

Committee: Development	Date: 12 th September 2013	Classification: Unrestricted	Agenda Item Number:
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Report of: Director of Development and Renewal	Title: Ref No: PA/11/2306
Case Officer: Beth Eite	Ward: Spitalfields and Banglatown

1. APPLICATION DETAILS

Location:	11-31 Toynbee Street and 65-67 Commercial Street, London E1 7NE
Existing Use:	Commercial and vacant
Proposal:	Demolition of the existing commercial buildings on site and redevelopment to provide a ground plus part two, part three, part four storey building comprising 5 commercial units at ground for flexible A1/A2/B1 use, 1 commercial unit at ground for flexible A1/A2/A3/B1 use and 19 residential units on upper floors and other works incidental to the application (5 x 1 bed, 11 x 2 bed, 2 x 3 bed and 1 x 4 bed).
Drawing Nos	E100, E109, E110, E111, E130, E131, E132, E150, E151, E152, P209 rev A, P210, P211, P212, P213, P214, P215, P230, P231, P232, P250, P251, P252, P260 and P253.
Documents:	Heritage Statement March 2013, Planning Statement dated April 2013, Design and Access Statement March 2013.
Applicant:	London Borough Of Tower Hamlets
Ownership:	London Borough of Tower Hamlets
Historic Building:	N/A
Conservation Area:	Wentworth Street

2. **Executive Summary**

No.'s 15-31 Toynbee Street make a contribution to the overall character of the Wentworth Street conservation area. The demolition of these buildings has therefore been considered against paragraph 133 of the National Planning Policy Framework. The current condition of the buildings prevents all reasonable re-use and the benefits of the replacement scheme are considered against the loss of the existing buildings. The loss of the existing buildings on the site would therefore not result in substantial harm to the heritage asset or surrounding Wentworth Street conservation area.

3. **RECOMMENDATION**

- 3.1 That the Committee resolve to refer the application to the Secretary of State with the recommendation that the council would be minded to grant Conservation Area Consent subject to conditions as set out below.

3.2 That the Corporate Director Development & Renewal is delegated power to impose conditions [and informatives] on the conservation area consent to secure the following matters:

3.3 Conditions for conservation area consent

1. Time limit
2. Development to be carried out in accordance with the approved drawings
3. Contract in place for re-development of site prior to demolition of buildings.
4. Demolition works to only take place between 10.00am to 4.00pm Monday to Friday and 10.00am to 1.00pm on Saturday and no other time including Sundays or Public Holidays.

3.4 Informatives

1. This Conservation Area Consent should be read in conjunction with planning application PA/11/2305 and the associated legal agreement.

4. PROPOSAL AND LOCATION DETAILS

Proposal

4.1 The application seeks consent to demolish all of the existing commercial buildings on site and construct a five storey building fronting Commercial Street and a part three, part four, part five storey building fronting Toynbee Street. The building would be constructed from a mixture of patterned and plain brick. This planning application is still under consideration for delegated approval and completion of the s106 legal agreement.

Site and Surroundings

- 4.2 The site can be seen in two distinct parts, 67-69 Commercial Street (including 11 & 13 Toynbee Street at the rear) and 15-31 Toynbee Street. The Commercial Street buildings are single storey at present, the upper floors have been missing for some years and may have been the result of war damage. The ground floor units have two frontages, Commercial Street and Toynbee Street. Both are vacant at the present time.
- 4.3 The site represents a transition between the building heights, the buildings to the north are taller and built on grander proportions than the buildings to the south which are four storeys in height and have narrower plots.
- 4.4 The Toynbee Street properties date from 1929 and were constructed as part of the Holland Estate redevelopment. These are two storey buildings with a pitched roof above. These were commercial properties with storage above, the majority of these are vacant and the buildings are in a state of disrepair.
- 4.5 The site is located within the Wentworth Street conservation area which was designated in 1989.

Relevant planning applications:

4.6 PA/11/2305 - Demolition of the existing buildings on site and redevelopment to provide a ground plus part two, part three, part four storey building comprising 5 commercial units at ground for flexible A1/A2/B1 use, 1 commercial unit at ground for flexible A1/A2/A3/B1 use and 19 residential units on upper floors and other works incidental to the application (5 x 1 bed, 11 x 2 bed, 2 x 3 bed and 1 x 4 bed). Currently under consideration.

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:

Government Planning Policy Guidance:

National Planning Policy Framework – Chapter 12 Conserving and enhancing the historic environment

Core Strategy Development Plan Document 2025 (adopted September 2010)

Policies SP10 Creating distinct and durable places

Managing Development Document (adopted April 2013)

Policies DM24 Place sensitive design
DM27 Heritage and the historic environment

Spatial Development Strategy for Greater London (London Plan 2011)

7.9 Heritage Assets and archaeology

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
- A better place for excellent public services

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

- 6.3 Nos. 15-31 Toynbee Street were part of the Holland Estate. The East London Volume of Pevsner’s Buildings of England series notes that ‘The pre-war parts of the Holland Estate, by the LCC 1927-36, fill much of the area between Brune Street, Bell Lane and Wentworth Street, part of a continuing effort to clear the squalid c19 slums of this area. Three four-storey ranges in the LCC’s usual Neo-Georgian around a grassed court facing Bell Street, with a three-storey block, Barnett House in the centre. Behind is a two-storey range of workshops in Toynbee Street’. The workshops are distinctive structures; whilst definitely related architecturally to the main body of the Holland Estate, their small, suburban estate sets them apart. They are currently in poor condition; parts appear to have been empty for some time.
- 6.4 In our view, whilst not a designated heritage asset, nos. 15-31 Toynbee Street make a contribution to the overall significance of the Wentworth Street Conservation Area and therefore constitute a building of significance. The proposal to demolish, involving a total loss of significance, should therefore be fully considered against the test contained in paragraph 133 of the NPPF.

7. LOCAL REPRESENTATION

- 7.1 A total of 179 neighbouring properties within the area shown on the map appended to this report were notified about the planning application and conservation area consent and

invited to comment. [The application has also been publicised in East End Life and on site.] The number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 5 Objecting: 5 Supporting: 0
No petitions received

- 7.2 The majority of the objections received relate to the planning application and issues resulting from the redevelopment of the site. One objection was received relating to the loss of the existing buildings and how this would be detrimental to the street and the conservation area. *(Officer response: The loss of the building has been considered against the criteria set out in paragraph 133 the NPPF and has been found to be acceptable. The replacement building would be of a high quality design and is considered to complement the surrounding streetscene and conservation area.)*

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 Section 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires an application for conservation area consent to be made to demolish any building within a conservation area.
- 8.2 The main planning issues raised by the conservation area consent application that the committee must consider are:
1. Loss of the existing commercial buildings and the impact of the demolition on the character and appearance of the Wentworth Street conservation area.
 2. The quality and suitability of the replacement building.

Loss of the existing buildings

- 8.3 The proposal includes an application for conservation area consent for the demolition of the existing buildings. The acceptability of this should be measured against policy DM27 of the Managing Development Document 2013 and the requirements of the National Planning Policy Framework. Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to preserve or enhance areas which are designated as conservation areas.
- 8.4 Within policy DM27 the following criteria are relevant:
- The significance of the asset, architecturally, historically and contextually
 - The condition of the building
 - The likely costs of repair
 - The adequacy of efforts to maintain the building in use
 - The suitability of any replacement building.
- 8.5 No.s 15-31 Toynbee Street contribute significantly to the Wentworth Street conservation area, as their demolition would lead to a total loss of significance the application has been assessed against paragraph 133 of the NPPF. The advice within the NPPF is that a total loss of significance of a heritage asset should be refused unless there is a substantial public benefit which outweighs the harm caused by its loss or:
- The nature of the heritage asset prevents all reasonable uses of the site; and
 - No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible and
 - The harm or loss is outweighed by the benefit of bringing the site back into use.

- 8.6 A structural statement has been submitted with the application which explains the current state of the building and the likely costs for repair and refurbishment. Whilst the external walls and roof structure are in a reasonable condition the rest of the buildings would need to be replaced. The cost of this refurbishment when measured against the gain which could be achieved within the existing two storey built form would render the scheme unviable
- 8.7 The demolition scheme seeks to regenerate Toynbee Street by increasing footfall along this street and make it more welcoming than it currently is. The scheme includes new employment space and additional residential accommodation bringing significant public benefit to the area in line with adopted policies. The existing buildings are not designated heritage assets (although are recognised as having some significance) and are currently in poor condition with high repair costs. The design of the replacement building is considered acceptable and is supported by the Council's conservation and design team (see photographs below). It would enhance the character and appearance of this part of the Wentworth Street conservation area due to the high quality design, both through the use of materials and architectural design.
- 8.8 It is considered that the Wentworth Street conservation area would not be harmed by this appropriate demolition for the reasons set out above and the proposal is therefore in accordance with the National Planning Policy Framework and policy DM27 of the MDD and therefore the demolition of 67-69 Commercial Street and 11-31 Toynbee Street is acceptable.

Image of site currently:



Proposed replacement building:



Quality of the proposed replacement building

- 8.9 Policy 7.1 of the London Plan states that new development should help reinforce or enhance the character legibility, permeability and accessibility of the neighbourhood. Policy 7.4 provides further detail and requires developments to have regard to the form, function and structure of an area. They should be human in scale, creating a positive relationship with the street level and should have regard to the existing scale proportion and mass.
- 8.10 Policy SP10 of the Core Strategy also provides general design advice for new developments and seeks to ensure that buildings are high-quality, sustainable, accessible, attractive, durable and well-integrated into their surroundings. They should contribute to the enhancement or creation of local distinctiveness.
- 8.11 This is reinforced within the Managing Development Document within policies DM23, DM24 and DM27. DM23 seeks to ensure that development contributes to a high quality public realm, accessible for all and designed to a standard which is suitably safe and secure. Policy DM24 requires high quality design for all developments, this is both internally and externally. Finally, policy DM27 requires all development to protect and enhance the borough's heritage assets, their setting and their significance. In this case the site is a heritage asset by virtue of its location within the Wentworth Street conservation area.
- 8.12 Consideration of the design of the scheme should be split into two parts, the way the development sits within the Commercial Street elevation and how it contributes to the Toynbee Street elevation.

Commercial Street.

- 8.13 The development has taken its cue from the existing buildings with a traditional window arrangement set within a contemporary façade with Juliet balconies. The height of the building would be the same as the property to the north with the proportions of the windows following the tradition pattern of decreasing in size throughout the higher floors of the building. The windows would be set within deep reveals which is also a traditional feature for the buildings along Commercial Street.

- 8.14 Brickwork is proposed as the main construction material. Glazed bricks for the ground floor and a patterned brick for the first to third floor and a plain brick for the set back upper floors. The pattern for the brick has taken inspiration from the silk-weaving traditions which the Spitalfields area has been traditionally associated with.
- 8.15 A modern, aluminium shopfront is proposed on the ground floor. A zone for signage has been detailed within the glazing.
- 8.16 The proposed Commercial Street elevation is considered to represent a contemporary approach with elements of the traditions of the local area and the proportions of the surrounding traditional buildings being brought through. The building would be in keeping with the bulk and scale of its surroundings and would help to reinforce the existing character of the Spitalfields area. It is considered that the development would represent a significant enhancement to the streetscene and the Wentworth Street conservation area.
- 8.17 *Toynbee Street.*
The design of the Commercial Street elevations is continued through to Toynbee Street with a mixture of patterned brickwork and glazed bricks. The floors above the main three storey building would be set back and constructed from plain bricks.
- 8.18 The height and bulk of the building is considered to be in keeping with the general streetscene and would not be out of character. The height of the existing buildings to the top of the ridge line is 8.5m, the proposed building would be predominantly 11.5m in height with elements at the northern end being up to 16.5m in height and at the southern end up to 14.5m in height.
- 8.19 The taller elements at the north and south of the site would be set back and constructed of a plain light grey brick. It is at the northern end where it is highly visible, however these additional storeys would be viewed against the existing five storey buildings at the northern end of Toynbee Street which run through to Commercial Street. Given this context it is considered that this additional height would be acceptable.
- 8.20 The development would provide a distinctive new feature within the streetscene and would enliven Toynbee Street creating activity both through the introduction of residential units and the commercial element. The contemporary design is considered to be appropriate as there are design elements within the scheme which respects the historic nature of the conservation area.
- 8.21 The shopfronts would have a clean modern appearance with glazed bricks and aluminium frames. Fabric canopies would be installed above the shop windows which would ensure signage would be located below this, therefore maintaining a consistent approach and would allow places for pedestrians to shelter in inclement weather. These canopies would be similar to those located around Spitalfields Market and are considered to be an acceptable addition to the scheme.

Conclusions

- 9.0 All other relevant policies and considerations have been taken into account. Conservation Area Consent should be granted (subject to planning permission being granted for the redevelopment of the site under PA/11/2305) for the reasons set out in the EXECUTIVE SUMMARY and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.



Planning Application
Site Boundary



Locally Listed Buildings
Statutory Listed Buildings

Land Parcel Address



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