

Committee/Meeting: Cabinet	Date: 3 August 2011	Classification: Unrestricted	Report No: (CAB 018/112)
Report of: Corporate Director Aman Dalvi		Title: Limehouse Cut Conservation Area	
Originating officer(s) Vicki Lambert – Development Design and Conservation Officer Mark Hutton -Team Manager Development Design and Conservation		Wards Affected: Limehouse, Bromley-by-Bow, Mile End East, East India and Lansbury	

Lead Member	Rabina Khan - Cabinet Member for Housing
Community Plan Theme	“A Great Place to Live”
Strategic Priority	Provide Affordable Housing and Strong Neighbourhoods – improve the environment and to tackle climate change Support vibrant town centres and a cleaner, safer public realm – strengthen and connect communities

1. **SUMMARY**

- 1.1 This report considers the proposed designation of the Limehouse Cut as a Conservation Area.
- 1.2 Originally designated under urgency procedures on 8th October 2009 this decision was subject to judicial review in a legal challenge brought by the owners of 307 Burdett Road. The High Court judgment quashed the initial designation but left it open to the Council to re-designate the Conservation Area if it wished.
- 1.3 This report puts forward the case for the re-designation of the Conservation Area, based upon the satisfaction of the statutory test and the merits of the townscape, and is supported by a Character Appraisal and Management Guidelines and Designation Statement.
- 1.4 The boundary of the proposed Conservation Area has been revised to omit the, now vacant, site at 307 Burdett Road.

2. **DECISIONS REQUIRED**

Cabinet is recommended to:-

- 2.1 Note the decision of the Judicial Review in the High Court, which whilst quashing the original designation accepted that designation of the area as a Conservation Area might be appropriate.

- 2.2 Note the responses to the public consultation considering the proposed designation and the supporting Limehouse Cut Conservation Area Character Appraisal and Management Guidelines.
- 2.3 Agree the Designation Statement at appendix C which sets out the special character of the area.
- 2.4 Agree the designation of the Limehouse Cut Conservation Area, with boundaries as indicated in the map at appendix A, including the transfer of land to include Violet Road Bridge and a section of canal and landscaping to the front of Caspian Wharf from the Langdon Park Conservation Area to the new Limehouse Cut Conservation Area. [This land already has conservation area status, thus the status of this land remains unchanged, and the alterations are a prudent rationalisation of boundaries because the canal and this small area of land are more logically located within the Limehouse Cut Conservation Area].
- 2.5 Agree the amended boundaries to the Langdon Park Conservation Area to reflect the suggested rationalization in paragraph 2.4. The revised boundaries of the Langdon Park Conservation Area are shown in appendix B.
- 2.6 Agree the addition of the following buildings identified during the public consultation to the List of Locally Listed Buildings within the Limehouse Cut Conservation Area, Dowgate Wharf (22-23) Gillender Street, 24 Gillender Street, Towpath House on Dod Street; Printers Gate on Dod Street; The Sail Loft on Dod Street; and The Spice Store on Dod Street
- 2.7 Adopt the attached draft Conservation Area Character Appraisal and Management Plan at Appendix D which supports the proposed designation, setting out the character of the Limehouse Cut, identifying those buildings which are to be Locally Listed and putting forward proposals for the preservation and enhancement of the Conservation Area.

3. REASONS FOR THE DECISIONS

- 3.1 The Council is under a duty as a local planning authority to identify areas in Tower Hamlets that are of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” and to designate those areas as Conservation Areas (Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990).
- 3.2 The duty identified in paragraph S69 (1) is a continuing one. The Council must from time to time review the past exercise of its functions in relation to the identification and designation of Conservation Areas, and must consider whether it should designate new Conservation Areas, or extend existing ones.
- 3.3 The area currently being considered for designation has been identified by officers as one which meets the Council’s own adopted criteria for the identification of potential Conservation Areas, and the statutory definition of a Conservation Area, being an area of special architectural or historic interest, the character or

appearance of which it is desirable to preserve or enhance. To comply with the continuing duty to identify, and where the statutory duty is met, designate Conservation Areas, Members are asked to determine that the Limehouse Cut has an identifiable special character and that that character is of sufficient special interest to warrant designation.

4. **ALTERNATIVE OPTIONS**

- 4.1 Alternative options include the possibility of determining that the area is of insufficient interest to warrant designation or that the boundaries should be revised to designate a larger or smaller area.
- 4.2 Whilst designation of an area with revised boundaries could be considered, the boundaries as proposed are informed by the appraisal and are considered to be appropriate.

5. **BACKGROUND**

- 5.1 The idea of designating a Conservation Area around 307 Burdett Road and those Victorian buildings surviving in Dod Street was originally put forward by local residents anxious to see these historic buildings protected. This early suggestion was considered by officers, but rejected on the grounds of insufficient interest in the townscape.
- 5.2 However, matters including the refusal of English Heritage to list 307 Burdett Road and the suggestion in the reasons for refusal that this building might be a good Conservation Area building, together with further research put forward by local residents, led officers to re-examine the value of the canal and buildings adjoining it. The result was that a larger area, extending along the length of the Limehouse Cut, and including within the boundaries small areas of historic townscape, was considered by officers to meet the statutory test, and the local criteria for the identification of areas suitable for designation which were adopted by the Council in October 2008. The larger area proposed for designation encompassed those buildings cherished by local residents but also incorporated heritage assets identified by the officers. Designation of this larger area was agreed by Cabinet on the 8th October 2009 using its urgency powers as a result of a perceived threat to a building which made a positive contribution to the character of the Conservation Area. The designation was made without public consultation as it was not necessary by law to do so.
- 5.3 Following designation, the owners of the building at 307 Burdett Road, located within the new Conservation Area, sought to have the Conservation Area quashed by the High Court on a number of grounds which set out that it was improperly and incorrectly designated.
- 5.4 This report is prepared in the light of the High Court judgment which although quashing the original designation found that the Conservation Area could be lawfully designated.

- 5.5 The proposed designation of the Limehouse Cut Conservation Area is based on the original proposals by officers but excludes the now vacant site of 307 Burdett Road. It is supported by the Character Appraisal and Management Guidelines.
- 5.6 In formulating the proposals to designate the Limehouse Cut a Conservation Area a full public consultation was undertaken to consider the boundaries of the proposed Conservation Area and the draft Limehouse Cut Conservation Area Character Appraisal and Management Guidelines, setting out the special character of the area and presenting proposals for its preservation and enhancement. Details of this consultation and the responses received are summarised within this report.
- 5.7 The designation would comply with the continuing duty and requirements of the Planning (Listed Building and Conservation Areas) Act 1990.

6. THE PROPOSED LIMEHOUSE CUT CONSERVATION AREA – DETAILED CONSIDERATIONS

- 6.1 The Council is under a duty as a local planning authority to identify areas in Tower Hamlets that are of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” and to designate those areas as Conservation Areas: Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 6.2 The duty identified in paragraph S69 (1) is a continuing one. The Council must from time to time review the past exercise of its functions in relation to the identification and designation of Conservation Areas, and must consider whether it should designate new Conservation Areas, or extend existing ones.
- 6.3 Deciding which areas are of “special interest” and warrant designation is a matter for Local Planning Authorities using adopted local criteria based on a thorough understanding of their area; as set out in Guidance on Conservation Area Appraisals (English Heritage 2006).
- 6.4 Tower Hamlets local criteria, to be used to define areas of “special interest” are based on the statutory test and national guidance as set out by English Heritage and were adopted by Cabinet in October 2008. They set out that areas which are to be considered for Conservation Area designation should meet the following criteria, they should be:-
- An area of special architectural and historic interest the character or appearance of which should be preserved.
 - Part of the cherished and familiar local scene.
 - Of interest as an area, for its buildings group value.
 - Of interest not only for the buildings, but for the townscape in a wider sense, the spaces between buildings, mix of uses, materials, details etc.
- 6.5 In considering the proposed designation, how the area meets the statutory test

also must be considered. Below, each of the local criteria are considered in turn and the way in which the environment and townscape of the Cut conforms to the criteria considered.

- **An area of special architectural and historic interest the character or appearance of which should be preserved.**

In summary the 1 1/4 mile long Limehouse Cut is inner London's oldest canal and the only canal in Tower Hamlets which was lined with factories and warehouses on both sides. Whilst today, much of the original townscape has been lost, the canal and those remaining historic buildings which relate to the former industrial history of the area and to the historic canal and waterside are of special architectural and historic interest, some being buildings from Victorian times and earlier, including the medieval Bromley Hall, right up to the early and mid-20th century, an era which is often overlooked for preservation. The robust industrial architecture and the buildings relationship to the canal and Bow Creek reflect its former importance as a waterside industrial area and are illustrative of the important industrial and social history of the area, which was intimately connected with and reliant upon the docks. The area has a special character and appearance which is distinct from that of other more recent development adjacent to the canal. Although some of the townscape along the canal's length is considerably degraded, what survives has a special character and its existence emphasises the significance of what remains, being part of a former industrial area focussed on portside industry.

- **Part of the cherished and familiar local scene.**

The canal and these associated buildings are part of the cherished and familiar local scene. They illustrate the local history of the area, and its former industrial importance in relation to the docks, the industrial hinterland of which they formed a pivotal part. Historic Poplar was devastated by World War II bomb damage and was in large swathes rebuilt following the war, thus historic buildings which survive in this environment acquire greater significance, standing out from the modern environment that surrounds them and acquiring landmark status.

- **Of interest as an area, for its buildings group value.**

This area is of interest for its buildings group value. The Conservation Area is focussed upon the canal, with those groups of historic buildings which adjoin it, being included. Whilst some of these buildings at the eastern end of the canal are independently statutorily Listed, those at the western end and adjoining it along its length are not Listed but are important for their group value and the way in which they relate to and form a composition with the historic Canal. The warehouses on Dod Street, 83 Barchester Street and the Lusty's Factory buildings all demonstrate a clear relationship with the former industrial history of the area and relate to the Canal. The references to this former industrial character in the architecture of remaining buildings are an important element of the character.

- **Of interest not only for the buildings, but for the townscape in a wider sense, the spaces between buildings, mix of uses, materials, details etc.**

Whilst the robust industrial buildings which adjoin the canal contribute to the special architectural and historic interest, it is the canal and towpath, together with the spaces between buildings, the historic accesses, materials and waterside details which form the context and help to define the special waterside character which contributes to the areas significance. Some of these elements whilst very characterful, are also fragile, and without protection might easily disappear, for example, mooring rings, historic ragstone and brick retaining walls, historic horse ramps etc.

- 6.6 As demonstrated above the area may be seen as an “area of special architectural or historic importance the character or appearance of which it is desirable to preserve or enhance”. It meets adopted local criteria for the identification of a potential Conservation Area and also complies with the statutory definition of a Conservation Area. A Designation Statement which sets out the special architectural and historic interest that designation is intended to protect is set out at Appendix C of this report.
- 6.7 Across London, many canals are already designated as Conservation Areas. Designation of the Limehouse Cut would comply with the Council’s duty, as set out within S69(1) Planning Listed Buildings and Conservation Areas Act 1990 to identify areas that are of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” and to designate those areas as Conservation Areas.

7. THE EFFECTS OF DESIGNATION

- 7.1 Designation of a Conservation Area puts the Council under a general duty to ensure the preservation and enhancement of a new Conservation Area and a particular duty to prepare proposals to that end to preserve and enhance the identified special character of the area; it introduces new town planning controls and additional responsibilities to enable the positive management of change within the area.
- 7.2 Conservation Area status does not mean that no change is allowed; simply that it should be carefully considered and should not harm the special interest of the area.
- 7.3 Once a Conservation Area is designated the Council as the Local Planning Authority has a statutory duty to formulate, and publish from time to time, proposals for the preservation and enhancement of Conservation Areas in its district, and to submit them to public consultation; and secondly in exercising planning powers, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

- 7.4 In line with the requirements of legislation the Limehouse Cut Conservation Area Character Appraisal and Management Guidelines have been prepared to inform the designation and to help to guide future change and development within the proposed Conservation Area. The Character Appraisal provides an assessment of the physical character and appearance of the Conservation Area, and the Management Guidelines comprise consulted on guidelines, based on this assessment, to provide a strategy for the management of the area.
- 7.5 The Appraisal will assist in the process of understanding this Conservation Area, improving public understanding of what being in a Conservation Area means and enable the positive management of change within this special environment.
- 7.6 The Appraisal will also:-
- Provide a statement of the shared commitment to conservation of the Council, its various departments and the Community.
 - Aid in the implementation of conservation policies, in providing pre-application advice, and informing planning decisions in the Conservation Area.
 - Cut down the uncertainty and improve transparency in the decision making process, by providing advice in conjunction with the Local Development Framework about what is likely to be acceptable development.
 - Explain the justification of the Conservation Area designation when making development control decisions and at appeals.
 - Improve the quality and consistency of development and the decision making process by making apparent what contributes to the essential character of the Conservation Area.
 - Offer clarity and encouragement to all those considering investment within the Conservation Area, helping potential developers to formulate their applications.
 - Improve the speed of decision-making relating to the Conservation Area.
 - Assist in promoting the area, obtaining funds, prioritising grant funding and generally encouraging inward investment
- 7.7 Whilst the Conservation Area Appraisal and Management Guidelines will if adopted be “material” when considering applications within and adjacent to the Limehouse Cut Conservation Area it is supplementary planning guidance intended to support policies in the Core Strategy, Interim Planning Guidance and Supplementary Planning Documents.
- 7.8 In addition to the proactive responsibilities of preparing the Character Appraisal and Management Guidelines, and paying special attention to the desirability of preserving or enhancing the character of the Conservation Area when determining applications for planning permission within the Conservation Areas, designation also introduces some controls. It introduces a general control over the demolition of unlisted buildings and protects trees, reduces some permitted development rights and imposes more stringent controls on advertisements.

8. **PUBLIC CONSULTATION**

- 8.1 A full public consultation has been carried out to consider the potential designation of a Conservation Area along the Limehouse Cut and the boundaries of that area. A Character Appraisal and Management Guidelines were prepared to assist in this process, informing the proposed boundaries and complying with the requirements of the 1990 Planning (Listed Buildings and Conservation Areas Act) to formulate proposals for the preservation and enhancement of a Conservation Area.
- 8.2 Proposals for the preservation and enhancement of a Conservation Area are required to be submitted for consideration to a public meeting in the area. A public meeting was held as part of a broader consultation seeking stakeholder's views regarding the proposed designation as well as the draft Character Appraisal and Management Guidelines.
- 8.3 Widespread knowledge of and support for any designation is vital to its future success. Public consultation raises awareness of the proposals and indicates stakeholder's views regarding the proposed designation.
- 8.4 A consultation plan was developed in line with the Council's Statement of Community Involvement. Consultation took place in the six week period between the 18th April and the 29th May 2011.
- 8.5 Consultation included:-
- A copy of the consultation material being posted on the Council website.
 - Paper copies being placed in 8 local libraries and at reception in Mulberry Place.
 - A notice in East End Life of the 18 April 2011.
 - A follow up article in East End Life on the 12 May 2011.
 - A letter to 884 local residents and businesses covering the Conservation Area boundary and all properties within 20 metres of the Conservation Area setting out the availability of the documents and inviting them to a Public Meeting on 25th May 2011 at Mulberry Place.
 - A letter to members of the Council's Conservation and Design Advisory Panel seeking their views.
 - Notification of the consultation to Borough forums and groups.
 - Notification to Borough groups interested in conservation and local history.
 - A letter to stakeholders setting out the availability of the documents and inviting them to attend the Public Meeting on the 25th May 2011.
 - A notice regarding the proposals to designate the Limehouse Cut a Conservation Area, advertising the consultation and public meeting was included in the Members Bulletin.
 - A Public Meeting at Mulberry Place on the 25th May 2011. Members were welcome to attend this.

9. CONSULTATION RESPONSES

- 9.1 The Public Meeting to consider the proposals was well attended and included a useful discussion, an attendance sheet was circulated and 17 people signed this. To summarise, the commentary was generally supportive. Firstly concern was expressed at the extent of tall buildings locally and their impact on the canal, and it was suggested that tall elements of developments should be set back from the canal itself. The boundary the proposal was generally accepted to be appropriate but officers were asked to consider some boundary changes to the Conservation Area. Local Listing was discussed and some buildings for consideration were highlighted. The issue of cycling along the towpath, and the type of canal traffic considered to be appropriate were raised. A full copy of the minutes of the meeting was made and where appropriate changes have been made to the Conservation Area and supporting documentation to reflect comments.
- 9.2 In addition to comments made at the meeting, 25 written responses to the consultation were received, of these 17 responses were in support of the Conservation Area designation, 2 were comments on the proposals and were neutral in tone, whilst 3 substantial objections to the proposals by landowners and 3 further objections from residents were received.

Responses in Support

- 9.3 Importantly, in terms of support received, both English Heritage, the national body with statutory responsibility for the historic environment and British Waterways which runs the canal, considered that the designation was to be supported.
- 9.4 Other supportive responses were also complimentary about the Conservation Area Appraisal document, for instance setting out that “this is an exemplary conservation area document”, “the document itself is excellent”.
- 9.5 Attention was also drawn to the fact that we were recognising good examples of 20th factory design.
- 9.6 Some common themes were identifiable within the responses received.

Comments:

That the Biscuit Factory, Violet Road Bridge and the Caird and Rayner building should be included in the Conservation Area. Whilst these buildings are already encompassed within Conservation Areas it was argued that they would be more sensibly located in the Limehouse Cut Conservation Area.

Officer Response:

Having carefully considered the matter it has been determined that these buildings are generally most appropriately left within their respective Conservation Areas, as each has an existing special role within these area, and they are already protected, although it is agreed that they have an important role forming the setting of the Limehouse Cut Conservation Area. However Violet Road Bridge, a small section of

the canal itself and the planting to the north of the canal are considered to be prudently best placed within the Limehouse Cut Conservation Area and thus the boundaries have been rationalised to enable the transfer of the Violet Road Bridge and canal and associated landscaping to the north of the Cut, into the Limehouse Cut Conservation Area.

Comments:

That a number of buildings made such a positive contribution to the Conservation Area that they should be added to the List of Tower Hamlets Locally Listed Buildings, to offer them additional protection.

Officer Response:

Whilst the desirability of reviewing the Local List is accepted and some buildings have been included on the Local List as part of this process, it is considered more appropriate to undertake this thoroughgoing review as a separate exercise in line with the goals identified by the Borough's new Conservation Strategy. To identify the importance of taking this project forward a specific reference of the intention to review Locally Listed Buildings has been added to the Priorities for Action at the end of the Conservation Area Appraisal and Management Guidelines which form appendix D of this report.

Comments:

The close focus of the boundaries was also raised by many. Concern was expressed that it was not purely development within the corridor of the Conservation Area which needed to be more carefully considered but in the wider areas adjoining it.

Officer Response:

This is recognised by the new Conservation Area designation in that this wider area formally becomes the setting of the Conservation Area, once the designation is agreed. The setting of the Conservation Area is then a material consideration in determining planning applications nearby.

Comments:

The value of a proposed Design Code was recognised and the need for the retention of existing historic buildings, including 83 Barchester Street and control of the height and quality of new development to reflect the character of the Conservation Area was supported.

Officer Response:

This is recognised in the Conservation Area Appraisal and Management Guidelines which form Appendix D of this report. Supportive comments were also made on other aspects of the Appraisal. They referred to additional historic facts that could be included, suggested amendments to the map, offered clarifications to

the text and suggested general amendments. These suggestions have been carefully considered and the appraisal document amended accordingly.

Responses in Objection

- 9.7 Three substantial objections to the proposals for Conservation Area designation and the accompanying appraisal were received. Those from Poplar Harca and Leaside Regeneration were based on the belief that the designation would hinder development and regeneration, and that the area lacks an identifiable special character which should be protected and enhanced, whilst the third written on behalf of a landowner raised concerns in that their building is not of sufficient merit to justify the designation, and that if it were included it made a neutral impact rather than a positive contribution to the proposed Conservation Area. Following revision of the Conservation Area Character Appraisal and Management Guidelines by officers, in the light of comments received, Poplar Harca subsequently withdrew objection to the designation of the Conservation Area. Three objections were also received from residents, who felt the designation was unnecessary and would hinder regeneration.

Comments:

The designation of the Limehouse Cut Conservation Area is unnecessary and is likely to hinder the future restoration and improvement to the Cut, rather than to facilitate them, and that a key building in the area at 83 Barchester Street is not of appropriate special interest to be included in the Conservation Area.

Officer Response:

The designation of the Conservation Area, is considered to be robust and to meet the statutory and local tests as an area of special architectural or historic interest. 83 Barchester Street is also individually considered to meet this test. In terms of hindering regeneration, Conservation Area designation is not intended to stop all change in the area, but ensure that when change takes place that it preserves or enhances the Conservation Area, and as such is a strand of an integrated policy approach for development of the area. This is set out in the Conservation Area Appraisal and Management Guidelines, which have been amended accordingly to take account of these comments, particularly in the 7 Priorities for Action at the end of the Management Guidelines as set out in Appendix D of this report.

Comments:

The Conservation Area Appraisal is too focused upon the improvement of the environment, rather than concentrated on the built environment. Additionally, that the appraisal wrongly concentrates on ecology and biodiversity and misses the opportunity to encourage cutting edge design and is thus likely to stifle creativity.

Officer Response:

The Conservation Area Appraisal and Management Plan set out in Appendix D of this report is appropriate for its purpose and has been evolved in response to consultation and published English Heritage Guidance on this matter; it covers

both the character of the local built environment and its enhancement. Some reference is made to biodiversity and whilst it is not a material matter in considering the designation of the Conservation Area, it is however considered appropriate to include it in the accompanying Appraisal and Management Plan. There is no objection in the appraisal to 'cutting edge design', and where this meets the statutory test of preserving or enhancing the Conservation Area this can be supported where appropriate.

Comments:

Suggestions of the appropriate scale of development are inconsistent with the setting and context of a very urban inner city borough and that tall buildings are appropriate at some locations.

Officer Response:

The designation of the Conservation Area is to ensure that when development takes place that it preserves or enhances the Conservation Area, and as such is a strand of an integrated policy approach for development of the area in conjunction with other planning policy. This is set out in the Conservation Area Appraisal and Management Guidelines, which have been amended accordingly to take account of these comments, particularly in the Priorities for Action section at the end of the Management Guidelines as set out in Appendix D of this report, where there is a recommendation to prepare a design code for buildings in conjunction with all local stakeholders for sites adjacent to this waterspace. It is here that the matter of suitable locations for tall buildings will be able to be assessed as part of the ongoing management of the Conservation Area.

10. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 10.1 This report seeks Cabinet approval to agree the redesignation of a conservation area along the Limehouse Cut.
- 10.2 As outlined above, the Limehouse Cut conservation area was previously established following Cabinet approval in October 2009. A subsequent legal challenge however ultimately resulted in a High Court Judicial Review whereby the original designation decision was quashed, with costs being awarded against the Council. The level of these costs has yet to be determined.
- 10.3 The general financial benefit arising from the establishment of a conservation area results from the informing of the grant award decision making process, particularly in respect of Historic Building grants, to ensure that allocation is in line with the priorities of both the Authority and English Heritage.
- 10.4 There are no specific additional costs involved in designating a conservation area, other than those that have been incurred in undertaking the consultation process.
- 10.5 Consent is however required to demolish any building within a conservation area and, where development or alteration is proposed, it must preserve or enhance the character or appearance of the area. Legislation covering development in

conservation areas applies equally to council owned buildings which could have cost implications for the Authority in future.

11. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL)

- 11.1 This report identifies at paragraphs 3.1 and 3.2 the Council's duties in relation to the identification and designation of conservation areas. Where the Council has designated a conservation area, under Section 71(1) of the 1990 Act, it is subject to a further duty to formulate and publish proposals from time to time for the preservation and enhancement of the conservation area. Such proposals are required to be submitted at a public meeting in the area to which they relate. In satisfaction of this requirement, this report seeks member's agreement that the draft Conservation Area Character Appraisal and Management Plan is adopted.
- 11.2 The legal effect of designating a conservation area is set out in this report at section 7. Section 72 of the 1990 Act places a general duty that when exercising certain functions (including those under the Town and Country Planning Act 1990) with respect to any building or other land in conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area.
- 11.3 To briefly comment on the outcome of the judicial review as noted at paragraph 5.3 of this report, the Court's judgment quashed the Council's designation of the Limehouse Cut conservation area on 7 October 2009 on grounds of "misleading and material omissions in the officers' report".
- 11.4 The Court rejected the Claimant's "primary contention" that the true purpose of the designation of the conservation area was not to protect the character and appearance of the conservation area but was to prevent the demolition of 307 Burdett Road. The Court also rejected the Claimant's other grounds, albeit in some cases in the exercise of discretion (e.g. that the owners did have a legitimate expectation of being consulted but that that was not breached because of the urgency of the case).
- 11.5 But the Court also found that the recommendation of officers in favour of designation, aside from the failings identified in the committee report, reflected their genuinely held professional views that the conservation area was appropriate for designation on its merits and that 307 Burdett Road contributed to its special interest.
- 11.6 This latter finding is important because it allows reconsideration of designation of the conservation area on its merits so long as the failings identified by the judge are remedied and so long as the Council has regard to the nature of those failings, takes into account all up to date material considerations, has proper regard to what opponents to designation might say against it and has proper regard to the test for designating a conservation area, i.e. rather than simply doing so for the improper purpose of protecting an individual unlisted building within the proposed area.

11.7 It is considered that officers have remedied the perceived failings in the previous designation of the Limehouse Cut Conservation Area, undertaken public consultation, taken in account material considerations and that this report presents a full and clear case for designation of the conservation area pursuant to the 1990 Act.

12. ONE TOWER HAMLETS CONSIDERATIONS

12.1 Conservation Area status is dependent upon the character of the historic environment rather than upon the communities which inhabit it. Thus a Conservation Area has a neutral effect on the community living there.

13 SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

13.1 The proposal to designate the Limehouse Cut as a Conservation Area accords with Core Strategy Spatial Policy 10(2) which seeks to protect and enhance heritage assets and their settings. It also aligns with the Core Strategy Strategic Objective 22 that seeks to protect, celebrate and improve access to our historical and heritage assets by placing these at the heart of the Big Spatial Vision of 'reinventing the hamlets'. The Core Strategy is in general conformity with the London Plan and national policy guidance.

13.2 The Core Strategy Spatial Policies have been informed and shaped by a Sustainability Appraisal and Equalities Impact Assessment.

14 RISK MANAGEMENT IMPLICATIONS

14.1 A risk assessment was carried out on the original designation report and the main risk was identified as the possibility that the Limehouse Cut Conservation Area is not approved for adoption and that the reasons for designation are not sustainable.

15. EFFICIENCY STATEMENT

15.1 Every Local Planning Authority is under a continuing duty to consider whether it should designate new Conservation Areas or extend existing ones under the Planning (Listed Buildings and Conservation Areas) Act 1990. This designation will result in the protection and enhancement of the Borough for its residents, creating a better environment for living.

APPENDICES

Appendix A

Proposed Limehouse Cut Conservation Area Boundary map and attached Schedule of properties within the proposed conservation area

Appendix B

Revised Langdon Park Conservation Area Boundary Map

Appendix C

Designation Statement

Appendix D

Limehouse Cut Conservation Area Character Appraisal for adoption (attached as a separate document)

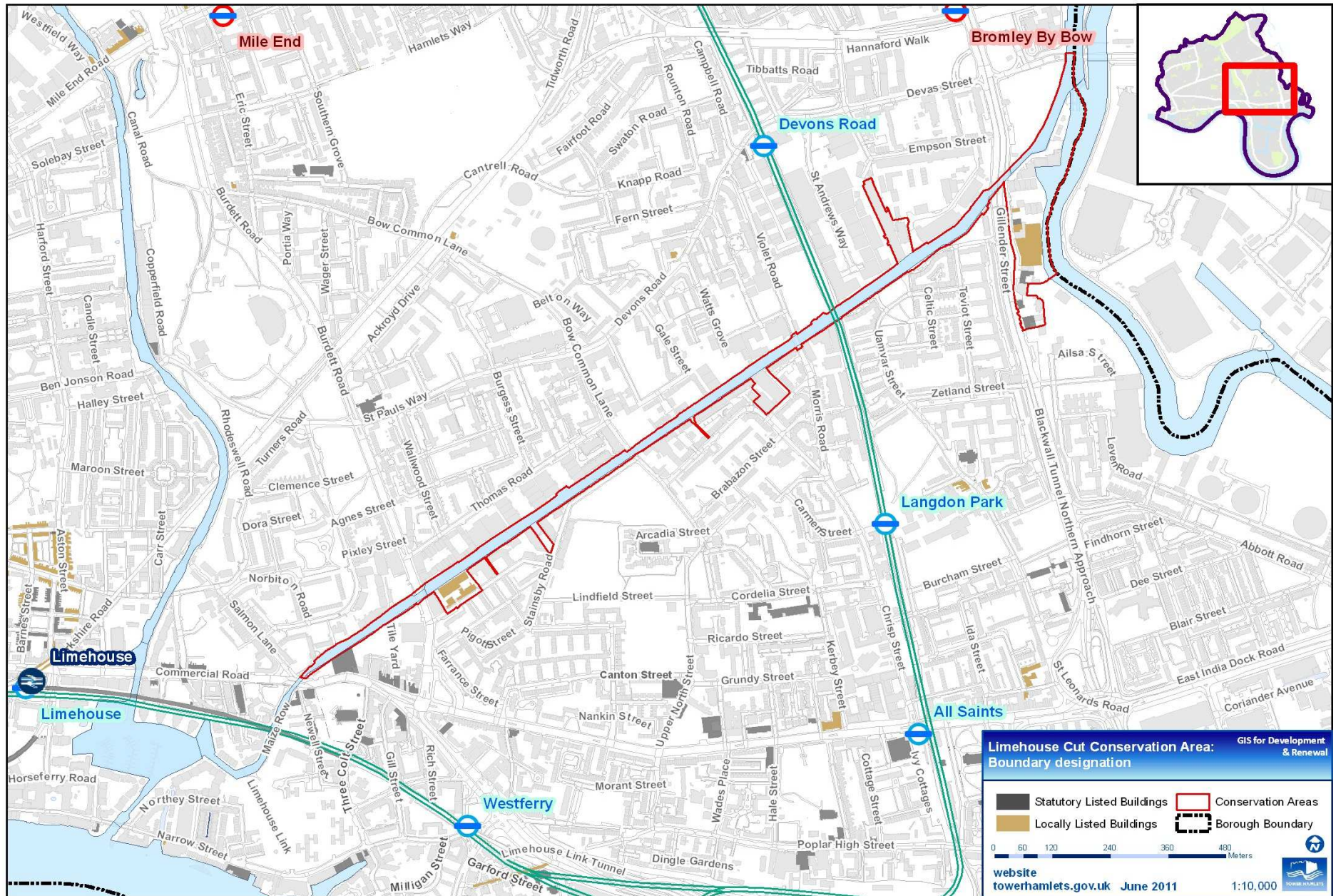
Appendix E

Summary of Comments Received in Response to Public Consultation

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

Brief description of “background papers”	Name and telephone number of holder and address where open to inspection.
Limehouse Cut Conservation Area Designation File ref: DD+C CA1 comprising all material supporting the Conservation Area designation.	Mark Hutton – Team Manager Development Design and Conservation Team – telephone 020 7364 5372.
Limehouse Cut Conservation Area Character Appraisal and Management Plan Supporting File ref: DD+C CA2	Directorate of Development and Renewal, Mulberry Place, 5 Clove Crescent PO Box 55739 London E14 2BG

Appendix A: Proposed Limehouse Cut Conservation Area Boundary map



Ordnance Survey mapping with the permission of Her Majesty's Stationary Office (C) Crown Copyright London Borough of Tower Hamlets LA100019288.

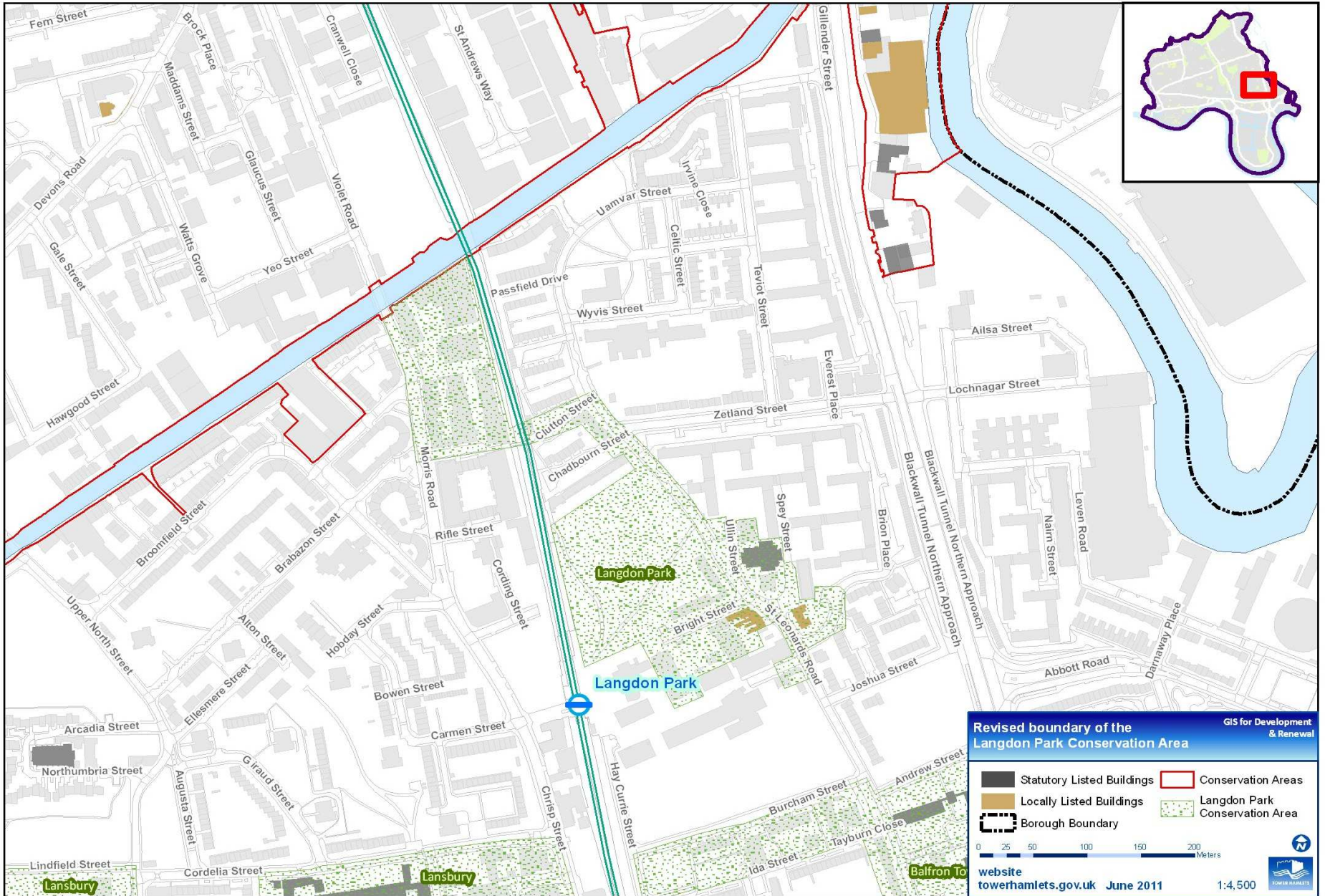
Appendix A (continued)

Schedule of properties within the proposed Limehouse Cut Conservation Area

Community Links, 3-11 Dod Street, London, E14 7EQ
Towpath House 3-11 Dod Street, London, E14 7EQ
Flat 1, Old Library Court, 45 Gillender Street, London, E14 6RN
Flat 3, Old Library Court, 45 Gillender Street, London, E14 6RN
Flat 6, Old Library Court, 45 Gillender Street, London, E14 6RN
Unit 1 And 2, 18 Gillender Street, London, E3 3JW
Unit 1, 18 Gillender Street, London, E3 3JW
Unit 2, 18 Gillender Street, London, E3 3JW
Unit 3, 18 Gillender Street, London, E3 3JW
Unit 1 And 2, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 3, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 4, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 5 And 6, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 7, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 8, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
Unit 9, Barratt Industrial Estate, 20 Gillender Street, London, E3 3JX
21-24 Gillender Street, London, E3 3LB
Flat 1, Magnolia House, 21 Gillender Street, London, E3 3LB
Flat 2, Magnolia House, 21 Gillender Street, London, E3 3LB
Flat 3, Magnolia House, 21 Gillender Street, London, E3 3LB
Flat 4, Magnolia House, 21 Gillender Street, London, E3 3LB
Flat 5, Magnolia House, 21 Gillender Street, London, E3 3LB
21-22 Gillender Street, London, E3 3LB
22 Gillender Street, London, E3 3LB
23 Gillender Street, London, E3 3LB
23-24 Gillender Street, London, E3 3LB
24 Gillender Street, London, E3 3LB
24-26 Gillender Street, London, E3 3LB
Advert At Bus Stop O-S 24, 24 Gillender Street, London, E3 3LB
Flat 1, Acme House, 30 Gillender Street, London, E14 6RH
Flat 2, Acme House, 30 Gillender Street, London, E14 6RH
Flat 3, Acme House, 30 Gillender Street, London, E14 6RH
Flat 4, Acme House, 30 Gillender Street, London, E14 6RH
Flat 5, Acme House, 30 Gillender Street, London, E14 6RH
Flat 6, Acme House, 30 Gillender Street, London, E14 6RH
Flat 7, Acme House, 30 Gillender Street, London, E14 6RH

Flat 8, Acme House, 30 Gillender Street, London, E14 6RH
Flat 9, Acme House, 30 Gillender Street, London, E14 6RH
Flat 10, Acme House, 30 Gillender Street, London, E14 6RH
Flat 11, Acme House, 30 Gillender Street, London, E14 6RH
Flat 12, Acme House, 30 Gillender Street, London, E14 6RH
Studio A, Acme House, 30 Gillender Street, London, E14 6RH
Studio B, Acme House, 30 Gillender Street, London, E14 6RH
Studio E, Acme House, 30 Gillender Street, London, E14 6RH
Studio F, Acme House, 30 Gillender Street, London, E14 6RH
Studio C, Acme Studios, 30 Gillender Street, London, E14 6RH
Studio D, Acme Studios, 30 Gillender Street, London, E14 6RH
Tunnel Approach Transfer Station, 40 Gillender Street, London, E14 6RH
43 Gillender Street, London, E14 6RN
Unit 11, 44 Gillender Street, London, E14 6RP
Flat 2, Old Library Court, 45 Gillender Street, London, E14 6RN
Flat 4, Old Library Court, 45 Gillender Street, London, E14 6RN
Flat 5, Old Library Court, 45 Gillender Street, London, E14 6RN
Flat 1, Bow Lock Cottages, Gillender Street, London, E3 3JY
Flat 2, Bow Lock Cottages, Gillender Street, London, E3 3JY
Flat 3, Bow Lock Cottages, Gillender Street, London, E3 3JY
Bow Locks, Gillender Street, London, E3 3JY
The Lock Office, Gillender Street, London, E3 3JY

Appendix B: Revised Langdon Park Boundary Map



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Appendix C

Limehouse Cut Conservation Area Designation Statement

The Limehouse Cut Conservation Area is focused on the historic Limehouse Cut Canal and its immediate hinterland, and runs south west from the River Lea to the Limehouse Basin. Included within its boundaries are the southern end of the River Lea and a section of Bow Creek which is the tidal part of the Lea. A linear Conservation Area based on a waterside environment it encompasses fragments of the areas historic past, including a small remnant of the historic settlement of South Bromley along the west bank of Bow Creek, and a pocket of surviving Victorian development between the Limehouse Cut and Dod Street. The boundaries include all retaining walls, revetment walls and associated features on both sides of the historic cutting and its tow path, as well as the substantial wall along the west bank of the associated part of the River Lea.

The Conservation Area is dominated by the waterscapes of the broad Canal, the River Lea and Bow Creek, and is characterised by the relationship of the former industrial buildings within it to the water. The buildings whilst diverse in character span the history of the area from its largely rural origins, through medieval times when the buildings were associated with the River Lea, through its industrial heyday when the Canal and the River were commercial thoroughfares.

The 11/4 mile long Limehouse Cut is inner London's oldest canal dating from 1767 and the only canal in Tower Hamlets which was later lined with factories and warehouses on both sides. The surviving industrial buildings within and alongside the Conservation Area represent all stages in the 100 years of maximum industrial use from c1860 to c1960, and constitute one of the only two large former waterside industrial areas in the Borough indicative of the late C19th and early 20th century period when London was the largest industrial city in the world and the greatest port in the world. Illustrative of the important economic and social history of the area, these robust industrial buildings are evidence of the formerly heavily industrialised and densely urbanised character of this area, intimately connected with and reliant upon the docks. This townscape has a special character distinct from that of adjoining more recent development, which deserves to be preserved and enhanced.

Today, whilst much of the original townscape has been lost, those remaining historic buildings which relate to the former industrial history of the area and to the historic canal are of special architectural and historic interest, and are part of the cherished and familiar local scene.

An area of special architectural and historic interest illustrated by its rich history and robust industrial architecture, designation is intended to protect its special historic character and to protect its broader setting and the associated parts of the River Lea and Bow Creek.

The character and appearance of the area is described in more detail in the Limehouse Cut Conservation Area Character Appraisal which sets out its special qualities and significance and provides policies for its preservation and enhancement.

Appendix D: Limehouse Cut Conservation Area Character Appraisal for adoption
(attached as a separate document)

Appendix E: Summary of Comments Received in Response to Public Consultation

A full public consultation was carried out to consider the potential designation of a Conservation Area along the Limehouse Cut and the boundaries of that area. A Character Appraisal and Management Guidelines were prepared to assist in this process, informing the proposed boundaries and complying with the requirements of the 1990 Planning (Listed Buildings and Conservation Areas Act) to formulate proposals for the preservation and enhancement of a Conservation Area.

Consultation undertaken included:-

- A copy of the consultation material being posted on the Council website
- Paper copies being placed in 8 local libraries and at reception in Mulberry Place
- A notice in East End Life of the 18 April 2011.
- A follow up article in East End Life on the 12 May 2011.
- A letter to 884 local residents and businesses covering the Conservation Area boundary and all properties with 20 metres of the Conservation Area setting out the availability of the documents and inviting them to a Public Meeting on 25th May 2011 at Mulberry Place.
- A letter to members of the Council's Conservation and Design Advisory Panel seeking their views.
- Notification of the consultation to Borough forums and groups.
- Notification to Borough groups interested in conservation and local history.
- A letter to stakeholders setting out the availability of the documents and inviting them to attend the Public Meeting on the 25th May 2011
- A Public Meeting at Mulberry Place on the 25th May 2011.

The Public Meeting to consider the proposals was well attended and included a useful discussion, a summary of this meeting can be found below. In addition to comments made at the meeting, 25 written responses to the consultation were received. These comments are addressed below with a summary of the points made and the action taken.

Summary of written responses to Consultation.

Resident:

Consultation Comments	Officer Response
Support of designation – welcomed new improved appraisal.	No action required.
Would like to see boundary amended to include Spratt's Factory and Violet Road Bridge.	Boundary revised to include Bridge. Spratt's Factory to remain in Langdon Park Conservation Area.

<p>Suggests additions to Local List:- Spratt's Factory 24 Gillender Street 23 Gillender Street Towpath House, Printers Gate, Sail Loft, The Spice Store on Dod Street</p>	<p>Incorporated in document and recommended for adoption in Cabinet Report.</p> <p>Amended Appraisal and reference in Cabinet Report. Also Local Listing project being undertaken within the coming year.</p> <p>23 Gillender Street is already Listed. The former Spratt's Factory lies outside the Limehouse Cut Conservation Area, in the Langdon Park Conservation Area so is not Locally Listed in this report.</p>
<p>Important to stress setting of the Canal, development should respect the character of the Canal and Conservation Area.</p>	<p>The Conservation Area legislation protects the setting, Appraisal and Management Guidelines amended to reflect this.</p>
<p>Design Code – this should be number 1 on the Priorities for Action List in the Management Plan and you should go further and identify opportunity site.</p>	<p>Management Guidelines amended.</p>
<p>In terms of the Opportunities and Potential section this should note that additional landmarks are unnecessary.</p>	<p>New development will be considered against local and national planning policy where relevant.</p>

Leaside Regeneration

<p>Object to the designation of the Conservation Area. They feel the designation is unnecessary and will hinder regeneration, and delivery of key Council objectives including the provision of new affordable homes, the regeneration of Bartlett Park, Empson Street and Ailsa Street.</p>	<p>The designation cannot hinder regeneration it is solely another strand of the policies which must be balanced when determining planning applications within the area. Development will be considered against local and national policy and the approved Conservation Area Appraisal and Management Guidelines.</p>
<p>They don't feel that the townscape has an identifiable special character or merits designation now that 307 Burdett Road has been demolished.</p>	<p>The townscape has a special character and this is set out clearly in the Character Appraisal going to Cabinet.</p>
<p>The policies applying to Limehouse Cut Conservation Area need to be broader than just preserving and enhancing local heritage, the implications of the document are that it is aimed at preserving the status quo rather than looking to the redevelopment of the</p>	<p>Conservation Area designation is one strand of policy, one consideration for development. It is neither the only one nor the overriding one. The designation of the Conservation Area will not stop appropriate development being considered by the</p>

area.	Council.
The Appraisal lacks historic photographs and maps.	Reference is made to this in the revised Conservation Area Appraisal, and the availability of historic maps referred to.
The suggestion that the scale of what adjoins the canal should reflect the scale of what is within the CA is inappropriate. The decision for 307 Burdett Road makes reference to the suitability of a higher scale to punctuate the Canal.	If the Conservation Area is designated, scale will be considered against policy considerations and what is appropriate within the context and setting of the historic canal.
Language within the document suggests it is to be a negative control i.e. over demolition. Leaside Regeneration feel that designation will result in opposition to minor changes e.g. the removal of railings at Cotall Street to allow the park to run down to the canal, and want to know that Officers will not slavishly adhere to a conservation doctrine.	Designation is a positive tool, intended to ensure that new development preserves and enhances the special architectural and historic interest of the Conservation Area, a heritage asset. New controls are added by designation, but these may be set against the intention to also enhance.
Feel that the refs to the protection of the ecology and biodiversity should not be in the Appraisal and that you have Green Chain and Blue Ribbon Network Policies (OSN1 and OSN3 of the IPG to address these issues).	Noted, this is secondary but reference is included for information.
Appraisal fails to adequately identify area of opportunity for future development and is weak in its promotion of future development as a catalyst for regeneration and enhancement of the Conservation Area (E.g. Bow Locks, Empson Street and Poplar Riverside are areas which need and are likely to achieve a once in a lifetime opportunity for comprehensive redevelopment).	Included reference in the appraisal in the Opportunities and Potential section to the opportunities which development offers to enhance the Conservation Area.
The Priorities for Action is dominated by the environmental elements of the Conservation Area rather than to the buildings which are supposed to define it, only reference to buildings is in the proposed Design Code which Leaside feel is about control, stifling creativity. They would like to be involved, and would like other stakeholders to be involved in the production of a Design Code and feel a constructive dialogue would be necessary.	Consultation and dialogue with stakeholders will be a necessary part in preparing a Design Code which is an action in the Conservation Area Management Guidelines proposed.

Feel the document misses the opportunity to enhance the Cut by encouraging cutting edge exemplary architecture which would encourage use of the space and enhance historic remains whilst looking to the future.	A reference to the need for high quality architecture which will enhance the CA included the Appraisal and Management Plan.
Buildings within the Conservation Area boundary do not warrant local or statutory listing and alone do not define the character or appearance of the area. Spratt's Factory and the Caird and Rayner building are already included in other Conservation Areas.	Conservation Area designation is intended to protect the quality and interest of the area rather than that of individual buildings. Responses to consultation have highlighted a number of buildings which it is suggested are Locally Listed and this is set out in the report.
Buildings are few and far apart and the development which adjoins the Cut is of varying quality. Leaside have already restored Bromley Hall and Old Poplar Library and do not believe that the nearby 1930s warehouse and former Fire station warrant the protection of a CA design. Feel that the inclusion of the Barratt Industrial Park and the Bow Locks peninsula is inappropriate.	The boundaries of the Conservation Area are carefully drawn to include those buildings of quality. Where other buildings such as the Barratt Industrial Park have been included it is because they are encompassed by the wider boundaries and have significance to the wider setting of the historic area.
Feel that Gillender Street and the buildings here are not linked up to the Canal, but are more closely related to Poplar Riverside and are in any case independently protected.	This Conservation Area is focused on the industrial heritage of both the Limehouse Cut and Bow Creek. The buildings on Gillender Street are industrial in character. Some of them are independently protected but this does not prevent their incorporation within a Conservation Area.

If the Council intends to designate Leaside Regeneration would like to see revisions to the area:

That Leaside Regeneration, Poplar Harca and local residents are involved in drawing up the Design Code and identifying appropriate development. Officer response: This is now set out in the revised Conservation Area Appraisal and Management Guidelines.

That the canal encourages use – Integration of Bartlett Park, new canalside activity centre at Bartlett Park, new residential and business moorings. Officer response: General support for additional waterways activities included in Management Guidelines.

The Council encourages the restoration of highly degraded bridges at Violet Road and Bow Common Lane, and new crossings as appropriate. Officer response: Violet Road Bridge now included in Conservation Area, general support for new crossings in Management Guidelines.

That the Council encourages the development of poor quality canalside sites such as Thomas Road and Empson Street. Officer response: Enhancement of the area a key strand of the revised Conservation Area Appraisal.

East End Waterways Group in Newsletter 5th May 2011

Object to the use of the canal by party boats because of potential noise issues, but support a two way water taxi for local and tourists. Officer response: Management Guidelines promote suitable boat usage.

Resident

Supporting designation as a Conservation Area.	Noted, no action required.
Limehouse Cut is a designated Site of Metropolitan Importance for Nature Conservation.	Noted, mention to be made in Appraisal and added to bibliography.
The access steps at Burdett Road were created by planning gain when the Post Office sorting office was built and a plaque commemorating the opening used to mark this.	Noted no action required.
Junction of Burdett Road and Dod Street was a local speaker's corner – speakers included George Bernard Shaw and William Morris. It was also a meeting point whether there was trouble at the docks. Would like to see this commemorated at the site.	Included reference to this in Character Appraisal.

Resident

Welcome the Conservation Area.	Noted no action required.
Concerned that we have already ignored our guidelines (retention of interesting buildings and development at a human scale) and have allowed high rise development in St Anne's Street.	Not within the Limehouse Cut Conservation Area and therefore no action proposed.

English Heritage

<p>Welcome the designation of the proposed Conservation Area as it will help to ensure the protection of a valuable historic area.</p>	<p>Support noted – No action required.</p>
<p>Welcome the draft Appraisal which contains much useful historic background information.</p>	<p>Noted – No action required.</p>
<p>Feel the boundaries are very tightly drawn and do not include area where potential development could enhance the character and appearance of the Conservation Area. They note the intention of preparing a Design Code and note that if this approach is to succeed in managing change within the setting of the Conservation Area then it would be necessary that this guidance was published as Supplementary Planning Guidance.</p>	<p>Noted – Conservation Area Appraisal and Management Guidelines revised to cover these points.</p>

Greater London Industrial Archaeology Society

<p>Complement us on draft Character Appraisal</p>	<p>Support noted – No action required</p>
<p>Suggestion that the identification of Bow Locks and the remains of Bromley Lock could do with some greater clarity. Revised wording is offered.</p>	<p>Text amended to:</p> <p>“Bromley Lock was the original point of entrance to the Limehouse Cut from the southern end of the River Lea, which here passed through a tidal mill pond known as the Mill Head of the Four Mills. This lock was reconstructed in 1851-3 and the southern side of its lock chamber with the remains of one lock gate survive immediately east of the bridge carrying Gillender Street. Also in 1851-53, old tidal gates in the narrow embankment between the Mill Head and Bow Creek were replaced by a brick and stone pound lock, which is the westernmost chamber of the present Bow Locks and three bays flood west on the eastern side. A second pound lock of concrete was built alongside this in 1931-32 and the floodgates were reduced to one pair whilst the extraordinary reinforced towpath bridge was built across all three passages. The various gates have been modified since</p>

	2000 to exclude the high tides”.
Various historical corrections, amendments to descriptions.	Amended text as required.
Endorse a local resident’s suggestions for Local Listing. Spratt’s Factory 24 Gillender Street 23 Gillender Street Towpath House, Printers Gate, Sail Loft, The Spice Store on Dod Street.	Added to Local List within the Character Appraisal, with the exception of Spratt’s Factory which lies in the adjoining Langdon Park Conservation Area.
Suggest that Spratt’s, the Violet Road Bridge and Caird and Rayner Building should be moved into the Limehouse Cut CA.	The boundaries amended to include the Violet Road Bridge, the Canal and landscaping to the north of the Cut, a logical rationalisation of the adjoining boundaries of the Limehouse Cut and Langdon Park Conservation Areas. Consideration was given to whether it was appropriate to transfer the former Spratt’s Dog Biscuit Factory and the Caird and Rayner building at 777 Commercial Road but these buildings were felt to have an important role in the respective Conservation Areas in which they are also included, and it was decided that they should not be transferred as they are already protected.

London and Middlesex Archaeological Society acting on behalf the Council for British Archaeology – Historic Buildings and Conservation Committee

The Cut is earlier than any of the docks 1767-1780; designation is appropriate and should be supported.	Support Noted – No action required.
Felt the boundaries should be more widely drawn to reflect buildings and open space along the canal.	Only appropriate to do this where buildings and open space are of special character therefore no action proposed.
Feel one of the aims of designation should be to open up access and encourage development that relates to and creates activity along the waterway. This would include enhancement of existing buildings and open space.	Documents amended to reflect this.

Concerns about relationship with nearby Conservation Areas.	The boundary of the Langdon Park Conservation Area has been rationalised to include the Canal and Violet Road Bridge within the Limehouse Cut Conservation Area.
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Resident

The Conservation Area Appraisal “is an exemplary Conservation Area document” and supports analysis and recommendations.	Support noted – no action required
Please add the adjoining Conservation Areas to the Map.	Amended map within the Appraisal to reflect adjoining Conservation Areas.
Add to priorities need to assess the remaining named buildings for Local Listing	Incorporate List of Locally Listed buildings to document.

Resident

Offers support for the designation.	Support noted – no action required.
Supports additional controls, restrictions to protect the appeal of the Canal.	Support noted – no action required at the present time.
Concerned regarding the impact of an 11 storey development at 307 Burdett Road.	Noted but no action required. An 11 storey development has been granted permission at Appeal by the Planning Inspectorate.
Concerned about the quality of buildings adjacent to the canal and particularly those directly adjacent to towpath.	Noted, designation will help to ensure that the quality of development preserves and enhances the special character of the Conservation Area. No additional action required.
Would like to control high rise development in the area.	Designation will help to protect the canal and its setting from detrimental development. Noted but no additional action required.

Resident

Sceptical about proposals.	Noted.
Concerned at high rise development adjacent to Cut but feels that unless the Conservation Area designation is seriously pursued nothing will change.	Noted. A Design Code is proposed which will address scale as one consideration.

Resident

Thinks the proposals are a good idea.	Support noted.
Concerned at demolition of interesting buildings, particularly notes 307 Burdett Road.	307 Burdett Road was lawfully demolished, but Conservation Area designation will mean that Conservation Area Consent is required for demolition in future of other buildings.
Should be protected because of its historical importance but also because of the relative peace and quiet it offers.	Noted, the statutory test is whether the area has special interest, this is set out in the Character Appraisal.

Resident

Concerned that the Spratt's Factory is excluded from the Conservation Area proposal.	This is because it is already incorporated in the Langdon Park Conservation Area.
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Resident

Want to retain existing historic buildings currently disappearing as a result of speculative development.	Noted. Conservation Area protection will mean that consent is required for demolition of unlisted buildings within the Conservation Area.
Spratt's Coleman Estate needs to be Listed to ensure retention of the original features, these are being lost	Noted, building is protected because it is in a Conservation Area.
Think the Conservation Area is very important to retain industrial and post war heritage.	Agreed. Conservation Area designation should assist in retaining buildings which contribute positively to the character of the Conservation Area.
Would like to see the area dealt with coherently rather than on a piecemeal basis	Noted. All the area is now protected by Conservation area status which will assist in bringing forward an holistic approach to the area..

Resident

Shame to lose this section of canal, parks and waterways are precious and make the city special.	General sense of support noted. No action required.
Canal travel is environmentally friendly and the canal is still a useful way of transporting heavy non urgent cargo.	Noted, canals are sustainable. Action – incorporate this point within document.

Resident

Support the designation, the Cut is the oldest Canal in London and deserves protection.	Support noted.
Would like the boundaries to be drawn more widely to give a protected zone either side of the Cut.	It would be inappropriate to widen the boundaries of the Conservation Area, designation recognises the special quality of the townscape, and the boundaries have been carefully drawn. However, a wider area will affect the 'setting' of the Conservation Area and the designation will therefore offer some additional protection within the zone surrounding the canal.
Would like to see access enhanced, and exploitation of the canal reduced.	Reference to increased access to the canal is included in the Management Guidelines.
Would like to see greater controls, particular concern is expressed over the creation of the Abbots Wharf cutting.	Conservation Area designation will mean that proposals for development in the area will be assessed against whether they preserve or enhance the special character of the Conservation Area.
Would like to see retention of existing Pre-War buildings and addition of various buildings to Local List.	Review of buildings to be Locally Listed within the Conservation Area is to be added to the Priorities for Action within the Appraisal. Local Listing is an issue identified for action in the coming year in the Boroughs Conservation Strategy.
Encourage access but not at cost to historic environment.	Noted.
Offers an important open space, waterside environment, and educational resource.	Noted.

Tall buildings are detrimental to canal environment, whilst canal boats are positive.	Amendments to the text of the Conservation Guidelines address the issue of increasing water transport.
Would like ref to 'six mile ring' to be included in appraisal.	Connections to the wider canal network set out in Conservation Area Appraisal.

Resident

Support the designation "the document itself is excellent" succeeds in being both authoritative and caring with recourse to 'admin speak'.	Noted:
Would like to see the map divided up.	Noted, no action proposed as map needs to be seen as a single document.
Use the document to counter claims that the current environment is unattractive, and to offer more consideration to changes in land use.	Not the appropriate forum for these considerations, much of the environment is protected industrial land.
Particularly concerned about 83 Barchester Street.	Designation will mean that any proposals for development / redevelopment of 83 Barchester Street will be assessed against whether they preserve or enhance the character of the Conservation Area.
Would like Spratt's to become part of Limehouse Cut Conservation Area	Noted. Spratt's is protected by the Langdon Park Conservation Area designation; it is not proposed that it should be transferred. No action proposed.

Resident

Welcome the designation as the right approach but think the boundaries should be more widely drawn.	Support noted. The boundaries have been carefully drawn in line with the statutory test.
Concerned about unsympathetic development and aggressive development proposals.	Designation will mean that development is assessed to consider whether it preserves or enhances the special character of the Conservation Area.
Values the history and tranquility.	Noted.

Resident

Supports the designation.	Support Noted. No action required.
Would like to add 7 buildings to Local List to ensure the cut retains its character: Spratt's Biscuit Works. Former mid- 30's 'bonded warehouse' at 24 Gillender Street Former 1880-81 'still house' at 23 Gillender Street. C1865 furniture factories, Towpath House, and Printers Gate. 1872 provision warehouse – the Sail Loft. 1892 provision warehouse – The Spice Store.	Action: Reviewing the Local List is to be added as a Priority for Action within the Appraisal. Some buildings added to the Local List as part of this process.

Resident

Supports the designation.	Support noted, no action required.
Would like to prevent overdevelopment of the area.	Noted. No direct action proposed, however Management Guidelines give general guidance on need to preserve or enhance the Conservation Area.
Wishes to preserve restore or reuse the few historic buildings left in the area.	Noted. Designation aimed to tackle this.
To preserve the canals character for future generations.	Noted. It is hoped that the designation will tackle this.
Would like to see increased maintenance and investment.	Noted. Management Plan sets out aims around this.

British Waterways

The Limehouse Cut is the oldest navigation in London and it has a very rich history and we therefore support the designation.	Support noted. No action required.
The condition of some buildings for example the Caird and Rayner building have a negative impact on the perception of safety.	Noted. The conservation and refurbishment of buildings will be encouraged by the designation of a Conservation Area.
Most of the historic environment has been lost, and many new developments turn their back on	Noted. The designation and Design Code could address this issue in due course. No

the canal.	action proposed at the present time.
Towpath is narrow and is perceived as unsafe, the appraisal should reference crime, safety and the perception of safety.	Action: Reference to safety, increased access and waterfront activity and improved passive surveillance included in text of Management Guidelines.
Art projects are ephemeral. Question the relevance to the appraisal.	Art is considered an important community activity.
Support proposals to encourage waterfront activity and animation of the canal frontage. This encourages passive surveillance.	Action: Reference to encouraging waterside activity included in the Management Guidelines.
Increased waterfront development requires increased maintenance and new development must contribute to the costs of this.	This cannot be addressed in the Appraisal but the general issue of maintenance is one that the Conservation Area designation will be able to address.
Would like to see pontoons and improved access to the water to facilitate water-based activity.	Noted. Not part of designation process. Referred to British Waterways. No action proposed.
Want to see the canal as the starting point for development and suggest wording.	Amended wording in Management Plan.
Encourage Increased usage. Make reference to the different types of watercraft i.e. narrow boats, barges, kayaks, canoes, and pedalo boats that could be introduced. Encourage permanent mooring sites to increase usage and passive surveillance.	Amend documents to make reference to a wider range of watercraft and permanent moorings.
Keen to engage with volunteers, therefore keen to talk to Tower Hamlets and local community.	Noted. Not part of the designation process. No action proposed.
Welcome the preparation of key documents such as a waterspace strategy and Design Code and would like to be involved. Would also like to be involved with an audit of the canal environment.	Noted. Will be notified of proposals No immediate action required.
Lighting – suggest for ecological reasons it remains a dark corridor, but would suggest improved lighting under bridges.	Action: Amended text.
Removal of graffiti – support prompt removal but who is going to do this, resources are already stretched.	Noted. Referred on to British Waterways.

Bridges. Can damage the ecology, so wouldn't support further road bridges. Would like to see an improved relationship between bridges and canal, visually permeable parapets, improved lighting signage etc.	Noted. Action Plan amended.
Ref to use for cycling and commuter cycling, but highlight 'two tings' campaign and the Towpath Code for Consideration Cycling.	Action: Include reference to 'two tings' in the documents.
Would like dog fouling to be covered by the local Council regulations and enforced by Council staff.	Refer this matter to relevant Council Department.
Hope to address and improve the perception of safety.	Noted.

Owner of 83 Barchester Street

Museum of London Archaeological Service commissioned by the owner to consider the merits of 83 Barchester Street, found the buildings there to make at best a neutral contribution to the Conservation Area.	Officers disagree with this conclusion, having considered the merits of the building we consider that it makes a positive contribution to the special architectural and historic interest of the Conservation Area.
The draft Character Appraisal fails to properly assess the buildings at Barchester St against recognised criteria for assessment.	The Character Appraisal clearly sets out the special architectural and historic interest of the building. Officers consider that the inclusion of the building in the area meets the statutory test and that set against the assessment criteria the building is also of significant heritage value and should be included.
The Museum of London Archaeological assessment accords the buildings '5 marks out of 18 total'.	In considering this assessment officers consider the building is of significant heritage value and contributes positively to the character of the Conservation Area, and is therefore justifiably included. .
Conservation Area may be enhanced by redeveloping 83 Barchester Street.	Legislation allows for this, requiring applications for development to be considered on whether the proposals preserve or enhance the Conservation Area.
Would like 83 Barchester St removed from the Conservation Area and reference to its positive	83 Barchester Street is a twentieth century factory building, in officer's views it makes a

contribution removed from the document.	significant contribution to the character of the Conservation Area and is an important townscape element in the context of the canal, it would be inappropriate to remove it and references to it from the Conservation Area and the Appraisal . No further action is proposed.
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3 Residents – using a standard letter so addressed together

Objected to the designation of the Conservation Area. They feel the designation is unnecessary and will hinder regeneration.	The designation cannot hinder regeneration it is solely another strand of the policies which must be balanced when determining planning applications within the area. How the designation of the Conservation Area will assist in regenerating the area will be addressed in the Conservation Area appraisal and Management Plan.
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Comments made at the Public Meeting of the 25th May

Appraisal would offer useful advice and increased supervision of works	Comment noted – no action required.
Document could be improved with more photographs and colour.	Noted. Reference made to historic material available at Bancroft Road Library in Management Guidelines.
The canal corridor will be affected by the quality of future development.	Designation of the Conservation Area will mean that development must be assessed on whether it preserves or enhances the character of the Conservation Area.
Welcome a design code to consider issues facing development along the Cut. Discussion focused on tall buildings.	Welcome noted.
If a Conservation Area is designated what teeth does it have.	Conservation Area designation will require development to be assessed with respect to whether it preserves or enhances the character of the Conservation Area.
Concern was expressed at the quality of the development adjacent to Bromley by Bow Library.	Noted. Conservation Area designation will require development to be assessed with respect to whether it preserves or enhances the character of the Conservation Area.
Could Spratt's Factory which is currently in the Langdon Park Conservation Area be transferred	This was reviewed and the decision taken that the Spratt's Factory should not be

into the Limehouse Cut Conservation Area?	moved. It has an important role in the Langdon Park Conservation Area and so it is appropriate for it to remain there.
Will there be a Conservation Area Advisory Committee?	Yes, there is a borough wide Conservation Area Design Advisory Panel.
Discussion around the proposals for the Thames Tunnel took place.	Officers noted that responses regarding the proposals should be made to Thames Water on their website.
British Waterways are supportive of these proposals. Are they responsible for the towpath?	Yes, BW are responsible for the towpath.
Discussion focused on the use of the waterway, people were keen to see the use of the canal, but were concerned at the prospect of 'Booze Cruises' which would be anti-social.	Concerns noted.
This is the second round of consultation for the Limehouse Cut Character Appraisal, have you taken on board comments made previously.	Yes, the present draft appraisal was amended in the light of comments received during the previous consultation.
Discussion focused on locally listed buildings, particularly 24 Gillender Street, a distillery building.	Proposals to locally list a number of buildings are made in the Cabinet report and the Appraisal has been amended to show them on adoption. Local listing will be further addressed in the coming year in line with the priorities of the Councils Conservation Strategy.
Will new cuttings be allowed if the area is designated?	Each proposal will be judged on its own merits with special attention being paid to whether it preserves or enhances the character of the Conservation Area.
Cycling along the towpath is an issue which raises concerns and needs to be addressed.	Reference has been incorporated within the documents to British Waterways 'two tings' campaign and code for considerate cycling on the towpath.
Concern was expressed at proposals for altering the Twelve Trees Crescent Bridge and the Borough was asked to be more proactive in pursuing alternatives.	Concerns were noted.