

Committee: Development	Date: 4 th March 2010	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Town Planning Application
Case Officer: Mary O'Shaughnessy	Ref No: PA/09/02067 and 2082
	Ward: East India and Lansbury

1. **APPLICATION DETAILS - PA/09/02067**

Location: Carriage way between 120 – 118 Bethnal Green Road, London

Existing Use: Public Highway

Proposal: The erection of a new stainless steel arch over the carriage way as part of a New Cultural Trail for Brick Lane.

Drawing Nos/Documents: Drawings:
0914 001, 0914 201 REVC, 0914 202 0914 201 REVA, 0914 203 REVA, 0914 204 REVA, 0914 205 REVA, 0914 206 REVA, 0914 207 REVA, 0914 208 REVA, 0914 209 REVA, 0914 210 REVA, 0914 211 REVA, 0914 212 REVA, 0914 213 REVA, 0914 227 REVB, 0914 228 REVB, 0914 229 REVB, 0914 230 REVB, 0914 231 REVB, 0914 232 REVB, 0914 233 REVB, 0914 234 REVB, 0914 235 REVB, 0914 236 REVB and 0914 237 REVB.

Documents:
Design, Access and Impact Statement (Including Heritage Impact Statement), prepared by dga Architects.
Lighting Assessment of Arches at Brick Lane, dated 17th December 2009, prepared by Designs for Lighting.

Applicant: London Borough of Tower Hamlets – Directorate of Communities Culture and Localities

Ownership: Public Highway

Historic Building: N/A

Conservation Area: Fournier Street / Brick Lane Conservation Area

APPLICATION DETAILS - PA/09/02082

Location: Carriage way between 74 Whitechapel High Street and 1 Whitechapel Road, London

Existing Use: Public Highway

Proposal: The erection of a new stainless steel arch over the carriage way of Osborn Street as part of a New Cultural Trail for Brick Lane.

Drawing Nos/Documents: Drawings:
0914 002, 0914 214 REVD, 0914 215 REVA, 0914 216 REVA, 0914 217 REVA, 0914 218 REVA, 0914

219 REVA, 0914 220 REVA, 0914 221 REVA, 0914 222 REVA, 0914 223 REVA, 0914 224 REVA, 0914 225 REVA, 0914 226 REVA, 0914 227 REVA, 0914 228 REVB, 0914 229 REVB, 0914 230 REVB, 0914 231 REVB, 0914 232 REVB, 0914 233 REVB, 0914 234 REVB, 0914 235 REVB, 0914 236 REVB and 0914 237 REVB.

Documents:

Design, Access and Impact Statement (Including Heritage Impact Statement), prepared by dga Architects.

Lighting Assessment of Arches at Brick Lane, dated 17th December 2009, prepared by Designs for Lighting London Borough of Tower Hamlets – Directorate of Communities Culture and Localities

Applicant:

Ownership:

Historic Building:

Conservation Area:

Public Highway

N/A

Adjacent to Whitechapel High Street Conservation Area.

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS - PA/09/02067

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and Government Planning Policy Guidance and has found that:
- 2.2 The proposed arch is considered acceptable in terms of design, bulk and scale. The arch is considered to be a modern addition to the area which will contribute to the creation of Brick Lane as a destination. This is in keeping with policy 4B.1 and 4B.2 of the London Plan (2008) saved policy DEV1 of the adopted Unitary Development Plan (1998), policies CP4, DEV2 and DEV14 of the Interim Planning Guidance (2007) and policies SO22, SO23 and SP10 of the Core Strategy Submission Version December 2009. These policies seek to ensure appropriate design within the Borough which contributes to the character of the area.
- 2.3 It is considered that the proposed arch will enhance the Fournier Street / Brick Lane Conservation area by merit of its modern design, definition of the northern entrance to Brick Lane and incorporation in a cultural trail. This is in line with PPG15: Planning and the Historic Environment policy 4B.11 and 4B.12 of the London Plan (2008) policy CON2 of the Interim Planning Guidance (2007) and policies SO22, SO23 and SP10 of the Core Strategy Submission Version December 2009. These policies seek to ensure appropriate development within Conservation areas that should either preserve or enhance the area.
- 2.4 It is considered that the proposed arch will result in the creation of a distinctive marker for the Brick Lane area which will help identify the area. It is not considered that the design of the arches which reflect the symbolism of a head scarf detracts from the role of the arches and the Brick Lane Cultural Trail's aims of promoting the area and the communities who live and work there. The design of the arch incorporates a motif the 'flower of life' which is a symbol seen throughout history and linked to various beliefs and faiths. Moreover, it is considered that the proposed arches would enhance the local area and contribute to the creation of social, physical, cultural and economic ties for these diverse communities. This is in line with policy 4B.8 and 3A.17 of the London Plan. These policies seek to ensure development

respects local context and communities.

- 2.5 The proposal is considered appropriate in relation to the residential amenity adjacent to the site in terms of daylight and sunlight, sense of enclosure and outlook, and illuminance. This is in line with saved policy DEV2 of the adopted UDP (1998) and DEV1 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- 2.6 In reference to transport matters, the proposed arch is well sited and would not impede pedestrian flow or cause a highway safety hazard. The arches are in keeping with design principles for an inclusive environment. Furthermore, it would not adversely affect the flow of vehicular traffic and cyclists. The proposal is considered acceptable and in line with policies 4B.3 and 4B.5 of the London Plan (2008), saved policies T16, T18, T19, T21 of the adopted Unitary Development Plan (1998), policies CP40, CP41, CP42 and DEV16 of the Interim Planning Guidance (2007) and policies SO19, SP08, SO20, SO21 and SP09 of the Core Strategy Submission Version December 2009. These policies seek to ensure that new developments would not have an adverse impact on the movement of pedestrians within the public realm and the movement of vehicles and cyclists within the highway network.
- 2.7 The proposed arch at Bethnal Green Road will act as a gateway to the Brick Lane area which is compatible with the existing land uses in the area and its role as a tourist destination. This is in keeping with ART10 of the adopted Unitary Development Plan (1998), policies CP12 and CP17 of the Interim Planning Guidance (2007), SPG Brick Lane Restaurant and Retail Uses and policies SO4 and SPO1 of the Core Strategy Submission Version December 2009. These policies seek to promote and protect existing tourism and evening and night-time areas within the Borough including Brick Lane.

2.8 SUMMARY OF MATERIAL PLANNING CONSIDERATIONS - PA/09/02082

- 2.9 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, and Government Planning Policy Guidance and has found that:
- 2.10 The proposed arch is considered acceptable in terms of design, bulk and scale. The arch is considered to be a modern addition to the area which will contribute to the creation of Brick Lane as a destination. This is in keeping with policy 4B.1 and 4B.2 of the London Plan (2008) saved policy DEV1 of the adopted Unitary Development Plan (1998), policies CP4, DEV2 and DEV14 of the Interim Planning Guidance (2007) and policies SO22, SO23 and SP10 of the Core Strategy Submission Version December 2009. These policies seek to ensure appropriate design within the Borough which contributes to the character of the area.
- 2.11 It is considered that the proposed arch will result in the creation of a distinctive marker for the Brick Lane area which will help identify the area. It is not considered that the design of the arches which reflect the symbolism of a head scarf detracts from the role of the arches and the Brick Lane Cultural Trail's aims of promoting the area and the communities who live and work there. The design of the arch incorporates a motif the 'flower of life' which is a symbol seen throughout history and linked to various beliefs and faiths. Moreover, it is considered that the proposed arches would enhance the local area and contribute to the creation of social, physical, cultural and economic ties for these diverse communities. This is in line with policy 4B.8 and 3A.17 of the London Plan. These policies seek to ensure development respects local context and communities.

- 2.12 It is considered that the proposed arch will enhance the Whitechapel High Street Conservation area by merit of its modern design, definition of the southern entrance to Brick Lane and and incorporation in a cultural trail. This is in line with PPG15: Planning and the Historic Environment policy 4B.11 and 4B.12 of the London Plan (2008) policy CON2 of the Interim Planning Guidance (2007) and policies SO22, SO23 and SP10 of the Core Strategy Submission Version December 2009. These policies seek to ensure appropriate development within Conservation areas that should either preserve or enhance the area.
- 2.13 The proposal is considered appropriate in relation to the residential amenity adjacent to the site in terms of daylight and sunlight, sense of enclosure and outlook, and illuminance. This is in line with saved policy DEV2 of the adopted UDP (1998) and DEV1 of the Interim Planning Guidance (2007). These policies seek to protect the amenity of residential occupiers and the environment in general.
- 2.14 In reference to transport matters, the proposed arch is well sited and would not impede pedestrian flow or cause a highway safety hazard. The arches are in keeping with design principles for an inclusive environment. Furthermore, it would not adversely affect the flow of vehicular traffic and cyclists. The proposal is considered acceptable and in line with policies 4B.3 and 4B.5 of the London Plan (2008), saved policies T16, T18, T19, T21 of the adopted Unitary Development Plan (1998), policies CP40, CP41, CP42 and DEV16 of the Interim Planning Guidance (2007) and policies SO19, SP08, SO20, SO21 and SP09 of the Core Strategy Submission Version December 2009. These policies seek to ensure that new developments would not have an adverse impact on the movement of pedestrians within the public realm and the movement of vehicles and cyclists within the highway network.
- 2.15 The proposed arch at Osborn Street will act as a gateway to the Brick Lane area which is compatible with the existing land uses in the area and its role as a tourist destination. This is in keeping with ART10 of the adopted Unitary Development Plan (1998), policies CP12 and CP17 of the Interim Planning Guidance (2007), SPG Brick Lane Restaurant and Retail Uses and policies SO4 and SPO1 of the Core Strategy Submission Version December 2009. These policies seek to promote and protect existing tourism and evening and night-time areas within the Borough including Brick Lane.

3. RECOMMENDATIONS for PA/09/02067 and PA/09/02082

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:
- 3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

- 3.3
- Time Limit (three years)
 - Materials – condition to secure detailed drawings at scale 1:20 of the proposed motif detail.
 - Lighting – condition to carry out post completion testing of the lighting.
 - Building in accordance with drawings
- 3.4 Any other planning conditions considered necessary by the Corporate Director Development & Renewal

Informatives

- 3.5
- Highways informatives regarding blocking the carriageway.
- 3.6 Any other informatives considered necessary by the Corporate Director Development &

Renewal.

4.0 PROPOSAL AND LOCATION DETAILS

Proposal

- 4.1 The proposal is for the erection of two arches at either end of Brick Lane which will form part of the Brick Lane Cultural Trail.
- 4.2 The first arch is located at the northern end of Brick Lane and is considered under reference number PA/09/02067. For the purposes of this report this arch will be known as the 'northern arch'.
- 4.3 The second arch is located at the southern end of Osborn Street and is considered under reference number PA/09/02082. For the purposes of this report this arch will be known as the 'southern arch'.
- 4.4 The proposed arches are contemporary sculptural forms which would provide a gateway to mark the entrance and exit of the Brick Lane Cultural Trail. The proposed arch would be constructed over a mild steel frame and would be clad with stainless steel panels which will include both brushed and polished stainless steel. The underside of the arch will consist of an inner layer of highly polished stainless steel with perforations cut-out to allow the internal illumination of the arch to pass through (diffused) and create a subtle glow of light. This inner layer will then have a second layer applied, consisting of filigree brushed stainless steel to provide the detail and create relief to the pattern.
- 4.5 The topside of the arch will consist of an inner layer of brushed stainless steel with an applied outer filigree layer of polished stainless steel to create the pattern. There will be no illumination of the outer side of the arch
- 4.6 The proposed pattern to be applied to the sculptural arch is based on the 'flower of life'. The 'flower of life' is the modern name given to the geometrical figure composed of multiple evenly-spaced, overlapping circles that are arranged so that they form a flower-like pattern with six-fold symmetry like a hexagon.

Site and Surroundings

- 4.4 The 'northern arch' is located at the junction between Brick Lane and Bethnal Green Road. The arch will span the carriage way at this location.
- 4.5 The northern part of Brick Lane is located within the Fournier Street / Brick Lane Conservation area. This section of Brick Lane is characterised by buildings varying in height from three to five storeys with a range of commercial uses at ground floor level with residential uses at the upper floors.
- 4.6 To the east of the proposed 'northern arch' there is a four storey building known as 120 Bethnal Green Road. It has frontages facing both roads. At ground floor level there is a restaurant – Casa Blue, at first floor level there is a book shop – Pathfinders and at second and third floor level it is in residential use.
- 4.7 To the west of the proposed 'northern arch' there is a building rising up to six storeys known as 'The Verge' (114 – 118 Bethnal Green Road) with frontages facing both streets. At ground floor level there is a bar with residential uses at the upper floors.
- 4.8 The 'southern arch' is located at the junction between Osborn Street, Whitechapel Road and

Whitechapel High Street. The arch will span the carriage way at this location.

- 4.9 The arch is located directly adjacent to the boundary of the Whitechapel High Street Conservation area. It is also adjacent to the Brick Lane Fournier Street Conservation area. This section of Brick Lane is characterised by buildings varying in height from one to five storeys with a range of commercial uses at ground floor level with some residential uses at the upper floors. Some of the buildings are wholly in commercial use.
- 4.10 To the east of the proposed 'southern arch' there is a building rising up to 4 storeys known as 1 Whitechapel High Street and 2 – 10 Osborn Street with frontages facing both streets. At ground floor level there is a restaurant 'The Clifton' and the upper floors are also in commercial use.
- 4.11 To the west of the proposed 'southern arch' there is a 4 storey building known as 74 Whitechapel High Street. It has frontages facing both roads. At ground floor level there is a restaurant and the upper floors are in residential use.

Planning History

- 4.12 The following planning decisions are relevant to the application:
- 4.13 PA/09/0206 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail at the eastern pavement between Osborn Street and 1 Whitechapel High Street. During the assessment of this application it was determined that permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.14 PA/09/02069 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail outside 2 Brick Lane at the junction with Old Montague Street. During the assessment of this application it was determined that planning permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.15 PA/09/02072 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail outside 86 Brick Lane. During the assessment of this application it was determined that planning permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.16 PA/09/02075 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail outside 146 Brick Lane. During the assessment of this application it was determined that planning permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.17 PA/09/02080 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail at land adjacent to 226 Brick Lane. During the assessment of this application it was

determined that planning permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.

- 4.18 PA/09/02078 The Council received an application for the erection of a stainless steel information board which forms part of the Brick Lane Cultural Trail at the corner of 125 – 127 Brick Lane. During the assessment of this application it was determined that planning permission was not required under Part 12 Development By Local Planning Authorities Class A (b) of the Town and Country Planning Act (General Permitted Development) Order 1995.
- 4.19 PA/09/02128 The Council is currently assessing an application for the erection of an additional mansard storey at 74 Whitechapel High Street.
- 4.20 PA/02/00299 The Council granted planning permission dated 19th November 2002 for the “The construction of a building of basement, lower ground and ground plus twelve floors for Class B1 office use and uses within Classes A1 and A3; the construction of a building of basement and ground plus one floor for uses within Classes A1 and/or A3; the change of use and alteration of 39-51 Brushfield Street and 7-8 Steward Street to include works to adapt the buildings for uses within Classes A1, A3 and C3 (residential - 7 flats); the alteration of 47-49 Brushfield Street to facilitate the construction of a pedestrian way; the formation of open spaces including covered open spaces, pedestrian ways, associated landscaping, car parking and servicing facilities, all enabling works and works to existing structures including works to demolish buildings and structures which form part of the 1928 extension to the Old Spitalfields Market save for 39-51 Brushfield Street and 7-8 Steward Street.”
- 4.21 S106 – PA/02/00299 The associated Section 106 Agreement was signed dated 11th November 2002.
- 4.22 10th May 2007 Report presented and agreed by the Strategic Development Committee which set out the project list for spending of the S106 secured via PA/02/00299 and a deed of variation to extend the boundary. The Brick Lane Cultural Trail is one of the projects which forms part of the Council’s Capital Programme for spending this Section 106 monies.
- 4.23 19th February 2009 Update report presented and agreed by the Strategic Development Committee. This report set out amendments in priorities in respect of spending the Section 106 monies. The Brick Lane Cultural Trail was one of the projects which received increased amount of funding.

5.0 POLICY FRAMEWORK

- 5.1 For details of the status of relevant policies see the front sheet for “Planning Applications for Determination” agenda items. The following policies are relevant to the application:

Government Planning Policy Guidance/Statements

- 5.2 PPG15 Planning and the Historic Environment

Spatial Development Strategy for Greater London (London Plan)

- 5.3 3A.17 Addressing the needs of London’s diverse population
4B.1 Design principles for a compact city
4B.2 Promoting world-class architecture and design

- 4B.3 Enhancing the quality of the public realm
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities
- 4B.11 London's built heritage
- 4B.12 Heritage conservation

Unitary Development Plan 1998 (as saved September 2007)

- 5.4 Policies:
- DEV1 Design Requirements
 - DEV2 Amenity
 - T7 The Road Hierarchy
 - T16 Traffic Priorities for New Development
 - T18 Pedestrians and the Road Network
 - T19 Priorities for Pedestrian Initiatives
 - T21 Pedestrian Needs in New Development
 - ART10 Encouraging Visitor Facilities

Interim Planning Guidance for the purposes of Development Control

- 5.5 Core Strategies:
- CP2 Equality of Opportunity
 - CP4 Good Design
 - CP12 Creative and Cultural Industries and Tourism
 - CP17 Evening and Night-time Economy
 - CP40 A Sustainable Transport Network
 - CP41 Integrating Development and Transport
 - CP42 Streets for People
 - CP45 The Road Hierarchy
 - CP49 Historic Environment
- Policies:
- DEV1 Amenity
 - DEV2 Character and Design
 - DEV14 Public Art
 - DEV16 Walking and Cycling Routes and Facilities
 - CON2 Conservation Areas

Core Strategy Submission Version December 2009

- 5.6
- SO1 Delivering Tower Hamlets' regional role
 - SO4 Refocusing on our town centres
 - SPO1 Town Centres – How are we going to get there
 - SO19 Making connected places
 - SP08 Connected Places – How are we going to get there
 - SO20 Creating attractive and safe streets and spaces
 - SO21 Creating attractive and safe streets and spaces
 - SP09 Safe streets and spaces – How we are going to get there
 - SO22 Creating distinct and durable places
 - SO23 Creating distinct and durable places
 - SP10 Distinct and durable places – How we are going to get there
 - SO25 Delivering placemaking
 - SP12 Placemaking – How we are going to get there
 - Spitalfields Lap 1 & 2 Vision
 - Spitalfields – How we are going to get there

Supplementary Planning Guidance/Documents

- 5.7 SPG Brick Lane Restaurant and Retail Uses, January 2002

Community Plan The following Community Plan objectives relate to the application:

- 5.8
- A better place for living safely
 - A better place for living well

A better place for creating and sharing prosperity
A better place for learning, achievement and leisure
A better place for excellent public services

6.0 CONSULTATION RESPONSES

6.1 The views of the Directorate of Development & Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

6.2 The following were consulted regarding the application:

Transport for London (TfL)

6.3 In respect of the 'northern arch' at the junction of Brick Lane and Bethnal Green Road, TfL have advised that they do not believe it would have an unacceptable impact on the Transport for London Road Network (TLRN).

6.4 In respect of the 'southern arch' at the junction of Osborn Street and Whitechapel High Street TfL have provided the following comments: -

6.5 TfL have advised that subject to the below conditions being met, the proposal as it stands would not result in an unacceptable impact to the Transport for London Road Network (TLRN).

6.6 TfL advises that the current TfL's Streetscape Guidance recommends that brushed stainless steel should be used, as this would reduce glare and does not send confusing message to people who may have visual impairments.

6.7 [*Officer Comment: The proposed lighting statement sets out that the proposed arch will have a heavily diffused finish (Brushed Stainless steel to reduce reflections) to a height of 3m above pavement level and along its leading edge to reduce any possibility of reflections affecting oncoming drivers approaching the proposed arch.*]

6.8 Illumination for the proposed illuminated arch must be below the limit set out in the Institute of Lighting Engineer's (ILE) technical note no. 5 "The Brightness of illuminated advertisement".

6.9 [*Officer Comment: The submitted lighting assessment has been carried out in adherence with the above document and the Environmental Health Lighting Officer is satisfied with its contents. Please refer to paragraph 6.29 – 6.37.*]

6.10 The proposed illuminated arch must not have any intermittent light source, moving feature, animation or exposed cold cathode tubing.

6.11 All vehicles associated with the construction/ maintenance of the proposed arch must only park/ load/ unload away from the public highway.

6.12 Construction work for the proposal must only be undertaken outside the business hour of the local community; this is to ensure the smooth passage of traffic on the public highway network.

6.13 The footway and carriageway on A11 Whitechapel Road must not be blocked during the installation and maintenance of the proposal. Temporary obstruction during the installation must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic on the TLRN (A11 Whitechapel

Road).

- 6.14 [*Officer Comment: – The information contained within paragraphs 6.10 – 6.13 will be placed in an informative on the decision notice.*]

LBTH Highways Department

- 6.15 During the course of the application amended drawings and clarifications were sought by the Highways Officer. Following this discussion and a review of the amended drawings and documents they are now satisfied with the location of the proposed arches and their impact on the surrounding highway network.

If planning permission is granted please include the following informatives:

- 6.16 Technical approval is required (from Public Works) for the proposed structures.
- 6.17 In accordance with the Highways Act 1980, the Applicant is required to apply for a projection licence for any structure which projects over the public highway. As part of the process for agreeing and issuing a licence, Technical Approval (BD2/05) must be submitted prior to this Council agreeing the licence (Contact Officer: Rosie Hoque).
- 6.18 Temporary obstruction during the construction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, or obstruct the flow of traffic along Brick Lane and the surrounding highway.
- 6.19 No skips or construction materials shall be kept on the footway or carriageway on Brick Lane and the surrounding highway at any time.
- 6.20 All construction vehicles must only load/unload/park at locations and within the times permitted by existing on-street restrictions.

LBTH Environmental Health - Lighting

- 6.21 Initial comments from the Environmental Health Lighting Officer requested a methodology to mitigate light spillage/reflection.
- 6.22 Subsequent to these comments additional information was provided in form of a Lighting assessment of the arches at Brick Lane Report dated 17th December 2009. Following a review of this additional information, the Environmental Health Officer advised that they are happy following the further clarification in respect of safety for drivers and light spillage and as such have no more concerns.
- 6.23 [*Officer Comment: The above document will be approved as part of the planning application and the proposed arches shall only be lit in accordance with the details set out within this report. (Please see paragraph 6.8-6.9 and 8.29-8.37)*]

London Fire and Emergency Planning

- 6.24 To date no comments have been received.

Conservation and Design Advisory Group (CADAG)

- 6.25 The CADAG reviewed the proposals at the 9th November 2009 meeting and provided the comments below. It is noted that they reviewed the amended scheme at the 8th February 2010 meeting and their original comments still stand.

- 6.26 The concept: the symbolism – the head scarf – is faith specific to Islam (no matter what the notes say about Jewish and Huguenot women wearing head scarfs) therefore is not representative of the cultural diversity of the borough (either historic or current).
- 6.27 *[Officer Comment: The submitted proposal is being assessed by the Local Planning Authority (LPA) as a planning application against planning policy. It has been assessed in respect of Land Use (see paragraphs 8.2 – 8.5); Design (see paragraphs 8.6 – 8.28), Amenity (see paragraphs 8.29 – 8.37) and Highways (see paragraphs 8.38-8.44). This issue of symbolism is addressed in paragraphs 8.27-8.28.]*
- 6.28 The scarf motif has not created arches but canopies – therefore they are not graceful but bulky and ungainly and will interrupt important views into and from Brick Lane and Osborn Street. Also, they do not serve a useful function as shelters as they are over roadways.
- 6.29 The materials – polished and brushed steel are non-contextual, non-traditional and will not harmonise with the surrounding streetscape and architecture of the conservation area.
- 6.30 *[Officer Comment: Please refer to the Design and Conservation section of this report (paragraph 8.6 – 8.28) for a full discussion of the design and conservation matters.]*
- 6.31 Traffic engineering questioned – the arches are vulnerable to being struck by high-sided vehicles (indeed any vehicle). Trees and other furniture on Brick Lane don't last long before being knocked over or damaged.
- 6.32 *[Officer Comment: Please refer to the Highways Section of this report (8.38 – 8.44) Transport for London's comments (6.3 – 6.14) and the LBTH Highway Officer comments (6.15 – 6.20) for a full discussion of these matters.]*
- 6.33 The proposed material has no relevance to the heritage of the area, its present or its future nor is it in keeping with the public image that Tower Hamlets is trying to generate for itself.
- 6.34 In particular the side view of the arches would never be seen.
- 6.35 *[Officer Comment: Please refer to the Design and Conservation section of this report (paragraph 8.6 – 8.28) for a full discussion of the design and conservation matters.]*
- 6.36 The Jewish East End Celebration Society does not approve the concept overall, as stated in the review of consultation.
- 6.37 *[Officer Comment: Representations from Local societies are dealt with under section 7 of this report.]*
- 6.38 The scheme is budgeted at £2million.
- 6.39 Rubbish along the entirety of Brick Lane is a major problem for tourists and visitors to Brick Lane, surely this is more important to resolve with section 106 funds?
- 6.40 CADAG concerned at the overwhelming number of signs beginning to litter the streets as Council spends unspent budgets.
- 6.41 *[Officer Comment: In reference to paragraphs 8.59 – 8.6, it is noted that the cost of the project does not form part of the assessment of the planning merits of the planning application by the LPA. The existing problems raised by residents are noted by the LPA and will be passed to the relevant Council Departments.]*

- 6.42 In general CADAG did not support the arches for the following reasons:
- 6.43 Concern about the lighting and possible disturbance of neighbours adjacent to arches.
- 6.44 [*Officer Comment: Please refer to the Amenity section of this report (paragraphs 8.29 – 8.37) for a full discussion of the design and conservation matters.*]
- 6.45 Why an Arch? Why not a posts or something more subtle?
- 6.46 Need to clarify the content of the trail before designing how it is to be presented. The arches, gateways, and display boards, etc, should be designed in response to the analysis of the content.
- 6.47 Serious questions about the sustainability of both the concept and the implementation.
- 6.48 [*Officer Comment: Please refer to paragraphs 4.20 – 4.23 of this report which sets out the history of how the section 106 money was secured and the process through which decisions were made about what projects it would be used for. This does not form part of the assessment of the planning merits of the planning application by the LPA.*]
- 6.49 Arches too large, obstructive and extravagant.
- 6.50 [*Officer Comment: Please refer to the Design and Conservation section of this report (paragraph 8.6 – 8.28) for a full discussion of the design and conservation matters.*]
- 6.51 Proposals must incorporate the removal of all rubbish bins from the street.
- 6.52 The restaurants should put out the waste in properly sealed bags after hours for dawn collection as is done in restaurant areas elsewhere in London. One does not see dozens of on-street commercial refuse bins in the west end or anywhere else for that matter.
- 6.53 Also, there is virtually no commercial recycling in Brick Lane – it's strange to ask residents to recycle food waste while the restaurants throw out tonnes of the stuff each evening.
- 6.54 CADAG Suggestion: Most central London Restaurants do by using compactors or otherwise engaging commercial contractors 2- 3 times a day, which in a street with as many restaurants as Brick Lane is very feasible and economic.
- 6.55 [*Officer Comment: The existing problems raised by are noted by the LPA and will be passed to the relevant Council Departments.*]
- 6.56 [*Officer Conclusions: The comments and concerns raised by CADAG have been noted. However, the Conservation and Design Team did not raise an objection to the proposed arches and their comments are contained within the Design and Conservation Section of this report 8.6 – 8.28.*]

7. LOCAL REPRESENTATIONS

7.1 PA/09/02067 – 'northern arch'

- 7.2 A total of 167 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. Letters were sent dated 20th October 2009, 2nd December 2009 (consultation area extended) and 1st February 2010 (amended drawings). The application has also been publicised on site. The number of

representations received from neighbours and local groups in response to notification and publicity of the application received prior to 5pm on Thursday 18th February 2010 are reported below. Any representations received after this date will be reported in an update report to the Development Committee.

7.3 **PA/09/02082 – ‘southern arch’**

7.4 A total of 132 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. Letters were sent dated 20th October 2009, 2nd December 2009 (consultation area extended) and 1st February 2010 (amended drawings). The application has also been publicised on site. The number of representations received from neighbours and local groups in response to notification and publicity of the application received prior to 5pm on Thursday 18th February 2010 are reported below. Any representations received after this date will be reported in an update report to the Development Committee.

7.5 The total number of representations received to date is:

7.6 No of individual responses: 158 Objecting: 158 Supporting: 0

7.7 No of petitions received: 0

7.8 The following local groups/societies made representations:

- The Spitalfields Trust
- The Spitalfields Society
- Open Shoreditch
- Sandy’s Row Synagogue

7.9 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

7.10 Highways

- The location of the arch is where there is extreme pedestrian and vehicular congestion. There are already conflicts between pedestrians, other street furniture and vehicles along Brick Lane.
- The arches are vulnerable to being struck by high vehicles.
- They will not improve the safety of the area.

7.11 [*Officer Comment: Please refer to the Highways Section of this report (8.38 – 8.44) Transport for London’s comments (6.3 – 6.14) and the LBTH Highway Officer comments (6.15 – 6.20) for a full discussion of these matters.*]

7.12 Maintenance

- Street furniture and trees along Brick Lane are damaged and don’t last long. The legs of the arches would be spoiled by posters and graffiti.

7.13 [*Officer Comment: As the maintenance will be undertaken by the Council an approved maintenance programme will be implemented.*]

7.14 Sustainability

- The proposed arches are not of a sustainable design and this is worsened by the fact that they will be lit.

7.15 *[Officer Comment: The illuminance of the arches will be controlled via condition which will allow control of the type of lighting used.]*

7.16 Local Distinctiveness and Culture

- The symbolism of the head scarf is faith specific to Islam and therefore is not representative of the cultural diversity of the Borough either historic or current.
- Brick Lane is an evening destination for young people and this is in conflict with the celebration of a religion.
- The proposal does not consider the needs of the diverse community and the people who live and work in and near Brick Lane.
- The design which clearly references a headscarf is exclusive to all the other faiths and ethnicities that comprise this lively diverse community. This is not a ghetto and we do not wish the place to be characterised as a ghetto, which a culturally specific boundary marker of this kind suggests.
- Because of the religious symbolism of the arches they will cause a wedge between Muslims and other faiths.
- The project with harm social cohesion within the area and enhance extremist attention and the Islamisation of the area.
- The steel minaret which has recently been erected is not desirable.
- Other communities and groups are unfairly neglected.

7.17 *[Officer Comment: The submitted proposal is being assessed by the Local Planning Authority (LPA) as a planning application against planning policy. It has been assessed in respect of Land Use (see paragraphs 8.2 – 8.5); Design (see paragraphs 8.6 – 8.28), Amenity (see paragraphs 8.29 – 8.37) and Highways (see paragraphs 8.38-8.4). This issue of symbolism is addressed in paragraphs 8.27-8.28.]*

7.18 Design and Conservation

- The arches are bulky and ungainly and will interrupt views into and from Brick Lane and Osborn Street. They do not serve a useful function.
- The arch is out of keeping with the local area and looks incongruous. It will make the area look like Disneyland.
- The arches fail to respect any of the historical and cultural references of this unique environment and it is not in keeping with the existing arch in Brick Lane.
- The design is ugly, ungainly and an imposition on the streetscape, of a style and material that jars with the brick construction of the surrounding buildings.
- Whilst not against the contemporary design it is considered that the arch is inappropriate in look, design and social needs requirements for Brick Lane.
- The arch is not in keeping with the plans to re-establish the Georgian Glory of the terraced buildings along Bethnal Green Road.
- The proposed style, size and material of the arches are incongruous and overbearing in the context of the relatively narrow and intimate historic street.
- The scale, materials and aesthetic are not in keeping with the historic area.
- The proposed materials – polished steel are non-contextual, non-traditional and will not harmonise with the surrounding streetscape and architecture of the conservation area. The materials have no relevance to the heritage of the area. It is a harsh metal.
- The proposed material – stainless steel does not weather well.
- The area is already saturated with signage and doesn't need anymore.
- Not in keeping with English Heritages Save Our Streets campaign which is working to omit clutter from our streets.

7.19 *[Officer Comment: Please refer to the Design and Conservation section of this report (paragraph 8.6 – 8.28) for a full discussion of the design and conservation matters.]*

7.20 Amenity

- The lighting of the arches will cause disturbance to neighbours
- Concern that the lighting of the arches will be similar to the lighting of the minaret

7.21 [*Officer Comment: Please refer to the Amenity section of this report (paragraphs 8.29 – 8.37) for a full discussion of the amenity matters.*]

7.22 Cost

- The cost of project at £2 million is unacceptable and existing problems along Brick Lane which should be solved first. These include:-
 - Commercial waste left on the street by restaurants. This does not happen in other areas of London and should be resolved.
 - Unregulated Sunday market which is now increasing on Saturdays
 - Violence and anti-social behaviour created by the night time economy

7.23 [*Officer Comment: The cost of the project does not form part of the assessment of the planning application by the LPA. The existing problems raised by residents are noted by the LPA and will be passed to the relevant Council Departments.*]

7.24 The following issues were raised in representations, but they are not material to the determination of the application:

7.25 The need for the arches

- Why do we need an arch or the cultural trail? Something more subtle such as posts would be better.
- A greener arch designed by Urban Horticulturists would promote the Council's Green Agenda
- Siting the arch in this location is a total waste of money as most people don't arrive at this point
- The money would be better spent on erecting some boards explaining the rich cultural heritage of Brick Lane which could be done at a fraction of the cost.
- Need for public toilets along Brick Lane
- Other art forms and cultures should have been explored for a concept for the design

7.26 [*Officer Comment: The LPA in carrying out its function is responsible for assessing the planning merits of the scheme submitted for consideration.*]

7.27 Other suggestions for spending Section 106 Money

- This is not an appropriate way to spend Section 106 money.
- The proposal does not resolve the legislative framework for planning obligations as defined by section 106: "Provide a means to enable the proposed development to proceed and to meet the needs of the local community associated with the new development by securing developer contributions towards the provision of infrastructure and services." None of these proposals are met by the proposed cultural trail.
- The proposal does not comply with Tower Hamlets policy in relation to section 106 agreements within the Borough.
- The section 106 money would be better spent on the following:-
 - Education
 - Cleaning up Brick Lane.
 - A facelift for all of the shops along Brick Lane
 - Improvements of the environment for local people
 - Was there consultation in respect of spending of public funds?

- Better lighting
- Legislation to block road access on market days
- Dealing with the drug problems
- Investment in incentives for small businesses
- Improve street cleaning
- Daily rubbish collection
- Police force available for the peak drinking times to solve associated crimes
- Licensing make more of an effort to check out licence applicants
- Create a plan that makes Brick Lane more than a drinking destination
- Public toilets
- Commercial rubbish bins should be removed from the street
- Fire exit for Public Life
- Improve street paving
- Enforce planning regulations
- Prevent the demolition of Georgian and Victorian housing stock
- Grants for better shop fronts
- Facilities for youth
- Housing

7.28 *[Officer Comment: Please refer to paragraphs 4.20-4.23 of this report which sets out the history of how the section 106 money was secured and the process through which decisions were made about what projects it would be used for. This does not form part of the assessment of the planning merits of this planning application by the LPA.]*

7.29 The following procedural issues were raised in representations, and are addressed below:

7.30 It was not subject to local consultation. The outcome of this public consultation is not provided. Local residents were not consulted. Only local business views and those of people who live outside the area were taken on board.

7.31 *[Officer Comment: Applicants are not required to carry out public consultation prior to the submission of a planning application to the LPA although in this instance it is noted that consultation was carried out with local interest groups..]*

7.32 Not able to access documents on the website – the period of consultation should be extended.

7.33 *[Officer Comment: The consultation period was extended to December 2nd by the LPA following requests. Following the receipt of amended drawings a further consultation period was carried out beginning February 1st 2010 and ending February 22nd 2010]*

7.34 The application for the cultural trail as a whole should have been considered as one entity and not separate applications.

7.35 *[Officer Comment: The LPA considered that each arch should be considered under different applications to allow the differing site constraints to be assessed independently. The remainder of the trail did not require planning permission or had already been granted planning permission.]]*

8.0 MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the committee must consider are:

- Land Use
- Design and Conservation
- Amenity
- Highways

Land Use

8.2 Brick Lane is classified as a neighbour centre within the Interim Planning Guidance, 2007 (IPG) Town Centre Hierarchy with primary shopping frontages. The Supplementary Planning Guidance Brick Lane Restaurant and Retail Uses, 2002, sets out that Brick Lane is characterised by a large number of A3 uses, which provide a major draw for the public visiting Brick Lane.

8.3 Saved policy ART10 of the UDP seeks to encourage the provision of tourist information centres with other tourist related development. Furthermore, policy CP12 of the IPG sets out that the Council will amongst other objectives seek to retain and protect existing entertainment and tourism related uses. Furthermore, the policy seeks to encourage new entertainment and tourist facilities in certain areas within the Borough including Brick Lane.

8.4 Policy CP17 of the IPG sets out that the Council will support evening and night-time activities focused on certain areas within the Borough including Brick Lane.

Within, the Core Strategy Submission Version December 2009 (Core Strategy), Brick Lane has been reclassified from a neighbourhood centre to a district town centre. Policy SO4 and SP01 of the Core Strategy seek to have a hierarchy of interconnected, vibrant and inclusive town centres that are mixed use hubs for retail, commercial, leisure, civic and residential.

8.5 As such, Brick Lane is a vibrant street which is characterised by a mix of retail and restaurant uses. There is also a range of residential accommodation in the area located at the upper floors and on the streets surrounding Brick Lane. Brick Lane is a destination that attracts both local residents and visitors from within and outside the Borough. It is considered that the proposed arches would be in keeping with the existing land uses within the area. The proposed arches form part of the Brick Lane Cultural Trail which would assist in promoting Brick Lane as a tourist destination. It is considered that the proposed development would be in keeping with saved policy ART10 of the UPD, policies CP12 and CP17 of the IPG and S01 and SP01 of the Core Strategy. These policies seek to enhance district centres and protect and promote entertainment and tourism within Brick Lane.

Design and Conservation

8.6 In reference to PPG15: Planning and the Historic Environment, policies 4B.11 and 4B.12 of the London Plan (Consolidated with alterations, 2008) and policy CON2 of the IPG, proposals for new development within conservation areas should seek to either preserve or enhance the conservation area.

8.7 Policy 4B.1 of the London Plan sets out the criteria for design principles in a compact city. Amongst other aims the policy seeks to ensure that the design of the proposal should incorporate high quality inclusive design which enhances the public realm, respects local context, history, built heritage, character and communities, be practicable and legible, be attractive to look at and where appropriate inspire excitement and delight. Furthermore, policy

4B.2 seeks to promote world-class high quality design.

- 8.8 Saved policy DEV1 of the adopted Unitary Development Plan, 1998 (UDP) outlines that all development proposals should take into account and be sensitive to the character of the surrounding area in terms of design, bulk, scale and the use of materials.
- 8.9 Policy CP4 and DEV2 of the IPG seek to ensure that new development amongst other things, respects the local context, including character, bulk and scale of the surrounding area, protect amenity, including privacy and access to daylight and sunlight, ensure the use of high quality materials and finishes, contribute to the legibility and permeability of the urban environment, and contribute to the enhancement of local distinctiveness.
- 8.10 Policy DEV14 of the IPG sets out that in respect of public art the Council seeks to ensure that all public art provided should be accessible to all people and contribute to local distinctiveness.
- 8.11 Policy 4B.8 and policy 3A.17 of the London Plan seek to ensure that Boroughs work with local communities to recognise and manage local distinctiveness ensuring proposed developments preserve or enhance local social, physical, cultural, historical, environmental and economic characteristics. Furthermore, the needs of London's diverse population should be identified and addressed. CP2 of the IPG reinforces these policies.
- 8.12 Policy SO22, SO23 and SP10 of the Core Strategy seeks to amongst other aims protect and enhance listed buildings and conservation areas by promoting and implementing place-making across the Borough, encouraging and supporting development that preserves and enhances the heritage value of the Borough and ensuring the promotion of good design principles to create buildings, spaces and places that are high-quality, sustainable, accessible, attractive, durable and well integrated with their surrounds.
- 8.13 The proposal is for the erection of two identical arches. The proposed arches are similar in design, bulk, scale and use of materials. The maximum height of the proposed arches would be 9.105 metres, the maximum width of the proposed arches would be 6.931 metres and the maximum depth of the proposed arches would be 5.9 metres.
- 8.14 The Design and Impact Statement sets out that the aim of the proposed arches is to provide a gateway into this culturally rich street. The proposed arches are a modern design and the proposed materials used would be predominately stainless steel.
- 8.15 The proposed arch is to be constructed over a steel frame. The steel structure will be clad with a series of stainless steel panels of both a brushed (dull) finished stainless steel and a highly polished (mirror) stainless steel.
- 8.16 The underside of the arch will consist of an inner layer of the highly polished stainless steel with perforations cut-out to allow the internal illumination of the arch to pass through (diffused) and create a subtle glow of light. This inner layer will then have a second layer applied, consisting of a filigree brushed stainless steel to provide the detail and create 'relief' to the pattern.
- 8.17 The topside of the arch will consist of an inner layer of brushed stainless steel (solid) with an applied outer filigree layer of polished stainless steel to create the pattern. No light will emit through the top canopy of the arch. The proposed pattern would be the 'Flower of Life' which is a geometrical figure composed of multiple evenly-spaced, overlapping circles that are arranged so that they form a flower-like pattern with six-fold symmetry like a hexagon.
- 8.18 The legs at each side of the arch will be plain polished steel, providing a mirror finish to

passing pedestrians as they pass on the pavement, and a brushed finish on the leading edges and road side to reduce the risk of glare or visual interference to passing traffic.

- 8.19 The 'northern arch' is located within the Fournier Street / Brick Lane Conservation area outside 118 – 120 Bethnal Green Road. To the west of the proposed arch, 'The Verge' building rises to six storeys and to the west 120 Bethnal Green Road rises to four storeys. The proposed arch would be no higher than the buildings directly adjacent rising to approximately three storeys. It is considered that in terms of bulk and scale the proposed 'northern arch' would be in keeping with the bulk and scale of the surrounding area.
- 8.20 The 'southern arch' is located within the Whitechapel High Street Conservation Area between 74 Whitechapel High Street and 1 Whitechapel High Street and 2 – 10 Osborn Street. The buildings on either side of the proposed arch rise to four storeys and the proposed arch would be no higher than the buildings directly adjacent. It is considered, that in terms of bulk and scale the proposed 'southern arch' would be in keeping with the bulk and scale of the surrounding area.
- 8.21 The design of the proposed arches is modern in nature and would improve the character and quality of the area by improving legibility, way-finding and marking the entrances to the cultural trail. It is considered that the proposed design would not be overbearing in the street scene given the overall bulk and scale of the arches when viewed at street level would be formed of slim legs with the bulk increasing and tapering away as the arch rises. As such, it is considered that by merit of the contemporary design and use of stainless steel that the proposed arches would enhance the surrounding street scene.
- 8.22 It is considered that the proposed arches would not have an adverse impact on views into and out of Brick Lane and Osborn Street. By nature of the open design of the arches which allows for views around and over the arch, as such views of the Fournier Street / Brick Lane and Whitechapel High Street Conservation areas would not be obstructed. Furthermore, the arches will improve legibility by identifying the entrances to Brick Lane.
- 8.23 The proposed arches given their modern and contemporary design, role as a distinctive marker for Brick Lane and contribution to the street scene would be considered acceptable in terms of design, bulk and scale. In order to ensure that the proposed materials are acceptable they will be controlled via condition. This is in keeping with saved policy DEV1 of the UDP, policies 4B.1 and 4B.2 of the London Plan, policies CP4, DEV2 and DEV14 of the IPG and policies SO22, SO23 and SP10 of the Core Strategy. These policies seek to ensure appropriate design within the Borough which contributes to the distinctive character of the area.
- 8.24 To the north east of the 'northern arch' on the opposite side of Bethnal Green Road there is a terrace of Grade II Listed buildings. Concerns have been raised about the impact of the arch on this terrace, it is not considered that the proposed arch would affect the setting of these listed buildings given they are located on the opposite side of Bethnal Green Road and the proposed arch is set back at this location would not obstruct views of these buildings
- 8.25 Objections have raised concerns that the proposed arches are modern in nature and would not preserve the character and appearance of the Fournier Street / Brick Lane conservation area or the Whitechapel High Street Conservation area. However, it is considered that the proposed 'northern arch' would not have an adverse impact on the existing character of the conservation area and would in fact enhance the character of the Fournier Street / Brick Lane Conservation area. Furthermore, the 'southern arch' which is adjacent to the Whitechapel High Street Conservation area would not have an adverse impact on the existing character of the conservation area and is considered to enhance the character of this area. This is in keeping with Conservation Area policy which seeks to ensure that

development within Conservation areas either preserves or enhances the conservation area. Furthermore, the arches would provide the gateway for the cultural trail which celebrates the vibrant cultural history of the area.

- 8.26 The Conservation and Design Officer has advised that the concept of archways and gateways in historic places is a well established one. Probably the best examples in London are the arches erected around China Town in Central London. In addition arches are evident at Carnaby Street and Roman Road Market which are in conservation areas. The impact of development has been assessed in respect of the special interest both architecturally and historically of the Fournier Street / Brick Lane and Whitechapel High Street Conservation Areas. It is considered that the arches reinforce the entrances to Brick Lane and Osborn Street by improving way-finding and legibility as a result they, enhance the local distinctiveness of the area. As such, the proposal would enhance the Fournier Street / Brick Lane and Whitechapel High Street Conservation areas. This is in keeping with PPG15: Planning and the Historic Environment, 4B.12 and 4B.12 of the London Plan, CON2 of the IPG and policies SO22, SO23 and SP10 of the Core Strategy. These policies seek to ensure that development within conservation areas either preserves or enhances the conservation area.
- 8.27 It is evident from the application documents that consultation has been carried out with various local groups within the Brick Lane area. During the course of the application representations in objection to the proposal have been received and much concern has been raised that the proposed development does not respect the local context and communities. It is noted that this area is characterised by a varied and rich social history which is demonstrated by the historical movements of people in and out of the area. The cultural trail seeks to celebrate this diversity, and it is considered that the proposed arches will result in the creation of a distinctive marker for the Brick Lane. It is considered that the proposed arch will result in the creation of a distinctive marker for the Brick Lane area which will help identify the area.
- 8.28 Furthermore, it is not considered that the design of the arches which reflect the symbolism of a head scarf detracts from the role of the arches and the Brick Lane Cultural Trail's aims of promoting the area and the communities who live and work there. The design of the arch incorporates a motif the 'flower of life' which is a symbol seen throughout history and linked to various beliefs and faiths. Moreover, it is considered that the proposed arches would enhance the local area and contribute to the creation of social, physical, cultural and economic ties for these diverse communities as part of the cultural trail. This is in line with policy 4B.8 and 3A.17 of the London Plan. These policies seek to ensure development respects local context and communities, which will help identify the area.

Amenity

- 8.29 Saved policy DEV2 of the UDP and policy DEV1 of the IPG seek to protect the residential amenity of the residents of the borough. These policies seek to ensure that adjoining buildings are not detrimentally affected by loss of outlook, increased sense of enclosure, a material deterioration of daylighting and sunlighting conditions or impacts from illumination of developments.
- 8.30 The 'northern arch' rises to the third storey of the adjacent properties.
- 8.31 In respect of 202 Bethnal Green Road the second floor is in residential use. Of the four windows which face Brick Lane one window would look directly onto the arch. At this point there would be a separation distance of approximately five metres. As such, it is not considered that the proposed arch would have an adverse impact on the overall outlook or create an increased sense of enclosure of the residential occupiers given this separation and

open nature of the arch. Furthermore, it is considered that the development would not have an adverse impact in terms of daylight and sunlight.

- 8.32 In respect of 'The Verge' building there are residential uses at first and second floor. The proposed arch would be approximately 4 metres from the first floor window and approximately five metres from the second floor window. In reference to the approved plans for this Building (Planning Reference: PA/00/00402) both the first and second floor residential units are studios with windows facing both Brick Lane and Bethnal Green Road. It is not considered that the proposed arch would have an adverse impact on the overall outlook of the residential occupiers, or result in an increased sense of enclosure for residents, given the location and the tapered design of the arch and given both units are dual aspect. Furthermore, it is considered that the development would not have an adverse impact in terms of daylight and sunlight.
- 8.33 The 'southern arch' rises to the third storey of the adjacent properties.
- 8.34 In respect of 1 Whitechapel High Street and 2-10 Osborn Street the proposed building is in commercial use.
- 8.35 In respect of 74 Whitechapel High Street, the first and second floors are in residential use. The proposed arch would be approximately 2.2 metres from the first floor windows and approximately 4 metres from the second floor windows. It is not considered that the proposed arch would have an adverse impact on the overall outlook of the residential occupiers or result in an increased sense of enclosure for residents, given the location and tapered design of the arch. Furthermore, it is considered that the development would not have an adverse impact in terms of daylight and sunlight.
- 8.36 The proposed arches would be illuminated and the submitted report Lighting assessment of arches at Brick Lane dated 17th December 2009 has been reviewed by the Environmental Health Lighting Officer who is satisfied with its contents.
- 8.37 To conclude, it is considered that the proposed arches would not have an adverse impact on the amenity of the adjacent residential occupiers. This in line with saved policy DEV1 of the UDP and DEV2 of the IPG. These policies seek to protect the amenity of the residents of the Borough.

Highways

- 8.38 Policy 4B.3 and 4B.5 of the London Plan (2008) amongst other aims seeks to ensure that the public realm is accessible and usable for all. Policies CP40, CP41, CP42 and DEV16 of the IPG seeks to ensure the creation of a sustainable transport network in the Borough, and to protect and enhance a safe and convenient pedestrian and cycle routes within the Borough, to ensure new development minimises impacts and the creation of better and safer streets for people.
- 8.39 Policy T16 of the UDP seeks amongst other aims to ensure that new development does not cause danger or inconvenience to other road users, cause obstruction of access for emergency vehicles and movement of traffic and finally cause deterioration in residential amenity. Policy T18, T19 and T21 seek to ensure that priority will be given to the safety and convenience of pedestrians in the layout of footways especially in areas of high pedestrian flows and that existing pedestrian routes will be retained and improved.
- 8.40 Policy SO19 and SP08 of the Core Strategy seek to ensure that delivery of an accessible, efficient, high quality, sustainable and integrated transport network to reach destinations within and outside the Borough. Furthermore, policies SO20, SO21 and SP09 set out the

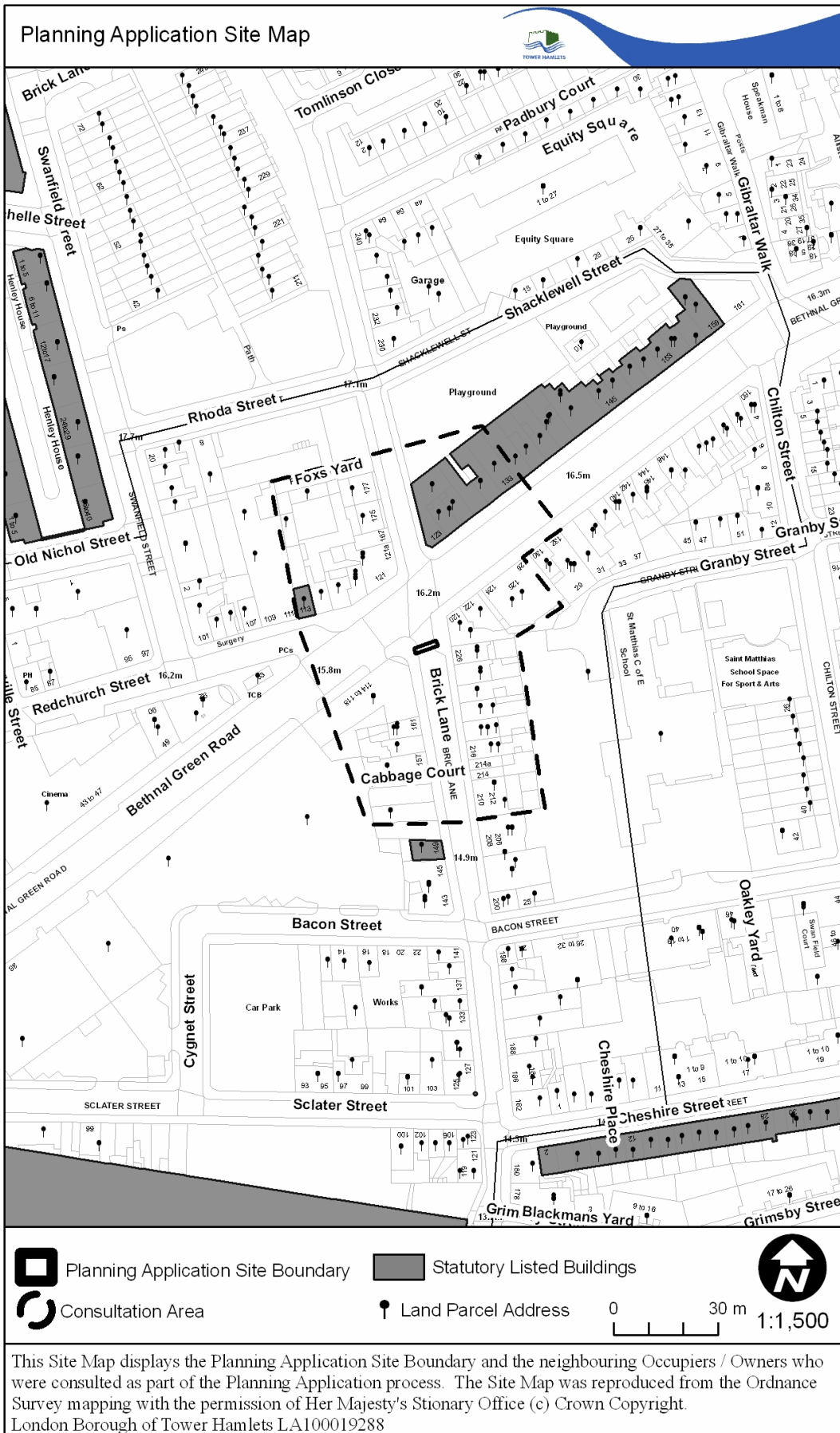
Council's aims for the creation of safe streets and spaces. Amongst other aims, these policies seek to ensure that the Council create streets, spaces and places which promote social interactions and inclusion.

- 8.41 In respect of the proposed 'northern arch' it is not considered that its location would have an adverse impact on the movement of traffic, cyclists or pedestrians. The width of the pavement at this location is at a minimum three metres and this allows for the free movement of pedestrians. Furthermore, the proposed arch given its height and width would not hinder the free movement of traffic including larger vehicles. As such, the proposal is in line with the above policies.
- 8.42 In respect of the proposed 'southern arch' it is not considered that its location would have an adverse impact on the movement of traffic, cyclists or pedestrians. Whilst the width of the pavement at this location ranges from 2.3 metres on the eastern side of Osborn Street and 2.6 metres at the western side of Osborn Street, the width of the legs of the proposed arch are 400 mm. Given that the street narrows further to the south, it is considered that at this location the proposed arch would have the least impact on the free movement of pedestrians and is considered acceptable and in line with policy.
- 8.43 In reference to vehicles the proposed arch would not have an adverse impact on the free flow of traffic including larger vehicles. As such, the proposal is in line with the above policies.
- 8.44 Transport for London's and the LBTH Highway Officer comments are discussed within paragraphs 6.3-6.14 and 6.15 – 6.20 of this report.

Conclusions

- 8.45 All other relevant policies and considerations have been taken into account. Planning permission should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.






Consultation Map PA/09/02067



Consultation Map PA/09/2082

Planning Application Site Map



 Planning Application Site Boundary	 Statutory Listed Buildings	
 Consultation Area	 Land Parcel Address	

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (c) Crown Copyright. London Borough of Tower Hamlets LA100019288