

Cabinet 27 October 2021	 TOWER HAMLETS
Report of: Ann Sutcliffe, Corporate Director - Place	Classification: Unrestricted
Adoption of character appraisals and management plans and approval of boundary changes for five conservation areas in Whitechapel	

Lead Member	Councillor Asma Islam, Cabinet Member for Environment and Planning
Originating Officer(s)	Michael Ritchie, Place Shaping Team Leader
Wards affected	Shadwell, Spitalfields and Banglatown, Stepney Green and Whitechapel.
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	13 September 2021
Strategic Plan Priority / Outcome	Priority 2: A borough that our residents are proud of and love to live in.

Executive Summary

Officers have prepared updated Character Appraisals and Management Plans [CAMPs] for five conservation areas in and around Whitechapel. These documents provide a detailed description of the architectural and historic character of the conservation areas and set out management guidelines on how this character should be preserved and enhanced in the context of appropriate ongoing change. Once adopted, the documents will serve as planning guidance and will be a material consideration in the determination of planning decisions. The updated CAMPs will replace documents that are now more than ten years old. In addition to updating the existing CAMPs, officers have reviewed the boundaries of the five conservation areas and have proposed some changes.

The draft documents were the subject of a six-week consultation period. Comments were received from local residents, amenity societies and landowners/developers with an interest in the area. These comments have been given careful consideration and the documents have been amended, where appropriate, to address them. This report recommends that the updated CAMPs are adopted, and that the proposed boundary changes are implemented, so that they can provide much needed guidance to help manage the substantial change taking place in the

Whitechapel area.

Recommendations:

Cabinet is recommended to:

1. Approve for adoption the updated CAMPs [as set out in Appendix 1] for the following five conservation areas, so that they can be considered as a material planning consideration in the assessment of planning decisions:
 - Ford Square and Sidney Square
 - Myrdle Street
 - London Hospital
 - Whitechapel High Street
 - Whitechapel Market
2. Authorise the Corporate Director for Place to make any necessary factual or graphic design changes prior to publishing the final CAMPs.
3. Authorise the Corporate Director for Place to enact the proposed boundary changes to the five conservation areas as set out in Appendix 2.
4. Note the representation schedule, as set out in Appendix 3, which presents the representations received during the consultation and the responses to these.
5. Note the Equalities Impact Assessment as set out in Appendix 4.

1 REASONS FOR THE DECISIONS

- 1.1 Whitechapel has undergone substantial physical change in recent years and is under pressure to undergo further substantial change. The council relies on CAMPs to help preserve and enhance the character and appearance of its conservation areas in the face of this ongoing change. The current CAMPs for conservation areas in and around Whitechapel are now more than ten years old and need updating to ensure that they are effective tools to assist with the management of the historic environment, which is a valued resource.
- 1.2 Updated CAMPs have been prepared in accordance with best practice guidance and using detailed research. Changes to the boundaries of the five conservation area have also been proposed. The draft CAMPs and boundary changes have been the subject of a six-week public consultation,

which reached out to all relevant and interested stakeholders. Detailed comments on the draft documents and boundary changes have been received and given careful consideration. Where appropriate the documents and proposed boundary changes have been amended accordingly. The updated CAMPs and amended boundaries will be an effective tool to help the council manage change while preserving and enhancing the character and appearance of the historic environment in and around Whitechapel.

2 ALTERNATIVE OPTIONS

- 2.1 Cabinet may choose to not adopt the updated CAMPs and instead rely on the Local Plan and existing CAMPs to inform future planning decisions affecting the five conservation areas. This option is not recommended as the Local Plan does not provide a sufficiently detailed appraisal of the historic environment in and around Whitechapel and the existing CAMPs are now more than ten years old and do not accurately reflect the changes that have taken place during this time or the nature of the changes that are anticipated to take place in the future. Should there be any concerns about an individual CAMP, Cabinet may choose to only adopt some of them.
- 2.2 Cabinet may also choose not to agree to the proposed boundary changes. This option is not recommended as the current boundaries do not take account of changes that have occurred since the conservation areas were designated and do not address the anomalies in designation that have subsequently come to light. Should there be any concerns about particular boundary changes, Cabinet may choose to only agree to some of them. Cabinet may also choose to adopt the CAMPs without the proposed boundary changes. In this event, some changes to the CAMPs would be required to take account of this.

3 DETAILS OF THE REPORT

Background

- 3.1 The Planning [Listed Buildings and Conservation Areas] Act 1990 places a duty on local authorities to designate as conservation areas any areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. Tower Hamlets has fifty-eight conservation areas, covering around thirty percent of borough, that reflect the diversity and variety of its historic environment.
- 3.2 The designation of conservation areas places certain duties on local planning authorities. Firstly, to formulate and publish, from time-to-time, proposals for

the preservation and enhancement of conservation areas in their districts, and to submit them to public consultation. Secondly in exercising their planning powers, to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas. To assist in the discharge of these duties, the council has adopted Character Appraisals and Management Plans [CAMPs] for each of its conservation areas. These documents provide a detailed description of the area's architectural and historic character and set out management guidelines on how this character should be preserved and enhanced in the context of appropriate ongoing change.

3.3 The first versions of the CAMPs were adopted between 2007 and 2009, and since then updates have been adopted for eight conservation areas between 2016 and 2017. The remaining fifty conservation areas have not had their CAMPs updated within the last ten years. In 2017 the council adopted an updated Conservation Strategy, which states that priority should be given to the review of conservations areas where there has been substantial physical change to an area's character or appearance since the current CAMP was produced, or there is substantial pressure for change within or to the setting of a conservation area, such that it is at risk as a result. Using these criteria, five conservation areas in and around the Whitechapel have been prioritised for review:

- Ford Square and Sidney Square Conservation Area
- Myrdle Street Conservation Area
- London Hospital Conservation Area
- Whitechapel High Street Conservation Area
- Whitechapel Market Conservation Area

3.4 These areas were selected because, substantial physical change has already occurred in the centre of Whitechapel, for example with the construction of the new Royal London Hospital. There is also substantial pressure for further change in the area, with several major developments currently in the planning process. It is therefore important that the CAMPs for Whitechapel are updated to take account of the change that has taken place to date and are able to appropriately manage future change.

Evidence gathering and document preparation

3.5 The updates to the CAMPs are informed by detailed research into the history and character of the area, as well as a thorough analysis of the planning issues they currently face. Site visits were carried out to document the physical condition of the conservation areas. This was compared with historical photographs to understand the nature of changes that have taken

place since the adoption of the original CAMPs. Planning decisions from this period were also analysed to help understand the reasons for the changes. This data informed a series of workshops with officers from a number of council services, including Strategic Planning, Development Management and Public Realm. A workshop was also held with officers from other London boroughs and representatives from Historic England to discuss best practice approaches to the preparation of CAMPs. The draft updated CAMPs were prepared in accordance with Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management.

Conservation area boundary changes

- 3.6 As part of the process of updating the CAMPs, amendments to the boundaries of each of the five conservation areas have been proposed. These amendments respond to changes that have occurred to the conservation areas since their designation and also include adjustments to address minor anomalies that have now come to light. In some cases, land has been moved from one conservation area to another. Full details of the proposed boundary changes are provided in Appendix 2.

Public consultation

- 3.7 A public consultation was held on the updated CAMPs between 11 February and 24 March 2019. Details of the consultation were published on the council's website and site notices were displayed throughout each of the five conservation areas. Letters were sent to each of the addresses that would be affected by the proposed boundary changes and emails were sent to major stakeholders with an interest in the areas.
- 3.8 Two drop-in sessions were held at the Whitechapel Idea Store during in the consultation period: one in the afternoon and one in the evening. At these sessions, copies of the consultation documents were made available and exhibition boards displayed information about the key issues in the conservation areas. Council officers were available to present the information and answer questions.

Summary of document amendments

- 3.9 Consultation responses were received from six local residents, one amenity society and ten major landowners/developers with an interest in the area. All consultation responses have been given careful consideration and where appropriate the CAMPs have been amended. The amended documents are set out in Appendix 2, which illustrates all the changes that have been made to the consultation documents. The CAMPs in Appendix 1 are presented as simplified predominantly text-only documents. Should Cabinet agree to their

adoption, further graphic design work will be carried to present the guidance in an attractive and accessible way that complies with the council's brand guidelines and statutory document accessibility requirements.

- 3.10 The issues raised during consultation are too many and varied to repeat here. However, the following is a summary of some of the main matters that were brought up.
- 3.11 The draft CAMPs stated that the documents would be Supplementary Planning Documents [SPDs]. Representations were received that challenged the proposed status of the documents as SPDs, commenting that the intention to prepare SPDs was publicised in the council's Local Development Scheme [LDS], which is a project plan that sets out the timetable for new or revised development plan documents. The intention to prepare updated conservation area appraisals and management plans for five conservation areas in Whitechapel was, in fact, set out in the LDS appended to the 2017 Annual Monitoring Report.
- 3.12 Notwithstanding the above, it has been decided that at this time the CAMPs should be adopted as planning guidance rather than SPDs. Whilst planning guidance does not have the same weight in the planning decision making process as and SPD, it is nonetheless a material consideration and should be taken account of when determining planning application.
- 3.13 Representations were received stating that the draft CAMPs are not consistent with adopted planning policy. In particular, it was commented that the documents do not pay sufficient regard to the potential for future change in the area and the contribution that the sites in the area to meeting objectively assessed need. For example, as articulated by the Whitechapel South site allocation in the Tower Hamlets Local Plan.
- 3.14 The CAMP documents state from the outset that they are to be read in conjunction with planning policy. It is not the purpose of the documents to repeat all relevant planning policy, although considering the comments received the documents have been amended to provide a more comprehensive list of planning policy documents that it supports. In addition, the wording of the documents has been reviewed and in some instances, it has been amended to provide a better interpretation of planning policy. For example, comments about the demolition of buildings have been noted and the CAMPs wording has been amended accordingly [see below in paragraph 3.14].

- 3.15 Representations received have highlighted the fact that the wording in the CAMPs in relation to the demolition of buildings might be considered too strong and may be construed as being contrary to the National Planning Policy Framework and established planning case law. These comments have been noted and the document wording has been amended accordingly.
- 3.16 The CAMP documents contain an assessment of which buildings are considered to make a positive contribution to the character of the conservation area. The draft documents stated that either all or the majority of buildings made a positive contribution. Representations were received that objected to the identification of some buildings as contributing positively to the conservation areas. The qualitative assessment of the buildings has been reconsidered in light of these comments received and in some instances the documents have been amended accordingly.
- 3.17 The documents note that in some instances tall buildings have caused harm to the setting of some of the conservation areas. Representations were received stating that further large development should not automatically be considered unacceptable. This point is noted and it is recognised the wording of the documents has been amended to state that further large development has the potential to cause harm.
- 3.18 Representations were received in support of the removal of the Bio Science Innovation Centre and the Blizzard Building from the Myrdle Street Conservation Area.
- 3.19 Representations were received objecting to the removal of new Royal London Hospital building from the London Hospital Conservation Area. It has been suggested that despite its perceived unsympathetic aesthetic features, the new building provides communal value and its proximity to the former London Hospital represents a continuity of providing healthcare in this part of London. However, after careful consideration it has been concluded that the building is not typical of the character of the conservation area and does not contribute positively to its character and appearance.
- 3.20 Representations have also been received objecting to addition of former Outpatients Department Annex to the London Hospital Conservation Area. The representations point out that the annex was not included in the conservation area when it was originally designated in 1990, and therefore must have been assessed as not having the potential to make a positive contribution to the conservation area. The representations also state that the annex is not a particularly notable example of hospital architecture and has undergone significant alteration. Overall, it is said, the proposal to include the annex in the conservation area is not substantiated. Officers have given

careful consideration to these comments and have also noted that the annex was not added to the conservation area when the last appraisal was carried out in 2007 and that the building has more in common with some of the larger properties on New Road that are not in the London Hospital Conservation Area. In view of this, whilst it was initially considered that the annex had a strong historical association with the hospital and would make a positive contribution to the conservation area on reassessment it is thought that, on balance, the annex should not be added to the conservation area and its status should remain unchanged.

- 3.21 Representations were received objecting to the inclusion of the Cannon Barnett Primary School in the Whitechapel High Street Conservation Area. These reasons include the assertion that insufficient justification for its inclusion has been provided. However, it is considered that the building is an impressive example of an early twentieth century school, which would make a positive contribution to the conservation area. In particular, it is considered that the twin turrets are an attractive feature in local views.

Next steps

- 3.22 Should Cabinet be minded to adopt the updated CAMPs the documents will, subject to any call-in, be published on the council's website and be taken into account as a material planning consideration in future planning decisions affecting these conservation areas. In addition, further graphic design work will be carried to present the guidance in an attractive and accessible way that complies with the council's brand guidelines and statutory document accessibility requirements.
- 3.23 In addition, should Cabinet be minded to approve the amendments to the conservation area boundaries, officers will arrange for the necessary statutory processes to be completed. This includes notifying the relevant Secretary of State and publishing details of the change on the London Gazette and at least one other publication.

4 EQUALITIES IMPLICATIONS

- 4.1 An equality impact screening checklist has been completed [see Appendix 4]. This identifies that there is not a need for a full Equality Impact Analysis for this proposal.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are

required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 There are no other statutory implications.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no financial implications emanating from this report which seeks approval of updated Character Appraisals and Management Plans [CAMPs] for five conservation areas in and around Whitechapel

7 COMMENTS OF LEGAL SERVICES

7.1 If changes to the Conservation Area boundaries are to be made as noted in para 3.23 the necessary legal processes will need to be followed. In addition whilst the CAMP proposals will be material planning considerations as noted they are only of limited weight.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – Updated CAMPs
- Appendix 2 – Proposed boundary changes
- Appendix 3 – Schedule of representations and amendments
- Appendix 4 – Equalities impact assessment screening

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

N/A

