

Report of: Corporate Director of Development and Renewal Case Officer: Joseph McKee	Title: Planning Permission and Listed Building Consent Ref No: PA/18/02994 and PA/18/02995 Ward: St. Katharines & Wapping
--	--

1. APPLICATION DETAILS

Location:	Raine House, 16 Raine Street, London, E1W 3RL
Existing Use:	D1 Community Centre (ground floor) and dance school (1st floor)
Proposal:	<p>Removal of x3 windows and replacement with x3 doors. Erection of new roof-level plant equipment with associated enclosure. Insertion of access hatch. Insertion of roof-level ventilation extracts. Removal of garden fence. Non-original hard surfacing within courtyard removed and replaced. Damaged plant/boiler extracts removed and made good.</p> <p>External repair and restoration works inclusive of all windows and cills where necessary including removal of non-original plastic window panes. Structural and aesthetic restorative works to building fabric and masonry with re-pointing of lime mortar and repairs to flank walls. Like-for-like replacement of all rainwater goods (cast iron) and roof tiles in east wing (slate). Signage and non-original façade items removed and façade made good. Where necessary, repairing and repainting of plinth. Repairing of existing door and removal of metal kick plate. Removal and replacement of non-original door. RWP's and associated hoppers to be replaced with appropriate (cast iron) goods. Removal of non-original lamp from original fanlight location.</p>
Drawings/documents:	1461_00_020_LBA, 1464_00_200_LBA, 1461_00_201_LBA, 1464_00_202, 1464_00_260_LBA, 1464_00_261_LBA, 1464_00_262_LBA, 1464_00_263_LBA, 1464_00_264, 1464_27_500_LBA, 1464_27_501_LBA, 1464_27_502_LBA, 1464_27_503_LBA, 1464_27_504_LBA, 1464_27-506_LBA, 1464_31_500_LBA, 1464_31_501_LBA, 1464_31_900_LBA, 1464_31_901_LBA, 1464_31_902_LBA, 1464_00_000_LBA, 1464_32_500_LBA,

1464_21_160_LBA, 1464_21_160_LBA,
1845_170_29 Revision A, Design and Access
Statement (October 2018), Heritage Statement
(October 2018), Window and External Door
Schedule

Ownership:	London Borough of Tower Hamlets
Applicant	London Borough of Tower Hamlets
Historic Building:	Grade II* Listed Building
Conservation Area:	None

2. EXECUTIVE SUMMARY

- 2.1. This report considers the planning application and application for listed building consent for works associated with the refurbishment of Raine House; a Grade II* Listed building.
- 2.2. One representation was received enquiring about the nature of the works the applications entail; namely questioning if works involve any internal works and enquiring as to the recent planning history on the site.
- 2.3. It is considered that the proposed works have been sensitively designed to preserve the special character of the building, subject to conditions.

3. RECOMMENDATION

- 3.1. Recommendation One:
- 3.2. That the Committee resolve to **GRANT** Planning Permission subject to the conditions as set out below:
 1. Time Limit
 2. Completion in accordance with approved drawings
 3. Details/samples of hardstanding
- 3.3. Recommendation Two:
- 3.4. That the Committee resolve to **GRANT** Listed Building Consent subject to the conditions as set out below:
 1. Time Limit
 2. Completion in accordance with approved drawings
 3. Details/samples of bricks and mortar to be used in external wall repairs
 4. Details of window paint colour
 5. Details of fanlight

4. PROPOSAL

- 4.2. Removal of x3 windows and replacement with x3 doors. Erection of new roof-level plant equipment with associated enclosure. Insertion of access hatch. Insertion of roof-level ventilation extracts. Removal of garden fence. Non-

original hard surfacing within courtyard removed and replaced. Damaged plant/boiler extracts removed and made good.

- 4.3. External repair and restoration works inclusive of all windows and cills where necessary including removal of non-original plastic window panes. Structural and aesthetic restorative works to building fabric and masonry with re-pointing of lime mortar and repairs to flank walls. Like-for-like replacement of all rainwater goods (cast iron) and roof tiles in east wing (slate). Signage and non-original façade items removed and façade made good. Where necessary, repairing and repainting of plinth. Repairing of existing door and removal of metal kick plate. Removal and replacement of non-original door. RWP's and associated hoppers to be replaced with appropriate (cast iron) goods. Removal of non-original lamp from original fanlight location.
- 4.4. Since the applications were submitted, some very minor modifications have been agreed following advice from the Conservation Officer.

5. SITE AND SURROUDNINGS

- 5.2. Raine House is Grade II* Listed and was built in 1719. The building was originally built and opened as a school by Henry Raine, but the school closed in the nineteenth century. The building has since been used for various community uses. The School Master's House adjoins the main building to the east, with a large extension to the western side of the main building, dating from the 1980s. The site is adjacent to the Grade I Listed Church of St Peter, with the area of public open space known as Raines Mansions, between them. The house retains very few historic features internally.
- 5.3. At present, the ground floor of the building is used as a community centre at first floor level, a dance studio. No change of use is proposed.



Image 1: Front elevation of Raine House

6. RELEVANT PLANNING HISTORY

- 6.2. **PA/18/01477** - Refurbishment and reconfiguration of existing community facility. No change of use is proposed – REFUSED (28/11/18)
- 6.3. **PA/18/01478** - Refurbishment and reconfiguration of existing community facility. No change or use is proposed – REFUSED (28/11/18)

7. POLICY FRAMEWORK

- 7.1. 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:

- 7.2. **Government Planning Policy**

National Planning Policy Framework (2018)

National Planning Practice Guidance

- 7.3. **London Plan MALP (2016)**

7.4 – Local character

7.6 – Architecture

7.8 – Heritage assets and archaeology

- 7.4. **Core Strategy (2010)**

SP10 – Creating distinct and durable places

SP12 – Delivering Placemaking

- 7.5. **Managing Development Document (2013)**

DM23 – Streets and the public realm

DM24 – Place-sensitive design

DM27 – Heritage and the historic environment

- 7.6. **Tower Hamlets Community Plan objectives**

A Great Place to Live

A Prosperous Community

A Safe and Supportive Community

A Healthy Community

- 7.7. Emerging Policy

- 7.8. **Draft London Plan**

- 7.9. 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.

7.10. Draft Local Plan

7.11. 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.

7.12. 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.

8. CONSULTATION

8.1. 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.

8.2. The following were consulted regarding the application:

8.3. External Consultees

8.4. Historic England

8.5. Historic England has considered the information received and do not wish to offer any comment and suggest that officers seek the views of internal conservation officers; as relevant.

8.6. Internal Consultees

8.7. LBTH Conservation & Design

8.8. Raine House is Grade II* listed and the oldest parts of the building date from 1719. The building was originally built and opened as a school by the noted philanthropist Henry Raine, but the school closed in the nineteenth century. The building was damaged in World War II and was ruinous for some years before finding new life accommodating various community uses. The School Master's House adjoins the main building to the east whilst there is a large extension to the west dating from the 1977-80. The site is adjacent to the Grade I listed Church of St Peter.

8.9. Whilst the exterior of Raine House retains notable historic fabric dating from the early years of the eighteenth century, the interior has been very much altered and retains very few historic features.

- 8.10. Much of the current proposal comprises sensitive repair and restoration of the historic exterior fabric which is welcomed. These will include repairs to the roof and associated gutters along with repairs and repointing (where necessary) to the external walls.
- 8.11. The proposal also includes the replacement of a modern door at the west end of the front (street-facing) facade which is part of the 1977-80 extension and is an element of low significance. It is considered that the change to the door is acceptable.
- 8.12. The proposal also includes the alteration of two windows on the ground floor on the east elevation of the west wing (facing on to the rear court). These windows are part of the 1977 – 80 extension and it considered that this change is acceptable.
- 8.13. It is also proposed to reinstate an original door opening within the rear of the east wing. This is welcome.
- 8.14. It is proposed to remove the large (non-original) lamp from over the central rear door. This will allow the removal of the brick panel over the door which replaced the original fanlight. The reintroduction of the fanlight, a feature of eighteenth architecture is very welcome.
- 8.15. In summary, the proposed works are welcome and preserve the special architectural and historic character of this important Grade II* listed building.

9. LOCAL REPRESENTATION

- 9.1. Statutory Consultees
- 9.2. 313 planning notification letters were sent to nearby properties as detailed on the attached site map in Appendix 1 below and including those who commented on the previously refused planning applications refs PA/18/1477 and PA/18/1478. A site notice was also displayed outside the application site on 01/11/2018. The application was also advertised in the local press on 08/11/2018.
- 9.3. One letter of representation was received, noting that repairs have to be done to the exterior roofs and walls of Raine House but raising concern that previously rejected internal works would also take place.
- 9.4. Officers have responded to this query confirming that these applications only relate to works to the exterior of Raine House.

10. MATERIAL PLANNING CONSIDERATIONS

- 10.1. The principal matter for consideration is the impact on special architectural and historic character of the listed building
- 10.2. Impact on Special Architectural and Historic Character of the Listed Building
- 10.3. London Plan Policy 7.8 requires development to identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate and requires development affecting heritage assets and their settings to conserve

their significance, by being sympathetic to their form, scale, materials and architectural detail.

- 10.4. Adopted CS Policy SP10 seeks to protect and enhance the boroughs Heritage Assets and policy DM27 of the Managing Development Document seeks to ensure development, does not result in an adverse impact on the character, fabric or identity of the heritage asset or its setting; is appropriate in terms of design, scale, form, detailing and materials in its local context and that it enhances or better reveals the significance of the asset or its setting.



Image 2: Drawing showing some of the works to the front elevation.

- 10.5. Changes to the exterior of the building would be limited in scope. The proposal looks to make two new openings below the existing window openings within the west (non-original) wing as well as reinstating an original door to the yard from the east wing. At a roof level, a new extract ventilation and associated plant is to be installed within a new plant enclosure along (3107mm by 1507mm in area) with an associated access hatch. The west wing is to be covered in a new felt roof. Works propose to reinstate a chimney (currently one missing) to match the existing. Works also include the abutting of the historic section and newer section of the masonry perimeter wall with concealed strengthening; lime mortar to be used where necessary. A non-original hard standing is to be removed and replaced within the courtyard and damaged plant/boiler extracts are to be removed and made good.
- 10.6. External repair and restoration works includes where necessary, the removal of non-original plastic window panes and cills. Structural and aesthetic

restorative works to building fabric and masonry includes re-pointing of lime mortar and repairs to flank walls. Like-for-like replacement of all rainwater goods (cast iron) are proposed and roof tiles in east wing (slate). Signage and non-original façade items are to be removed and façade made good. Where necessary, repairing and repainting of plinth. The existing central door is to be repaired and repainted along with the removal of the metal kick plate. The removal and replacement of non-original door is proposed with a timber door and associated fanlight. RWP's and associated hoppers to be replaced with appropriate (cast iron) goods. Removal of non-original lamp from original fanlight location.

- 10.7. Overall, it is considered that the works would be a positive impact on the character of the Grade II* listed building. In line with S66 of the Planning (Listed Building and Conservation Areas) Act, the development preserves the special architectural interest of the listed building, in accordance with the aforementioned planning policies.

Other Matters

- 10.8. The proposed works would have no significant impact with regard to any other planning matter.

11. HUMAN RIGHTS 1998

- 11.1. In determining this application the Council is required to have regard to the provisions of the Human Rights Act 1998. In the determination of a planning application the following are particularly highlighted to Members:
- 11.2. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant, including:-
- Entitlement to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process;
 - Rights to respect for private and family life and home. Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest (Convention Article 8); and
 - Peaceful enjoyment of possessions (including property). This does not impair the right to enforce such laws as the State deems necessary to control the use of property in accordance with the general interest (First Protocol, Article 1). The European Court of Human Rights has recognised that "regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole".

- 11.3. This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 11.4. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore carefully consider the balance to be struck between individual rights and the wider public interest.
- 11.5. As set out above, it is necessary, having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

12. EQUALITY ACT 2010

- 12.1. The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs, gender and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and the Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 12.2. It is considered the proposed development would not conflict with any of the above considerations.

13. CONCLUSION

- 13.1. The works are considered to preserve and enhance the special historical and architectural character and appearance of the Grade II* Listed Building. As such, the works accords with the aims of Sections 7 and 12 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.
- 13.2. All other relevant policies and considerations have been taken into account. Planning Permission and 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

