TOPIC	INFORMATION			
1. HEIGHT	EXISTING		PROPOSED	
	N/A			
2. FLOORSPACE GIA (SQM)	USES	EXISTING	PROPOSED	
	Drinking Establishment	113.5sqm		113.5sqm
	Public Toilet Provision	19.3sqm		19.3sqm
	TOTAL	132.8sqm	TOTAL	132.8sqm
			TOTAL UPLIFT:	0 sqm
3. OFFICE PROVISION IN THE CAZ	Existing: Proposed: Office uplift:			
4. EMPLOYMENT NUMBERS	EXISTING		PROPOSED	
	3 Full-time 5 Part-time		3 Full-time 5 Part-time	
5. VEHICLE/CYCLE PARKING	EXISTING		PROPOSED	
	N/A		N/A	
6. HIGHWAY LOSS / GAIN	N/A			
7. PUBLIC REALM	N/A			
8. STREET TREES	EXISTING		PROPOSED	
	N/A			
	EXISTING		PROPOSED	

9. SERVICING VEHICLE TRIPS	AWAITING CONFIRMATION	
10. SERVICING HOURS	<p>No servicing between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays.</p> <p>The servicing arrangements are in accordance with the original planning permission for this site.</p>	
11. VOLUME OF RETAINED FABRIC	100%	
12. REGULATED Operational CARBON SAVINGS	N/A	
13. OPERATIONAL CARBON EMISSION	N/A	
14. EMBODIED CARBON EMISSIONS	N/A	
15. WHOLE LIFE CYCLE CARBON EMISSIONS	N/A	
16. WHOLE LIFE-CYCLE CARBON OPTIONS		
17. TARGET BREEAM RATING	N/A	

18. URBAN GREENING FACTOR	N/A
19. AIR QUALITY	N/A
20. Biodiversity Net Gain	N/A

Main Report

Site

1. The Portsoken Pavilion and Aldgate Square were constructed as part of the City's remodelling of the Aldgate gyratory system (2015 to 2019). Aldgate Square is located to the south-east side of the City, close to the boundary with the LB Tower Hamlets.
2. The Pavilion sits on the north side of the Square, adjoining Duke's Place. To the west is the grade II* listed Aldgate School. To the east is the grade I listed St. Botolph Without Aldgate Church.
3. The Pavilion is formed of two storeys over ground and basement levels. The basement level having previously been converted from a public subway.
4. The building is not listed but now forms part of the new Creechurch Conservation Area designated on 12 December 2023.

Relevant Planning History

5. Conditional planning permission (application no. 14/00986/FULL) for the "Erection of new railings and gates and creation of enclosed gardens; alterations to existing churchyard railings and gates and the layout of the churchyard; erection of a single storey pavilion for cafe/restaurant use; use of existing subway tunnels for ancillary storage and servicing in association with the proposed pavilion; and relocation of the police public call box and Mocatta drinking fountain" was approved by your Committee on 3 February 2015.
6. At the time planning permission was granted, a cafe/restaurant would have fallen within Class A1 and/or Class A3 of the Town & Country Planning (Use Classes) Order 1987. Drinking establishments would have fallen within Class A4.
7. Revisions to the above Order, which came into force in September 2020, amalgamated Classes A1 and A3 into a new Class E (Commercial, Business and Service) use. Class A4 was redesignated as a 'Sui Generis' use.
8. Following the changes to the Order, it is considered that the permitted use of the premises now falls within the new Class E.

Proposals

9. The current planning application seeks to retain an unauthorised change of use of the Pavilion from the permitted retail (Class E) use to a drinking establishment with substantive food offer (Sui Generis) use. No physical works are proposed.
10. The ground floor provides for the bar and seating area and accessible WC. The kitchen, cellar and additional publicly accessible toilets are at basement level.
11. An external seating area is provided through the grant of a Pavement Licence under the Business and Planning Act 2020.

Consultations:

12. The planning application was advertised on site and relevant neighbouring premises (The Aldgate School, Bevis Marks Synagogue and St Botolph Without Aldgate Church) were consulted individually.
13. Representations were received from the Aldgate School (x2), St Botolph Without Aldgate Church and 15 members of the public. Copies of all representations are attached in full to this report.
14. The public representations covered the broad themes of (a) loss of a community building (including public toilet provision); (b) anti-social behaviour; (c) public safety; and (d) the negative impact on community use of the square (particularly on after school play).
15. The table below summarises the public representations received:

Principal Themes	Nature of representations (Sample)	Number of comments on this theme	Response
Loss of a community building	<p>1. This square and the beautiful building, publicly funded, sitting on it were never intended to house yet another pub. Why have a pub company been allowed to open such an establishment here, it does not have planning permission and was never intended for such use.</p> <p>2. I am appalled yet another pub has been allowed to take over this beautiful civic building and the square it sits upon.</p> <p>3. The cafe and its associated lavatories were such a lovely addition to the Square.</p> <p>4. Whatever the building operates as, could its use as a</p>	5	<p>There is no requirement for the premises to remain as a cafe. It is considered that the building continues to provide a community facility.</p> <p>The toilet facilities remain publicly accessible during operating hours as part of the lease provisions. The applicants have confirmed that they are content to sign up to the Community Toilet Scheme and provide additional signage so that members of the public feel</p>

	local public lavatory be retained and made more obvious, so that people realise they can use the loos without needing to buy a drink?		confident using the toilets without needing to purchase food or drink from the establishment.
Anti-social behaviour	<p>1. This pub has ruined the Square - the patrons are often drunk and rowdy.</p> <p>2. This pub is causing a public nuisance with its drunken customers outside in the public space of the Square.</p> <p>3. ...this establishment this evening causing horrendous noise and anti-social behaviour.</p>	4	To assess complaints and usage of the outside area, colleagues from the Licensing Team advise that they inspected the site seven times across June and July 2023 (when use of the Square was at its busiest). They did not find anything of note regards anti-social behaviour or obstruction. Following the provision of advice to the premises management, no further complaints were received.
Impact on amenity of Aldgate Square	1. Previously, the square was very busy after school finished (my child attends the Aldgate School). Now, fewer parents and children tend to congregate in	10	Suitable conditions have been recommended to address the cross-over period at the end of the

	<p>the Square, as it tends to be filled with people visiting the Aldgate Tap instead.</p> <p>2. Large crowds ... spreading further onto the square and quite frankly taking it over, leaving glasses and cigarette butts everywhere.</p> <p>3. The Aldgate square is a special and unique green space for city children. They love running and playing there with their friends after school. This summer it has been overrun with adults drinking.</p> <p>4. It is a shame how a small pub without a defined outdoor space took ownership of the square, careless of the community.</p> <p>5. There are so few spaces for city and local children. There is so little grass. There are literally hundreds of pubs and adult spaces in the city. Please leave this one spot for families and children of Aldgate School and the city.</p> <p>6. This summer parents and kids have not been able to meet and play in the fountains as we have the last two years, mixing in groups of</p>		<p>school day for parents and children.</p> <p>The operators have implemented a management plan throughout the Square. This includes regular collection of customer glasses, as well as general cleaning and the collection of bottles and cans.</p>
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	<p>all ages, sharing picnic meals into the evening and embedding a sense of community in the city for those of us who choose to effectively build our whole lives here rather than just commuting in and out consuming it. This amazing space has become somewhere which fails its community; the School and its parents need support and nurture, not more obstacles to family city living.</p>		
Public Safety	<p>1. The foreseeable consequences of granting this planning application...:</p> <ul style="list-style-type: none"> - Aldgate Square will become littered with broken glass, cigarette stubs, etc. - One of the school children, or someone else enjoying the square and the fountain, will be injured by broken glass - potentially seriously - The church yard will be used as a public toilet <p>2. Large crowds ... spreading further onto the square and quite frankly taking it over, leaving glasses</p>	5	<p>The operators have implemented a management plan throughout the Square. This includes regular collection of customer glasses, as well as general cleaning and the collection of bottles and cans brought into the Square by non-customers who also use the Square and adjoining churchyard. Staffing levels have been increased to address the busier times</p>

	<p>and cigarette butts everywhere.</p> <p>3. If my son plays there, I cannot have a good sightline to ensure he is safe.</p> <p>4. It's now very difficult to keep my children safe when leaving school - even walking through without stopping to play i.e. trying to keep close to my 3yr old whilst pushing a pram through the crowd.</p> <p>5. It is however concerning the change of use of the pavilion, the glasses left on the floor or around the square from which kids can drink or harm themselves.</p>		
Other	<p>1. If, pragmatically, it is only viable to operate as a bar, would it be possible to restrict outside drinking until 5.00pm, when most of the children have left school, and people would be leaving their offices?</p> <p>2. I'm not against it being a bar per se if people are not allowed to spill out over the whole square or if timings are restricted to after e.g. 5/6pm when</p>	7	<p>Suitable conditions have been recommended to address the cross-over period at the end of the school day.</p>

	<p>children have gone home. Giving the children an hour or two each day doesn't seem too imposing.</p> <p>3. Please don't allow this use to persist, at very least say until 1800 when even on the balmiest of days the kids have played themselves towards sleep.</p> <p>4. Businesses taking on sites and trading them without proper consent surely is not something City of London should be encouraging or allowing?</p> <p>5. So although I have no objection in principal to it being a pub, I do feel the city is a very safe and civilised place and there should be sensible demarcation, control and management of outside drinkers in their number and location which would hopefully assist with a decrease in noise, smoke, choice language and making sure there's comfortable space for other users of the square especially on a sunny afternoon</p>		<p>The application is submitted following Planning Enforcement engagement.</p>
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16. The Aldgate School made the following representations:

(i)

- The consultation process - as a neighbouring property we are concerned about the recent change of use and the lack of notification in writing which we would normally expect with a planning consultation. We therefore feel insufficient consultation has been sought. The change of use of the pavilion has already altered the character of the square.
- The Portsoken Pavilion was conceived as a social enterprise for the benefit of the local community, enhancing the environment and creating healthy living. Regrettably our families are no longer able to use this space safely due to individuals being under the influence of alcohol.
- Safeguarding has now become an issue for our families using the square as the patrons of the Aldgate Tap fill a considerable area of the square and are not limited to the immediate area beside the pavilion. Our families now have a much smaller area to play and congregate in.
- Aldgate Square itself was designed to remove barriers between communities, particularly in creating public space for the area's multicultural residents. Since the square has opened our children and their families have benefitted enormously from using the fountains and the grassy area. That has all changed since the opening of the Aldgate Tap.
- There is a lack of cultural sensitivity in this change of use. A significant number of our community are Muslim. For those parents and their primary age children to see individuals under the influence of alcohol is inappropriate especially where it is to excess.
- The proposed retention of the change of use as a drinking establishment fails to take into account the pavilion's location in relation to its immediate neighbouring properties – the Aldgate school and a Church of England parish church.
- From a safety perspective the hazard of broken glass to the public- particularly to children and animals – caused by damaged glasses being discarded by drinkers is a real risk.
- Potential for anti-social behaviour has risen as individuals react under the influence of alcohol.
- Surely there is an obligation for the community to have a safe and unimpeded route across the public square.

(ii)

- Consultation process: I am concerned about the recent change of use and the lack of consultation around the permanent change. The change of use of the pavilion fundamentally changes the character of the square and the Portsoken area. I would ask that you undertake a full consultation before making any changes.
- Community asset: The Aldgate Square, since its opening, has been a community hub and a key factor in removing barriers in this multicultural environment. Families from the school and far beyond use the square on a daily basis and children enjoy using the fountains and running on the real grass area. Unfortunately, with the opening of the Aldgate Tap, this has quickly changed.
- Culture and safety: The obvious and copious smoking and consumption of alcohol are of concern to our school community, a large proportion of whom are Muslim. It is a concern that the square is now full of individuals who are under the influence of alcohol and therefore the safeguarding of the children and families using the square is of concern.
- The patrons of the Aldgate Tap fill the square and are not restricted to the immediate area beside the pavilion, which leaves little space for others to enjoy the square.
- There is also a concern around broken glass generated by the patrons of the Aldgate Tap which has rendered the fountains dangerous for the children to enjoy due to fear of injury.
- In its previous iteration, the toilets in the Portsoken Pavilion were available for the public users in the square to use. This is no longer the case and therefore another limiting factor for people beyond the pub to use the square.
- I do hope that you will consider carefully the views of the school, the immediate neighbours of the Portsoken Pavilion, before you make your final decision.

17. The Reverend Laura Jørgensen, Rector of St Botolph's without Aldgate made the following comments:

We object to the change of use proposal for the Portsoken Pavilion:

Insufficient Consultation: The church is a neighbouring property but received no notification in writing of this application.* We were not consulted about the change of use prior to the lease being granted in 2022, whereas we were consulted throughout the process of the development of the new public realm in Aldgate, during which we expressed concern about the size of the Portsoken Pavilion but were reassured it was a community asset and would provide 'active frontage' for the new square and the all-important public toilets. Local stakeholders were also fully involved in the process to find the social

enterprise to take on the Pavilion once finished. To have engaged so fully in consultation with the local community and to then make such a drastic change to the use without notification other than seemingly one A4 notice not on a major through-route is insufficient consultation.

We have had concerns for some time about the volume of drinkers outside with the warmer weather and had looked at the City of London Licensing website during May and June, which noted the licence was 'suspended'. There were no signposts on that website that a change of use application had been made. We presume, also, that the Aldgate Tap have been operating under an incorrect licence to date. We have had to write this objection within a very short timeframe and without being able to take advice.

Removal of Community Amenity: Aldgate Square was designed as a place for community, an outdoor space for all the different layers of the Aldgate community to enjoy. Prior to the Aldgate Tap's use of the square, Aldgate Square would see through the day different demographic groups enjoying having a pleasant and much needed outside space. These included construction workers, office workers, elderly residents, school children and tourists. We found that the new Square was transformative to community life. Local families particularly valued it as a safe space for children to be able to run around and enjoy being outside - children enjoyed rolling down the grass, chasing round the Square on scooters and bikes, and splashing in the play fountain. For many children this is the only grass they will see on a regular basis and was seen and valued as a safe outdoor space. These were moments of real cross-community connection.

As the Summer has approached, the entire Square, particularly on a Thursday and Friday from lunchtime onwards has been filled from the Pavilion to the southern end of the Square with customers of the Aldgate Tap. Contrary to their application, the demographic attracted to the Portsoken Pavilion appears monocultural and does not reflect the diversity of the area.

Aldgate Square was designed to remove barriers between communities, particularly in such a multi-cultural, multi-layered area at the City fringe. It is very clear that the community atmosphere of Aldgate Square which was so valued has all but disappeared, that local residents and others are not able to enjoy the amenity of the Square whilst surrounded by those drinking and smoking and music. We are concerned for our local residents who are Muslim, and for children with such conspicuous consumption of alcohol in a public square.

The toilets, such an important part of the original scheme, are unlikely to be used by community members given the volume of people in the bar, and the change of use to a drinking establishment. The operating hours mean that the much needed and promised public toilet provision is not available to those who use the square in the mornings and at weekends.

Space Management and Health and Safety: The Aldgate Tap appears not to control access to the outside space at all. Chairs and tables are taken onto the grass. Drinkers take their pint glasses to all areas of the Aldgate Square. There appear to be no limits to the number of customers served. The previous cafe tenants were very strict about where their table and chairs were placed, and all customers were seated.

When the Pavilion is shut, and there is space for the local community to use it, parents in particular are hesitant due to the possibility of broken glass, especially around the play fountains.

Information on the application: We note that the applicant states that the previous cafe did not succeed due to the number of similar establishments in the area. This is not correct. The previous tenant struggled with a building which had significant issues such as glass doors breaking and toilets regularly flooding.

To conclude, Aldgate Square was transformational to the local area, and the local community, local school and church congregation are now excluded from the only safe outdoor community space in the area, and we strongly believe it is an inappropriate use of the building set as it is between two community buildings.

The Portsoken Pavilion was conceived as a cafe for the benefit of the local community, enhancing the environment and creating healthy living. We hope that this application will be rejected, or at least more consultation and discussion be undertaken please before a decision is made.

18. Following receipt of the initial objections, the comments were collated. It was clear that a principal concern with the proposals was the uncontrolled spilling-out of the bar's clientele into the main Square and, in particular, the affect this had on the ability of children and parents attending the Aldgate School to enjoy their interaction with the public space after school hours, particularly in the warmer months. In consultation with the applicant, restrictive conditions were drafted which would limit the hours that customers could spill-out into the wider area of the square. Eleven objectors, to whom the proposed conditions could be considered a relevant response, were notified of the proposed restrictions. The objectors were advised that if no response was received within 31 days, officers would assume that they agreed with the imposition of the conditions and that their previous objections could be treated as withdrawn. In total, there were three responses: two from members of the public and one from St Botolph's without Aldgate Church.
19. Although this brings the number of extant objections to nine, enabling a decision to be made under delegated authority, officers are of the view that there is sufficient public interest to warrant bringing this case before your Committee.
20. Waste storage and collection provision is in accordance with the original planning permission.

21. Environmental Health have raised no objection to the proposals subject to conditions being imposed to ensure the amenity of the surrounding area is protected. These are included in the attached schedule.

Policy Context

22. The Development Plan consists of the London Plan 2021 and the City of London Local Plan 2015. The London Plan and Local Plan policies that are most relevant to the consideration of this case are set out in Appendix A to this report.

23. The City of London (CoL) has an emerging Local Plan which was published for Regulation 19 consultation in early 2021. Onward progress of the Plan has been temporarily paused to enable further refinement, but it remains a material consideration in the determination of applications (although not part of the Development Plan). The Draft City Plan policies that are most relevant to the consideration of this case are set out in Appendix B to this report.

24. Government Guidance is contained in the National Planning Policy Framework (NPPF) December 2023 and the Planning Practice Guidance (PPG) which is amended from time to time.

25. The National Planning Policy Framework (NPPF) states at paragraph 2 that "Planning Law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise."

26. Chapter 8 of the NPPF seeks to promote healthy and safe communities.

27. Paragraph 96 states that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.

28. Paragraph 97 states:

"To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

Considerations

29. The Corporation, in determining the planning application has the following main statutory duties to perform:
- to have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - to determine the application in accordance with the development plan unless other material considerations indicate otherwise. (Section 38(6) of the Planning and Compulsory Purchase Act 2004).
30. The principal issues in considering this application are:
- The extent to which the proposals comply with Government policy advice (NPPF).
 - The extent to which the proposals comply with the relevant policies of the Development Plan.
 - The impact of the proposal on the amenity of the public space of Aldgate Square.

Land Use

31. Adopted Local Plan (2015) Policy CS20 states that existing retail facilities should be protected unless it is demonstrated that they are no longer required and to resist the loss of retail frontage and floorspace. Paragraph 3.20.6 of the Local Plan sets out that retailing comprises several uses, including restaurants and cafes (Class A3) and drinking establishments (Class A4). These use classes have been replaced by amendments to the Town and Country Planning (Use Classes) Order 1987 in recent years, which have established Class E covering a broad range of uses including retail, restaurants and cafes, offices, and other uses. Pubs are now classed as a sui generis use.
32. The Local Plan was adopted prior to these changes, but it remains the basis for decision-making in the City, subject to other material considerations. Policy DM20.3 of the Local Plan resists the loss of isolated retail units and small groups of retail units outside the Principal Shopping Centres (PSCs) and Retail Links that form an active retail frontage, and which enhance the City's vibrancy. Given that the Local Plan considered pubs to be a form of retail use (as per paragraph 3.20.6), there would be no loss of a retail unit as a result of this planning application when considered against adopted policy.
33. Paragraph 45 of the officer's report on the original application (14/00986/FULL) set out that *"A café/restaurant would provide amenities, including toilets, for people in the area and would enhance the use of the public space. This use would accord with Policy DM20.3 in providing local facilities and enhancing the City's vibrancy. The use would be enhanced by use of the area adjoining the pavilion for ancillary external seating."*

34. Policy in the emerging Local Plan encourages the provision of active frontages across the City provided they do not impact adversely on the amenity of residents, workers, and visitors.
35. Policy DM22.2 of the Local Plan seeks a widespread distribution of public toilets and supports an increase in the membership of the Community Toilet Scheme. Given that toilet facilities were recognised as being an important amenity in the original scheme, the applicants have been encouraged to sign up to the Community Toilet Scheme so that members of the public feel confident using the toilets without needing to purchase food or drink from the establishment.
36. The application aligns with the Use Classes Order changes which allow flexibility for businesses to adapt and diversify to meet changing demands and supports the primary business function of the City. There would be no loss of active retail frontage and the application supports the aims of Policy DM20.3: Retail uses elsewhere in the City, as the spaces would provide local facilities for the City's workforce, enhance vibrancy, and create active frontages.

Impact on Amenity

37. Local Plan Policy DM3.5 (Night-time entertainment) and Draft Local Plan Policy CV4 (Evening and Night-Time Economy) sets out that any proposals for new night-time entertainment and related uses will only be permitted where there is no unacceptable impact on the amenity of residents or on environmental amenity, taking into account the potential for noise, disturbance and odours from the operation of the premises, customers arriving and leaving the premises and the servicing of the premises.
38. The uncontrolled spilling-out of the customers into the main Square, particularly during the warmer months, has been of concern for the parents of children attending the Aldgate School (representations have also been received from the church and other users). Officers recognise that the overall use of the Square has increased with the introduction of the bar, and as footfall in the City has increased over the same period. To mitigate concerns, conditions are proposed that would prevent spilling-out from the premises, other than to an area specifically licenced for such purposes, before 17:30 Monday to Friday during The Aldgate School's term time.
39. Should the licence for the external area (a Pavement Licence or equivalent) be revoked or lapse, the spilling-out of customers would not be permitted into any part of the Square before 17:30 Monday to Friday during the School's term time.
40. With the proposed conditions in place, the main Square would be kept free throughout the day for all users of the space and would provide a two-hour 'buffer' period between the end of the school day and any potential spilling-out of customers into the wider area, at a point in the day where the City transitions to a more night-time based economy.
41. A Customer Management Plan has been submitted to accompany the planning application outlining the management measures to be taken to

- avoid disturbance caused by users of the premises to the area generally.
42. The operators advise that they have implemented the Management Plan throughout the Square. This includes regular collection of customer glasses, as well as general cleaning and the collection of bottles and cans brought into the Square by other users of the public space and the adjoining churchyard. Staffing levels have been increased to address the busier times. The continued operation of the premises in accordance with the Management Plan is recommended by condition.
 43. It is noted that the Management Plan was introduced after the initial objections to the planning application were received.
 44. Following complaints about large crowds, colleagues from the Licencing Team inspected the site seven times across June and July 2023 (when use of the Square was at its busiest). They did not find anything of note with regards to anti-social behaviour or obstruction. They advise that following the provision of guidance to the premises management on how best to manage outside drinkers, no further complaints were received.
 45. Environmental Health Officers have recommended conditions relating to the control noise and odour nuisance from mechanical plant, disturbance caused by music and hours of servicing.
 46. The site is in a busy and lively area of the City, linking Aldgate High Street to the southeast with Bishopsgate to the north, and contributes to a vibrant and dynamic City. There are many retail outlets in the immediate area including five drinking establishments within 130m of the proposal site; seven within 200m. This will rise to eight when the Little Ship PH (an Asset of Community Value) is reinstated after redevelopment.
 47. The proposed bar/public house use, which also provides a substantive food offering, would not be out of character in this location.
 48. It is considered that any potential impact on the amenity of the area can be suitably controlled by the imposition of relevant conditions. The applicant has reviewed and agreed the proposed conditions and the implementation of an on-going review of the Management Plan.
 49. Officers consider that the measures put in place would mitigate the concerns expressed by the occupiers and users of the neighbouring school and church buildings in relation to any impact on local amenity.

Community Building

50. During operational hours, the premises provides for publicly accessible toilets with a fully accessible WC with baby change facility at ground floor level.
51. The applicant advises *"It is worth noting that non-customers have access to our toilets until at least 11pm, meaning the hours are at 11 hours per day, higher the previous tenant and this has reduced anti-*

social behaviour in the square from street drinkers in the evening as they use our toilets not the shrubs or grass.”

52. The premises holds a weekly community chess club and was a distribution centre for the Community Feast, operated by the Aldgate Connect Business Improvement District (BID) in December 2023. The applicant states *“We have offered the space to lots of local groups but there has been little interest on weekends unfortunately. The only active group have been Aldgate BID.”*
53. The issue of how the construction of the building was funded, and the purpose for which it was intended, has been raised in the representations received. There are no planning conditions or Section 106 agreements that require the use to remain as community cafe, therefore, this would not preclude an applicant to submit an application for a different use class.

Access

54. There are no changes to the access arrangements proposed as part of this application. However, as noted above, the accessible WC with baby change facility at ground floor level is available to customers and the general public during operational hours.
55. In addition, a condition is recommended to ensure that the premises seek to join the Community Toilet Scheme within three months of the grant of planning permission, to ensure all the public toilets are made available to the general public during operational hours without the perceived requirement to purchase goods and to support an increase in the membership of the Community Toilet Scheme in accordance with Policy DM 22.2 Provision of public toilets.

Waste

56. Waste storage and collection facilities comply with the details agreed as part of the original planning permission and accord with Policy DM17.1.

Public Sector Equalities Duty

57. When considering proposed development, the Public Sector Equality Duty requires the City of London Corporation to consider how the determination of the application will affect people who are protected under the Equality Act 2010, including having due regard to the effects of the proposed development and any potential disadvantages suffered by people because of their protected characteristics.
58. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act.
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it.
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

59. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
60. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status.
61. It is the view of officers that a decision to grant permission, subject to appropriate conditions, would not disadvantage those who are protected under the Equality Act 2010.
62. In relation to policy GG1 of the London Plan, the proposals are considered to support and promote the creation of an inclusive London where all Londoners, regardless of their age, disability, gender, gender identity, marital status, religion, race, sexual orientation, social class, or whether they are pregnant or have children, can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

Human Rights Act 1998

63. It is unlawful for the City, as a public authority, to act in a way which is incompatible with a Convention right (being the rights set out in the European Convention on Human Rights ("ECHR")).
64. It is the view of officers that there would be no infringement of the ECHR.

Conclusions

65. The proposal has been assessed in accordance with the relevant statutory duties and having regard to the development plan and other relevant policies and guidance including SPDs and SPGs, the NPPF, the emerging Local Plan and considering all other material considerations
66. The proposed retention of the change of use of the premises to a public house (Sui Generis) use is considered acceptable. There would be no loss of active retail frontage and the application supports the aims of Policy DM20.3: Retail uses elsewhere in the City, as the space would provide local facilities for the City's workforce, enhance vibrancy, and create active frontages.
67. In order to address concerns raised in respect of potential impacts on the amenity of Aldgate Square, conditions are imposed which would control the spilling-out of customers into the main square at times when other users, and parents and children attending the Aldgate School would otherwise wish to make use of the outside space, either during the day or after school. This would keep the main Square free throughout the day for all users of the space and would provide a two-hour 'buffer' period between the end of the school day and any potential spilling-out of customers into the wider area, at a point in the day where the City transitions to a more night-time based economy. A reviewable Management Plan has been submitted.

68. A condition is recommended to ensure that the premises seek to join the Community Toilet Scheme (CTS) within three months of the grant of planning permission, to ensure all the public toilets are made available to the general public during operational hours without the perceived requirement to purchase goods and to support an increase in the membership of the Community Toilet Scheme in accordance with Policy DM 22.2 Provision of public toilets.
69. Having assessed the impact of the proposal and recognising the weight to be given to any potential harm, it is considered that the proposals would achieve a use for the premises which would contribute positively to the vibrancy and activity of the Creechurch Conservation Area and the area in general.
70. Approval of the retention of the Sui Generis (Drinking Establishment) use is recommended.

Background Papers

Comment 15.05.2023 Mr Eli Goldsmith

Comment 15.05.2023 Mr Brad Solomon

Comment 20.05.2023 Miss Shannon Harrietsham

Comment 24.05.2023 Mr Richard Bartois

Comment 25.05.2023 Mr Mark Hatch

Comment 26.05.2023 Dr Richard Hammersham

Comment 26.05.2023 Mrs Monique Goodwin

Comment 20.06.2023 Mr Andrew Wallace

Comment 21.06.2023 The Reverend Laura Jørgensen

Comment 22.06.2023 Alexandra Allan (Headteacher, The Aldgate School)

Comment 26.05.2023 Lizzie Webb (The Aldgate School)

Comment 03.07.2023 Mrs Alessandra Alivernini

Comment 03.07.2023 Mr Joe Tilley

Comment 03.07.2023 Wynne Lawrence

Comment 11.07.2023 Ms Andrea Lawrence

Comment 11.07.2023 Mrs Chantel Haron

Comment 14.07.2023 Ms Natalie Coe

Comment 14.07.2023 Mr David Williams

Comment 14.07.2023 Ms Poorvi Dave

Comment 20.11.2023 The Reverend Laura Jørgensen

Comment 20.11.2023 Mr Andrew Wallace

Comment 20.11.2023 Wynne Lawrence

Appendix A

Relevant London Plan Policies

Policy GG1 (Building strong and inclusive communities) encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, seeking to ensure positive changes to the physical environment and provide access to good quality community spaces, services, amenities and infrastructure. In addition, it supports London continuing to generate a wide range of economic and other opportunities promoting fairness, inclusivity and equality.

Policy D14 (Noise) seeks to avoid significant adverse noise impacts on health and quality of life and mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development.

Policy S1 (Developing London's social infrastructure) states that development proposals should provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies. New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.

Policy G4 (Open space) identifies that "development proposals should

- 1) not result in the loss of protected open space;
- 2) where possible create areas of publicly accessible open space, particularly in areas of deficiency."

Relevant GLA Supplementary Planning Guidance (SPGs)

- Accessible London: Achieving an Inclusive Environment SPG (October 2014);
- Social Infrastructure (May 2015);
- Culture and Night-Time Economy SPG (November 2017);
- London Environment Strategy (May 2018);
- Cultural Strategy (2018);
- Central Activities Zone (March 2016).

Relevant Draft City Plan 2036 Policies

S1 Healthy and inclusive city

HL1 Inclusive buildings and spaces
HL3 Noise and light pollution
S2 Safe and Secure City
SA1 Crowded Places
S6 Culture, Visitors and the Night -time Economy
CV2 Provision of Visitor Facilities
DE3 Public realm
DE9 Lighting
S9 Vehicular transport and servicing
S10 Active travel and healthy streets
AT1 Pedestrian movement
AT2 Active travel including cycling
AT3 Cycle parking
S11 Historic environment
S14 Open spaces and green infrastructure
OS1 Protection and Provision of Open Spaces
OS2 City greening
OS3 Biodiversity
OS4 Trees
CE1 Zero Waste City

Relevant City Corporation Guidance and Supplementary Planning Documents (SPDs)

Open Space Strategy (2016);
City Public Realm (2016);
Cultural Strategy 2018 – 2022 (2018).

Relevant Local Plan Policies

CS3 Ensure security from crime/terrorism

To ensure that the City is secure from crime, disorder and terrorism, has safety systems of transport and is designed and managed to satisfactorily accommodate large numbers of people, thereby increasing public and corporate confidence in the City's role as the world's leading international financial and business centre.

DM3.5 Night-time entertainment

1) Proposals for new night-time entertainment and related uses and the extension of existing premises will only be permitted where it can be demonstrated that, either individually or cumulatively, there is no unacceptable impact on:

a) the amenity of residents and other noise-sensitive uses;
b) environmental amenity, taking account of the potential for noise, disturbance and odours arising from the operation of the premises, customers arriving at and leaving the premises and the servicing of the premises.

2) Applicants will be required to submit Management Statements detailing how these issues will be addressed during the operation of the premises.

CS8 Meet challenges facing Aldgate area

To regenerate the amenities and environment of the Aldgate area for businesses, residents, workers, visitors and students, promoting development and investment.

CS11 Encourage art, heritage and culture

To maintain and enhance the City's contribution to London's world-class cultural status and to enable the City's communities to access a range of arts, heritage and cultural experiences, in accordance with the City Corporation's Destination Strategy.

DM11.1 Visitor, Arts and Cultural

1) To resist the loss of existing visitor, arts and cultural facilities unless:

a) replacement facilities are provided on-site or within the vicinity which meet the needs of the City's communities; or
b) they can be delivered from other facilities without leading to or increasing any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on the site; or

c) it has been demonstrated that there is no realistic prospect of the premises being used for a similar purpose in the foreseeable future.

2) Proposals resulting in the loss of visitor, arts and cultural facilities must be accompanied by evidence of the lack of need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floorspace has been actively marketed as a visitor, arts or cultural facility at reasonable terms.

CS15 Creation of sustainable development

To enable City businesses and residents to make sustainable choices in their daily activities creating a more sustainable City, adapted to the changing climate.

DM15.7 Noise and light pollution

1. Developers will be required to consider the impact of their developments on the noise environment and where appropriate provide a noise assessment. The layout, orientation, design and use of buildings should ensure that operational noise does not adversely affect neighbours, particularly noise-sensitive land uses such as housing, hospitals, schools and quiet open spaces.

2. Any potential noise conflict between existing activities and new development should be minimised. Where the avoidance of noise conflicts is impractical, mitigation measures such as noise attenuation and restrictions on operating hours will be implemented through appropriate planning conditions.

3. Noise and vibration from deconstruction and construction activities must be minimised and mitigation measures put in place to limit noise disturbance in the vicinity of the development.

4. Developers will be required to demonstrate that there will be no increase in background noise levels associated with new plant and equipment.

5. Internal and external lighting should be designed to reduce energy consumption, avoid spillage of light beyond where it is needed and protect the amenity of light-sensitive uses such as housing, hospitals and areas of importance for nature conservation.

CS16 Improving transport and travel

To build on the City's strategic central London position and good transport infrastructure to further improve the sustainability and efficiency of travel in, to, from and through the City.

DM16.3 Cycle parking

1. On-site cycle parking must be provided in accordance with the local standards set out in Table 16.2 or, for other land uses, with the standards of the London Plan. Applicants will be encouraged to exceed the standards set out in Table 16.2.
2. On-street cycle parking in suitable locations will be encouraged to meet the needs of cyclists.

CS19 Improve open space and biodiversity

To encourage healthy lifestyles for all the City's communities through improved access to open space and facilities, increasing the amount and quality of open spaces and green infrastructure, while enhancing biodiversity.

DM19.4 Play areas and facilities

1. The City Corporation will protect existing play provision and seek additional or enhanced play facilities or space, particularly in areas identified as deficient, by:
 - a) protecting existing play areas and facilities and, on redevelopment, requiring the replacement of facilities either on-site or nearby to an equivalent or better standard;
 - b) where the creation of new play facilities is not feasible, requiring developers to work with the City Corporation to deliver enhanced provision nearby;
 - c) requiring external play space and facilities as part of new residential developments which include 20 or more family units (those with 3 or more bedrooms) or 10 or more affordable units of 2 or more bedrooms;
 - d) promoting opportunities for informal play and play within open spaces where it is not possible to secure formal play areas.
2. Play areas and facilities should not be located where they would cause undue disturbance to neighbouring occupiers.

CS20 Improve retail facilities

To improve the quantity and quality of retailing and the retail environment, promoting the development of the five Principal Shopping Centres and the linkages between them.

DM20.3 Retail uses elsewhere

To resist the loss of isolated and small groups of retail units outside the PSCs and Retail Links that form an active retail frontage, particularly A1 units near residential areas, unless it is demonstrated that they are no longer needed.

DM21.3 Residential environment

1. The amenity of existing residents within identified residential areas will be protected by:
 - a) resisting other uses which would cause undue noise disturbance, fumes and smells and vehicle or pedestrian movements likely to cause disturbance;
 - b) requiring new development near existing dwellings to demonstrate adequate mitigation measures to address detrimental impact.
2. Noise-generating uses should be sited away from residential uses, where possible. Where residential and other uses are located within the same development or area, adequate noise mitigation measures must be provided and, where required, planning conditions will be imposed to protect residential amenity.
3. All development proposals should be designed to avoid overlooking and seek to protect the privacy, day lighting and sun lighting levels to adjacent residential accommodation.
4. All new residential development proposals must demonstrate how potential adverse noise impacts on and between dwellings will be mitigated by housing layout, design and materials.
5. The cumulative impact of individual developments on the amenity of existing residents will be considered.

CS22 Maximise community facilities

To maximise opportunities for the City's residential and working communities to access suitable health, social and educational facilities and opportunities, while fostering cohesive communities and healthy lifestyles.

DM22.1 Social and community facilities

1. To resist the loss of social and community facilities unless:
 - a) replacement facilities are provided on-site or within the vicinity which meet the needs of the users of the existing facility; or
 - b) necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision; or
 - c) it has been demonstrated that there is no demand for another similar use on site.
2. Proposals for the redevelopment or change of use of social and community facilities must be accompanied by evidence of the lack of

need for those facilities. Loss of facilities will only be permitted where it has been demonstrated that the existing floor space has been actively marketed at reasonable terms for public social and community floorspace.

3. The development of new social and community facilities should provide flexible, multi-use space suitable for a range of different uses and will be permitted:

- a) where they would not be prejudicial to the business City and where there is no strong economic reason for retaining office use;
- b) in locations which are convenient to the communities they serve;
- c) in or near identified residential areas, providing their amenity is safeguarded;
- d) as part of major mixed-use developments, subject to an assessment of the scale, character, location and impact of the proposal on existing facilities and neighbouring uses.

4. Developments that result in additional need for social and community facilities will be required to provide the necessary facilities or contribute towards enhancing existing facilities to enable them to meet identified need.

DM22.2 Provision of Public Toilets

A widespread distribution of public toilets which meet public demand will be provided by:

- a) requiring the provision of a range of public toilet facilities in major retail and leisure developments, particularly near visitor attractions, public open spaces and major transport interchanges. This includes the provision of pop-up toilets in suitable areas with concentrations of night-time activity;
- b) supporting an increase in the membership of the Community Toilet Scheme;
- c) resisting the loss of existing public toilets unless adequate provision is available nearby and requiring the provision of replacement facilities;
- d) taking the opportunity to renew existing toilets which are within areas subject to major redevelopment schemes and seeking the incorporation of additional toilets in proposed developments where they are needed to meet increased demand.

SCHEDULE

APPLICATION: **23/00255/FULL**

Portsocken Pavilion 1 Aldgate Square London

Retention of a change of use of the premises from the lawful permitted use as Class E(b) (restaurant) to Sui Generis (drinking establishment) use.

CONDITIONS

- 1 During operational hours there shall be no spilling-out of customers from the premises before 17:30 Monday to Friday during the Aldgate School's termtime, unless one of the following exceptions apply:
 - (i) There is an area agreed and provided specifically for that purpose under a Pavement Licence issued in accordance with Part 1, Business and Planning Act 2020 (As Amended); or
 - (ii) There is an area agreed and provided specifically for that purpose under a Tables and Chairs Licence issued in accordance with Part VIIA, Section 115E(1)(b)(i), The Highways Act 1980; or
 - (iii) In the case of (i) and (ii) an equivalent licence issued under any provisions in any statutory instrument revoking and re-enacting the above Acts with or without modification.

Where an appropriate licence is in place, as outlined at (i), (ii) and (iii) above, the spilling-out of customers before 17:30 Monday to Friday during the Aldgate School's termtime, shall be specifically limited to the approved licenced area(s).

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM3.5, DM15.7, DM19.1, DM21.3.

- 2 The area agreed for spilling-out granted under a Pavement Licence, a Tables and Chairs Licence or an equivalent licence issued under any provisions in any statutory instrument revoking and re-enacting the above Acts with or without modification shall:
 - i) Cease and all associated paraphernalia shall be removed within 7 days of a failure to comply with condition 1 or in the event that an application to remove/modify condition 1 is refused.
 - ii) In the event that the developer appeals against the Local Planning Authority's refusal to remove/modify the condition, the agreed area outside the building shall cease pending the outcome of any appeal. The agreed area outside of the building for spilling-out shall not resume until a decision to allow the removal/modification of the condition has been made by the Secretary of State.

REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM3.5, DM15.7, DM19.1, DM21.3.

- 3 The drinking establishment premises hereby approved, and any associated spilling-out of customers into the external area, including the wider Aldgate Square (where permitted under the terms of Conditions 1 and 2 attached to this permission) shall be operated in accordance with "The Aldgate Tap: External Management Plan" received on 19 November 2023. The Management Plan shall be reviewed at the end of Year 1, following the grant of planning permission and, thereafter, as may be required from time to time by the Local Planning Authority. The premises must be operated in accordance with the approved management plan for the life of the use.
REASON: To safeguard the amenity of the adjoining public square and the area generally in accordance with the following policies of the Local Plan: DM3.5, DM15.7, DM19.4, DM21.3.
- 4 Within three months of the grant of planning permission, evidence must be submitted to the Local Planning Authority of the premises membership of the City's Community Toilet Scheme (CTS) or, where such membership has not been granted, details of the application and/or reasons for rejection.
REASON: To ensure all the public toilets are made available to the general public during operational hours without the requirement to purchase goods and to support an increase in the membership of the Community Toilet Scheme in accordance with Policy DM 22.2 Provision of public toilets.
- 5 No live or recorded music shall be played that can be heard outside the premises.
REASON: To safeguard the amenity of the adjoining public square and the area in general in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 6 No amplified or other music shall be played in the premises between the hours of 23:00 on one day and 08:00 on the next day.
REASON: To safeguard the amenity of the adjoining public square and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.
- 7 There shall be no promoted events on the premises. A promoted event for this purpose, is an event involving music and dancing where the musical entertainment is provided at any time between 23:00 and 07:00 by a disc jockey or disc jockeys one or some of whom are not employees of the premises licence holder and the event is promoted to the general public.
REASON: To safeguard the amenity of the adjoining premises and the area generally in accordance with the following policies of the Local Plan: DM15.7, DM21.3.

- 8 No servicing of the premises shall be carried out between the hours of 23:00 on one day and 07:00 on the following day from Monday to Saturday and between 23:00 on Saturday and 07:00 on the following Monday and on Bank Holidays. Servicing includes the loading and unloading of goods from vehicles and putting rubbish outside the building.
REASON: To avoid obstruction of the surrounding streets and to safeguard the amenity of the occupiers of adjacent premises, in accordance with the following policies of the Local Plan: DM15.7, DM16.2, DM21.3.
- 9 All parts of the existing and any future ventilation and extraction equipment including the odour control systems installed shall be cleaned, serviced and maintained in accordance with Section 5 of 'Control of Odour & Noise from Commercial Kitchen Extract Systems' dated September 2018 by EMAQ+ (or any subsequent updated version). A record of all such cleaning, servicing and maintenance shall be maintained and kept on site and upon request provided to the Local Planning Authority to demonstrate compliance.
REASON: To protect the occupiers of any adjoining premises and public amenity in accordance with the following policies of the Local Plan: DM19.4, DM 15.7 and DM 21.3
- 10 The existing refuse collection and storage facilities within the building shall be used by the operators of the Drinking Establishment (Sui Generis) use hereby approved and no waste shall be placed on the public highway.
REASON: To ensure the satisfactory servicing of the building in accordance with the following policy of the Local Plan: DM17.1.
- 11 The development shall not be carried out other than in accordance with the following approved drawings and particulars or as approved under conditions of this planning permission:
Drawing nos. 4-C-43130 -01, 4-C-43133 -01; Unnumbered - External Area Extent; Site Location Plan (EGL542149).
Documents: The Aldgate Tap: External Management Plan rec'd 19.11.2023
REASON: To ensure that the development of this site is in compliance with details and particulars which have been approved by the Local Planning Authority.

INFORMATIVES

- 1 In dealing with this application the City has implemented the requirements of the National Planning Policy Framework to work with the applicant in a positive and proactive manner based on seeking solutions to problems arising in dealing with planning applications in the following ways:

detailed advice in the form of statutory policies in the Local Plan, Supplementary Planning documents, and other written guidance has been made available;

a full pre application advice service has been offered;

where appropriate the City has been available to provide guidance on how outstanding planning concerns may be addressed.