

Committee: Development Committee	Date: 1 st April 2019	Classification: Unrestricted	Agenda Item Number:
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Report of: Corporate Director of Development and Renewal	Title: Listed Building Consent
Case Officer: Katie Cooke	Ref No: PA/19/00297
	Ward: St. Katherine's & 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: Proposed internal works, including the removal of partitions within the central spaces, returning them to their original scale and proportion. Updating the services and circulation to meet modern standards of use and accessibility.

Drawing and documents: 1464_00_000_rev 01; 1464_00_010_rev 01;
1464_00_020_rev 01; 1464_00_100_rev 01;
1464_00_101_rev 01; 1464_00_102_rev 01;
1464_00_130_rev 01; 1464_00_131_rev 01;
1464_00_160_rev 01; 1464_00_161_rev 01;
1464_00_162_rev 01; 1464_00_163_rev 01;
1464_00_164_rev 01; 1464_00_200_rev 01;
1464_00_201_rev 01; 1464_00_202_rev 01;
1464_00_230_rev 01; 1464_00_231_rev 01;
1464_00_260_rev 01; 1464_00_261_rev 01;
1464_00_262_rev 01; 1464_00_263_rev 01;
1464_00_264_rev 01;

1464_24_400_rev 01; 1464_33_400_rev 01;
1464_33_401_rev 01; 1464_35_100_rev 01;
1464_35_101_rev 01; 1464_35_200_rev 01;
1464_35_201_rev 01; 1464_66_300_rev 01;
1464_72_400_rev 02; 1464_72_401_rev 01;
1464_72_402_rev 01; 1464_72_403_rev 01;
1464_72_404_rev 01; 1464_72_405_rev 01;
1464_74_500_rev 01;

-Design and Access Statement produced by Ian Chalk Architects, dated February 2019
-Heritage Statement produced by Nicola de Quincey, dated February 2019.
-Building Services Outline Specification produced by Peter Deer and Associates, dated June 2018
-Structural Engineering Notes produced by Alan Baxter, dated June 2018

Applicant: London Borough of Tower Hamlets

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

2. EXECUTIVE SUMMARY

- 2.1 This report considers the listed building application for works associated with the refurbishment of the Grade II* listed Raine House.
- 2.2. No letters of objection have been received.

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 drawings.
 3. Notwithstanding the plans hereby approved all new internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.
 4. Notwithstanding the plans hereby approved full details of all new doors (internal) shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.
 5. Notwithstanding the plans hereby approved full details of all service runs shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site.

4. PROPOSAL AND LOCATION DETAILS

Site and Surroundings

- 4.1 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.
- 4.2. The building is currently unoccupied. The ground floor is usually used as a community centre and the 1st floor as a dance studio. However as part of the works, both tenants have been relocated. The Wapping Social Club have been relocated to Glamis Hall and Pollyanna to Chandler Street.
- 4.3 The building is not located in a conservation area and is not subject to any other designations.



Image of front elevation of Raine House

Planning History and Project Background

- 5.1 **PA/18/01477** - Refurbishment and reconfiguration of existing community facility. No change of use is proposed (*planning application*)
- 5.2 **PA/18/01478** - Refurbishment and reconfiguration of existing community facility. No change or use is proposed (*listed building consent application*)
- 5.3 The abovementioned planning applications were presented to Development Committee on 23rd August 2018, with a recommendation to grant planning permission and listed building consent. Members were minded not to accept officer recommendation and instead recommended the scheme be refused for the following reason:

The proposed internal works at ground floor level result in less than substantial harm to the Grade II Listed Building and are considered detrimental to the architectural and historic significance of the designated heritage asset. As a result, the proposal is contrary to the general principles of the National Planning Policy Framework (2018), policies 7.4 and 7.8 of the London Plan (2016), policy SP10 of the Core Strategy (2010), and policies DM24 and DM27 of the Managing Development Document (2013). These policies seek to ensure that development positively responds to its setting, and preserves the architectural quality, character and setting of the borough's heritage assets.*

- 5.4 As a response to the refusal, the applicant then resubmitted another two applications (as set out below) for planning permission and listed building consent in relation to just the external works.

PA/18/2994 - 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. (*planning application*)

PA/18/2995. - 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. (*listed building consent application*)

- 5.5 Both applications were presented to Development Committee on 2 December 2018, with a recommendation to grant planning permission and listed building consent. Members accepted officer recommendation and approved both applications.

Changes made in light of previous refusals (planning reference: PA/18/1477 and PA/18/1478)

- 5.6 The current listed building consent application has been amended in light of the previous reason for refusal in the following ways:
- Changes to the proposed colour to the walls & columns in the ground floor space
 - The introduction of a high level datum (referencing the internals datum of the 'Ragged School')
 - Lighting proposals – from ceiling mounted to a mixture of wall mounted and free standing lights. (This paired back lighting scheme is more appropriate to this former school which would have benefited from good natural light provided by high level windows)
 - Bar design – including material (from a contemporary concrete bar to a more traditional wooden design)

Proposals

- 5.7 The internal works of refurbishment to the community centre include the following:
- The refurbishment of the main club room area, including the removal of the existing bar and the construction of a replacement bar.
 - The installation of a platform lift connecting the floors.
 - New radiators and service runs throughout
 - The removal of existing internal partitions to the 1st floor.
 - New sprung floors to the 1st floor studios.



Current view of the hall interior



Visualisation of the previously refused bar



Visualisation of proposed bar

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
Planning Practice Guidance

5.3 London Plan (MALP 2016)

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

5.4 Tower Hamlets Core Strategy 2010

- SP02 - Urban living for everyone
- SP10 - Creating Distinct and Durable Places
- SP12 - Delivering placemaking

5.5 Managing Development Document 2013

- DM23 - Streets and the public realm
- DM24 - Place-sensitive design
- DM25 - Amenity
- DM27 - Heritage and the historic environment

5.6. Tower Hamlets Community Plan objectives

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

- A Healthy Community

- 5.7. Statutory public consultation on the draft London Plan commenced on the 1st of December 2017 and will close on 2nd March 2018. This is the first substantive consultation of the London Plan, but it has been informed by the consultation on 'A City for All Londoners' which took place in Autumn/Winter 2016.
- 5.8 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.
- 5.9 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.
- 5.10 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. Weighting of draft policies is guided by paragraph 216 of the National Planning Policy Framework and paragraph 19 of 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. Accordingly as Local Plans pass progress through formal stages before adoption they accrue weight for the purposes of determining planning applications. As the Regulation 19 version has not been considered by an Inspector, its weight remains limited. Nonetheless, it can be used to help guide planning applications and weight can be ascribed to policies in accordance with the advice set out in paragraph 216 of the NPPF.

6. CONSULTATION

- 6.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:

External Consultees

Historic England

- 6.2 No objection

Internal Consultees

LBTH Conservation and Design Officer

- 6.3. The officer stated that the information supplied with the application is very detailed and includes thorough analysis of each element to be removed or altered. Elements to be removed including upper floor partition walls, the bar and vestibule type structure adjacent to the door to the street are of little or no significance. Items of work such as the removal of the vestibule and bars from the windows will significantly improve the appearance of the building. Changes within the building have been designed with a light touch which allows the surviving elements of significance such as the proportions of the rooms to be better revealed.

6.4 In addition, the officer stated that the current application proposes a series of small scale changes to the interior. In his view the changes are sensitive and relate to areas of lesser significance and raised no objections to the proposal.

6.5 The Officer requested 3 conditions be attached to the approval.

7. LOCAL CONSULTATION

7.1 A total of 299 planning notification letters were sent to nearby properties as detailed on the attached site plan. A site notice was erected on 11/02/19 and a press notice was advertised on 14/02/19. No letters of objection have been received.

8. MATERIAL PLANNING CONSIDERATIONS

8.1. The main issue for Members' to consider is whether the proposed works are appropriate in this respect of their impact on the character and special interest of the Grade II* Listed Building.

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

8.2 Section 196 of the National Planning Policy Framework (2018) relates to conserving and enhancing the Historic Environment and states that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."*

8.3 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

8.4 Supporting paragraph 7.31A of the London Plan also states that *'where a development proposal will lead to a less than substantial harm to the significance of a designated asset, this harm should be weighed against the public benefits'*.

8.5 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.

8.6. The proposed removal of modern additions from the main building, including the bar and its improved design, the stage, the second set of entrance doors and cupboards and the partitions at 1st floor level is acceptable as these do not contribute to the significance of the listed building.

- 8.7. This also applies to the internal works to the School Master's House (eastern wing), with the rationalisation of partitions and improved legibility of the original plan form allowing a greater appreciation of its historic character.



- 8.8 The proposed internal alterations to the western wing are considered acceptable in principle as this part of the building is not historic and will have no impact on the original plan form of the building. This wing is considered an appropriate location for the new platform lift as no historic fabric would be affected.
- 8.9. Officers consider that this proposal is not considered to cause harm to the historic fabric of the Grade II* listed building, on the contrary. The public benefits of this scheme are numerous and outweigh any perceived harm. The continuity of use for the community benefit – flexible meeting space, dance school and kitchens, toilets, stores and services back this assertion.
- 8.10 In line with s66 of the Planning (Listed Building and Conservation Areas) Act the development preserves the special architectural interest of the listed building, according with the aforementioned planning policies.

Response to objections

- 8.11 None received.

9.0 Human Rights 1998

- 9.1 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:
- 9.2 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".

9.3 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.

9.4 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.

9.5 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.

10.0 Equality Act 2010

10.1 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:

1. Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
2. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
3. Foster good relations between persons who share a relevant protected

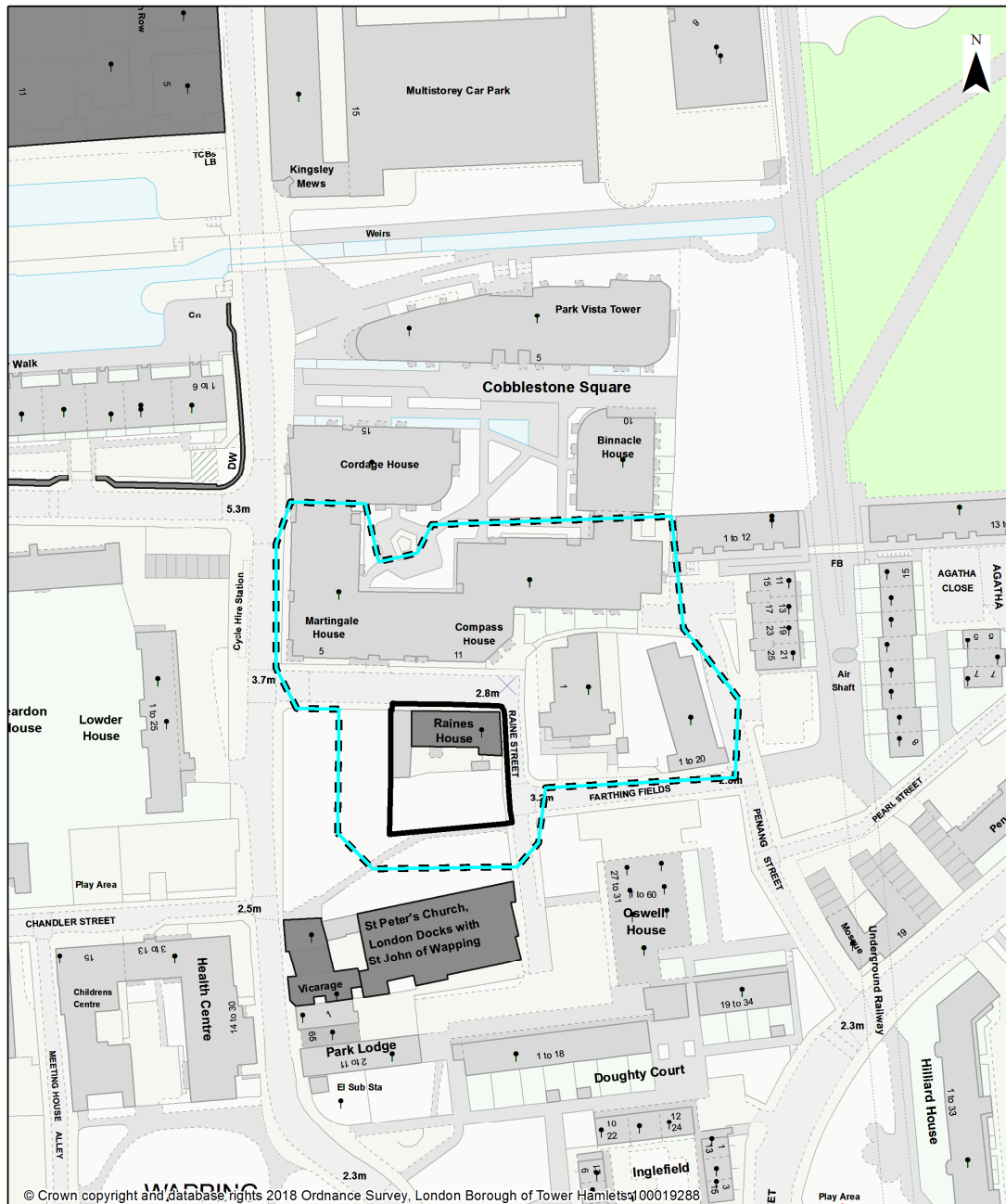
characteristic and persons who do not share it.

- 10.2 It is considered the proposed development would not conflict with any of the above considerations. In particular, the installation of a platform lift would improve disabled access to the premises.

11 CONCLUSION

- 11.1 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects listed buildings or their settings, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses. It has been assessed whether or not the works would cause either substantial, or less than substantial, harm to the heritage asset and it has been concluded that it would not cause any harm to the asset.. The works are considered to preserve 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.
- 11.2 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



Scale @ 1:1,147
10 5 0 10 20 30 Meters

Planning Application Site Map PA/18/01477

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.



GIS for
Place Directorate
LONDON BOROUGH OF TOWER HAMLETS
Date: 13/08/2018

