

TRACEY EMIN STUDIO

66-68 BELL LANE  
LONDON  
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PLANNING AND HERITAGE  
STATEMENT

MAY 2015

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**CONTENTS**

<b><u>Section</u></b>		<b><u>Page No.</u></b>
1.0	Introduction	1
2.0	Site Description and Planning History	3
3.0	Description of Proposed Development	7
4.0	Legislative and Planning Policy Framework	12
5.0	Contribution of 66-68 Bell Lane to Artillery Passage Conservation Area	19
6.0	Assessment of the Scheme	31
7.0	Conclusion	37

**APPENDICES**

1.0	Site Location Plan
2.0	LBTH Pre-Application Response
3.0	English Heritage Consultation Responses
4.0	CADAP Consultation Responses
5.0	66-68 Bell Lane Historical Research Note
6.0	Artillery Passage Conservation Area Appraisal and Management Guidelines

## 1.0 INTRODUCTION

- 1.1 Montagu Evans LLP Montagu Evans LLP has been instructed by Tracey Emin Studio to prepare this Planning and Heritage Statement to support an application for planning permission relating to the proposed demolition and redevelopment of 66-68 Bell Lane.
- 1.2 The application site encompasses the applicant's existing studio workshop at 1-5 Tenter Ground. The intention is to redevelop 66-68 Bell Lane as a single dwelling house connected to the existing studio workshop.
- 1.3 The application proposals aim to provide a new home for the artist applicant in a way that facilitates her modern creative endeavour in the arts for the rest of her life. The new home will be connected to the existing studio, but will also include ancillary private studio space. Although a bespoke design, the applicant's circumstances are not unique but reflect the requirements of the practice of many accomplished contemporary artists.
- 1.4 Contemporary art production is a highly intensive process and a round the clock endeavour. Work can take place at all hours, and the line between an artist's work and home life can be blurred. Similarly, the production of contemporary art can by turns be deeply personal (the artist working creatively on their own) and also collaborative, with the involvement of staff and studio assistants who also assist with the 'business side of the operation'. Work spans across many different types of media, materials and techniques.
- 1.5 No. 66-68 Bell Lane, dating from the 1920s, is identified by the Council as a locally listed building within the Artillery Passage Conservation Area. The building is currently vacant. The existing building contributes positively to the conservation area by virtue of the aesthetic appearance of the north and east elevations and as a historic example of council accommodation developed by then London Borough of Stepney.
- 1.6 The applicant has commissioned a design by renowned architect Sir David Chipperfield. In doing so, the applicant has signalled an intention to redevelop the site to an exceptional standard of design with a building that will greatly contribute to the character and appearance of the conservation area and enhance the immediate built environment, thus outweighing any harm caused to the conservation area by the demolition of the existing building.
- 1.7 The Description of Development is:

*"The demolition of the existing building at 66-68 Bell Lane and erection of single dwelling house over five floors including basement with ancillary private artist's studio space".*

1.8 This report is structured as follows. Section 2 describes the application site and the planning history. Section 3 describes the application proposals. Section 4 sets out the relevant planning policy. Section 5 sets out the history of the application site, its contribution to the conservation area and its architectural and historic significance. Section 6 assesses the scheme in the context of the planning policy framework and the building's contribution to the conservation area. Section 7 sets out our conclusions.

1.9 This report should be read in conjunction with the following application documents:

- Application Covering Letter;
- The completed Application Form;
- Site Location Plan prepared by Montagu Evans;
- 'Existing' and 'Proposed' Application Drawings prepared by David Chipperfield Architects;
- Design and Access Statement prepared by David Chipperfield Architects;
- Sustainability Assessment prepared by XCO2 Energy Ltd;
- Daylight/Sunlight and Overshadowing Report prepared by XCO2 Energy Ltd;
- Archaeology Assessment prepared by Pre-Construct Archaeology Ltd;
- LBTH CIL Additional Information Form;
- Completed CIL Form; and
- CIL Self-build Exemption Form.

## 2.0 SITE DESCRIPTION AND PLANNING HISTORY

2.1 The building stands on the corner of White's Row and Bell Lane, and is three stories, the lower two brick, the upper storey rendered and projecting slightly on a cornice supported on brackets over the windows below. It has a three bay façade to White's Row that returns around an angled corner to the junction of Bell Lane and White's Row to form a four bay façade on this side. There is an SBC (Stepney Borough Council) monogram to the angled corner. The cornice detail continues a short way along the southern façade indicating that the small yard to the rear was always open.

2.2 Neither the Bell Lane nor the White's Row façade has an obvious entrance (both simply have windows), and so it is likely that the entrance was always at the rear via the yard from Bell Lane. Historic photographs (see Figure 2.1 below) show balconies that probably served as open landings off of a stair in its present position in the south-east corner of the structure. The small windows adjacent to the balconies probably lit toilets.



Figure 2.1: View of the 66-68 Bell Lane from Bell Lane c.1950

2.3 On the east side, the façade is blank where it was attached to another, taller building that was bombed and demolished in WWII. This lost building was part of a large

archway, built c.1810-20, that led into an early nineteenth-century residential development on what had been a tenter ground.

2.4 No. 66-68 Bell Lane comprises an area of approximately 0.03 acres and is bound:

- to the north by White's Row with a multi-storey car park beyond that;
- to the east by Tenter Ground with a four storey building beyond that containing a ground floor Acupuncture Clinic, and residential flats above;
- to the south by nos.1-5 Tenter Ground; and
- to the west by Bell Lane with a six storey office building just beyond that.

2.5 No. 1-5 Tenter Ground is in the ownership of the applicant and is in use as an artist's studio with ancillary accommodation on the top floor. The building is a purpose built, late Victorian flatted factory/workshop and converted for workshop studio artistic production. The conversion followed acquisition by the applicant in 2008 and has been done to a very high standard; its secondary elevation has been added to in a complementary style (see planning history below).

2.6 The application site falls within the Artillery Passage Conservation Area. No. 66-68 Bell Lane and 1-5 Tenter Ground are identified within the Council's Conservation Area Appraisals and Management Guidelines as as locally listed buildings which positively contribute to the conservation area. Thus they are considered to be non-designated heritage assets.

2.7 There is a wide variety of uses in the local area including residential, retail, healthcare and office.

2.8 The nearest National Rail Station is Liverpool Street which is approximately 0.3 miles to the west of the site. Liverpool Street Underground Station is approximately 0.4 miles to the west of the site from which, the Central, Circle, Metropolitan and Hammersmith and City Lines serve.

2.9 The site is served by a number of bus routes along Commercial Street and the Site currently has a PTAL (Public Transport Accessibility Level) of 6b, which is defined as 'excellent'.

### **Planning History**

2.10 The relevant planning history for the site and for 1-5 Tenter Ground is outlined below:

#### 66-68 Bell Lane

**BG/91/00065** - The Council granted planning permission and conservation area consent on 2 October 1991 for the '*Partial demolition of existing building and redevelopment behind retained facades to Bell Lane and Whites Row to provide a three storey plus basement building for purposes within Class D1 (Non-residential)*

*Institution), including a community centre and educational facilities, of the Town and Country Planning (Use Classes) Order 1987'.*

**BG/93/00184** - The Council granted planning permission on 17 February 1994 for the 'Partial demolition/redevelopment, and conversion of building to form six self-contained flats (i.e. three studio flat and no. one bedroom flats).'

**BG/94/00169** - The Council granted planning permission on 2 December 1994 for the '*Retention of works involving conversion to a single family dwelling house, together with the use of the courtyard to provide one car parking space, the construction of a new crossover to Tenter Ground, the partial demolition of the boundary wall and alterations to the rear and flank elevations.*'

**BG/95/00220** - The Council granted conservation area consent on 30 October 1996 for the '*Retention of works comprising partial demolition of the rear and flank elevations, the removal of the chimney stack fronting Tenter Ground, and the partial demolition of the boundary wall fronting Tenter Ground*'.

**PA/12/00434** – On 12th July 2012, planning permission was granted for the '*Extension and alteration of existing 3 storey two-bed dwelling house including demolition works to create two residential units comprising one one-bedroom flat and one three-bedroom flat. Erection of new facades including extensions from ground to third floor level along the eastern and southern facades, erection of an additional fourth storey, creation of a new roof terrace with a pavilion and associated works*'.

**PA/12/00435** – On 12th July 2012, Conservation Area Consent was granted '*Demolition and rebuilding of east and south facades and demolition of the eastern boundary wall and part of the western boundary wall as part of works which include the extension of the building*'.

2.11 The Council has therefore accepted the demolition of the building as recently as July 2012. The 2012 planning permission and conservation area consent would result in the total demolition of the existing building with the exception of the northern and western facades. A new dwelling was approved to be built behind the retained facades, with an additional storey, in effect, 'stretching' the building upwards. The planning permission and conservation area consent, which are still capable of implementation are material considerations in the determination of this application.

#### 1-5 Tenter Ground

**PA/08/01154 and PA/08/01155** - The Council granted planning permission and conservation area consent on 05 August 2008 for the '*Partial demolition to allow for an extension to the existing basement in conjunction with a three storey extension to the western part of the site (Bell Lane elevation). Works proposed are to facilitate the conversion of the existing building (Use Class B1 with ancillary residential) to an art*

*production facility/studio (Use Class B1) with ancillary archive, office, and a private two-bedroom top floor flat with roof terrace (Resubmission).'*

2.12 This permission has been implemented and provides the consent for the works to the building that are visible today.

#### **Pre-application consultation**

2.13 The applicant has undertaken pre-application consultation which has informed the scheme for which planning permission is now sought. The scheme has been revised to address comments raised throughout the pre-application consultation process, as set out in the Design and Access Statement that accompanies this application.

2.14 Pre-application discussions were held with officers at London Borough of Tower Hamlets on 13 October 2014. A copy of the response dated 4 December 2014 can be viewed at **Appendix 2**.

2.15 LBTH formal pre-application response advised consultation be undertaken with the Borough's Conservation & Design Advisory Panel. Two pre-application consultations were undertaken with CADAP on 12 January 2015 and 13 April 2015. A copy of the panel minutes can be viewed at **Appendix 4**.

2.16 Pre-application consultation was also undertaken with English Heritage at the offices of David Chipperfield Architects on 20 January 2015. A copy of the response dated 21 January 2015 can be viewed at **Appendix 3**.

2.17 In general terms, the responses indicate that while the existing building at Bell Lane makes a positive contribution to the conservation area (although muted by its further alteration and isolation), the redevelopment of the site is capable of achieving a number of public benefits through a very high quality design of integrity and consistency which reunites the island site with Tenter Ground and Bell Lane frontages. Generally, these public benefits, properly articulated, were considered to be capable of outweighing the harm to the conservation area arising from the removal of the existing building. This is considered in further detail in Section 5 of this report.

### 3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 This section describes the project brief, which has a number of important components and describes how the proposed scheme has physically responded to the brief. This section should be read in conjunction with the Design and Access Statement that has been submitted with the application.
- 3.2 While the application proposal is for the redevelopment of No. 66-68 Bell Lane, the newly developed residential property will be connected to the existing studio at 1-5 Tenter Ground. The new dwelling will also utilise part of the existing second floor of 1-5 Tenter Ground. For this reason, the application red line plan is drawn around both 66-68 Bell Lane and 1-5 Tenter Ground.

#### **The Project Brief**

- 3.3 Artistic production is a very personal, intense process, often undertaken outside normal business hours. This has been the case since at least the Romantic period and is certainly true of artists working since the 1860s when the studio house emerged as a distinct building type.
- 3.4 Hence there is a long tradition of buildings that combine studios with living accommodation. There is an equally long tradition of studio houses which function in effect as display spaces for collectors, museum and gallery directors, dealers, critics and others who have a more direct engagement with the business of artistic production.
- 3.5 The overall objective of the process is to concentrate the artist's several activities, currently spread across two sites, into a single one which is fully integrated and enables the flexibility which is an established part of contemporary artistic production.
- 3.6 Currently the artist lives in the area but would like to consolidate her way of living and working into one entity which is capable of adapting to new practices over the whole lifetime of the artist, enabling any artist occupier to live and work for the whole of their working career (which is effectively the whole of their life). Co-location of all necessary accommodation will be provided to lifetime homes standards.
- 3.7 Co-location also enables round the clock or out of hours working, and working for long or short periods of time, in different ways, all optimising the efficient use of the site for this special purpose.
- 3.8 The new building at 66-68 Bell Lane would allow the artist to work in private, without interruption or distraction, next to the workshop studios where assistants execute works of art.
- 3.9 As well as the private aspects to the artist's work, it is important to emphasise the collaborative nature of contemporary art practice. Studio assistants and staff involved in the business side of the operation need to be located on site, in places where things

are made, and these are different to those areas where the artist works creatively, usually on their own. Similarly, the boundary between living and working is generally blurred.

3.10 It should also be noted that the home is also sometimes the meeting place for the artist to meet collectors, curators and critics. The living space must therefore be well lit and suitable for the display of art in a variety of media.

3.11 The objective of this scheme is, then, to integrate these various functions in a way which is most supportive of modern creative endeavour in the arts. Whilst aspects are of course particular to the prospective applicant, the nature of the spaces provided, their amount and integration are of wider attraction.

3.12 It is important to note that while this is a bespoke design for the particular artist applicant, the objectives that the project seeks to achieve are not particular to the applicant, but reflect the practice of many accomplished contemporary artists.

3.13 The architectural brief for the development is to provide as follows:

- A design of the highest architectural quality to commensurate with the status of the artist and her own artistic endeavours;
- Large flexible single bedroom living space with large well-lit areas suitable for hanging and displaying art;
- A double height private studio space with ample natural light;
- Ancillary annex accommodation for a studio assistant or overnight guests;
- Private and back of house spaces for amenity and enjoyment, providing relief from work and privacy from the studio-workshop and office staff;
- The house must have access independent from the studio workshop at Tenter Ground;
- The introduction of lift access at all levels, to assist with the movement of materials and artwork, some of which is fragile, precious or difficult to handle;
- Level step free access between 66-68 Bell Lane and 1-5 Tenter Ground to assist with the movement of materials between the premises.

### **Description of Proposed Development**

3.14 The application is for the demolition of 66-68 Bell Lane. The replacement single dwelling house building will be arranged over four storeys above a new basement. The building will be connected to Nos. 1-5 Tenter Ground at the rear.

3.15 The building will be laid out as follows:

Floor	Use
Basement	Private ancillary studio ancillary to the new dwelling house. A level link to the basement of the studio workshop at 1-5 Tenter Ground
Ground	Entrance hall from Tenter Ground. Double height ancillary studio ancillary to the new dwelling house.
First Floor Mezzanine	Part cover over double height studio space accommodating private study. A level link to the first floor of the studio workshop at 1-5 Tenter Ground
Second Floor	Private living accommodation with access to a private terrace. Annex accommodation extending into 1-5 Tenter Ground. (note that this does not have independent access). The remainder of the second floor of 1-5 Tenter Ground has been rearranged to maintain a standalone private residential unit with access to its own private terrace.
Third Floor	Private living accommodation with access to the terrace at roof level of 1-5 Tenter Ground.

3.16 The building has been designed to a very high quality by renowned architect Sir David Chipperfield. Council officers, the Council's Conservation and Design Advisory Panel (CADAP) and English Heritage acknowledged in pre-application discussions that the proposed design had a genuine potential to be a exemplary piece of architecture that could potentially become a cultural landmark in this part of the Borough.

3.17 The building re-establishes the historic Bell Lane and Tenter Ground continuous frontages constructed in brick with a lime-based mortar to avoid the need for expansion joints. Large expanses of brick are broken up by a three dimensional 'play' (by the use of recesses) and rich detailing within the elevations. Some windows are proposed flush, some with a reveal of the length of a brick, distinguishing between the 'work' and 'home' parts of the development.

3.18 The sculpted form of the building reflects the physical demands of the applicant's brief. The openings are dictated by the use within, for example in terms of the need for light and display space and thus the external form of the building is the physical expression of the artist's activity. This is particularly apparent in the large window illuminating the studio which will face the new square formed by the London Fruit and Wool Exchange application.

3.19 The building also refers to the formal elements of the Tenter Ground Façade, echoing the horizontal arrangement of windows and placing the new building on a ‘plinth’, reminiscent of Tenter Ground. Soldier courses mark the floor levels inside (also indicating where there is double height space) and where the corners of the building are not perpendicular, the bricks will be laid staggered to animate the corners.

3.20 The applicant’s intention is to live and work within the building for the rest of her life. The building has therefore been designed to meet Lifetime Homes standards. The building has also been designed to a high standard of environmental performance.

### Options Analysis

3.21 The Design and Access Statement submitted with this application discusses the feasibility of the re-use of the existing building at Bell Lane, either as it is, or in its extended form permitted under permission reference PA/12/00434. The analysis is set out in greater detail in the Design and Access Statement, but we summarise as follows.

3.22 The existing floor to ceiling heights are low, and the building is currently compartmentalised into small spaces. The building is not statutorily listed, and given the poor condition of the eastern and rear facades of the building, some form of scheme that retains the northern and western elevations is quickly arrived at when considering the re-use of the building in any options analysis. This is of course, what has been permitted in permission reference PA/12/00434, which could either be implemented, or could form the basis of a revised scheme that retained the same facades.

3.23 There would be a number of fundamental issues with such a scheme which would prevent the delivery of the applicant’s brief. In summary these are:

- The position of the existing openings would not allow the physical space within for the creation of a studio space, and space to hang and display art;
- The small and repeated window pattern would restrict natural light which means that the property would be unsuitable for undertaking the creation of and viewing of art;
- The floor levels of 66-68 Bell Lane do not align with the with floor levels in the studio workshop at 1-5 Tenter Ground. The movement between the two premises and transport of materials between the two would be inhibited. A lift would not be able to be shared across the site;
- The re-alignment of floor levels behind the existing façade would be unsatisfactory in relation to the location of existing windows and would exacerbate the issues identified in the first two points above;
- Architecturally, if the west and north facades are retained and incorporated into a new building with 1-5 Tenter Ground, the result would be aesthetically unsatisfactory due both to the atypical proportion of new being greater than old, and it being impossible to fully reconcile the new elements with the old.

3.24 Following a detailed options analysis of the site it is proposed that the new building at 66-68 Bell Lane is an entirely new building. The aim is to create a building of much higher quality and for the building to make a more significant contribution to the conservation area.

## 4.0 LEGISLATIVE AND PLANNING POLICY FRAMEWORK

### Introduction

4.1 This section considers the relevant legislative and planning policy applicable to the proposals. The application is assessed against the relevant policy and material considerations in Section 6 of this report.

### Legislative Framework

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 stipulates that where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The statutory Development Plan is identified for this assessment as follows:

- The London Plan March 2015 (further alterations to the London Plan);
- Tower Hamlets Core Strategy (2010); and
- Tower Hamlets Managing Development Document (2013).

### Planning (Listed Buildings and Conservation Areas) Act 1990

4.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") provides the legislation that is used to assess the impact of proposals on listed buildings and conservation areas. The following section of the 1990 Act sets out the duties on the decision maker in this case:

- **Section 72(1)** With respect to any buildings or other land in a conservation area, of any [functions under or by virtue of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

4.4 In relation to Section 72(1), 'Character' relates to physical characteristics but also to more general qualities such as uses or activity within an area. 'Appearance' relates to the visible physical qualities of the area. The meaning of 'preservation' in this context is the 'avoidance of harm'.

4.5 Section 72(1) is relevant as the proposals lie within the Artillery Passage Conservation Area.

### Statutory Development Plan

### Site Specific Designations

4.6 The site is subject to the following designations shown on the Tower Hamlets Adopted Policies Map (April 2013):

- Central Activities Area;
- Artillery Passage Conservation Area; and
- Archaeological Priority Area.

4.7 The application site is also located within the Artillery Passage Conservation Area (Policy CP49 therefore applies). Both 66-68 Bell Lane and 1-5 Tenter Ground are identified as locally listed buildings within the Council's Conservation Area Appraisals and Management Guidelines.

#### **Tower Hamlets Core Strategy (September 2010)**

4.8 The Tower Hamlets Core Strategy sets out the spatial themes and borough-wide strategies for the Borough. The Core Strategy sets out the long term strategy for Tower Hamlets until 2025. The Core Strategy does not contain detailed policies, or site specific policies as it is intended as an overarching, high level and spatial document.

4.9 The relevant policies contained within the CS which apply to the proposals are:

- Spatial Policy 01 – Refocusing on our Town Centres;
- Spatial Policy 02 – Urban living for everyone;
- Spatial Policy 09 – Creating attractive and safe streets and spaces;
- Spatial Policy 10 – Creating distinct and durable places;
- Spatial Policy 11 – Working towards a zero-carbon borough; and
- Spatial Policy 12 – Delivering placemaking.

#### **Tower Hamlets Managing Development Document (April 2013)**

4.10 The LBTH Managing Development Document (MDD) provides guidance and specific policy criteria to guide development in LBTH. It helps to manage development across the borough through development management policies and provides strategic guidance for key development sites within site allocations.

4.11 The applicable policies contained within the MDD which must be given consideration are:

- DM3 – Delivering homes;
- DM4 – Housing standards and amenity space;
- DM14 – Managing waste;
- DM23 – Place sensitive design;
- DM24 – Amenity; and
- DM27 – Heritage and the historic environment.

#### **London Plan (Consolidated with Alterations since 2011)**

- 4.12 The London Plan policies provide strategic guidance for development in London. As most of the policies are strategic nature they are of limited or only general relevance to the proposed development.
- 4.13 Policies 2.1-2.12 'Central Activities Zone' outlines the priorities for the Central Activities Zone, and the functions within the CAZ the Mayor will seek to secure such as seeking a mixture of uses within the CAZ.
- 4.14 Policy 3.5 'Quality and Design of Housing Development' states that residential development should be of the highest design, both internally and externally.
- 4.15 Policy 7.4 'Local Character' advises that development should have due regard to the local environment, taking into account the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.
- 4.16 Policy 7.6 'Architecture' states that Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context.
- 4.17 Policy 7.8 'Heritage Assets and Archaeology' states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

#### **Draft City Fringe Opportunity Area Planning Framework (December, 2014)**

- 4.18 The site is situated within the City Fringe Opportunity Area, as identified in the draft City Fringe Opportunity Area Planning Framework (December 2014). The draft Planning Framework seeks to strike a balance between residential and commercial development within the City Fringe Opportunity Area.
- 4.19 The draft Framework advises that a mix of uses that make the City Fringe special will be supported. With regard to creative character, paragraph 4.3 advises, "In the decades before the proliferation of digital technology, this area experienced an influx of artists as well as small businesses, attracted by the availability of cheap space".
- 4.20 Paragraph 4.4 further advises, "... the creative character of the area has made it more attractive as a business and residential location. It is important that these positive characteristics persist as the business cluster expands and consolidates. The growth of the parallel cluster and associated retail, leisure, café, cultural and night-time economy are all important here".
- 4.21 The proposals are in-line with these aims, as they seek to re-establish a renowned artist in a historically artistic area, and enhance the cultural character of that area through artistic production.

### Other Material Considerations

#### National Planning Policy Framework (NPPF), March 2012

4.22 The National Planning Policy Framework (hereafter the NPPF), published in 2012, establishes the Government's approach to planning and its central aim to achieve sustainable development.

4.23 At the outset, paragraph 14 sets out the presumption in favour of sustainable development that "should be seen as a golden thread running through both planning and decision-taking", subject to specific policies in the NPPF that indicate development should be restricted, such as those towards heritage assets.

#### *Design*

4.24 The NPPF supports high quality design and urban design at paragraphs 58 and following, which stress that design is not just about appearance or scale. This paragraph sets out criteria intended to establish the parameters of what comprises good design, encouraging development that:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establishes a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimises the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- responds to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- creates safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- that are visually attractive as a result of good architecture and appropriate landscaping.

4.25 Paragraph 60 of the NPPF is clear that planning policies and decisions should not attempt to impose architectural styles or particular tastes and innovation, initiative and originality should not be stifled. Through unsubstantiated requirements to conform to certain development forms or styles.

4.26 Paragraph 63 states that “great weight” should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

4.27 The NPPF clarifies the interaction between heritage and design, specifically at paragraph 65:

*“Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal’s economic, social and environmental benefits).”*

#### *Heritage*

4.28 Chapter 12 of the NPPF sets out the Government’s policies relating to the conservation and enhancement of the historic environment.

4.29 In determining planning applications, paragraph 131 states that local planning authorities should take account of:

- *“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;”*
- *“the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and”*
- *“the desirability of new development making a positive contribution to local character and distinctiveness”.*

4.30 Considerable weight is placed by the NPPF on understanding the ‘significance’ of designated and non-designated heritage assets and the contribution made by their setting as a basis for development control decisions. The requirement for an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting is set out at paragraph 128. This criteria is fulfilled through **Section 5** of this Planning and Heritage Statement.

4.31 One of the Government’s core planning principles as defined in the NPPF is to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations (para 17).

4.32 Paragraph 132 states:

*‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s*

*conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'*

- 4.33 Where a proposal will lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits (NPPF, para 134).
- 4.34 The NPPF encourages opportunities for new development in conservation areas and within the setting of heritage assets to enhance or better reveal their significance (paragraph 137).

National Planning Practice Guide (2014) ("NPPG")

- 4.35 This guidance was published as a web-based resource on 27 March 2014, as further guidance to the implementation of the policies contained within the NPPF.
- 4.36 With regard to decision-making, the Government considers that the NPPG is a material consideration. However, it is for the decision taker to determine the weight of the guidance in any individual decisions.
- 4.37 The publication includes useful guidance decision-taking with regard to historic environment matters. It is helpful in providing guidance for assessing whether proposals cause 'substantial harm' to a heritage asset (and therefore whether a proposal which is deemed to cause harm should be assessed under paragraph 133 or 134 of the NPPF):

*"How to assess if there is substantial harm?"*

*"What matters in assessing if a proposal causes substantial harm is the impact on the significance of the heritage asset.... In general terms, substantial harm is a high test, so it may not arise in many cases..*

- 4.38 The NPPG goes on to state with regards to the assessment of harm within a conservation area:

*"An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole."*

4.39 In other words, the threshold for 'substantial harm' is unlikely to be engaged unless the demolished building is of particular importance or fundamental to the significance of the conservation area. In other cases, the harm is likely to be less than substantial. We state at this stage that English Heritage do not consider the demolition of 66-68 Bell Lane to constitute substantial harm.

4.40 Finally, the NPPG suggests what is meant by public benefits within the context of proposals affecting heritage assets:

*"What is meant by the term public benefits?*

*"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (Paragraph 7). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits."*

4.41 Public benefits may include the provision of a building of exceptional design quality.

Artillery Passage Conservation Area Appraisal and Management Guidelines

4.42 The Artillery Passage CA Appraisal and Guidelines was published on 20 February 2007. It identifies the areas and buildings within the CA of historical significance and heritage importance. It also sets out management guidelines which are intended to help manage development within the CA, to ensure appropriate development promoted within the CA.

4.43 As set out already, the document identifies both 66-68 Bell Lane and 1-5 Tenter Ground as locally listed buildings which contribute positively to the conservation area.

## 5.0 CONTRIBUTION OF 66-68 BELL LANE TO ARTILLERY PASSAGE CONSERVATION AREA

5.1 This section describes the history of the application site and assesses the contribution made by the building to the significance of the conservation area building in accordance with the English Heritage guidance '*Understanding Place: Conservation Area Designation, Appraisal and Management* (2011).

### History of 66-68 Bell Lane

5.2 The building now known as either No 68 or Nos. 66-68 Bell Lane was built c.1927 by Stepney Borough Council as a block of three flats. It replaced earlier houses fronting White's Row (No 1) and Bell Lane (No 68) that were demolished c.1904 as part of a scheme to widen Bell Lane.

5.3 The Pevsner *Buildings of England London 5: East* volume describes the present No 68 Bell Lane as "a stiffly classical three-storey Stepney Borough Council Building of the 1920s". It is also mentioned in the Historic Buildings Report produced by the RCHME (later English Heritage) as part of the Spitalfields Rapid Survey in 1993, which misdates it to c.1900-10. The latter document notes that it was empty and derelict by 1993.

### Early History of the Site

5.4 Spitalfields was outside the medieval city of London and was largely built up in the seventeenth century as the city expanded beyond the historic walls.

5.5 Bell Lane was the western boundary of the small Tenter Ground estate, with White's Row forming the northern boundary, and Wentworth Street the southern extent of the estate. The eastern boundary was formed by the now lost Rose Lane, slightly to the east of the later Commercial Street. The streets along the edges of the estate, including Bell Lane and White's Row, were built up in the 1640s and 50s.

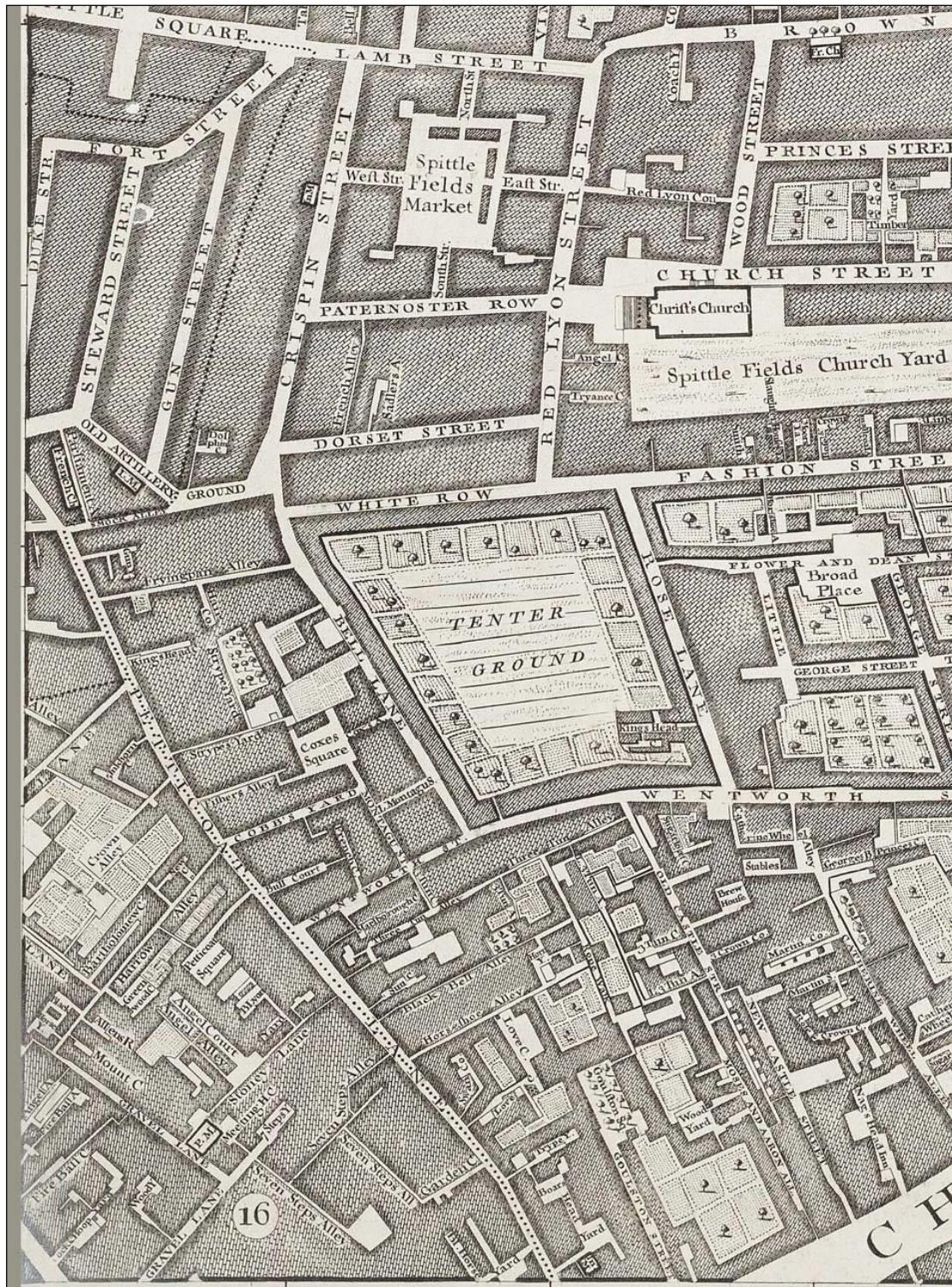
5.6 The previous buildings on the site (Nos 1 White's Row and 68 Bell Lane) were presumably built as houses in the mid seventeenth century, but it is possible that one or both were subsequently rebuilt, perhaps in the early eighteenth century, when many of the surrounding houses, including 5 White's Row, were rebuilt.

5.7 As Ogilby and Morgan's map of 1681-2 shows (see figure 5.1 below), the central area behind the houses on White's Row and Bell Lane was open and was used as a tenter ground for drying woollen cloth after it had been fulled or washed.



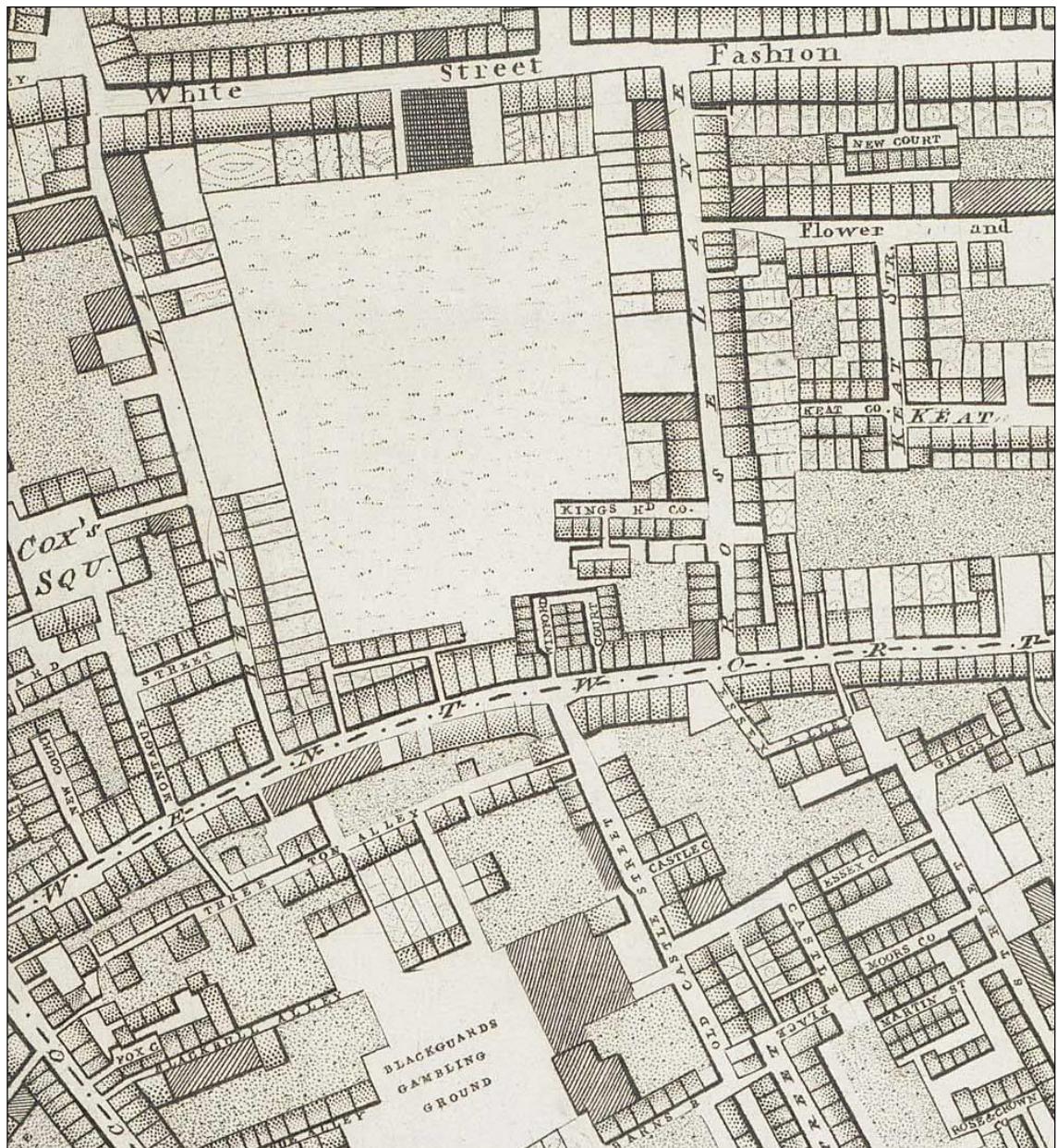
(Figure 5.1: Ogilby and Morgan's Map 1681-82)

5.8 As Roque's 1746 map shows (see figure 5.2 below), the tenter ground remained open throughout the eighteenth century as the area around was wholly built up.



(Figure 5.2: Rocque Map of 1746)

5.9 The first edition of Horwood's map dated 1792-9 still shows the tenter ground open and unbuilt upon (see figure 5.3 below). The later edition of Howood's map, from 1819, however, shows that much of the interior of the tenter ground had been developed and it had been fully built up by the time Greenwood's map was surveyed in 1824-6.



**(Figure 5.3: Horwood's Map 1792-99)**

5.10 An archway from White's Row to the new Tenter Street was built c.1810-20, and provided the main access into the new development. The Survey of London describes the development as almost a cul-de-sac, with very limited access to the surrounding streets. The archway had a sign proclaiming it as Shepherd's Place, probably indicating the development as a whole.

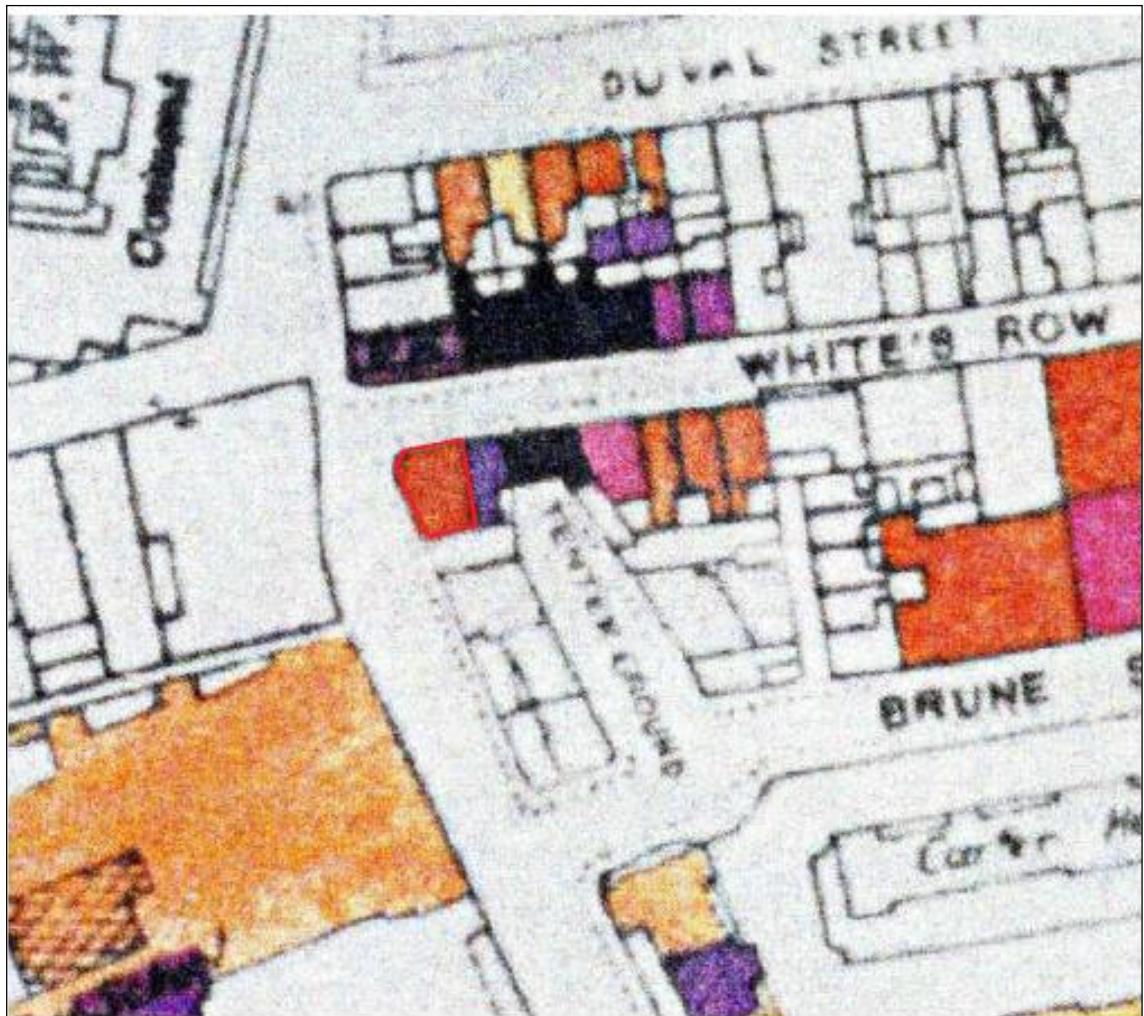
5.11 A portion of the archway is shown in a historic photograph of unknown date and a partial view of the section adjacent to the application site is shown in a photo of c.1941 (figures 5.4 + 5.5 below), taken after much of it was destroyed by enemy action (see war damage map at figure 5.6). It had been demolished by 1950.



(Figure 5.4: Sheperd's Place Arch)



(Figure 5.5: Pre-War Photograph of 66-68 Bell Lane (Date Unknown)



**(Figure 5.6: Bomb Damage Map 1940-1941)**

5.12 It is difficult to be certain from the historic images and other sources, but the archway appears to have been three stories, possibly with an attic above, and to have been in mixed commercial and residential use.

5.13 By the late nineteenth century, the area had become a slum, and virtually all of the development that had covered the Tenter Ground was deemed to be an "Insanitary District". Almost all of the estate, except for the application site and the adjacent houses at the top end of Tenter Street and along White's Row, was demolished in the 1930s to make way for the LCC's Holland Estate.

#### **Development of the Site**

5.14 The widening of the junction of Bell Lane and White's Row c.1904 resulted in the removal of a small group of houses, including Nos 64-68 even Bell Lane and No 1 White's Row. The archway, including the portion adjacent to the application site, remained.

5.15 The land at the corner of White's Row and the newly widened Bell Lane was left vacant and open from c.1904 until the mid 1920s (SBC minutes). It is shown as open ground

on the 1916 OS map (See figure 5.7 below). There were hoardings around the site, and the ground within was let for storage, including to a packing case dealer who appears to have had premises at No 62 Bell Lane, the first of the surviving buildings just to the south of the site. It was also used by a woman who rented out barrows, although possibly not concurrently.



**(Figure 5.7: OS Map 1916)**

- 5.16 In September 1925, the Council received an offer to buy the site. The SBC minutes note that only the northern part of the site, the present application site, could be sold as the rest was earmarked for redevelopment by the London County Council. Although the Council resolved to sell the land, this appears not to have happened
- 5.17 The minutes of December 1926 make reference to a planning application currently being made by the Council for residential development on the site of what had been No 68 Bell Lane and No 1 White's Row. Our research has not revealed any further details of this application, but it must certainly refer to the construction of the present building on the application site. It is very likely, therefore, that it dates to c.1927. The flats were built on a previously cleared site, and the original historic alignment of Bell Lane has changed.
- 5.18 As set out above, Shepherd's Arch and the adjacent buildings on White's Row were badly damaged in WWII and were demolished. The entrance to Tenter Street was

rebuilt wider after the war, leaving only a triangular sliver of open ground adjacent to the application site to the east where part of the archway had previously stood.

5.19 Historic photographs show that the site was repaired and was in residential use, presumably still as council housing, in the early 1950s, but by the early 1990s it was vacant and derelict. The render was first applied to the upper storey some time around the 1970s.

5.20 In terms of the significance of 66-68 Bell Lane itself (a non-designated heritage asset), it has historical value for its association with Stepney Borough Council and the Council's efforts to provide interwar council housing. The building has some aesthetic value as the north and west facades of the building are characterised by aged brickwork, small and repeated windows and evident features and materials of age. While this element of the façade contributes to the streetscape, the exposed eastern flank elevation and rear elevation detract from the streetscape and therefore the conservation area.

5.21 The aesthetic value of the building and its contribution to the Artillery Passage Conservation Area is lessened by the fact that the building now stands isolated, with the building it was once attached to now gone, and the street layout of Tenter Ground altered. The building has also been altered with the render panel added after 1950 and the rear balconies now blocked up, which reduces the attractiveness of this part of the building.

#### **Assessment of contribution to Artillery Passage Conservation area**

5.22 The following paragraphs turn now to assess the specific contribution of 66-68 Bell Lane to the conservation area.

5.23 The conservation area was initially designated in 1973, and extended to its present boundaries in 1975. It is defined by Brushfield Street to the north, Fort Street and Sandy's Lane to the west, Frying Pan Alley and Brune Street to the south, and Toynbee Street to the east.

5.24 The Artillery Passage Conservation Area Character Appraisal describes the prevailing character of the immediate area surrounding the site within the conservation area as thus:

*“The area between Brune Street and Whites’ Row also comprises three and four story Georgian houses and a few modern or rebuilt office blocks. The former Soup Kitchen for the Jewish Poor on Brune Street is a distinctive brick building with a terracotta frontage at ground floor level. Along Tenter Ground the style of the old warehouse buildings is reflected in the style of the new development opposite and similar efforts have been made in other areas of the Conservation Area”.*

5.25 The Artillery Passage Conservation Area Appraisal sets out that an essential characteristic of the CA lies within Artillery Passage and Artillery Lane as they are a surviving fragment of the 17<sup>th</sup> century street pattern, characterized by its network of historic narrow passages, lanes and courtyards and the mainly 19<sup>th</sup> century shopfronts.

5.26 The English Heritage Guidance '*Understanding Place: Conservation Area Designation, Appraisal and Management* (2011) contains a checklist to help identify elements of a conservation area which may contribute to its special interest. The guidance states that a positive response to one or more of the following criteria in the table below may indicate that a particular element within a conservation area makes a positive contribution provided that its historic form and values have not been eroded. In accordance with this guidance, a positive response does not necessarily indicate that the building is a positive contributor; rather that further investigation in this respect is required.

#### Positive Contributor Checklist

Checklist criteria	Comments
Is it the work of a particular architect or designer of regional or local note?	We are not aware that the house is the work of a particular architect of note.
Does it have a landmark quality?	<p>The building has no land mark quality when approached from the south along Bell Lane or Tenter Ground as views of it are obscured by 1-5 Tenter Ground.</p> <p>In general terms when approaching from other directions, the building, at three storeys, is shorter than the prevailing height (4 plus storeys).</p> <p>The building has no land mark quality when approaching from the east, as the building is obscured by existing Whites Row buildings. When the building becomes visible, the visible element is the exposed eastern flank which is unattractive and detracts from the conservation area.</p> <p>It has some limited landmark status when approaching from Crispin Street to the north in so far as it is approached 'head on' and has a prominence in the street scene, albeit lessened by the close proximity of tall buildings to the immediate west of the site.</p>
Does it reflect a substantial number of other elements in the conservation area in age,	It reflects the use of brick in this part of the conservation area. However, the prevailing

style, materials, form or other characteristics?	from of the immediate vicinity is that of larger, taller buildings arranged in terraces rather than the smaller, domestic stand-alone character of No. 66-68.
Does it relate to adjacent heritage assets in age, materials, or in any other historically significant way?	No. There are no designated heritage assets adjacent to the building. However the building is adjacent to no.1-5 Tenter Ground. However the buildings are not the same age, style or use and their relationship does not reflect the historic street pattern or urban grain of the area, although there is a similar use of brick.
Does it contribute positively to the setting of adjacent designated heritage assets?	No, as above, there are no adjacent designated heritage assets, but the building does contribute somewhat positively to the setting of 1-5 Tenter Ground.
Does it contribute to the quality of recognisable spaces including exteriors or open spaces within a complex of public buildings?	The building is not a public building so this criterion does not apply.
Is it associated with a designated landscape e.g. a significant wall, terracing or garden building?	No. The building is not located within a designated landscape
Does it individually, or as part of a group, illustrate the development of the settlement in which it stands?	<p>The building does illustrate the pattern of development of the area, although any building would illustrate its own particular phase.</p> <p>The building is not part of a group, nor part of a particular historic phase of development; the building was developed as a 'one-off' on this particular individual site.</p> <p>This building is now divorced from its original setting and terrace, following the destruction of the adjacent arch structure.</p> <p>The building was developed in the 1920s on a site that was previously cleared at the turn of the last century, although the alignment of Bell Lane had already changed following demolition of buildings to the south.</p> <p>The building is a record of Stepney Borough Council's attempts to provide council housing during the interwar period.</p>

Does it have a significant historic association with features such as the historic road layout, burgage plots, a town park or landscape feature?	<p>No. The cleared site on which the building was developed was already an anomaly in the streetscape and road layout following the demolition of the Bell Lane Properties.</p> <p>The building further altered the historic pattern of Bell Lane by introducing a separation between this property and the terrace to the south.</p> <p>The process of change has continued following the destruction of the arch to the east, leaving the building isolated and separated from the terrace that it was once part of.</p>
Does it reflect the traditional functional character or appearance of the area?	The building reflects the traditional residential character of the area.
Does it contribute to the character or appearance of the area?	<p>This is a 'catch-all' which draws on the criteria set out above.</p> <p>The building does make a positive contribution to the character and appearance of the conservation area in terms of the appearance of its northern and eastern elevations which contribute aesthetically to the conservation area. That contribution is muted by the southern and eastern elevations of the building which detract from the character of the conservation area.</p>

5.27 In summary, the building makes some positive contribution to the conservation area by virtue of its aesthetic appearance. It is important to note that this contribution is muted by the rear and east elevation of the building which detract from the character and appearance of the conservation area. The significance of the building has also been eroded by the fact that the building is the remaining fragment of the terrace of which it was once part (having been developed in a way that changed the historic street pattern).

5.28 The building is not designed by an architect of note, or have any particular landmark quality. It does not have any particular historic association with any traditional landscapes, street patterns or other designated heritage assets.

5.29 The significance of the building is also affected by the extant consent to demolish it behind its retained façade and extend the remaining elements upwards. English

Heritage considered that this would ‘further reduce the clarity of the contribution of the building to the conservation area’.

## 6.0 ASSESSMENT OF THE SCHEME

6.1 Within this section, we set out the application proposals and assess the component parts of the proposed development against the statutory development plan and other material considerations as outlined in Section 4 of this report.

### Principle of Demolition

6.2 The proposals involve the complete demolition of the existing 66-68 Bell Lane, and its replacement with a new, purpose built studio house that will connect to the existing studio workshop at 1-5 Tenter Ground.

6.3 As a locally listed building, 66-68 Bell Lane is an undesignated heritage asset that makes a positive contribution to the Artillery Passage Conservation Area for the reasons set out in the previous section. As set out in the previous section, the contribution, while positive, is . considered to be reduced by the fragmentary nature of the building, and its isolation in that area of the conservation area and the detractions to the conservation area apparent in the east and rear façades.

#### The extant planning permission reference PA/12/00434 and PA/12/00435

6.4 The contribution of the building must also be considered (and here we agree with English Heritage) in the context of the extant permission to demolish the larger part of the building and replace it with a ‘stretched’ façade which never existed and furthermore, an outward facing east elevation where there never was one (it being a party wall). The extant design, we consider, lacks integrity and authenticity.

6.5 The extent of alteration involved with the extant permission engages the Shimizu test of demolition amounting to ‘total or substantial demolition’. Practically, the implementation of this consent would entail:

- The complete demolition of all internal structure, the rear wall, the top floor and the whole of the east wall;
- Replacement structure to the same areas, enabling the retention of two walls;
- A upwards extension reproducing the current second floor; and
- A new east elevation, again in facsimile.

6.6 Such works, capable of implementation, undermine the historical and architectural integrity of the host building. This consent is therefore a material consideration of weight for the decision maker in relation to any new set of proposals seeking demolition (whether façade retention or not, though of course there is a qualitative difference between the two operations).

Assessment of Harm

6.7 As it is acknowledged the locally listed building is one of significance and therefore its loss is of significance. The decision maker must consider if that loss is one of substantial harm or less than substantial harm, as defined by the NPPF.

6.8 Clearly, the loss of the existing building will cause some harm to the conservation area by removing a tangible example of development that conveys aspects of social history in the East End during the first half of the 20th century. The building has some aesthetic value. In our view, the loss of the building would cause some harm to the conservation area, but this level of harm is less than substantial. The building is not integral to the significance of the conservation area.

6.9 Therefore the loss needs to be considered under NPPF paragraph 134, which advises local authorities that in cases where proposals cause less than substantial harm to a designated heritage asset the harm should be weighed against the public benefits of the proposal. English Heritage, in their letter following pre-application discussions were emphatic that the harm is less than substantial: "In our view, the loss of the building would cause some (clearly less than substantial) harm to the conservation area, and therefore needs to be considered under NPPF policy 134"

Public Benefits arising from proposal

6.10 Having accepted that the loss of the existing building causes harm, the decision maker must turn to consider whether the public benefits arising from the development proposals outweigh the harm to the conservation area. The design qualities of the replacement building are a key element of that. If the replacement building is capable of contributing to the conservation area to the same degree as the current building then there is no net harm to the conservation area. If the replacement building makes a greater positive contribution to the conservation area than the existing building, then there is a net enhancement.

6.11 This aesthetic consideration turns on what must be a point of judgment, namely that in these particular circumstances the proposal for an entirely new building to form the studio-house wing of the complex is architecture of a much higher quality, making a more significant contribution to the significance of the Conservation Area than the existing one, which, as already set out, has a rear elevation of no particular interest and an east one that positively detracts from the area.

6.12 These judgments must be formed against the backdrop of a consent for substantial demolition and facsimile reconstruction of something that was never there historically. The replacement building has the potential to contribute to the conservation area to a greater degree than the building that could be provided under the extant permission.

6.13 We consider strongly that the quality of the replacement is of sufficient quality and interest to outweigh the harm caused to the conservation area by the loss of the existing building. Furthermore, the replacement building reunites the frontage to Bell Lane and Tenter Ground which should be considered a heritage benefit. Further planning benefits arise in the environmental performance of the house which is an enhancement over the existing building (see the Sustainability Statement submitted with the application).

6.14 The essence of what is proposed should, also be understood in the wider context of the East End's recent history. Since the 1960s the area has increasingly become the home for contemporary artists, many working in the way the Applicant works and in purpose built accommodation. This is identified in the GLA's recent draft Opportunity Area Framework for the site.

6.15 These proposals are consistent with that recent and important heritage and, moreover, in their configuration encourage the sort of artistic production that has helped to put the area on the cultural map internationally. This project then is a visible demonstration of a modern workshop mode of construction seen against a new form of development which is changing the character of the area again. This is a planning benefit in both cultural and economic terms.

6.16 In conclusion, we would consider the benefits of the proposals to outweigh the loss of the existing building and therefore be considered acceptable. We consider that the statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 will be met in that the conservation area will be enhanced by an exemplary example of new architecture by a world-leading architectural practice.

### **Principle of Residential Use**

6.17 The existing building on Site contains 1 residential unit. This unit will be re-provided within the proposals, resulting in no net loss of residential units.

6.18 There are also amendments proposed to the residential floorspace located on the second floor of 1-5 Tenter Ground, which was provided under the planning permission approved on 5 August 2008 (Application Ref. PA/08/01154).

6.19 While there will remain a dwelling on the second floor of 1-5 Tenter Ground, it is proposed to subdivide the second floor so as to create an ancillary self-contained flat to be used on occasion by the studio assistant and overnight guests. This will be accessed through the studio house entrance for 66-68 Bell Lane (thus underlining its ancillary nature – it has no independent access).

6.20 Therefore, the principle of a single residential unit with ancillary residential space as contained within the proposals, is considered acceptable.

### **Scale of Replacement Building**

6.21 Policy DM24 'Place-sensitive design' of the MDD states that development will be required to ensure design is sensitive to and enhances the local character and setting, taking into account the scale, height, mass, bulk and form of the surrounding development.

6.22 The current building is three storeys in height and it is proposed to redevelop the site, with an additional storey erected on the replacement building.

6.23 The surrounding townscape is varied in scale. The immediate historic context in Whites Row is around 4-5 storeys, and 5-7 storeys along Artillery Lane. There are also taller buildings within the area, such as 39 Bell Lane at 6 storeys, and the Nido Development which is 35 storeys. 1-5 Tenter Ground to the rear, to which the proposed redevelopment will be linked to, is 3 storeys.

6.24 The site must also be considered in terms of the future townscape. The recent permission on the Fruit and Wool Exchange (immediately adjacent to the Site) which proposes a six storey building in replacement of the current multi-storey car park.

6.25 The Artillery Passage Conservation Area Character Appraisal describes the prevailing character of the immediate area surrounding the site within the conservation area as:

*"The area between Brune Street and Whites' Row also comprises three and four story Georgian houses and a few modern or rebuilt office blocks. The former Soup Kitchen for the Jewish Poor on Brune Street is a distinctive brick building with a terracotta frontage at ground floor level. Along Tenter Ground the style of the old warehouse buildings is reflected in the style of the new development opposite and similar efforts have been made in other areas of the Conservation Area".*

6.26 Furthermore, the extant permission for the site which was approved on 12 July 2012 comprised an erection of an additional storey on the existing building. Consequently, on the basis of this previous approval, the Council have already considered an increase in height acceptable in this location.

6.27 Therefore, given the surrounding townscape context, and future surrounding context regarding the Fruit and Wool Exchange redevelopment and the extant permission, an increase in height in this location is considered acceptable.

### **Residential Amenity**

6.28 The Mayor's Housing SPG (November 2012) sets out a requirement for a minimum of 5 sq.m of private outdoor space that should be provided for 1 – 2 person dwellings and an additional 1 sq.m for each additional occupant (standard 4.10.1). This amenity space provision is reiterated within Policy DM4 'Housing standards and amenity space' of the MDD.

6.29 This minimum amenity space provision is generously surpassed, as a private patio is proposed on the second floor of the replacement building which comprises 17 sq.m.

### **Impact on Neighbouring Amenity**

6.30 At a national and regional level there is a requirement to prevent unacceptable harm to amenity arising from new development. Paragraph 109 of the NPPF seeks to prevent new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.

6.31 London Plan Policy 7.6 states that buildings and structures should not “cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate”.

#### *Sunlight/Daylight and Overshadowing*

6.32 Policy DM25 ‘Amenity’ of the MDD states that development should not result in an unacceptable material deterioration of the sunlighting and daylighting conditions of surrounding development including habitable rooms of residential dwellings.

6.33 The Daylight, Sunlight and Overshadowing prepared by XC02 Energy submitted with this application, the daylight analysis indicates that the impact on surrounding properties arising from the proposed development will be within acceptable limits.

6.34 The Sunlight Assessment shows that the proposed development is not considered to have any significant impact on the sunlight hours received by neighbouring properties.

6.35 The Overshadowing Assessment takes into consideration the amenity area to the north of the site, part of a future development which has received planning permission (Fruit and Wool Exchange). The analysis results indicate that the proposed amenity area receives more than 2 hours of sunlight on 21 March on over 50% of its area. As such the proposed development is not considered to have any significant impact on sunlight access to the future amenity space.

6.36 There is no plant proposed which might disturb neighbours by virtue of its noise.

6.37 It is therefore considered, the development does not result in an unacceptable loss to neighbouring amenity.

### **Archaeology**

- 6.38 The site lies within an Archaeological Priority Area, as identified on the Adopted Policies Map (2013).
- 6.39 Policy DM27 'Heritage and the historic environment' states that proposed development that lies in or adjacent to Archaeological Priority Areas, the Council will require the proposal to include an Archaeological Evaluation Report and will require any nationally important remains to be preserved permanently in site, subject to consultation with English Heritage.
- 6.40 This application is accompanied with an Archaeological Assessment prepared by Pre-Construct Archaeology. The Assessment concludes that there is only a low potential for prehistoric remains and a moderate to high potential for Roman, medieval and post-medieval remains.

### **Sustainability and Energy**

- 6.41 Officers have confirmed in pre-application discussions that Policy DM29 does not apply to proposals of this scale and an assessment of the environmental performance of the building is not necessary.
- 6.42 Nevertheless, the Energy and Sustainability Assessment submitted with this application sets out in comprehensive detail the measures that will be implemented to secure a reduction in carbon emissions in the proposed development. The replacement building is one of high environmental performance, which will greatly surpass the environmental performance of the existing building.
- 6.43 This performance is delivered in excess of policy requirements and is a clear planning benefit.

## 7.0 CONCLUSION

7.1 This planning and Heritage Statement has been prepared by Montagu Evans LLP on behalf of Tracey Emin Studio in support of an application for planning permission to demolish and redevelop 66-68 Bell Lane to provide a purpose built, bespoke artist's house.

7.2 The existing building is considered to make a positive contribution to the conservation area and the Council have indicated the value they place on it by including it in the local list. This contribution however is affected by the unsightly rear elevation and east elevation in particular which actively detracts from the conservation area. The building is also a record of the social history of this part of the East End in the early part of the 20th Century.

7.3 Nevertheless, as the building has some significance as a non-designated heritage asset, its loss must be considered to be harmful to the conservation area. This harm is assessed as being of less than substantial significance, and this conclusion has also been reached by English Heritage.

7.4 Thus, the harm must be weighed against public benefits arising from the proposal. The key public benefit here is the provision of an exceptional piece of architecture by world-leading architect Sir David Chipperfield. The replacement building contributes to the conservation area to a greater extent than the existing building and thus the conservation area in our view will be enhanced. The building also reinstates the Tenter Ground and Bell Lane frontages which had become severed from the site of 66-68 Bell Lane following its development in the 1920s.

7.5 The pre-application feedback received from the Council (4 December 2014) stated:

- The Council's officers have sufficient confidence in the quality of the building proposed to take the very unusual step and support the principle of the demolition of a locally listed building within a conservation area; and
- There were aspects of the design that remain unfinished or require further articulation/detailing. It was recommended that the Borough's Conservation & Design Advisory Panel (CADAP) be consulted with regard to the proposals.

The borough's CADAP was consulted on 12 January & 13 April 2015. The response on 12 January stated:

- The panel were unable to reach a single view on the proposals with some members preferring the locally listed building be retained however members agreed that it does offer the opportunity to develop a building of extraordinary quality and to re-integrate the existing urban block as a whole; and
- CADAP requested the proposals be further developed and presented again to the panel, incorporating the Panel's comments.

The scheme was further developed incorporating the panel's comments and again presented to CADAP on 13 April. The formal written response stated:

- The setting of the existing building is compromised by later changes in the area;
- The extant permission for substantial alteration to the existing building and accepted the applicant's assertion that the permitted changes would also seriously compromise the logic of the local listing;
- The proposal has the potential to become a cultural landmark;
- The proposed scheme is more contextual than the previous version. It has the potential to be an 'amazing' building: 'serious, yet playful'.

English Heritage was also consulted on the proposals on 20 January 2015. The formal response stated:

- Nos. 66-68 Bell Lane is an undesignated heritage asset that makes a positive contribution to this part of Artillery Passage Conservation Area. However, that contribution is reduced by the fragmentary nature of the building and the existing permission to substantially alter it by extending it upwards;
- The loss of the building would cause some (clearly less than substantial) harm to the conservation area;
- We have no doubt that the proposed new building is a piece of very high quality design that would be fit for purpose; and
- The design has a strong sense of integrity and consistency that the consented permission which only retains the lower parts of the existing building whilst increasing its height, lacks.

The formal responses from the Council, CADAP and English Heritage are appended to this document.

7.6 The proposed development is also acceptable in other regards, namely, amenity, neighbour amenity, bulk and mass and environmental performance.

7.7 Our conclusion is that the proposals comply with the relevant adopted planning policy national policy and other material considerations.

**APPENDIX 1: SITE LOCATION PLAN**

# Site Location Plan



66-68 Bell Lane & 1 Tenter Ground

**APPENDIX 2: LBTH PRE-APPLICATION RESPONSE DATED 4 DECEMBER 2014**



Mr Anthony Brogan  
Montage Evans  
8 Bolton Street  
London W1J 8BA

**Our Ref: PF 14/00102**

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Date 4 December 2014

Dear Mr Brogan

**Town and Country Planning Act 1990 (as amended)**  
**Town and Country Planning (Development Management Procedure) Order 2010**

#### **Formal Pre-applications Discussions**

**Location:** 66 - 68 Bell Lane  
**Proposal:** Demolition of existing building and the erection of an artist's studio/ dwelling house

#### **Principle of Wholesale Demolition**

The main planning issue to consider with respect to this pre-application submission is the principle of the wholesale demolition of a locally listed building within a conservation area.

National Planning Policy Framework (NPPF) sets (paragraph 132)

*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.*

With respect to assessing the significance of a building the National Planning Practice Guidance provides useful guidance, stating

*An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in*

*paragraph 133 of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.*

Given the existing building on site is locally listed it is reasonable to conclude the loss of the building is of significance and paragraph 133 of NPPF is material and the justification for demolition proportionate to the due significance within the conservation area.

NPPF paragraph 133 states

*“Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply.*

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

London Plan Policy 7.8 is consistent with the policy approach set out above in the NPPF.

London Borough of Tower Hamlets, Policy DM27 (1) of the *Managing Development Document* of the adopted Local Plan sets out that

*“Development will be required to protect and enhance the borough’s heritage assets, their setting and their significance as key elements of developing the sense of place of the borough’s distinctive ‘Places’.*

Policy DM27 (3) states

*“Proposals for the demolition of a designated heritage asset will only be considered under exceptional circumstances where the public benefit of demolition outweighs the case for retention.”*

Informed by the pre-application documents submitted in June and October this year and two pre-application meetings the following observations are made by the Borough’s Conservation Officer.

*“Based on the information provided to date, the replacement building shows true potential to be of exceptional design quality. Whilst responding to its setting in terms of scale and materials, the development is a bold and purposeful piece of architecture, a carefully considered work. It is a bespoke design for an artist and would join the select group of artist’s houses which are a notable feature of the architecture of the Capital. The list of artist’s house includes houses designed by Richard Norman Shaw and Edward Goodwin. In my view, if built it would be a landmark building, celebrating the significance of the East London art scene; a potential listed building of the future.*

*The existing building is fully deserving of its place on the Council's local list but in my view this is one of those very rare occasions when the benefits of the proposed development would outweigh the loss of such a building."*

With the policy context set out above earlier and with regard to safeguarding locally listed buildings located within a conservation area, the informal decision for officers to support a scheme that demolishes a locally listed building within a conservation area is necessarily based on an exceptional circumstances argument, and these reasons are set out in the Conservation Officer's comment above.

#### Other Considerations:

#### **Scale and Proportions of the Proposal**

Mindful of the extant consent (PA/12/00434) to lay an additional storey on the existing building and the height and scale found on surrounding buildings it is not considered the size of the building envelope presents an issue in respect of the townscape and the character of the Artillery Passage Conservation Area or the neighbouring Fournier Street Conservation Area.

#### **1 Self Contained Residential Unit or 2?**

With regard to land use, based on the application drawings that accompanied an unexercised extant consent (PA/12/00434) will not present any net loss of residential units as the existing single dwelling unit will be replaced with another. The application should remove any ambiguity as to whether the assistant's flat is intended to be a residential annex or a self contained dwelling unit.

#### **Further Design Development**

In respect to ensuring the scheme fulfills its potential, and further to the architects comments made at our last meeting, it is imperative the design of the scheme develops further to ensure it provides a real empathy to its setting and most specifically relates sympathetically with the exterior of 1-5 Tenter Ground.

As part of its remit of contributing positively to the conservation area, the development needs to offer a welcome and open aspect appearance at street level, notably as the site is viewed from Artillery Lane and Tenter Ground.

Central to this task, is further design iterations in respect of the studio room windows set at ground floor. Specifically how they puncture the elevations to both secure the necessary privacy to the floor of the studio space (set below ground level) whilst simultaneously offering an animated architectural quality to those passing by the building on the street. These glazed elements seem central to the building success in achieving - to the external observer - the appearance of an artist's studio that the architect has spoken about during our meetings. In this respect the reference to the window detail from Charles Rennie Mackintosh's Scotland Street school is welcomed, notwithstanding officer's are very aware the architect will want to reinvent any such proposed ornament to the glazing within this scheme to give it a contemporary quality and one that fits within the architect's oeuvre.

With respect to the scheme relating comfortably with the exterior of 1-5 Tenter Ground officers would like to be provided with detailed drawings illustrating how the junction between the strong east elevation of No. 1-5 Tenter Ground and the new build would interface. Whilst officers have no objection to a strong juxtaposition and are not

insisting upon any requirement for a standard 'subservience gesture' within the new build as it meets the eastern elevation of the warehouses - there does nevertheless remain a need for this juncture to be thoughtfully handled with opportunities in the detailing of this juncture to invite reflection in respect of the contrast in styles/ordering between the two building forms.

For the reasons outlined at our last meeting of public safety and public liability there will not be an opportunity to provide a balcony that oversails the public highway. However in architectural terms a similar device (a loggia perhaps?) would be welcomed on the Bell Lane elevation that both animates this elevation at upper storey level and to help brings/or mediates some of the life/activity occurring within the building out upon the street.

### **Community Consultation**

Following further consideration by officers and mindful of the level of public interest the planning application is likely to trigger, officers would encourage the proposal (prior to submission) is presented to the Borough's Conservation & Design Advisory Panel to help engage this group in discussions over the scheme and to help them gain a better insight into the thinking that led to the architect's conclusion that demolition and new build was an appropriate and coherent response to both the client's brief and the constraints the existing buildings imposes upon that brief.

### **Concluding Remarks**

We welcome the fact the end client and architect have chosen to engage with Council at an early stage in the design process. As set out above officer's have sufficient confidence in the quality of the building proposed to take the very unusual step and support the principle of the demolition of a locally listed building within a conservation area.

There remain aspects of the design that remain unfinished or require further articulation/detailing, as highlighted earlier in the letter and we would welcome further opportunity to comment upon these prior to submission. Notwithstanding the need for further design iterations in respect of the building envelope officers are confident we will be in a position to support the scheme when it is submitted for determination.

Please note that the advice outlined in this letter is given as the opinion of the Planning Officer, based on the information available and as submitted. It is given without prejudice to the formal decision of the deciding authority and its committees and is not binding in the determination of any subsequent planning application.

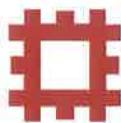
If you require any further information, please contact me on the above direct line.

Yours sincerely

Gareth Gwynne  
**Case Officer – Development Management**  
**Pre-Applications Team**



**APPENDIX 3: ENGLISH HERITAGE CONSULTATION RESPONSE DATED 20 JANUARY  
2015**



ENGLISH HERITAGE  
LONDON OFFICE

Dr Chris Miele  
Montagu Evans LLP  
5 Bolton Street  
London  
W1J 8BA

Direct Dial: 020 7973 3774  
Direct Fax: 020 7973 3792

Our ref: PA00361002

21 January 2015

Dear Dr Miele

### **Request for Pre-application Advice**

#### **66 - 68 BELL LANE, LONDON, E1**

Thank you for introducing me to the emerging proposals at the above site, and explaining their detail and rationale. We have considered them in detail, and I set out English Heritage's position below.

#### *Significance of the Historic Environment*

The site is situated within Artillery Passage Conservation Area, which is generally notable for its surviving narrow lanes and passages containing small scale mixed use buildings from the late 17th century onwards. Nos. 66-68 Bell Lane itself is a robust, austere classical corner remnant of a once larger terrace of purpose built flats erected by Stepney Borough Council in the 1920s. It possesses some aesthetic value for its architecture, and more obvious historical value as a surviving remnant of the 'old' East End, illustrating Stepney Borough Council's efforts to provide social housing during the interwar period. The building is therefore of some significance, but this has been eroded because the building is now just a fragment of the original terrace. An existing planning permission to extend the building upwards further would further reduce the clarity of contribution it makes to the conservation area. Nevertheless, we agree with LB Tower Hamlets that the building makes a positive contribution to this part of Artillery Passage Conservation Area.

#### *Proposals*

The proposals are for the demolition of Nos. 66-68 Bell Lane and its replacement with a new, purpose built studio house that will connect to the existing workshops/studios along Bell Lane/Tenter Ground. The design, by David Chipperfield, is for an obviously contemporary building, but one that makes use of structural brick and is of a scale and form that reflects some of the existing buildings within the conservation area.

#### *Policy Context*



1 WATERHOUSE SQUARE 138-142 HOLBORN LONDON EC1N 2ST  
Telephone 020 7973 3000 Facsimile 020 7973 3001  
[www.english-heritage.org.uk](http://www.english-heritage.org.uk)

English Heritage is subject to the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

English Heritage will use the information provided by you to evaluate any applications you make for statutory or quasi-statutory consent, or for grant or other funding. Information provided by you and any information obtained from other sources will be retained in all cases in hard copy form and/or on computer for administration purposes and future consideration where applicable.

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Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the obligation on local planning authorities to pay special regard to preserving or enhancing the character or appearance of conservation areas.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on proposals. At the heart of the framework is a presumption in favour of 'sustainable development', a key component of which includes protecting and enhancing the historic environment. In general terms, the document places great weight on: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; their potential to contribute to sustainable communities; and the desirability of new development making a positive contribution to the historic environment's distinctiveness.

Specific policies relevant to the current proposals include paragraph 137, which states that local authorities should look for new development within conservation areas to enhance or better reveal the significance of the conservation area; paragraph 138, which states the loss of a building that makes a positive contribution to a conservation area should be treated as either substantial or less than substantial harm (paragraphs 133 or 134); and paragraph 134, which advises local authorities that in cases where proposals cause less than substantial harm to a designated heritage asset the harm should be weighed against the public benefits of the proposal.

### *English Heritage position*

Nos. 66-68 Bell Lane is an undesignated heritage asset that makes a positive contribution to this part of Artillery Passage Conservation Area. However, that contribution is reduced by the fragmentary nature of the building and the existing permission to substantially alter it by extending it upwards. The existing consent is a material planning consideration.

Nevertheless, the loss of the existing building will cause some harm to the conservation area by removing a tangible example of development that illustrates aspects of social history in the East End during the first half of the 20th century. In our view, the loss of the building would cause some (clearly less than substantial) harm to the conservation area, and therefore needs to be considered under NPPF policy 134. There also remains the obligation on the local authority set out in the 1990 Act to ensure that new proposals enhance the character or appearance of the conservation area.

We have no doubt that the proposed new building is a piece of very high quality design that would be fit for purpose. It has the potential to deliver public benefits through the



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ENGLISH HERITAGE  
LONDON OFFICE

quality of its design and its role in reinstating the frontage to Bell Lane and Tenter Ground. In our view, the design has a strong sense of integrity and consistency that the consented permission which only retains the lower parts of the existing building whilst increasing its height, lacks.

It is for the local authority to carefully weigh the harm to the conservation area caused by the loss of the historic building with the benefits that would potentially arise from the current proposals.

Should the local authority be minded to grant consent to a submitted application, we would urge them to ensure that the quality of the design is carried through the project, and that materials and finishes are carefully considered and agreed as a condition to any consent. A condition requiring the recording of the existing building prior to demolition should also be included if a submitted application is approved.

I hope you find this advice helpful, but if you have any further queries at this stage, please do not hesitate to contact me.

Yours sincerely

**Michael Dunn**

Principal Inspector of Historic Buildings and Areas  
E-mail: [michael.dunn@english-heritage.org.uk](mailto:michael.dunn@english-heritage.org.uk)

cc: Andrew Hargreaves, LB Tower Hamlets



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## LONDON OFFICE

### **66 - 68 BELL LANE, LONDON, E1** **Request for Pre-application Advice**

#### **Information Provided**

pre-application design proposals; architect's presentation on 20 January

#### **Published Guidance**

NPPF; EH Conservation Principles



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**APPENDIX 4: CADAP CONSULTATION RESPONSES DATED 12 JANUARY AND 13 APRIL  
2015**

## CONSERVATION AND DESIGN ADVISORY PANEL MINUTES

### DATE OF MEETING

Monday 12<sup>th</sup> January 2015

### ATTENDEES

CADAP: John Pulford MBE (Chair), Giles Charlton, Holly Lewis, Caroline Terry, Rupert Wheeler, Chris Dyson, Mellis Haward, Rute Nieto Ferreira, David Garrard

Apologies: Finn Williams, Robert Mull, Jacob Willson, Nazma Uddin, Jonathan Freegard, Nigel Avery, Alison Crawshaw, Cristina Monteiro

LBTH Officers: Vicki Lambert (Heritage & Design Officer), Allison Borden (Historic Places of Worship Support Officer), Gerard McCormac (Team Leader, Enforcement), Gareth Gwynne (Planning Officer), Adam Williams (Planning Officer).

**66-68 Bell Lane, Locally Listed building in the Artillery Passage Conservation Area**  
**Proposals for a mixed residential / office extension of the adjacent artist studios at 1-5 Tenter Ground.**

### Informative

These proposals were presented by David Chipperfield, who explained that his client had purchased the building with a view to combining her living and working life together in one place. The intention is that the Bell Lane property should offer a personal studio space at the lower level with living spaces on the upper levels, but that it should also offer connections to the existing studio spaces within the adjoining building.

He noted that the existing building whilst charming was somewhat isolated and that the intention of the proposals was to consolidate the urban block of which the building forms a part and make it an integrated whole.

He explained that whilst they had explored retention of the building, the extent of the changes required to provide the large well-lit spaces required, resolve the difference in levels between the two buildings and adjoin them in a meaningful way, resulted in a scheme which compromised the architecture of the existing building and failed to preserve the historic fabric and character of the building successfully.

It was noted that an existing consent for the site involved construction of an additional floor and would result in substantial alterations and loss of original fabric, were it to be implemented.

### **CADAP Comments**

This is a locally listed building within a conservation area. It makes a positive contribution to the character of the conservation area, although it is not typical of the area. However, its designation identifies it as being of value. As a heritage asset, it is part of a finite resource. Its loss would be of significance. Any justification for its demolition will need to be proportionate to its significance within the conservation area.

The Panel were unable to reach a single view on the proposals.. Some members felt that the existing building was part of the character and culture of this area and that the expectation should be that the building be retained, forming as it does a significant element of the existing character of Artillery Passage, an area on the City Fringe currently experiencing considerable development pressure and undergoing substantial change. Other members believed that there are exciting opportunities that the redevelopment of this site, by an experienced architect, for an artist client, could offer. Historic examples of where artists have commissioned studios were mentioned.

The Panel believe that the proposals must be assessed on their merits. This is a locally listed building within a conservation area setting, and its charm is acknowledged. If demolition is proposed it will need to be properly justified and proposals for its replacement must be considered against the legislation - will they preserve, or enhance the character of the conservation area, offer substantial public benefits, etc?

Any application will need to set out a detailed assessment of the significance of the existing building, and explore more positively the possibility of reusing the existing building.

In the scheme's favour, members agreed that it does offer the opportunity to develop a building of extraordinary quality and to re-integrate the existing urban block as a whole. Based on the plans presented to date, the potential to create a new building of exceptional quality has yet to be realised.

Members would welcome the opportunity to look at these proposals again. The proposals are at a very early stage and further justification of the demolition is required.

Not-withstanding this, if replacement of the building is to be considered, further work is required on the details of the proposals.

The proposals at present seem to be fairly basically modelled and it would be helpful for them to be set in context. In particular it would be helpful to look at the way in which the local area will change with the redevelopment of the Fruit and Wool Exchange and the removal of Whites Row Car Park which are currently consented schemes.

Members also considered that:

- the focus of the design to date is too private and inward looking. It lacks sufficient public face to express it as an artist's studio to the street,
- the front and back (west and east elevations) are not presently resolved,
- the building will effectively be set on an urban square and this may well impact upon the details of the building and the way in which privacy issues are treated.
- detailed proposals should include options to re-use the existing building,

If considering redevelopment details are required of:

- the relationship between the old and the new,
- the way in which the eastern elevation adjoining the warehouses is detailed, and
- the possible referencing of the adjacent warehouses.

**Ends**

**Date of Next Meeting:** 9<sup>th</sup> February 2015

## CONSERVATION AND DESIGN ADVISORY PANEL MINUTES

### DATE OF MEETING

Monday 13 April 2015

### ATTENDEES

CADAP: John Pulford MBE (Chair), Cristina Monteiro, David Garrard, Holly Lewis, Jonathan Freegard, Nazma Uddin, Giles Charlton

Apologies: Chris Dyson, Nigel Avery, Mellis Haward, Alison Crawshaw, Rute Nieto Ferreira

LBTH Officers: Andrew Hargreaves (Borough Conservation Officer), Gareth Gwynne (Planning Officer)

### Comments on 66 – 68 Bell Lane proposal

#### Informative

The architects presented their proposal for the above site. The proposal has been amended following previous comments received at CADAP (12<sup>th</sup> January 2015) and meetings with planning officers.

#### Comments

1. Any submitted planning application should fully acknowledge the merits of the existing building on the site and not seek to justify the replacement by merely downplaying the significance of the existing building.
2. The setting of the existing building is compromised by later changes in the area.
3. Panel noted extant permission for substantial alteration to the existing building and accepted the applicant's assertion that the permitted changes would also seriously compromise the logic of the local listing.
4. The proposal has the potential to become a cultural landmark.
- .
5. The proposed scheme is more contextual than the previous version. It has the potential to be an 'amazing' building: 'serious, yet playful'.

6. The quality of architectural detail will be of overriding importance in determining the success of the proposal – including details of roof, fenestration, window reveals, rainwater goods and ‘notched’ corner detail. Fears were expressed that the envisaged clean edges will be difficult to achieve.
7. The choice of brick and details relating to brickwork will be very important – the Panel noted the need to differentiate the building from its surroundings, whilst responding sensitively to context.
8. The addition of the plinth is welcome. On balance the Panel did not think that the plinth should be at a uniform height around the building. The applicant should also consider whether refinement of the brickwork detailing could result in a successful alternative.
9. The form of the building must relate sensitively to its Conservation Area context.

ENDS

**Date of next meeting:** Monday 11 May 2015

**APPENDIX 5: 66-68 BELL LANE HISTORICAL RESEARCH NOTE**

### No 68 Bell Lane: History

- 1.1 The building now known as either No 68 or Nos 66-68 Bell Lane was built c.1927 by Stepney Borough Council as a block of three flats. It replaced earlier houses fronting White's Row (No 1) and Bell Lane (No 68) that were demolished c.1904 as part of a scheme to widen Bell Lane.
- 1.2 The Pevsner *Buildings of England London 5: East* volume describes the present No 68 Bell Lane as "a stiffly classical three-storey Stepney Borough Council Building of the 1920s". It is also mentioned in the Historic Buildings Report produced by the RCHME (later English Heritage) as part of the Spitalfields Rapid Survey in 1993, which misdates it to c.1900-10. The latter document notes that it was empty and derelict by 1993.
- 1.3 The building stands on the corner of White's Row and Bell Lane, and is three stories, the lower two brick, the upper storey rendered and projecting slightly on a cornice supported on brackets over the windows below. It has a three bay façade to White's Row that returns around an angled corner to the junction of Bell Lane and White's Row to form a four bay façade on this side. There is an SBC (Stepney Borough Council) monogram to the angled corner. The cornice detail continues a short way along the southern façade indicating that the small yard to the rear was always open.
- 1.4 Neither the Bell Lane nor the White's Row façade has an obvious entrance (both simply have windows), and so it is likely that the entrance was always at the rear via the yard from Bell Lane. Historic photographs (D & A fig 4) show balconies that probably served as open landings off of a stair in its present position in the south-east corner of the structure. The small windows adjacent to the balconies probably lit toilets.
- 1.5 On the east side, the façade is blank where it was attached to another, taller building that was bombed and demolished in WWII. This lost building was part of a large archway, built c.1810-20, that led into an early nineteenth-century residential development on what had been a tenter ground.

### Early History of the Site

- 1.6 Spitalfields was outside the medieval city of London and was largely built up in the seventeenth century as the city expanded beyond the historic walls.
- 1.7 Bell Lane was the western boundary of the small Tenter Ground estate, with White's Row forming the northern boundary, and Wentworth Street the southern extent of the estate. The eastern boundary was formed by the now lost Rose Lane, slightly to the east of the later Commercial Street. The streets along the edges of the estate, including Bell Lane and White's Row, were built up in the 1640s and 50s.
- 1.8 The previous buildings on the site (Nos 1 White's Row and 68 Bell Lane) were presumably built as houses in the mid seventeenth century, but it is possible that one or both were subsequently rebuilt, perhaps in the early eighteenth century, when many of the surrounding houses, including 5 White's Row, were rebuilt.

- 1.9 As Ogilby and Morgan's map of 1681-2 shows, the central area behind the houses on White's Row and Bell Lane was open and was used as a tenter ground for drying woollen cloth after it had been fulled or washed.
- 1.10 As Roque's 1746 map shows, the tenter ground remained open throughout the eighteenth century as the area around was wholly built up.
- 1.11 The first edition of Horwood's map dated 1792-9 still shows the tenter ground open and unbuilt upon. The later edition of Howood's map, from 1819, however, shows that much of the interior of the tenter ground had been developed and it had been fully built up by the time Greenwood's map was surveyed in 1824-6.
- 1.12 An archway from White's Row to the new Tenter Street was built c.1810-20, and provided the main access into the new development. The Survey of London describes the development as almost a cul-de-sac, with very limited access to the surrounding streets. The archway had a sign proclaiming it as Shepherd's Place, probably indicating the development as a whole.
- 1.13 A portion of the archway is shown in a historic photograph of c.1910, and a partial view of the section adjacent to the application site is shown in a photo of c.1941, taken after much of it was destroyed by enemy action. It had been demolished by 1950.
- 1.14 It is difficult to be certain from the historic images and other sources, but the archway appears to have been three stories, possibly with an attic above, and to have been in mixed commercial and residential use.
- 1.15 By the late nineteenth century, the area had become a slum, and virtually all of the development that had covered the Tenter Ground was deemed to be an "Insanitary District". Almost all of the estate, except for the application site and the adjacent houses at the top end of Tenter Street and along White's Row, was demolished in the 1930s to make way for the LCC's Holland Estate.

#### **Development of the Site**

- 1.16 The widening of the junction of Bell Lane and White's Row c.1904 resulted in the removal of a small group of houses, including Nos 64-68 even Bell Lane and No 1 White's Row. The archway, including the portion adjacent to the application site, remained.
- 1.17 The land at the corner of White's Row and the newly widened Bell Lane was left vacant and open from c.1904 until the mid 1920s (SBC minutes). It is shown as open ground on the 1916 OS map (NB that the date of the D&A Fig 6 is wrong, this is the 1916 map, not 1894). There were hoardings around the site, and the ground within was let for storage, including to a packing case dealer who appears to have had premises at No 62 Bell Lane, the first of the surviving buildings just to the south of the site. It was also used by a woman who rented out barrows, although possibly not concurrently.

1.18 In September 1925, the Council received an offer to buy the site. The SBC minutes note that only the northern part of the site, the present application site, could be sold as the rest was earmarked for redevelopment by the London County Council. Although the Council resolved to sell the land, this appears not to have happened

1.19 The minutes of December 1926 make reference to a planning application currently being made by the Council for residential development on the site of what had been No 68 Bell Lane and No 1 White's Row. Our research has not revealed any further details of this application, but it must certainly refer to the construction of the present building on the application site. It is very likely, therefore, that it dates to c.1927.

1.20 Shepherd's Arch and the adjacent buildings on White's Row were badly damaged in WWII and were demolished (Bomb damage map). The entrance to Tenter Street was rebuilt wider after the war, leaving only a triangular sliver of open ground adjacent to the application site to the east where part of the archway had previously stood.

1.21 Historic photographs show that the site was repaired and was in residential use, presumably still as council housing, in the early 1950s, but by the early 1990s it was vacant and derelict.

## Sources

English Heritage Archives

London Metropolitan Archives

Tower Hamlets Local Studies Collection

Cherry, B, O'Brien, C and Pevsner, N. *The Buildings of England, London 5: East*, 2005, p. 410.

RCHME (English Heritage), 'Spitalfields Rapid Survey: Historic Buildings Report', 1993, unpublished report

Sheppard, F W H, ed. 'The Tenter Ground estate', *Survey of London, Volume 27, Spitalfields and Mile End New Town*, 1957, pp. 242-244

Stepney Borough Council Works Commission Minutes (Tower Hamlets Archives)

**APPENDIX 6: ARTILLERY PASSAGE CONSERVATION AREA APPRAISAL AND  
MANAGEMENT GUIDELINES**



# **Artillery Passage**

## **Conservation Area**

### **1. Character Appraisal**

### **2. Management Guidelines**

London Borough of Tower Hamlets

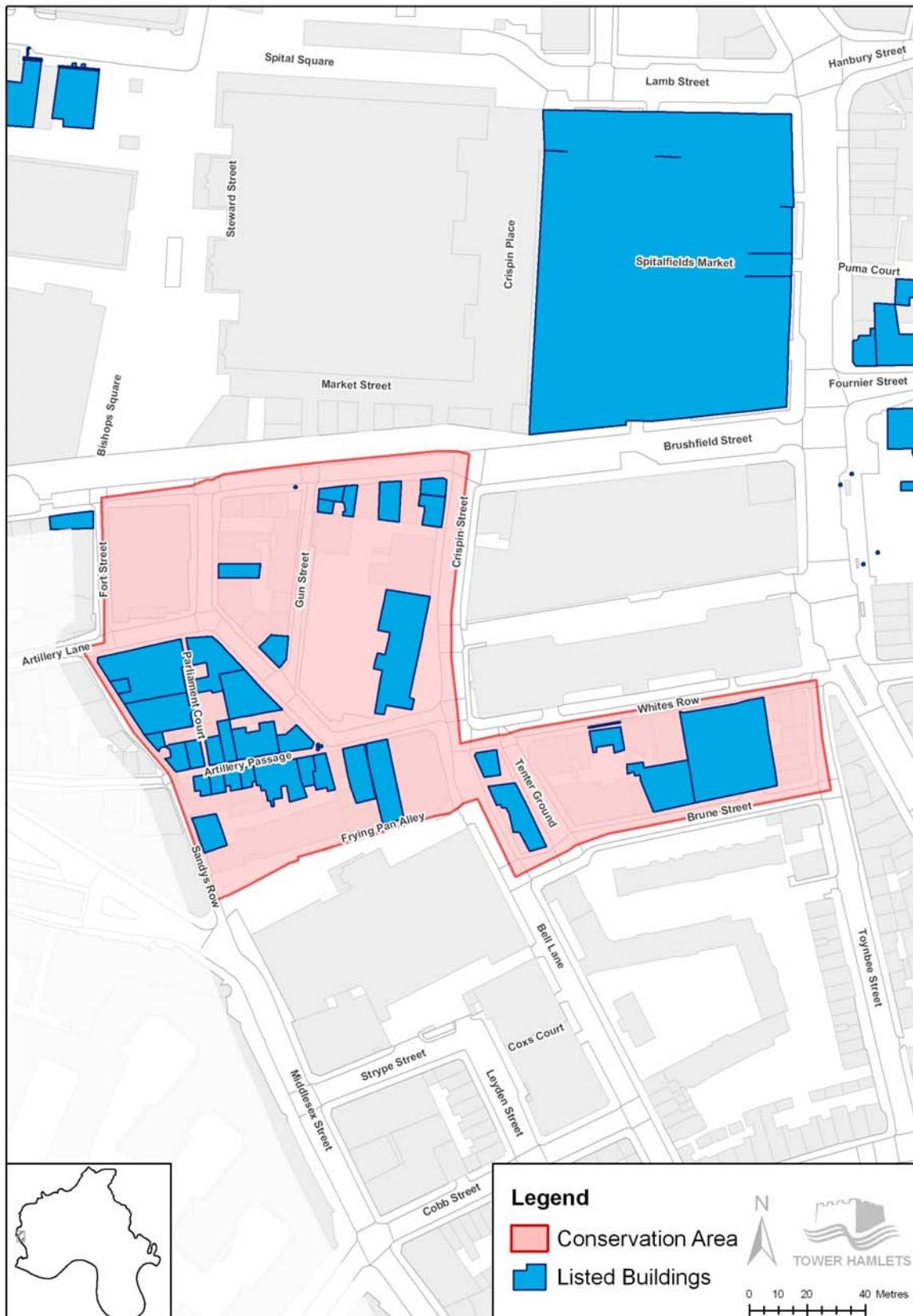
20 February 2007

## Introduction

Conservation Areas are parts of our local environment with special architectural or historic qualities. They are created by the Council, in consultation with the local community, to preserve and enhance the specific character of these areas for everybody.

This guide has been prepared for the following purposes:

- To comply with the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 69(1) states that a conservation area is “an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance”
- To provide a detailed appraisal of the area’s architectural and historic character.
- To provide an overview of planning policy and propose management guidelines on how this character should be preserved and enhanced in the context of appropriate ongoing change.



## ARTILLERY PASSAGE CONSERVATION AREA

This map is indicative only and is not a planning document. For further information please contact the Council.

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# 1. Character Appraisal

## Overview

The Artillery Passage Conservation Area was designated in September 1973 and was extended to its present boundaries in 1975. It is defined by Brushfield Street to the north, Fort Street and Sandy's Lane to the west, Frying Pan Alley and Brune Street to the south, and Toynbee Street to the east.

## History

The Conservation Area includes the site of the southern precinct of the Priory of St Mary Spital. The name of 'Spitalfields' comes from the fields outside the 'Hospital of the Blessed Virgin Mary without Bishopsgate', established just north of the Artillery Passage Conservation Area at the turn of the 12<sup>th</sup> and 13<sup>th</sup> centuries (1247). The southern boundary of the Priory grounds closely followed the present line of Artillery Lane.

During the dissolution of the monasteries, the Priory was closed (1534-8). On 3<sup>rd</sup> January 1537 the area was designated as an artillery ground for the "Fraternyte or Guylde of Artyllary of longbowes, Crossbowes and handegonnes". The Ground was described as adjoining the priory and lying within its precinct, the east, south and west sides enclosed by "newe bryk walls". It was called the "Tesell Grounde" because of the teasels growing there, a type of plant used by local cloth manufacturers.

On the dissolution of the Priory, the "Tesell Ground" passed into the possession of the Crown and remained property of the Crown until 1682.

On 13th February 1682, George Bradbury and Edward Noell bought the Artillery Ground for £5,700 with a licence to build new houses. They began to develop the area in association with two city merchants, Nicholas Barbon, a master carpenter, and John Parsons. At this time, it was described as the Old Artillery Ground or Artillery Garden in or near the parish of St. Botolph's, Bishopsgate.

The street arrangement of these first residential developments still largely exists today. Artillery Lane became the main thoroughfare from Bishopsgate. Gun Street, Steward Street and Fort Street (Duke Street) were created to run south-north from Artillery Lane. Gun Street is said to run along the line of the gunnery within the Old Artillery Ground. In Artillery Passage a number of Barbon's original houses survive, and No. 14 is relatively untouched.

In the late 17<sup>th</sup> century and 18<sup>th</sup> century, a significant community of Huguenot refugees arrived from France, many of whom brought silk-weaving skills from Nantes and Lyons and other French cities. Many settled in the area of the Old Artillery Ground, and established it as a centre of the London silk weaving industry. A hundred years later, Jews fleeing the pogroms in Eastern Europe founded a thriving community in the area.

The area was home to several small churches and meeting houses which served the minority congregations living there, and these buildings changed hands according to the size of each community living in the area at different points in history. The Sandy's Lane Synagogue was originally the 'L'Eglise de L'Artillerie', a French chapel opened in 1691 that was used by different congregations until it was consecrated as a Synagogue in 1870. Dome House and other houses may also have been used for religious meetings. By the middle of the 20th century the Jewish community had mostly moved on and a significant new community from Bangladesh was beginning to establish itself.

Spitalfields market, and the London Fruit and Wool Exchange, are located just outside the Conservation Area to the north-east. The market itself was established in 1682, and took various forms until the present buildings were built in the 1880s.

## **Character**

Artillery Passage is a surviving fragment of the 17<sup>th</sup> century street pattern, characterized by its network of historic narrow passages, lanes and courtyards. There are often several land uses within each building, including a significant number of

residential dwellings, and this fine-grain mix of domestic-scale units is an essential characteristic of the area.

The buildings are mainly narrow-fronted Georgian 2, 3 and 4 storey houses with mansard roofs and retail uses on the ground floor. They are not set back from the street or lane, and form continuous building lines and a clearly-defined enclosure to the street.

The mainly 19<sup>th</sup> century shopfronts in Artillery Lane and Artillery Passage make an important contribution to the character of the area, and the Grade I listed 56 Artillery Lane is particularly valuable as one of the most significant surviving Georgian shopfronts in London. Nos 56 and 58 also have remarkable panelled interiors and hall mouldings.

Many properties still retain their original panelled front doors, as well as associated letter boxes, door knockers and other features of interest. Ironwork forms an integral part of the Georgian and Victorian architecture in the area although much was lost in the war. This takes the form of railings, gates, decorative balconies, coal holes and bollards. Most windows in the area are double-hung sash windows with fine glazing bars. Shops normally have exterior hanging signs, and fascias are externally lit.

One Gun Street is converted into residential apartments. The main bulk of the building has been demolished but the façade still remains facing Gun Street. The Convent of Mercy, which backs onto One Gun Street, was also converted as part of the same scheme, but retains most of its original form including its Chapel.

The area between Brune Street and Whites' Row also comprises three and four story Georgian houses and a few modern or rebuilt office blocks. The former Soup Kitchen for the Jewish Poor on Brune Street is a distinctive brick building with a terracotta frontage at ground floor level. Along Tenter Ground the style of the old warehouse buildings is reflected in the style of the new development opposite and similar efforts have been made in other areas of the Conservation Area.

Rooflines within the Artillery Passage Conservation Area tell the story of the area's piecemeal development, and they vary according to each building's individual age, type, width and height.

Bishops Court is a large office development between Artillery Lane and Brushfield Street. Its white metal cladding is out of character with the area, as are recent parts of Frying Pan Alley.

Today, despite the changes to its surroundings, the narrow lanes and passages of this small Conservation Area represent an irreplaceable window into the past – a rare surviving fragment of an ordinary mixed-use residential district of the 17<sup>th</sup>, 18<sup>th</sup> and 19<sup>th</sup> century inner city.

### **Land Use**

There is a rich mix of land uses in the area, which is an essential quality and characteristic of the area. It is usual for buildings to have several uses, and the land use is mainly retail on the ground floor with office or residential accommodation above.

The ground floors contain a variety of small offices and shops, including services such as travel agents, hairdressers, restaurants, pubs and bars.

### **Scale**

The scale of the buildings is predominantly domestic, with 2, 3, and 4-storey houses, with narrow fronts and varying plot depths.

The scale of the streets varies. Brushfield Street is a wider street running along the north side of the area with 4-storey buildings, including a 'Piazza' extending from Commercial Street to Crispin Street. Other streets and lanes are much narrower and more intimate in scale, especially Parliament Court, and Artillery Passage which is only 2-3m wide.

## **Open Space**

There are no significant areas of open space in the Conservation Area.

## **Views**

In general, the views in the area are restricted to very short lengths by the narrow enclosures of the streets.

The following vistas and glimpses are particularly important:

- Along Brushfield Street looking towards Christ Church on Commercial Street
- The view along Artillery Passage from Sandy's Row and Artillery Lane through to Widegate Street – a glimpse of 17<sup>th</sup> century London.
- From the junction of Artillery Lane and the road connecting Artillery Lane and Brushfield Street, looking towards 56 Artillery Lane.
- Along Brushfield Street looking towards Christ Church on Commercial Street
- The length of Parliament Court and the buildings at either end should also be retained to conserve the character of this 17th century narrow alleyway.
- The views and glimpses of Spitalfields Market from Crispin Street and the Convent of Mercy.

## **Summary**

This is an area of particular special architectural and historic interest, illustrated by its rich history and significant architecture, dating from the 13<sup>th</sup> to the 19<sup>th</sup> centuries. The character and appearance of the area, as described in this appraisal, define its special qualities. There are a few gap sites and some minor inappropriate buildings in the Conservation Area, but overall these have little impact on the qualities that led to its designation.

## 2. Management Guidelines

### Overview

This Management Plan has been prepared in consultation with the community, to set out the Borough's commitment to high quality management of Conservation Areas and their settings. The Development Design and Conservation Team operates within the context of the Development and Renewal Directorate of the Council, alongside Major Projects, Development Control, Strategy and Building Control.

Areas are as much about history, people, activities and places as they are about buildings and spaces. Preserving and enhancing the Borough's architectural and historic built heritage over the next decades is of vital importance in understanding the past and allowing it to inform our present and future.

Conservation Areas also promote sustainability in its widest sense. The Council is committed to this in Policy CP3 of the Core Strategy its Local Development Framework (LDF). The re-use of historic buildings and places is environmentally responsible as it protects the energy and resources embodied in them and combats global warming.

Consideration of appropriate amendments to the boundary of the Conservation Area, and recommendations for additions to the register of listed buildings, either the statutory or local list, will be considered by the Council.

The area is on the border with the City of London and a coordinated approach is required to conservation.

### Who is this document for?

This is an inclusive document which will engage with many different people and organisations. It will depend on the support of the community to achieve its objectives. It is aimed primarily at the residents, businesses, developers and others living and working in the area. The Conservation Area belongs to its residents, as well as the

whole community, and their priorities will be reflected in these documents after the consultation process.

The document has also been prepared to align conservation objectives within different parts of the council, and provide a single point of reference for the management of the area. It represents our shared commitment to conserve the special architectural and historic character, and to help manage sensitive new development and refurbishment where appropriate to successfully preserve and enhance the quality and character of the area.

## **Outline Guidance on Applications**

Before carrying out any work in this area, you will need to apply for consent even for minor work such as replacing railings. These consents include planning, listed building and Conservation Area consent, as well as others for work such as felling trees.

**When planning applications in a Conservation Area are decided, the planning authority will pay special attention to whether the character of the area is preserved or enhanced. The character of Artillery Passage is described in detail in the Appraisal in the first part of this document.**

In Artillery Passage, as in other Conservation Areas, planning controls are more extensive than normal. Consent is required to demolish any building, and a higher standard of detail and information is required for any application. When applying for listed building consent, please note that all parts of the building, including its interior walls, ceilings and all other internal features, are protected. Some buildings are nationally (statutorily) listed, and some are locally listed by the Borough to indicate buildings that the Borough wishes to protect.

The exact information required will vary with each application, but in general applications must include:

- A clear design statement explaining the reasons behind the various architectural, masterplanning or other design decisions.
- Contextual plans, sections and elevations of existing buildings
- Drawings, including construction details, produced at larger scale (eg. 1:50 or 1:20) clearly indicating the nature of the work proposed.
- Additional detail regarding materials and construction.
- Photos of the condition of existing building (including details where appropriate).

More details are available on the Tower Hamlets website. If in any doubt, the Council welcomes and encourages early requests for advice or information.

When alterations are proposed to listed buildings, complying with the building regulations can be particularly complex, and early consideration of building control issues can help identify potential problems early in the process.

### **Policies Relevant to the Conservation Area and how they are Implemented:**

Any new development should have regard to national, regional and local planning policy.

- At the national level, the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on Tower Hamlets to designate Conservation Areas in “areas of special architectural or historic interest”, and to formulate and publish proposals for the preservation and enhancement of its Conservation Areas. National policy for planning and the historic environment is set out in Planning Policy Guidance 15 (PPG15).
- At the regional level, policy 4B.1 of the London Spatial Development Strategy (or London Plan) states that ‘The Mayor will seek to ensure that developments ... respect London’s built heritage.’
- At the local level, the new Local Development Framework (LDF) of Tower Hamlets states that ‘the Council will protect and enhance the historic environment of the borough’. This is described in detail in policy CP49 of the

Core Strategy of the LDF. In addition, applicants should note policy CP46 to ensure that access issues are properly addressed in work carried out in a Conservation Area.

- The area lies inside the area covered by the City Fringe Area Action Plan, and within the 'Aldgate and Spitalfields Market' Sub-Area. The Area Action Plan states that 'Regeneration and new development must strive for design excellence which respects and enriches the sensitive townscape and the built heritage of the area. New buildings and public spaces must enhance the historical features of the City Fringe, including the numerous Conservation Areas, Listed Buildings, street patterns, and the Tower of London.' Policy CFR1 of the City Fringe spatial strategy states that 'development in the City Fringe should ensure ... the preservation and enhancement of the historic environment of the Borough.'
- The area is identified as an area of archaeological importance.

## **Listed Buildings in the Conservation Area**

### **Grade I**

- 56 Artillery Lane

### **Grade II**

- 11 Gun Street
- Lamp Standard in front of No. 38 Brushfield Street
- 40 Brushfield Street
- 42 Brushfield Street
- 52 Brushfield Street
- 41 Artillery Lane
- Sandy's Row Synagogue, Sandy's Row
- 3 bollards on the south side of Artillery Passage
- 9-10 Artillery Passage
- 13 Artillery Passage

- 14 Artillery Passage
- 15 Artillery Passage
- 16 Artillery Passage
- 2 Artillery Passage
- 3 Artillery Passage
- 4 Artillery Passage
- 5 Artillery Passage
- 6 Artillery Passage
- 7 Artillery Passage
- 8 Artillery Passage
- 9a Artillery Passage
- 52 Artillery Lane
- 58 Artillery Lane
- 5 Whites Row and railings
- 17-19 Brune Street

### **Locally Listed Building**

- 48 Brushfield Street
- 45 Crispin Street
- 46 Crispin Street
- 3 Steward Street
- 50 Crispin Street
- 1 Artillery Lane
- 32-40 Artillery Lane
- 42-44 Artillery Lane
- 46-48 Artillery Lane
- 5 Sandy's Row
- 11 Artillery Passage
- 12 Artillery Passage
- 12a Artillery Passage
- 9-13 Sandy's Row
- 66-68 Bell Lane

- 1 Tenter Ground
- 3 Tenter Ground
- 5 Tenter Ground
- 16 Brune Street

### **Highways and Transportation Issues**

The quality of the streetscape, the surface materials, street furniture and other features can all be integral parts of the character of Conservation Areas. Any work carried out should respect this historic character. Anyone involved in development which impacts on public spaces should refer to the Council's Street Design Guide, TfL's own Streetscape Guidance and English Heritage's 'Streets for All' document. The ongoing cost of maintenance should also be considered carefully.

Given the special character of the narrow lanes in this area, the use of standard highways engineering techniques should be avoided, and consideration should be given to restoring historic floor surfaces such as paving and setts.

Works by statutory services (gas, electricity, water etc) have the potential to damage historic ground surfaces or ancient underground structures. Early consultation with the conservation team is encouraged for any works.

### **Opportunities and Potential for Enhancement**

Bishops Court is an office development clad in white metal panels, which does not make a positive contribution to the area. If the opportunity arises, this area would benefit if this building were re-clad or developed in a way more sensitive to the Conservation Area.

Any new development in this area should be of the very highest design standards, and should respect the fine-grain mixed-use character of this area, and important views, as identified in the Character Appraisal. The height of any new building on the Bishops Court site should be restricted to the height of the adjacent buildings.

### Shopfronts

Any repair or maintenance work to historic shopfronts, particularly on Artillery Passage itself, will require sympathetic replacement of the original. Hanging signs are encouraged, and lighting of fascias should be provided by external lights (ie. no luminous signs).

### **Trees, Parks and Open Spaces**

There are currently no parks or open spaces in this Conservation Area.

All trees in Conservation Areas are protected, and some trees are also covered by Tree Preservation Orders (TPO's). Notice must be given to the authority before works are carried out to any tree in the Conservation Area, and some works require specific permission. More information can be found in the Council's Guide to Trees, and on the Tower Hamlets website. Carrying out works to trees without the necessary approval can be a criminal offence, and the Council welcomes early requests for advice.

### **Equalities:**

Valuing diversity is one of the Council's core values, and we take pride in being one of the most culturally rich and diverse boroughs in the UK. This core value has driven the preparation of this document and will continue to inform changes to this document in the future. These values will also inform changes to buildings and places where this document provides guidance to ensure inclusivity for all sections of the community.

This Character Appraisal and Management Guidelines will support the Council's aims:

- a strong spirit of community and good race relations in Tower Hamlets.
- to get rid of prejudice, discrimination and victimisation within the communities we serve and our workforce
- to make sure that the borough's communities and our workforce are not discriminated against or bullied for any reason, including reasons associated with their gender, age, ethnicity, disability, sexuality or religious belief.

Please contact us if you feel that this document could do more to promote equality and further the interests of the whole community.

## **Publicity**

The existence of the Conservation Area will be promoted locally to raise awareness of current conservation issues and to invite contributions from the community.

## **Consideration of Resources Needed to Conserve the Historic Environment:**

The most effective way to secure the historic environment is to ensure that buildings can continue to contribute to the life of the local community, preferably funding their own maintenance and refurbishment. Commercial value can be generated directly from the building, through its use as a dwelling or office, or through its role in increasing the attractiveness of the area to tourists and visitors. However, it should be noted that economic reasons alone will not in themselves justify the demolition or alteration of a building in a Conservation Area. The Council will consider grant aid to historic buildings and places.

In order to meet today's needs without damaging the historic or architectural value of a building, a degree of flexibility, innovation and creative estate management may be required.

## **Ongoing Management and Monitoring Change:**

To keep a record of changes within the area, dated photographic surveys of street frontages and significant buildings and views will be made every 5 years. Also, public meetings will be held every 5 years to maintain communications between all stakeholders and identify new opportunities and threats to the Conservation Area as they arise.

The Council recognises the contribution of the local community in managing Conservation Areas, and will welcome proposals to work collaboratively to monitor and manage the area.

In addition, the Borough's Annual Monitoring Report, prepared with the new LDF, will assess progress on the implementation of the whole Local Development Scheme, including policies relevant to conservation.

### **Enforcement Strategy:**

Appropriate enforcement, with the support of the community, is essential to protect the area's character. The Council will take prompt action against those who carry out unauthorised works to listed buildings, or substantial or complete demolition of buildings within a Conservation Area. Unauthorised work to a listed building is a criminal offence and could result in a fine and/or imprisonment. Likewise, unauthorised substantial or complete demolition of a building within a Conservation Area is also illegal. It is therefore essential to obtain Conservation Area or Listed Building Consent before works begin.

If listed buildings are not maintained in good repair, then the Council can step in to ensure that relevant repairs are carried out. In some circumstances, the Council itself may undertake essential repairs and recover the cost from the owner. The Council has powers of compulsory purchase, if necessary to protect Listed Buildings.

The Council will enforce conservation law wherever necessary, and will consider the introduction of Article 4 Directions to remove Permitted Development Rights where appropriate.

### **Further Reading and Contacts**

- The Survey of London, volume 27: Spitalfields and Mile End New Town.
- The Buildings of England (London 5: East). Cherry, O'Brien and Pevsner.

- The Saving of Spitalfields. Girouard, Cruickshank and Samuel (the Spitalfields Historic Buildings Trust).

The Council encourages and welcomes discussions with the community about the historic environment and the contents of this document. Further guidance on all aspects of this document can be obtained on our website at [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk) or by contacting:

Tel: 020 7364 5009

Email: [dr.majorprojects@towerhamlets.gov.uk](mailto:dr.majorprojects@towerhamlets.gov.uk)

This document is also available in Libraries, Council Offices and Idea Stores in the Borough.

For a translation, or large print, audio or braille version of this document, please telephone 0800 376 5454. Also, if you require any further help with this document, please telephone 020 7364 5372.

Also, you may wish to contact the following organizations for further information:

English Heritage	<a href="http://www.english-heritage.org.uk">www.english-heritage.org.uk</a>
The Georgian Group	<a href="http://www.georgiangroup.org.uk">www.georgiangroup.org.uk</a>
Victorian Society	<a href="http://www.victorian-society.org.uk">www.victorian-society.org.uk</a>
20 <sup>th</sup> Century Society	<a href="http://www.c20society.org.uk">www.c20society.org.uk</a>
Society for the Protection of Ancient Buildings	<a href="http://www.spab.org.uk">www.spab.org.uk</a>

### **Listed Buildings at Risk:**

At this time we are not aware of any listed buildings at risk in the Conservation Area.

### **Any other threats to the Conservation Area**

- Increased values in the City Fringe area have created increased pressure for large scale office development, which is contrary to the historic character of the area.

## Priorities for Action (1-5)

1. Produce Stakeholder's Guide.
2. Improve street furniture and surfaces.
3. Improve and repair façade of buildings with grant aid.
4. Prepare and install visitor interpretation at key locations.
5. Produce detailed view management guidelines for the Conservation Area.