

**Application for Planning Permission**[click here for case file](#)

Reference	PA/19/02849
Site	Brune House, Bell Lane & Carter House, Brune Street & Bernard House, Toynbee Street, London E1
Ward	Spitalfields and Banglatown
Proposal	<p>Brune Street: Installation of conservation style iron vehicle gate (height 1,800 mm); Replacement of existing railing with 'conservation style' iron railing resulting in additional 600 mm height (height 1,800 mm); Replacement of existing double gate with 'conservation style' iron gate (height as existing).</p> <p>Toynbee Street: Replacement of existing single swing arm gate with 'conservation style' iron vehicular and pedestrian gate (height 1,800 mm); Replacement of x3 porous and staggered boundary fences with single 'conservation style' iron pedestrian gate (1,800 mm). (Application is a re-submission with additional information provided)</p>
Summary Recommendation	Refuse Planning Permission
Applicant	EastEnd Homes Ltd
Architect/agent	Ingleton Wood
Case Officer	Kathleen Ly
Key dates	<ul style="list-style-type: none">- Application registered as valid on 20 December 2019- Public consultation finished on 13 February 2020- Site inspection 27 February 2020

EXECUTIVE SUMMARY

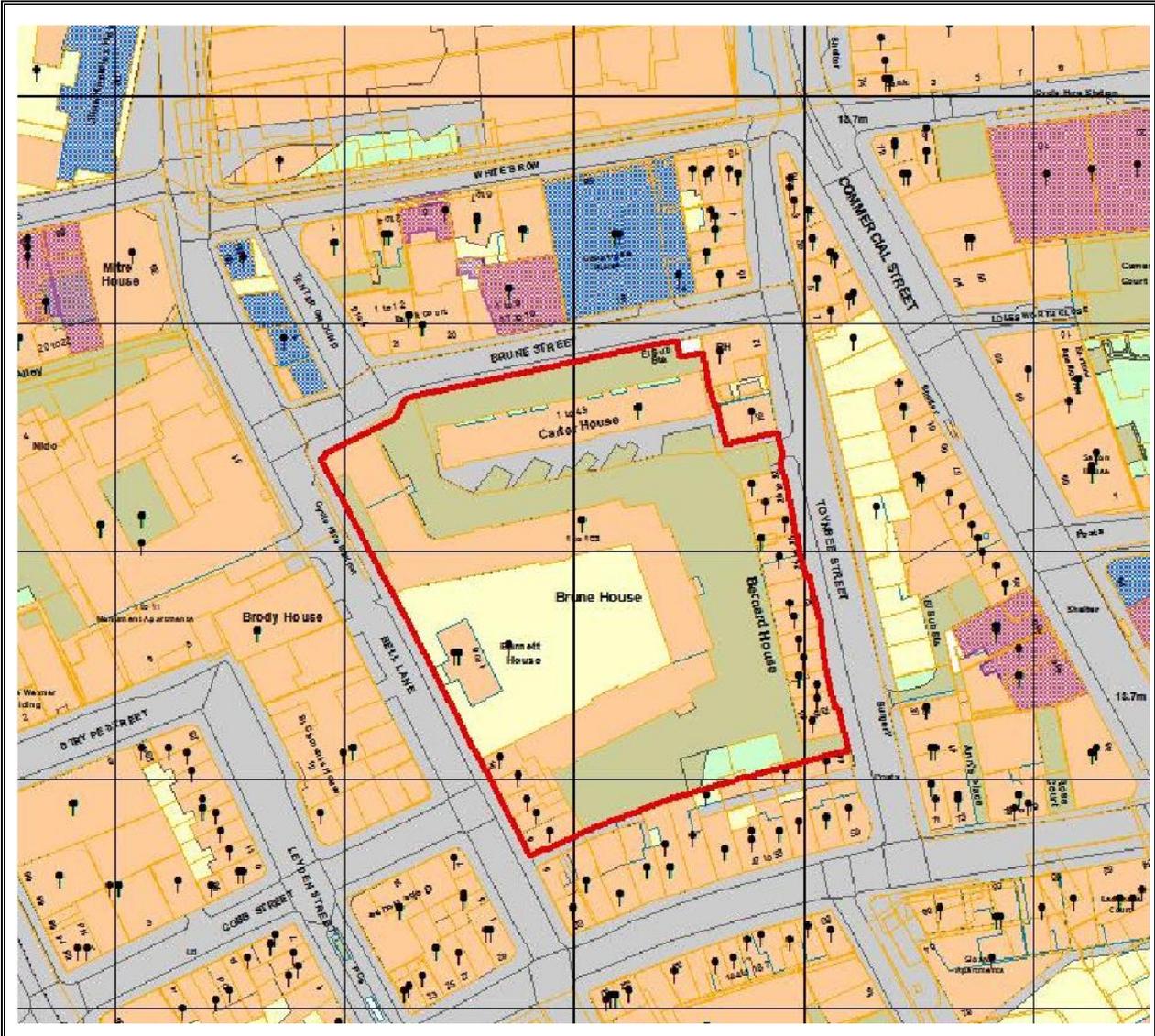
The application seeks approval for the replacement of the existing 1200mm railings and addition of gates to a height of 1800mm along the northern and eastern boundaries of the Holland Estate.

This application is reported to the Development Committee as more than 20 individual representations supporting the development have been received.

This application has been assessed against planning policies contained in the London Borough of the Tower Hamlets Local Plan 2031 (January 2020), the London Plan (2016), and the National Planning Policy Framework. The application has also been considered against the Draft London Plan (2019) as this carries substantial weight.

The proposal would result in an incongruous form of development that will neither preserve nor enhance the local streetscape nor maintain the positive character and appearance of the conservation areas. The increase in height to the railings and addition of vehicle and pedestrian gates will result in a gated community, unnecessarily segregating the estate from the public realm. This would negatively affect the social integration of the area and be contrary to the promotion of mixed and balanced communities. Accordingly, the proposal is not considered to be acceptable in policy terms and is not supported.

SITE PLAN



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<ul style="list-style-type: none"> Planning Application Site Bound Other Planning Applications Consultation Area Land Parcel Address Point Locally Listed Buildings Statutory Listed Buildings 	<h2 style="margin: 0;">Planning Applications Site Map</h2> <h3 style="margin: 0;">PA/19/02849</h3> <p style="font-size: small; margin-top: 10px;">This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>
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London
Borough of
Tower Hamlets

Scale : 50m grid squares

Date: 04 March 2020

1. SITE AND SURROUNDINGS

- 1.1 The subject site relates to the Holland Estate, a residential development bounded by Brune Street to the north, Toynbee Street to the east, Bell Lane to the west and Wentworth Street to the south. The estate comprises Carter House, Brune House, Bernard House, and Barnett House which range between three to five storeys in height. This estate was built in the early 1900s by the London County Council (LCC) which consist a total of 163 flats. During the Second World War, many parts of the area were severely damaged by bombs and consequently rebuilt. The estate has been under management by East End Homes since 2006.
- 1.2 The immediate surrounding area consists predominantly of residential dwellings; however there are a variety of commercial uses within the wider area.
- 1.3 The site is located in the Central Activity Zone, partly lies within the Wentworth Street Conservation Area and is located in the Archaeological Priority Area. To the north of the site is the Artillery Passage Conservation Area and to the east is the City Fringe Activity Area.
- 1.4 The former Soup Kitchen for the Jewish Poor is directly adjacent to the site. This is a distinctive Grade II listed brick building with a terracotta frontage at ground floor level.
- 1.5 The application relates to the eastern and northern boundaries of the estate. The boundaries currently consist of existing railings and gates to a height of 1200mm; one 1800mm high vehicular gate on Brune Street; and two 1800mm high railings on Toynbee Street. The western boundary on Bell Lane consists of brick plinth and railings; whilst the southern boundary on Wentworth Street consists of commercial properties with no direct access into the estate.

2. PROPOSAL

- 2.1 The application seeks approval for the following works:
- 2.2 Brune Street (north boundary): Replacement of the existing 1200mm railings with iron railings to a height of 1800mm; replacement of the existing 1800mm high double gate with an iron gate of the same height; and the addition of an entirely new pedestrian gate to a height of 1800mm.
- 2.3 Toynbee Street (eastern boundary): Replacement of the existing 1200mm railings with iron railings to a height of 1800mm; replacement of the existing vehicle gate with an iron gate to a height of 1800mm; and the addition of two entirely new pedestrian gates to the height of 1800mm.

3. RELEVANT PLANNING HISTORY

- 3.1 PA/19/01520 - Installation and replacement of various gates, railings and fences along Brune Street and Toynbee Street. The application was refused 16th October 2019 for the following reasons:
 - The proposed increase in the height, reduction in the width between the railings and the prominent location fronting the street would result in an incongruous form of development that would negatively impact the local street network, promoting development which would not be socially inclusive cohesive or connective.
 - The proposal would neither preserve nor enhance the appearance of the Wentworth Street Conservation Area and is contrary to policies DM23, DM24 and DM27 of the Managing Development Document, policy SP10 of the Core Strategy (2010) and policies S.DH1, S.DH3, D.DH2 of the Tower Hamlets 2031: Managing Growth and Sharing the Benefits (2019 revision).

- 3.2 PA/14/00106 - Erection of 3No. Bicycle shelters in parking areas serving Brune House and Carter House. Planning permission granted 14th April 2014
- 3.3 PA/08/02347 – Full planning permission for the refurbishment of the retained existing dwellings on Holland Estate, the replacement of 43 (13 x one bed flats, 9 x two bed flats, 18 x three bed flats and 3 x four bed flats) totalling 143 habitable rooms within Ladbroke House, Bradbury House, Evershed House and Denning point; the erection of 209 new residential units containing studio, 1, 2, 3, 4 and 5 bedrooms, provision of a new community centre (use class D1) of 644sq.m. and a new Eastend Homes local housing office and head office of 1,078sq.m. (use class B1) and 6 new retail units providing some 1,490sq.m. comprising use classes A1, A2 and A3 and the introduction of an Estate wide landscaping scheme. Planning permission granted 1 April 2010.

4. PUBLICITY AND ENGAGEMENT

- 4.1 Following the receipt of the application, the Council notified 297 nearby owners/occupiers by post, erected a site notice and provided an advertisement in the local newspaper on 23rd January 2020.
- 4.2 A total of 31 representations from members of the public were received plus a petition of 81 signatures. 30 individual representations were in support of the application, with 29 of these using a template response. The petition was also in support of the application. The reasons the application is supported are summarised below:
- a) Existing fencing was installed as a temporary measure as it is believed the estate previously incorporated a higher boundary fence. The proposed fencing would be more appropriate to the period buildings than the existing modern fencing.
 - b) The estate is not a public thoroughfare. There are currently signs indicating the routes are for private access only.
 - c) There are high levels of anti-social behaviour and criminal activity within the estate.
 - d) During the housing stock transfer, the installation of the high fencing was agreed between East End Homes and Tower Hamlets.
 - e) The new fencing would improve the quality of life for residents in terms of safety and security.
- 4.3 One representation was received which objects to the proposal in relation to its impact on the local street network, its effect on social inclusiveness, and its impact on the Wentworth Street Conservation Area.

5. CONSULTATION RESPONSES

Internal Consultees

LBTH Design and Conservation

- 5.1 The proposal is not supported given the increase in height, reduction in the width between the rails and prominent location of the fence fronting the street. The proposal would result in an incongruous form of development which would negatively impact the local street network and would not be socially inclusive, cohesive or connective. Additionally, the design of the gates are more of a modern approach and is not considered to be in keeping with the estate.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 On the 15th January 2020, Tower Hamlets Council adopted its new Local Plan 'Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits'. The policies contained therein now carry full weight.
- 6.2 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.
- 6.3 In this case the Development Plan comprises:
- The London Plan (2016)
 - Tower Hamlets Local Plan 2031: Managing Growth and Sharing the Benefits (2020)

6.4 The key development plan policies relevant to the proposal are:

<u>Design and Conservation</u>	London Plan ((LP) 7.3 An Inclusive Environment); LP7.4 (Local Character); LP7.5 (Public Realm) LP7.6 Architecture; LP7.8 (Heritage Assets and Archaeology)
	S.DH1 (Delivering High Quality Design); D.DH2 (Attractive Streets, spaces and public realm); S.DH3 (Heritage and the historic environment)
<u>Amenity</u>	LP3.9 (Mixed and Balanced Communities); LP7.2 Designing out Crime); LP7.3 (An Inclusive Environment); LP7.6 (Architecture)
	D.DH2; D.DH8 (Amenity)

Emerging Policy

6.5 On the 9th of December, the Mayor published his 'intend to publish' version of the London Plan. This version of the Plan is now being considered by the Secretary of State, who is set to notify the GLA on or before 16th March 2020 in respect to the decision to issue a direction to the GLA to amend the Plan if required. The Plan cannot be published (adopted) until any such direction has been addressed. The policies in this emerging document, given its advanced stage carries substantial weight.

6.6 The key emerging London Plan policies relevant to the proposal are:

<u>Design and Amenity</u>	D5 (Inclusive Design); D8 (Public Realm)
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6.7 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2019)
- National Planning Practice Guidance (updated 2019)
- Wentworth Street Conservation Area Character Appraisals and Management Guidelines (2007)
- Artillery Passage Conservation Area Character Appraisals and Management Guidelines (2007)

7. PLANNING ASSESSMENT

7.1 The key issues raised by the proposed development are:

- i. Design and Conservation
- ii. Accessible and Inclusive Communities
- iii. Anti-Social Behaviour
- iv. Other Matters
- v. Equalities and Human Rights

Design and Conservation

- 7.2 Paragraph 190 of the NPPF highlights the importance of identifying and assessing the particular significance of any heritage asset and/or setting that may be affected by the proposal. Paragraph 192 ensures that new development enhances and sustains the significance of heritage assets and positively contributes to the local character and distinctiveness.
- 7.3 Policies 7.4 and 7.6 of the London Plan (2016) encourage buildings, streets and open spaces to enhance, activate and appropriately define the public realm. Similarly, Policy S.DH1 of Tower Hamlets Local Plan 2031 (2020) seeks to ensure that design is sensitive to and enhances the local character and setting of the development.
- 7.4 Policy 7.8 of the London Plan and Policy S.DH3 seeks to protect and enhance the borough's heritage assets and retain elements which contribute to the significance of the building and/or area. Development should be sympathetic in form, scale, materials and architectural detail to the heritage asset and/or setting.
- 7.5 The application proposes the replacement of the existing boundary railings and existing gates alongside the proposed introduction of new gates. The existing railings and gates are 1200mm high, three of which are to a height of 1800mm. The application seeks approval for the replacement and addition of railings and gates to a height of 1800mm.
- 7.6 The railings and gates are proposed to be located on the northern and eastern boundaries, which run along Brune Street and Toynbee Street. The railings on Brune Street will extend for the majority of the northern boundary. The existing views along Brune Street are currently open and transparent as the existing 1200mm railings is not considered to be a dominant feature and is not imposing to the streetscape.
- 7.7 However the proposed increase in height together with the prominent location of the railings and gates would cause significant visual impact on the local streetscape and conservation areas including being imposing upon street views to the Grade II listed Jewish soup kitchen. Proximate to the site is the Artillery Passage Conservation Area which is located directly to the north on Brune Street. The proposed railings and gates on Brune Street would not be in keeping with the character or appearance of this conservation area and its impacts have not been appropriately addressed within the application.
- 7.8 The railings and gates would incorporate square posts and square infill bars incorporating dimensions which are larger than the existing railings. Whilst it is acknowledged that the spacing between the bars would be comparable to the existing railings, the larger posts and bars would contribute to its imposing additional impact on the streetscape, particularly when considered in conjunction with the proposed one third increase in height (1200mm to 1800mm). The Wentworth Street Conservation Area Character Appraisals and Management stipulate that the estate was built in the early 1900s. As such, the use of brick piers, plinths and elegant curves would traditionally be seen on buildings of this period, as seen on Bell Lane (western boundary). However the proposal includes square posts and square bars which

are a more modern approach. The design approach would therefore not be in keeping with the style and period of the existing buildings on the site or of design character of the estate more generally.

- 7.9 The applicant has advised that this boundary railing was originally 1800mm high, given the existence of other 1800mm high railing on site. This is not considered sufficient to demonstrate the original height and cannot be validated.
- 7.10 Overall, the proposed design would not relate well to the surrounding streetscape which would harm the character and appearance of the Wentworth Street Conservation Area and adjacent Artillery Passage Conservation Area.

Accessible and Inclusive Communities

- 7.11 Paragraph 108 of the NPPF seeks to ensure safe and suitable access to the site can be achieved for all users. Policies 7.1 and 7.2 of the London Plan (2016) aim to achieve the highest standards of accessible and inclusive design to improve people's access to social and community infrastructure. Similarly, Policy 7.5 of the London Plan (2016) requires public spaces to be secure, accessible, inclusive, connected, easy to understand and maintain, relate to local context, and incorporate the highest quality design, landscaping, planting, street furniture and surfaces.
- 7.12 There are currently three opened entrances into the estate on Brune Street. Two pedestrian openings provide direct access to Carter House, whilst the vehicle opening provides access into the internal car park and the rest of the estate. The pedestrian and vehicle openings on Toynbee Street currently provide access into the estate, which leads out onto Brune Street. The proposal would enclose all five access points and replace the existing 1200mm railing with an 1800mm high railing and locked gates.
- 7.13 The proposed pedestrian access gates would restrict movement within the estate and surrounding area. This is contrary to policy which encourages development to increase and maintain well-connected areas. Enclosing all access points will limit the number of connections available when moving from one point to the other, and thus impacting upon the pedestrian connectivity to the wider street network.
- 7.14 The applicant and received public comments identify the site as a private estate where public access is restricted. However the erection of the 1800mm high railing and gates would create a hostile and enclosed environment, unnecessarily segregating the estate from the public realm. This would result in the estate becoming a 'gated community' where accessing the site would only be possible via a key code or intercom. London Plan Policy 3.9 and Policy D.DH2 of the Local Plan seek to resist the creation of gated communities which do not promote socially inclusive and cohesive neighbourhoods or connectivity between places. The enclosing of the estate would negatively affect the social integration of the area and be contrary to allowing mixed and balanced communities.

Anti-Social Behaviour

- 7.15 Paragraph 91 of the NPPF and Policy 7.3 of the London Plan (2016) seek to create safe, secure and appropriately accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.
- 7.16 Policy 7.2 of the London Plan (2016) aims to achieve the highest standards of accessible and inclusive design and ensures development can be used safely, easily and with dignity by all regardless of disability, age, gender, ethnicity or economic circumstances. Development should be convenient and welcoming with no disabling barriers, so everyone can use them independently without undue effort, separation or special treatment.

- 7.17 Policy D.DH2 of the Tower Hamlets Local Plan 2031 (2020) aims to improve and enhance connectivity, permeability and legibility across the borough, ensuring a well-connected, joined-up and easily accessible street network and wider network of public spaces. Development should be designed to create more connected and cohesive communities which can alleviate opportunities for anti-social behaviour.
- 7.18 As raised by the applicant and through public comments, there is an increasing level of anti-social behaviour within and around the estate. This is supported by submitted crime statistics obtained from police.uk which details reported crime between August and October 2019. The information provided aims to link this crime rate with the unrestricted access by the public into the estate.
- 7.19 Notwithstanding these acknowledged issues of crime and anti-social behaviour, it has not been evidenced that that enclosing of the estate would result in a reduction to the crime rate. The reasons for anti-social behaviour and criminal behaviour are understood more generally to be multi-dimensional and complex and tackling these issues need to be addressed by a variety of social interventions as opposed to a recourse to a physical intervention that results in a gated community that for reasons set out elsewhere in the report create issues of social segregation, impaired connectivity in addition detrimental impacts on the appearance and character of two conservation areas.
- 7.20 Whilst it is acknowledged that the purpose intended for the gates and railing is to improve the quality of life for residents in terms of safety and security, this is contrary to Council's policies which encourage socially connected communities. Alternative methods to alleviate anti-social behaviour should be sought which could include activating areas to provide natural and passive surveillance.

Other Matters

- 7.21 The applicant and comments received from the public have referred to the proposal as part of refurbishment works that were agreed during the transfer of land between Tower Hamlets Council and EastendHomes. Supporting documents which include the development agreement and leaseholder consultation document have been submitted. The development agreement refers to the obligations to carry out the qualifying works which include the refurbishment of the estate.
- 7.22 Page 12 of the consultation document refers to the improvement of entrances to reduce anti-social behaviour, to exclude intruders and enhance the appearance of the block. However, the document at pages 13 and 14 provides that these improvements would be subject to further resident consultation, planning approval and the development of new homes for rent and sale. As such, the submitted information does not warrant or justify the approval of the proposal as any planning proposal is subject to a formal assessment and is considered on its merits.

Conclusion

- 7.23 The proposal would restrict movement and access, does not incorporate the principles of inclusive design and is not sensitive to nor enhance the local streetscape and conservation areas.
- 7.24 In light of the above, the proposal does not comply with planning policies and as such, it is recommended that the application is refused.

Human Rights & Equalities

- 7.25 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and officers consider it to be acceptable.

7.26 The proposed development would not result in adverse impacts upon equality or social cohesion.

8. RECOMMENDATION

8.1 Planning permission is REFUSED.

APPENDIX 1 – List of Plans for Refusal

Schedule of Drawings

- 811507 IWD XX XX DR A 2003 REV P01 - Location Plan
- 811507 IWD XX XX DR A 2004 REV P01 - Existing Site Plan
- 811507 IWD XX XX DR A 2005 REV P01 - Existing Elevation Plan
- 811507-IWD-XX-00-DR-E-5100 REV. P1 - Proposed site plan
- 811507 IWD XX XX DR A 2002 REV P01 - Proposed Elevation Plan

APPENDIX 2

Selection of plans

Figure 1 – Existing Site Plan

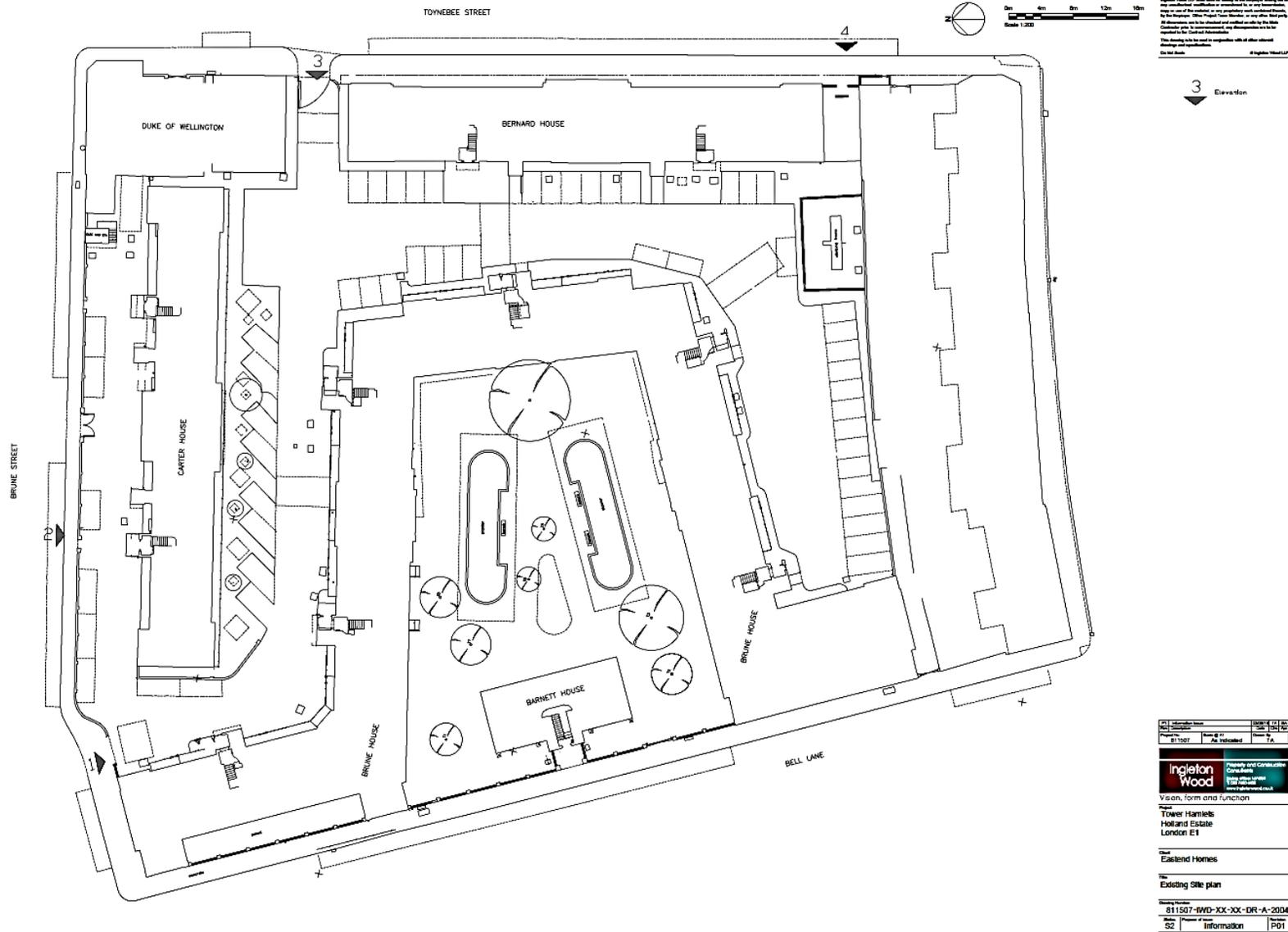
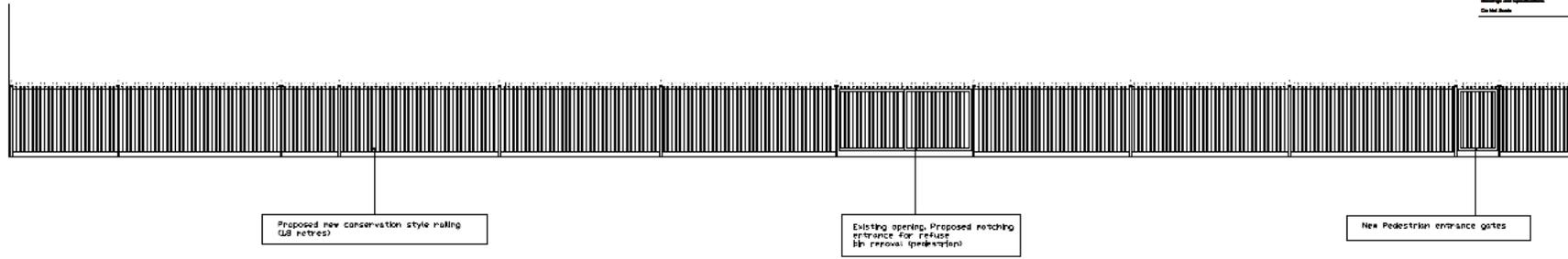


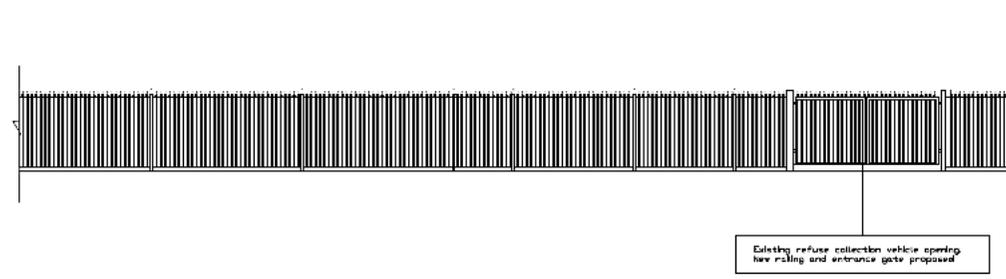
Figure 4 – Proposed Elevations



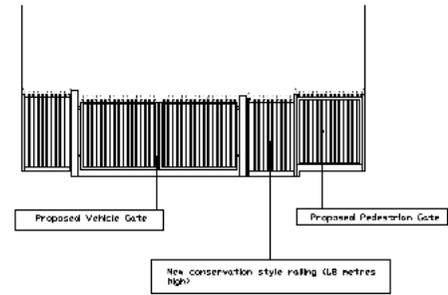
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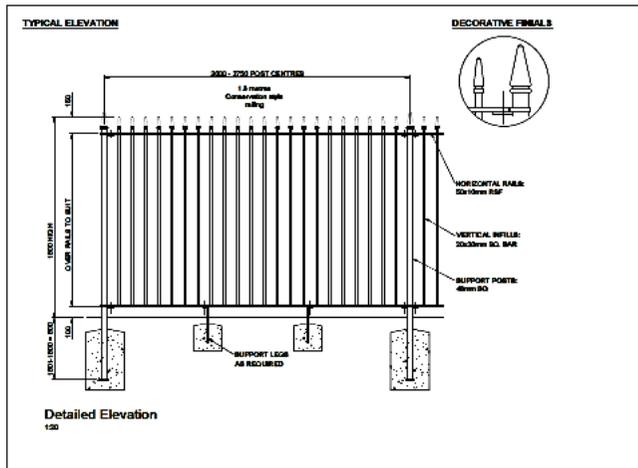
Proposed Elevation 2
Brune Street



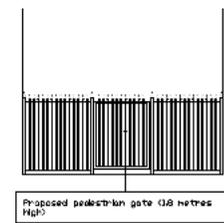
Proposed Elevation 1
Brune Street



Proposed Elevation 3
Toynebee Street



Detailed Elevation
1:50



Proposed Elevation 4
Toynebee Street

Client	Eastend Homes	Project	Tower Hamlets
Ref	811507-4WD-XX-DR-A-2002	Scale	As indicated
Date	12/01/2022	Drawn by	TA

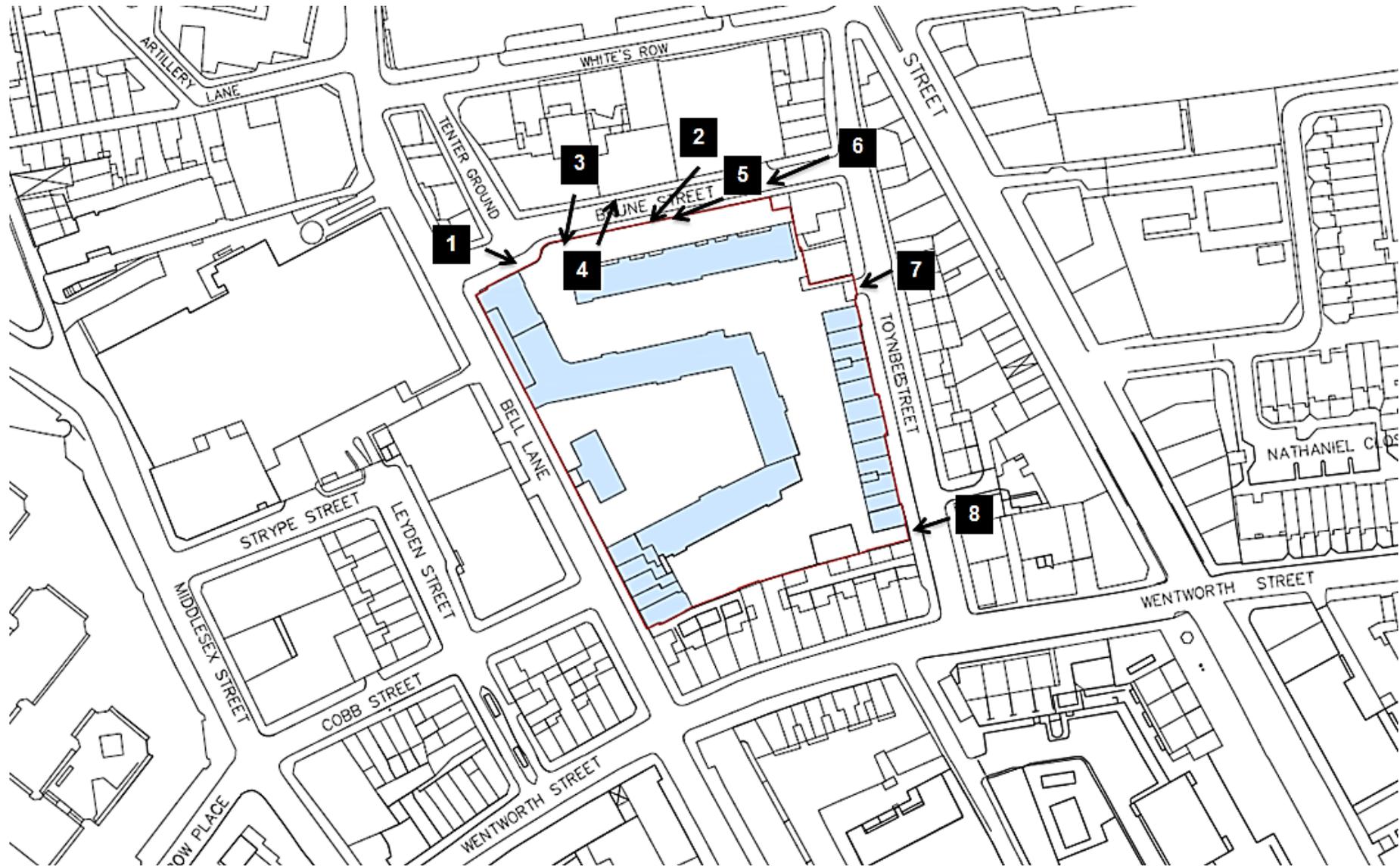


Eastend Homes
Tower Hamlets
Holland Estate
London E1

Client	Eastend Homes
Project	Tower Hamlets
Ref	811507-4WD-XX-DR-A-2002
Scale	As indicated
Date	12/01/2022
Drawn by	TA
Checked by	TA
Project	Tower Hamlets
Ref	811507-4WD-XX-DR-A-2002
Scale	As indicated
Date	12/01/2022
Drawn by	TA
Checked by	TA

APPENDIX 3

Photo Orientation Map



View 1: Looking south at the vehicular access on Brune Street



View 2: Looking south at the on Brune Street



View 3: Looking south at the estate on Brune Street



View 4: Looking north at the Grade II Listed building on Brune Street



View 5: Looking west on Brune Street



View 6: Looking west on Brune Street



View 7: Looking west at the vehicular access on Toynebee Street



View 8: Looking west at the pedestrian access on Toynbee Street

