

<b>Committee:</b> Development Committee	<b>Date:</b> 20 <sup>th</sup> December 2018	<b>Classification:</b> Unrestricted
<b>Report of:</b> Director of Place  <b>Case Officer:</b> Christina Gawne		<b>Title:</b> Applications for Listed Building Consent  <b>Ref No:</b> PA/18/01523  <b>Ward:</b> Weavers

## 1. APPLICATION DETAILS

**Location:** Virginia Primary School, Virginia Road, London, E2 7NQ

**Existing Use:** Primary School (D2 use class)

**Proposal:** Replacement of six windows at top floor to front elevation. All details, materials and colours to match existing.

**Drawings and documents:** Please see Appendix 2

**Ownership:** London Borough of Tower Hamlets

**Applicant** G4S plc

**Historic Building:** Grade II listed

**Conservation Area:** Boundary Estate Conservation Area

## 2. EXECUTIVE SUMMARY

- 2.1. The Local Planning Authority has considered this application against the Council's approved planning policies contained in the London Borough of Tower Hamlets Core Strategy (2010) and Managing Development Document (2013) as well as the London Plan MALP (2016) and the National Planning Policy Framework (2018) and all other material considerations.

- 2.2. This report considers a listed building application for the replacement of six windows to the front elevation of the Grade II listed Virginia Primary School.
- 2.3. The replacement windows are to match the existing in that they must accurately replicate the original windows surviving to the building. This is to respond to the special architectural character and valuable features of the historic fabric of the building and as such will they help maintain and preserve the significance of the designated heritage asset and positively contribute positively to the overall character and appearance of the Boundary Estate Conservation Area.

### **3. RECOMMENDATION**

- 3.1. That the Committee resolve to **GRANT** listed building consent subject to conditions as set out below:
1. Time limit
  2. Completion in accordance with approved plans
  3. Materials to match existing
- 3.2. It is noted that the applicant has agreed to condition 3 as a pre-commencement condition.

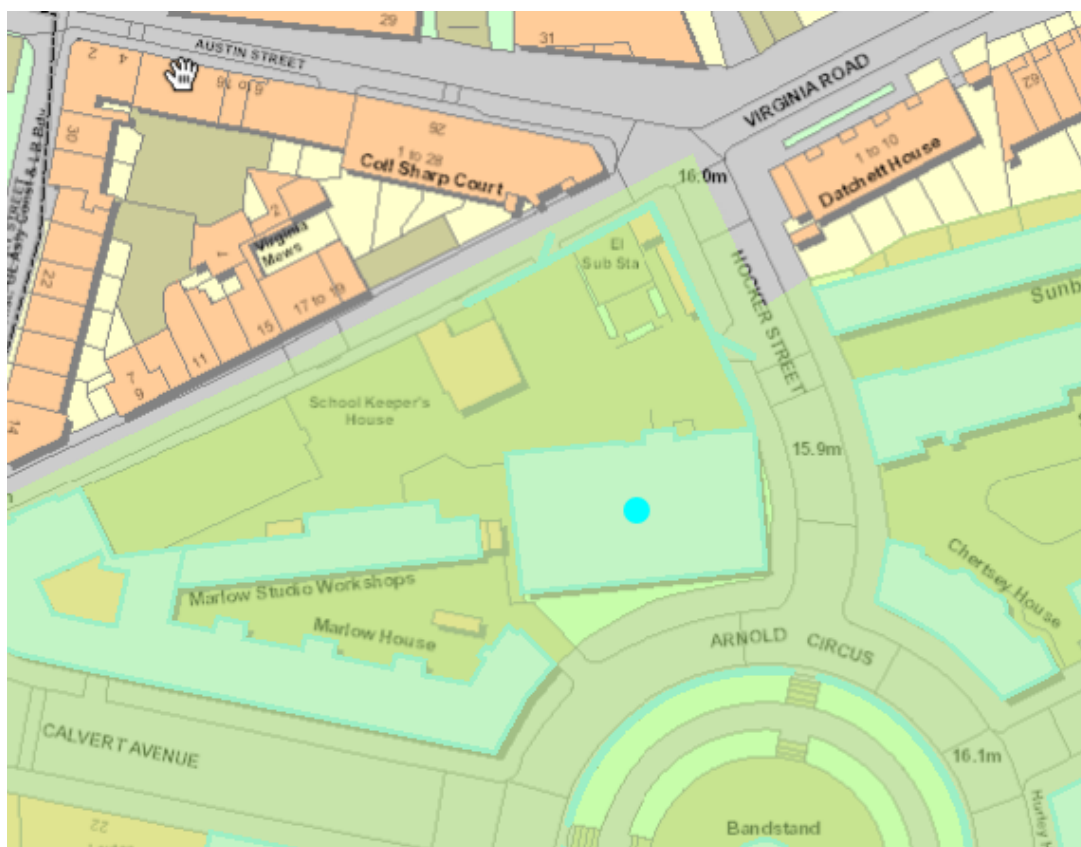
### **4. PROPOSAL AND LOCATION DETAILS**

#### **Proposal**

- 4.1. Replacement of six windows at top floor to front elevation. All details, materials and colours to match existing.

#### **Site and Surroundings**

- 4.2. Virginia Primary School is bounded by Virginia Road to the north, Hocker Street to the east and Arnold Circus to the south. Marlow Studio Workshops bound the site to the west. The school's main entrance is accessed from Arnold Circus.
- 4.3. The school is Grade II listed and is within the Boundary Estate Conservation Area. The school was constructed in 1887 (Victorian).
- 4.4. The area is characterised by a semi-formal, late 19th century, housing estate comprised of 20 Listed Grade II housing blocks. The blocks tend to be five storeys in height and were designed in the style of the Arts and Crafts movement. Arnold Circus, with a raised central garden, known as Boundary Gardens, is the centre point of the estate around which are seven radial streets.



**Figure 1: Boundary Estate Conservation Area (shaded green)**

- 4.5. Figure 1 above shows the main building at Virginia Primary School site marked in a blue dot in relation to the Boundary Estate Conservation Area (shaded green).

#### **Relevant Planning History**

- 4.6. PA/71/00163 - Approval of details - planning permission for the use of the site bounded by Virginia Road, Boundary Street for education purposes. Granted 27/05/1971.
- 4.7. PA/74/00170 - Rebuilding of Virginia Primary School on site bounded by Virginia Road, Austin Street, Tower Hamlets. Granted 18/03/1974.
- 4.8. PA/76/00215 - Approval given for scheme for the provision of a lean - to shelter. Granted 29/04/1976.
- 4.9. BG/91/00299 - Erection of a fire escape and emergency doors. Withdrawn 19/12/1991.
- 4.10. BG/91/00300 - Listed building consent application for the erection of a fire. Escape and emergency doors. Withdrawn 04/11/1991.
- 4.11. BG/96/00041 - Installation of solar reflective film on windows of south facing elevation. Granted 02/07/1996.

- 4.12. PA/99/00031 - To remove existing metal gate and frame and to provide and fit new vertical bar gate and frame compatible with future CCTV installation. No further action – 06/07/1999.
- 4.13. PA/01/01062 - Provision of disabled entry ramp and canopy added to new entrance in east facade including new pedestrian entry gate, and alterations to external toilets. Also internal alterations including toy library/study centre remodelled to form reception/administration area, creation of new nursery class and first floor east classrooms remodelled. Granted 30/01/2002.
- 4.14. PA/01/01063 - New entrance, ramp, canopy & boundary fence to east facade. Existing toy library & study centre remodelled to form new admin/reception area. New medical room & disabled W.C formed to old entry. First floor east classrooms remodelled. Granted 18/06/2002.
- 4.15. PA/02/01284 - REVISED SCHEME Provision of a new entrance door with canopy, by adaptation of existing window in east elevation. Removal of boundary wall/fence on Hocker Street frontage to extend footpath back to facade of building. Alterations to external toilets. Disposed of under Article 36 of DMP 2010 25/10/2010.
- 4.16. PA/02/01285 - REVISED SCHEME Provision of new entrance door to street by adaptation of existing window in east elevation, involving removal of brickwork below cill. Canopy over door. Alterations to external toilet block. Removal of boundary wall/fence on Hocker Street frontage. Internal alterations/partitioning to provide reception area, staff toilets and new nursery class. Disposed of under Article 25 of DMP 2010 25/10/2010.
- 4.17. PA/03/00150 - Details of entrance canopy, rainwater pipes and ramp as required by planning permission dated 30th January 2002, ref: PA/01/1062, (creation of new entrance to school from Hocker Street) conditions 2b, 2e and 2g. No further action dated 06/04/2011.
- 4.18. PA/03/00215 - Submission of details of new entrance door onto Hocker Street, pursuant to condition 2d) of planning permission dated 30th January 2002, ref: PA/01/1062. Disposed of under Article 36 of DMP 2010 09/08/2012.
- 4.19. PA/03/00353 - Approval of Details for the current door location. Withdrawn 03/05/2003.
- 4.20. PA/10/01631 - Erection of a single storey extension to a 3-storey former caretakers house. Change of use of the caretakers house to school building (Use Class D1). Granted 24/09/2010.
- 4.21. PA/12/00536 - Rebuild part of perimeter wall demolished / damaged by vehicular collision. Granted 17/05/2012.

- 4.22. PA/12/03282 - Purple leaf Plum in the playground to rear of school, to fell to ground level and remove stump, the tree has suffered storm damage and removing the limb would unbalance the tree severely. The tree is also causing substantial damage to the raised brick planter it is in, as shown in the pictures attached. Granted 29/01/2013.
- 4.23. PA/15/01710 - T005 lift branches off substation roof and boundary fence. Granted 28/07/2015.
- 4.24. PA/15/02610 - Tree works: T004 Remove rubbing branches & T005 Remove branches on sub roof and boundary fence. Granted 11/11/2015.
- 4.25. PA/16/03586 - Pruning of three trees. Granted 16/01/2017.

## **5. 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:

### **5.2. Government Planning Policy**

National Planning Policy Framework (2018)  
National Planning Practice Guidance

### **5.3. London Plan MALP (2016)**

7.4 – Local character  
7.6 – Architecture  
7.8 – Heritage assets and archaeology

### **5.4. Core Strategy (2010)**

SP10 – Creating distinct and durable places

### **5.5. Managing Development Document (2013)**

DM24 – Place-sensitive design  
DM27 – Heritage and the historic environment

### **5.6. Supplementary Planning Documents**

Boundary Estate Conservation Area Character Appraisal and Management Guidelines (2007)

### 5.7. **Tower Hamlets Community Plan objectives**

- A Great Place to Live
- A Prosperous Community
- A Safe and Supportive Community
- A Healthy Community

### 5.8. Emerging Policy

#### **Draft London Plan**

- 5.9. Statutory public consultation on the draft London Plan commenced on the 1st of December 2017 and closed on 2nd March 2018. The draft London Plan has been submitted to the Secretary of State for examination. The current 2016 consolidation London Plan is still the adopted Development Plan. However, the draft London Plan is a material consideration in planning decisions. It gains more weight as it moves through the process to adoption; however, the weight given to it is a matter for the decision maker. In this case, it is not considered necessary to give any weight to the Draft London Plan.

#### **Draft Local Plan**

- 5.10. The Council are in the process of finalising the new Local Plan which, once adopted, will be the key strategic document to guide and manage development in the borough until 2031.
- 5.11. Statutory public consultation on the 'Regulation 19' version of the above emerging plan commenced on Monday 2nd October 2017 and closed on Monday 13th November 2017 and the draft new Local Plan has now this autumn completed its Examination In Public. Weighting of draft policies is guided by paragraph 48 of the National Planning Policy Framework and the Planning Practice Guidance (Local Plans). These provide that from the day of publication, a new Local Plan may be given weight (unless material considerations indicate otherwise) according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency of the relevant policies in the draft plan to the policies in the NPPF. In this case, it is not considered necessary to give any weight to the Draft Local Plan.

## **6. CONSULTATION**

- 6.1. The views of the Directorate of Place are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. A summary of consultation responses received is provided below.

- 6.2. The following were consulted regarding the application:

**External Consultees**

- 6.3. None required.

*Note: the scheme is not referable to Historic England due to its minor nature.*

**Internal Consultees**

LBTH Conservation & Design

- 6.4. *The existing windows appear to be in a poor state of repair, with insufficient solid fabric remaining to enable retaining the windows and simply repairing them. Moreover, the windows do not appear to be original. As such their replacement on a like-for-like basis is considered acceptable. Please see below a suggested condition to be used:*

*CONDITION: Notwithstanding the plans hereby approved, the replacement windows shall accurately replicate, in terms of material, profile and detailing, the original windows surviving to the building. The windows shall be painted timber, double-hung sash windows with a slim profile and narrow integral (not applied) glazing bars, single glazed and with a putty finish (not timber bead) and without horns. No trickle vents or metallic/perforated spacer bars are permitted. Detailed drawings at a scale of 1:10 as well as the manufacturer's specification for the new windows shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.*

**7. LOCAL REPRESENTATION**

Statutory Consultees

- 7.1. 86 planning notification letters were sent to nearby properties as detailed on the attached site map in Appendix 1 below. A site notice was also displayed outside the application site on 31/08/2016. The application was also advertised in the local press on 05/07/2018.

No letters of representation were received in respect of the listed building consent application following the undertaking of the above described public consultation.

- 7.2. After the above consultation closed it was noted by the case officer that the originally submitted site and block plans were incorrect as the redline boundary applied to the main school building only rather than the whole site. This was rectified by the applicant with new plans submitted on 13/11/2018 and 23/11/2018. Given the minor nature of this issue, reconsultation was not considered necessary.

## **8. MATERIAL PLANNING CONSIDERATIONS**

8.1. The application has been assessed against all relevant policies under the following report headings:

1. Impact on special architectural and historic character of the listed building
2. Impact on the character and appearance of the conservation area

### Impact on Special Architectural and Historic Character of the Listed Building

- 8.2. The applicant is seeking to replace six windows with like for like replacements on the front elevation of the school which fronts Arnold Circus. The six windows form two sets of three windows within the top part of each gable (referred to as WA-W6 on the elevation drawings).
- 8.3. It is noted that the windows were recently painted in early summery 2018 however on close inspection it is evident that the windows are in a poor state of repair, with insufficient solid fabric remaining to enable retaining the windows and simply repairing them. Moreover, the windows do not appear to be original given they do not sit flush within the window frame and the glass appears relatively clear and un-warped, indicating it is not original.
- 8.4. Recent images of the pre-painted windows have been provided by the applicant, see appendix Two, which shows the windows in very poor condition. The images also note that some of the windows have been fixed shut to limit further damage and risk of falling.

### *Summary*

- 8.5. In accordance with Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority should have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. It is considered that the proposed works requiring listed building consent, namely the replacement windows which will be like for like, would preserve the features, special architectural and historic interest of the school and the setting of the building.

### Impact on the Character and Appearance of the Conservation Area

- 8.6. In accordance with Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, with respect to any buildings or other land in a conservation area, the Local Planning Authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

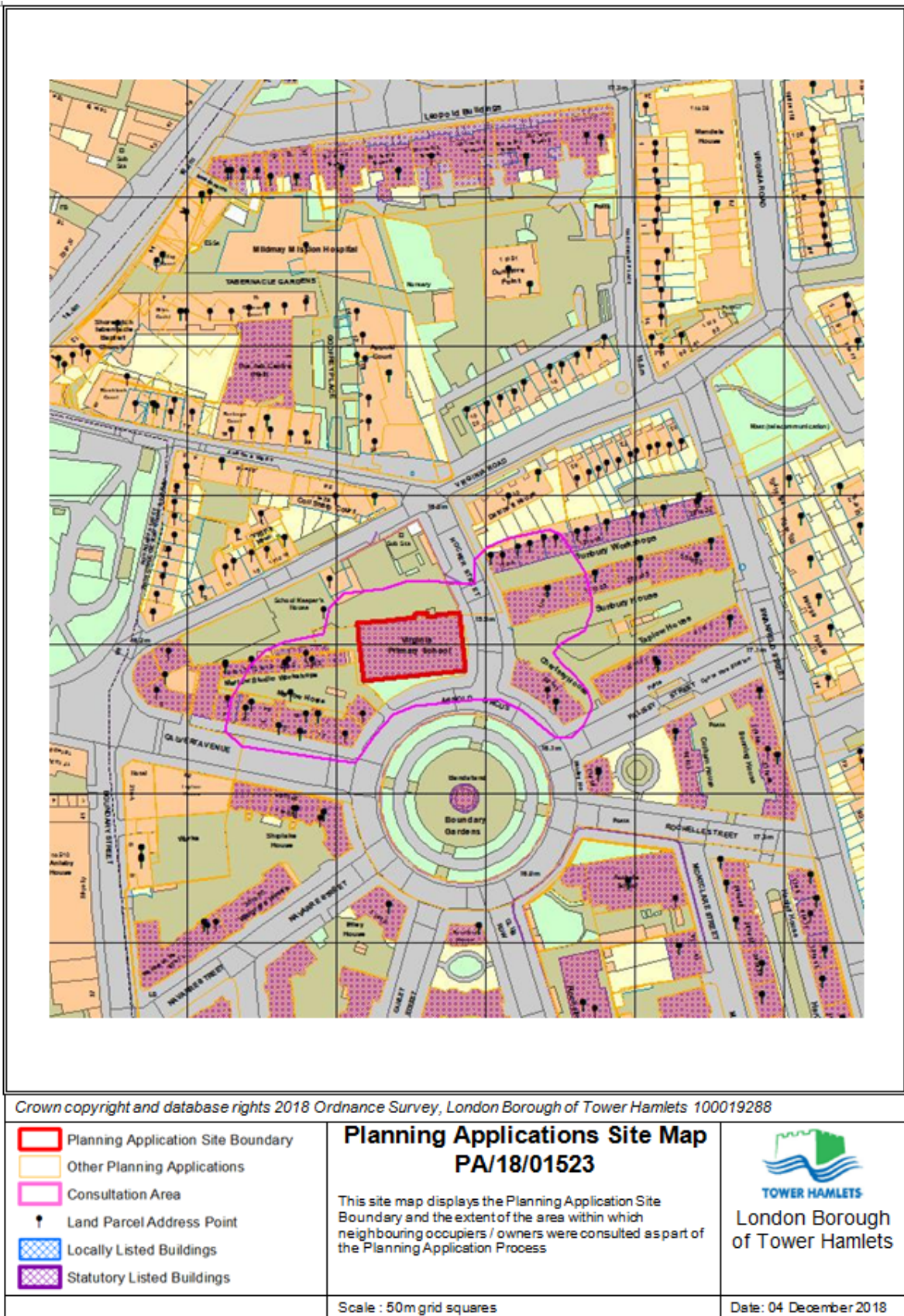


- 8.7. As the proposed works are like for like replacement windows, it is considered that works would preserve and indeed enhance the character and appearance of the Bethnal Green Gardens Conservation Area.

## **9. CONCLUSION**

- 9.1. The refurbishment works relate only to the replacement of six windows with like for like replacements. The existing windows are in a poor state of repair and cannot be repaired. Overall it is considered that the replacement windows will preserve the historic fabric and significance of the Grade II listed building and that they preserve the character and appearance of the Boundary Estate Conservation Area in accordance with Policies SP10 and DM27.
- 9.2. All other relevant policies and considerations have been taken into account. Listed building consent should be APPROVED for the reasons set out in the MATERIAL PLANNING CONSIDERATIONS section of this report.
- 9.3. The works are also considered to preserve the special historical and architectural character and appearance of the Grade II Listed Building. As such, the works accord with the aims of Sections 16 of the NPPF, policy 7.8 of the London Plan, policy SP10 of the CS, policy DM27 of the MDD, which seek to ensure works to listed structures preserve features of special historic and architectural interest.
- 9.4. All other relevant policies and considerations have been taken into account. Listed Building Consent should be GRANTED for the reasons set out in the EXECUTIVE SUMMARY and MATERIAL PLANNING CONSIDERATIONS sections as set out in the RECOMMENDATION at the beginning of this report.

## Appendix 1: SITE MAP



## **Appendix 2: DRAWINGS AND DOCUMENTS**

### **EXISTING DRAWINGS**

Existing Plan, Elevation & Sections - 10 dated June 2018  
Existing Internal Elevations – 11 dated June 2018  
Existing Sections – 12 dated June 2018  
Existing Sections – 13 dated June 2018  
Site Block Plan – 18 dated June 2018  
Site Location Plan – 19 revision A dated June 2018

### **PROPOSED DRAWINGS**

Proposed Plan, Elevation & Sections – 20 dated June 2018  
Proposed Internal Elevations – 11 dated June 2018  
Proposed Internal Elevations – 11 dated June 2018  
Proposed Sections – 22 dated June 2018  
Proposed Sections – 23 dated June 2018

### **DOCUMENTS**

Design and Access Statement dated June 2018  
Heritage Statement dated June 2018  
Selected Photographs dated June 2018  
VIRGINIA SCHOOL – PHOTOGRAPHS OF WINDOWS TO BE REPLACED dated June 2018

**APPENDIX 3: Pre-existing photos (provided by Planning Agent)**



**Figure 2: External photo of window W2 noting that top pivoting window and top sash have had to be fixed shut. Bottom window only opens.**





**Figure 3: External photo of window W5 noting both upper sections of the window have had to be fixed shut as it is so unstable.**

#### APPENDIX 4: Existing photos



Figure 4: Internal photo showing extent of tape filler used.



**Figure 5: Internal photo showing window drop within frame.**





**Figure 6: Internal photo showing extent of filler tape used on frame.**





**Figure 7: External photo showing recent repainting on windows W1, W2 and W3.**



**Figure 8: External photo showing recent repainting on windows W4, W5 and W6**