


<b>Cabinet</b>	 <b>TOWER HAMLETS</b>
Wednesday 31 July 2019	
<b>Report of:</b> Ann Sutcliffe, Corporate Director of Place	<b>Classification:</b> Unrestricted
<b>Proposed additions to the local list</b>	

<b>Lead Member</b>	<b>Councillor Rachel Blake, Cabinet Member for Planning, Air Quality and Tackling Poverty</b>
<b>Originating Officer(s)</b>	Michael Ritchie – Place Shaping Team Leader
<b>Wards affected</b>	Bethnal Green, Blackwall and Cubitt Town, Bow East, Bow West, Bromley North, Bromley South, Island Gardens, Poplar, Shadwell, Spitalfields and Banglatown, St Dunstan's, St Katharine's and Wapping St Peter's, Weavers and Whitechapel.
<b>Key Decision?</b>	Yes
<b>Forward Plan Notice Published</b>	N/A
<b>Reason for Key Decision</b>	Impact on Wards
<b>Strategic Plan Priority / Outcome</b>	A borough that our residents are proud of and love to live in

### **Executive Summary**

The Tower Hamlets local list identifies buildings and structures that are considered to be of local importance due to their architectural, historical and townscape significance. In September 2017, the council adopted selection criteria and a public nomination process to help determine the suitability for further buildings and structures to be added to the list.

Forty-one buildings have been identified as being suitable for inclusion on the local list. Four of these were nominated by members of the public and thirty-seven are historic public houses (and some associated buildings) that have been identified by officers. A public consultation was held to seek views on the proposed inclusion of

these buildings on the local list. Following careful consideration of the responses received, officers recommend that all of the forty-one buildings are added to the local list.

## **Recommendations:**

The Mayor in Cabinet is recommended to:

1. Approve the proposed additions to the local list.

### **1. REASONS FOR THE DECISIONS**

- 1.1 The council's Conservation Strategy (2017) recognises that the boroughs heritage is an irreplaceable legacy that is intrinsic to the character of Tower Hamlets, and makes it a unique and distinctive place. It also recognises that heritage makes a significant contribution to the borough as a welcoming place to live, work and visit, delivering long-term benefits for the social and economic well-being of Tower Hamlets. The proposed additions to the local list will give recognition to valued heritage assets and will help to ensure that they are protected and enhanced, so that they can be appreciated and enjoyed by future generations.

### **2. ALTERNATIVE OPTIONS**

- 2.1 It may be decided to not add all, or some of, the proposed buildings to the local list. If this were the case, the buildings would still be considered to be undesignated heritage assets, and their heritage value would still be taken into account in planning decisions. However, they would not have the formal recognition of being identified on the council's local list.

### **3. DETAILS OF THE REPORT**

#### **The local list**

- 3.1 The Tower Hamlets local list identifies buildings and structures that, whilst not statutorily listed for their national importance, are considered to be of local importance due to their architectural, historical and townscape significance. Inclusion on the local list does not result in additional consent requirements over and above those required for planning permission. However, local listing is a way of identifying a building or structure as a non-designated heritage

asset and, as such, its significance will be a material consideration in planning decisions. The NPPF requires local authorities to consider the impact of development on the significance of non-designated heritage assets when determining planning applications, balancing the scale of any harm or loss and the significance of the asset.

- 3.2 Tower Hamlets has had a local list in some form since the early 1980s. It initially included many of what were at one time referred to as Grade III Buildings, which were those that were considered for statutory listing but did not make the final selection. Other buildings have been added on a piecemeal basis. For example, a number of buildings were added to the list at the time that the Limehouse Cut Conservation Area was designated. More recently, forty-four war memorials were added as part of a thematic review marking the centenary of the start of World War I. There are currently 213 entries on the list in total.

#### **Justification for adding to the list**

- 3.3 The need to review and add to the local list was raised in a motion at the meeting of Council on 20 January 2016, where it was resolved (inter alia) that the council should establish a process to enable local residents to propose additions to the local list and also to revise the existing local list, with a particular focus on adding historic public houses. This is reflected in objective 2.7 of the council's Conservation Strategy, which states that we will aim to review the local list and consider the desirability of extending it.
- 3.4 In September 2017, the council adopted a local list nomination and selection process. This sets out the criteria for selecting buildings for inclusion on the list and how members of the public can propose additions. Nominations for the local list can be made throughout the year. Officers will review nominations on the first of October each year and will refer appropriate ones to the local list selection panel. A six week public consultation will be held before a final decision is made, by Cabinet, about which buildings will be added to the local list.

#### **Selection of proposed additions**

- 3.5 It is proposed to add forty-one buildings to the local list, details of which can be found in Appendix 1. Four of these were nominated by members of the public and thirty-seven are historic public houses (and some associated buildings) that have been identified by officers.
- 3.6 Twenty buildings were nominated by the public, including ones put forward during the public consultation on the nomination and selection process, which took place from 11 November 2016 to 31 January 2017, along with suggestions that had been made previously and held on file. Details of the

nominated buildings can be found in Appendix 2. Fifteen of the nominated buildings are located in conservation areas. Buildings in conservation areas already benefit from a good degree of protection in the planning system; they cannot be demolished without planning permission and certain permitted development rights have been removed. Furthermore, there is a danger that by locally listing buildings within conservation areas on an ad-hoc basis the significance of other equally valuable buildings within the area may appear to be downgraded. For these reasons, it has been decided that buildings within conservation areas should not be added to the local list.

- 3.7 One of the nominated buildings, the Poplar gasholder, was dismantled before the nomination shortlisting took place. Parts of the gasholder have been retained and will be re-used in the landscaping of the redeveloped site. The nomination of the gasholder will be carried forward and the retained parts of the structure will be recommended for inclusion on the local list once they have been reinstated on site.
- 3.8 The remaining four nominations were assessed against the selection criteria and were all considered to be worthy of inclusion on the local list. In accordance with the adopted nomination process, these proposed additions were reviewed by an independent local list selection panel, which includes members of the Conservation and Design Advisory Panel and a representative from Historic England. The panel endorsed the inclusion of these buildings on the local list.
- 3.9 Officers also carried out a review of public houses to identify those suitable for inclusion on the local list. For the reasons outlined in paragraph 3.6 above, officers limited the scope of the review to public houses located outside of conservation areas. The review identified thirty-four buildings that are considered to meet the local list selection criteria. Three of these public houses have buildings directly connected to them, which contain separate businesses and have separated addresses but are nonetheless integral to the significance of the adjacent public house. It is therefore proposed to add these ancillary buildings to the local list as well.

#### **Consultation on the proposed additions to the local list**

- 3.10 A public consultation on the proposed additions to the local list took place between Monday 11 February and Sunday 24 March 2019. The consultation was advertised on the council's website and two drop-in sessions were held where the consultation documents were displayed and officers were available to answer questions. Letters were sent to each of the buildings that are proposed to be added to the list; both to the address of the building itself and to the address of the registered owners (obtained from a land registry search).

Emails were sent to relevant amenity societies and Members were notified through the Members bulletin.

- 3.11 In response to the consultation, a letter was received from a member of the public (who had nominated two of the proposed additions) to state that they also supported the proposed addition of the other buildings.
- 3.12 Representations were also received from the owner of six of the public houses; supporting the inclusion of two of them on the local list but objecting to the inclusion of the other four as it was considered that they did not sufficiently meet the selection criteria. The Borough Conservation Officer has reviewed these representations and has concluded that, notwithstanding the comments, the buildings are considered to meet selection criteria and are good examples of the boroughs historic public houses and are worthy of inclusion on the local list. A summary of the consultation comments, and the council's response to these, can be found in Appendix 3.

#### **4. EQUALITIES IMPLICATIONS**

- 3.13 An equalities assessment was carried out at the time that the local list nomination and selection process was formerly adopted. Officers will continue to monitor the implementation of this process to ensure that actions are undertaken to mitigate the likely impacts on the equality profile of those affected.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 There are no other statutory implications.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report provides an update on the results of the public consultation into the proposed addition of various properties to the Local List and seeks the approval of the Mayor in Cabinet to the inclusion on the list of the properties detailed in Appendix 1.
- 6.2 There are no specific financial implications arising directly from this report. All officer time involved in reviewing and updating the Local List has been financed from within existing budgetary provision, as have been the costs of consultation.
- 6.3 Inclusion of a building on the Local List does not place any statutory responsibility on the property owner in terms of maintenance, repair or reinstatement of features. The listing does however ensure that the property's

significance will be a material consideration in determining future planning decisions. This will apply equally to Council owned sites and although none of the specific properties considered in this report are Council assets, other properties that are already included on the Local List are. The implications of this heritage status should therefore be considered as part of any future development proposals of affected Council sites.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The legal position is set out in paragraph 3.1 above. Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects statutorily (by Secretary of state) 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. A Locally Listed Building is a building, structure or feature which, whilst not listed by the Secretary of State, has been designated an important part of the Council's heritage due to its architectural, historic or archaeological significance.
- 7.2 As with Statutory Listed Buildings, any works carried out should preserve or enhance the building and any features of architectural or historic interest retained and appropriate materials used. Inclusion in the local list does not give the building any statutory protection, but the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration (not a statutory consideration) when determining the outcome of a planning application. MAB will need to consider what effect a local listing of each asset might have on discouraging or encouraging developments in the vicinity of the heritage asset.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- NONE

### **Appendices**

- Appendix 1: Proposed additions to the local list
- Appendix 2: Local List Nominations
- Appendix 3: Summary of consultation comments with LBTH responses

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

- NONE.

**Officer contact details for documents:**

N/A