

<b>Committee:</b> Development	<b>Date:</b> 3 <sup>rd</sup> February 2010	<b>Classification:</b> Unrestricted	<b>Agenda Item Number:</b> 7.4
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<b>Report of:</b> Director of Development and Renewal	<b>Title:</b> Conservation Area Consent
<b>Case Officer:</b> Richard Murrell	<b>Ref No:</b> PA/09/02557 <b>Ward:</b> Bow East

1. **APPLICATION DETAILS**

**Location:** Victoria Park, Bow, London.  
**Existing Use:** Park  
**Proposal:** Demolition of toilet block, sports storage block, deer shelter and one o'clock club building.

**Drawing No./Documents:** Drawing: 2816P/608, 2816/608/Panel A  
  
Design and Impact Statement dated November 2009  
  
Phase 1 Ecology Survey dated September 2009  
Bats in Buildings Survey Report dated September 2009

Bat Activity Survey dated September 2009

**Applicant:** London Borough Tower Hamlets (Directorate of Communities, Localities and Culture)  
**Ownership:** London Borough Tower Hamlets  
**Historic Building:** Victoria Park is included on the Register of Parks and Gardens of Special Historic Interest at Grade II.

None of the buildings subject to this proposal are individually Listed.

**Conservation Area:** Victoria Park

2. **SUMMARY OF MATERIAL PLANNING CONSIDERATIONS**

2.0 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the London Plan (Consolidated with Alterations since 2004), the London Borough of Tower Hamlets Unitary Development Plan 1998 and associated supplementary planning guidance, the Council's Interim Planning Guidance (2007): Core Strategy and Development Control, Core Strategy LDF (Submission Version and Government Planning Policy Guidance and has found that:

2.1 The five buildings scheduled for demolition have little architectural merit and are of no significant historical interest. The demolition of the buildings would facilitate the implementation of the Victoria Park restoration project and as such would enhance the character and appearance of the Victoria Park Conservation Area and the features of interest of the Grade II Listed Historic Park. The proposal would therefore accord with the objectives of policy DEV28 of the Council's Unitary Development Plan 1998, which seeks to ensure the character of Conservation Areas is not harmed by the inappropriate demolition of buildings.

### **3. RECOMMENDATION**

3.1 That the Committee resolve to **GRANT** Conservation Area Consent subject to the following conditions:-

#### 3.2 Conditions

1. Time Limit
2. No demolition to take place until after survey for the presences of bats, or other protected species.
3. After demolition sites to be restored to grassland, or any other treatment agreed in writing by the local planning authority.
4. Any other condition considered necessary by the Director of Development and Renewal.

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

#### **Background**

4.1 The Council's Directorate of Communities, Localities and Culture are currently developing a project for the comprehensive restoration and improvement of Victoria Park. The project includes both the improvement of the parks existing historic assets and the introduction of new facilities to meet user requirements. The restoration project is currently part of a bid process for Heritage Lottery funding.

4.2 Part of the restoration strategy includes the removal of some existing structures that have been built in a piecemeal fashion over time and are considered detrimental to the park landscape.

4.3 The park is designated as a Conservation Area. In a Conservation Area the substantial demolition of buildings with a volume in excess of 115 cubic metres requires Conservation Area Consent.

4.4 The purpose of the consent regime is to enable a local planning authority to refuse to allow the demolition of buildings of historic interest that contribute to the character and appearance of a designated Conservation Area.

4.5 The Council's scheme of delegation requires that where the Council is the applicant for Conservation Area Consent, the application must be brought before Members for a decision.

#### **Site and Surroundings**

4.6 Victoria Park is a fine example of the English landscape park tradition. It is set out with sweeping lawns, informal tree plantings and irregular lakes. The formal axial road pattern adopted on the park's western periphery drew inspiration from the more formal terraces fringing the Royal Parks of West London. Roads in the area are broad and tree-lined, or fringed with the landscaped front gardens, all reflecting and contributing to the park setting.

4.7 Plans for the park were originally prepared by Sir James Pennethorne, and it was laid out in the early 1840s. The park was not formally opened, but was taken over by 'the people' in 1845. About 24 acres were added to the park in 1872, more or less bringing it to its present 217 acres.

- 4.8 Victoria Park is designated as Metropolitan Open Land and a Grade II Listed Historic Park. The park is also designated as a Site of Nature Conservation Importance. The Hertford Union Canal runs along the park boundary and forms part of the Blue Ribbon Network. Routes on the Strategic Cycle Network, and the London Cycle Network Plus run through the Conservation Area from west to east.
- 4.9 The application seeks conservation area consent for the demolition of the following buildings:-
- One o'clock club buildings.  
Single storey brick built and painted white. The larger club building has a saw-tooth roof structure, glazed with roof lights. The smaller store building has a flat roof with clerestory windows on the west elevation.
  - Pools Playground Toilets  
Single storey brick built with tile roof.
  - Sports Store  
Single storey brick built structure.
  - Deer Shelter  
Single storey timber structure and associated chain-link fencing and fence posts.

### **Planning History**

- 4.10 A suite of planning applications has been submitted to facilitate works required in the Victoria Park Masterplan. To date these comprise:-
- 4.11 PA/09/02554 Installation of items of play equipment over 4m high.  
Approved: 14 January 2010
- 4.12 PA/09/02555 Installation of new gates and railings at Cadogan Gate Entrance and St Marks Entrance. Formation of new entrance and installation of gates to Grove Road.  
Approved: 14 January 2010
- 4.13 PA/09/02556 Re-instatement of Chinese pagoda and two bridges to the restored island within the west lake. Restoration of east lake.  
Under consideration.
- 4.14 PA/09/02558 Relocation of existing bandstand within east side of park.  
Approved: 14 January 2010
- 4.15 PA/09/02748 'Sports Hub' - Erection of single storey building to provide changing facilities, manager's office and public w.c.'s.  
Under consideration

4.16 PA/09/02749 'Eastern hub' - Erection of a single storey building to provide public w.c.'s, cafe, community meeting room and park manager's office.

Under consideration

4.17 PA/09/02750 'Victoria and Alexandra Shelter' - Conversion of existing ancillary park shelter, store and w.c.'s to an all weather facility with enclosed community room, public w.c.'s and ranger station.

Under consideration

## 5. POLICY FRAMEWORK

5.1 The following policies are relevant to the application:

### 5.2 Unitary Development Plan 1998 (as saved September 2007)

Policies:	ST37	Maintenance and enhancement Boroughs Parks
	DEV1	Design Requirements
	DEV15	Retention Mature Trees
	DEV28	Demolition of Buildings in Conservation Areas
	DEV57	Development on site Nature Conservation Importance

### 5.3 Interim Planning Guidance for the purposes of Development Control

Core Strategies:	CP49	Historic Environment
Policies	CON2	Conservation Areas
	CON3	Protection of Historic Parks and Gardens

### 5.4 Core Strategy 2025: Development Plan Document (Submission Version December 2009)

Policy SP12: LAP 5 & 6 – Making Victoria Park a 21<sup>st</sup> Century Open Space

### 5.5 Supplementary Planning Guidance/Documents

None relevant

### 5.6 Spatial Development Strategy for Greater London (London Plan) (2008)

None relevant

### 5.7 National Planning Guidance

PPG15	Planning and the Historic Environment
PPS9	Biodiversity

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

- A better place for living safely
- A better place for living well
- A better place for learning, achievement and leisure

## 6. CONSULTATION RESPONSE

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

6.2 The following were consulted regarding the application:

**English Heritage (Statutory Consultee)**

6.3 Support the overall restoration project. No specific comments to make on the demolition proposals.

**Garden History Society (Statutory Consultee)**

6.4 No comments received

**Natural England (Statutory Consultee)**

6.5 Note the findings of the submitted Bats in Buildings report. Support recommendations for further surveys to be undertaken of any buildings which will be affected by proposals. Recommend that surveys should be undertaken prior to the grant of permission.

6.6 *Officer comment: Notwithstanding these comments, given the low probability of finding bats in the structures due to be demolished, the LPA are satisfied that on this occasion a condition can adequately be used to secure suitable further survey work for protected species prior to demolition.*

**7. LOCAL REPRESENTATION**

7.1 A site notice was displayed adjacent to the buildings subject to this application. An advertisement was also inserted in the East End Life newspaper. Given the size of Victoria Park and the distance to the closest residential properties it was not necessary to send neighbour notification letters.

The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

7.2 No of individual responses: 0            Objecting: 0            Supporting: 0  
No of petitions received:    0

**8. MATERIAL PLANNING CONSIDERATIONS**

8.1 The main issues for Members' to consider is whether the principle of the demolition of each building is acceptable i.e. whether the building contributes to the character of the conservation area or whether it has some other specific historic merit.

**Principle of Demolition**

8.2 Saved policy DEV28 sets criteria that should be applied when accessing the acceptability of the demolition of buildings in Conservation Areas. It states that the following criteria will be taken into account:-

1. The desirability of preserving or enhancing the character or appearance of the area,
2. The condition of the building,

3. The likely costs of the repair or maintenance of the building,
4. The adequacy of efforts to maintain the building in use, and
5. The suitability of any proposed replacement building.

8.3 The application seeks consent for the demolition of 5 buildings. These comprise:-

Two 'one O'clock club' buildings

8.4 The One O'clock Club is currently used on weekdays as a play facility for the under 5s. As part of the Victoria Park restoration project this function will be re-provided in the (restored) Victoria and Alexandra Shelter.

8.5 The One O'clock Club is located in two single storey brick built buildings. They are painted white. The larger club building has a saw-tooth roof structure, glazed with roof lights. The smaller store building has a flat roof with clerestory windows on the west elevation. The building was constructed in 1974.

8.6 After demolition (estimated to take place in Autumn 2010) the land the existing buildings occupy, together with the adjacent hard standings and walls would be made good, the site re-graded and re-designed as an informal meadow.

Pools Playground Toilets

8.7 The pools playground toilets comprise a small single storey brick building with a tiled roof. As part of the restoration project replacement toilet provision would be provided in a new 'Eastern Hub' – a larger multipurpose facility which would also provide a café, community meeting room and park manager's office.

8.8 The site of the existing toilets would be incorporated into landscape works as part of the masterplan proposals.

Sports Store

8.9 The sports store is a single storey building and is utilitarian in appearance. The building is isolated and unrelated to the existing sports pitch layouts. The site of the store would be incorporated into the landscape works as part of the masterplan proposals.

Deer Shelter

8.10 As part of the masterplan proposals the existing small herd of three female deer are to be relocated to a larger herd away from Victoria Park. The existing deer shelter, which comprises a single storey timber structure, and associated fencing will be removed. The land will be renovated and restored to an informal meadow.

Impact on character of Conservation Area / Historic Interest of Park

8.11 The buildings scheduled for demolition have little architectural interest and are of no significant historical interest. The demolition of the buildings would facilitate the implementation of the Victoria Park restoration project and as such would enhance the character and appearance of the Victoria Park Conservation Area and the Grade II Listed Historic Park. In this respect the proposals also accord with the requirements of criterion one of policy DEV28 of the Council's Unitary Development Plan.

8.12 Given that the buildings are not of any particular merit, criteria 2, 3 and 4 of policy DEV28 are not relevant - as they set tests for the demolition of buildings that have more intrinsic historic merit. Criterion 5 seeks to ensure the acceptability of any proposed replacement buildings

prior to demolition. The purpose of this is to make sure that vacant sites are not left to blight Conservation Areas. In this case the buildings in question are small structures located in a park. A condition would require the land to be restored to grass, which would ensure that the demolition does not have any adverse impacts on the Conservation Area.

#### **Other issues**

- 8.13 The application has been accompanied by report detailing the findings of a survey which assesses whether any of the buildings are likely to house bat roosts. The study notes that the buildings have a low to moderate potential to act as bat roosts. This is because they are generally of relatively modern construction, have few nooks and crannies where bats may hibernate and do not have accessible roof voids.
- 8.14 In line with the recommendations of the survey, a condition would be imposed on any grant of conservation area consent requiring the completion of further detailed survey work of each building prior to demolition - to ensure that no protected species are unintentionally disturbed. With this safeguard the demolitions are acceptable in terms of London Plan (consolidated with alterations since 2004) 2008 policy 3D.14, which seeks a proactive approach to the protection, promotion, and management of biodiversity.
- 8.15 The demolitions would not have any significant impacts on trees within the park and are acceptable in terms of policy DEV15 of the Unitary Development Plan, which seeks to protect mature trees during development proposals.

#### **Conclusions**

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