



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

Reference	PA/21/02206
Site	Mulberry Place Town Hall, 5 Clove Crescent, And Lighterman House, 3 Clove Crescent, London, E14 2BG (Republic Masterplan Site)
Ward	Poplar
Proposal	Alterations to the Grade II 'East India Dock Boundary Wall' and Grade II 'Embankment Wall, Railings And Steps' to create three new openings to assist pedestrian movement and connectivity, provision of a new accessible lift adjacent to the existing embankment steps, limited conservation led repair.

Summary Recommendation Grant listed building subject to conditions.

Applicant EID (General Partner) LLP

Architect/agent Savills

Case Officer Victoria Coelho

Key dates

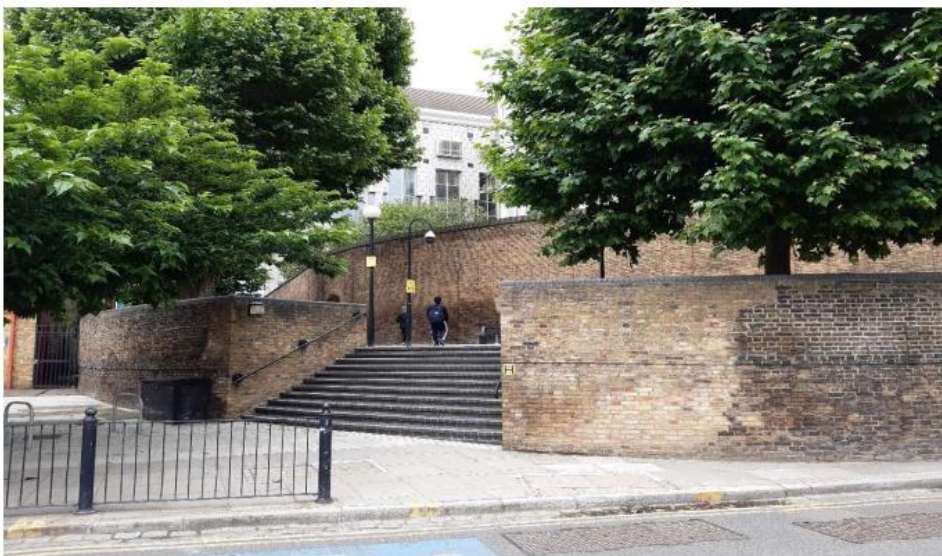
- Application registered as valid on 30/09/2021
- Public consultation finished on 21/10/2021

1. BACKGROUND

- 1.1 The application was presented to Strategic Development Committee on 19th October 2022 alongside Planning Application with reference PA/21/02182 for the redevelopment of Mulberry Place and Lighterman House. The committee resolved to refuse the application for planning permission, however no vote was taken to decide the associated Listed Building Consent with the Officer Recommendation to grant permission..
- 1.2 Although this application was reported to the committee as a joint item with the application for planning permission, the works proposed for which Listed Building Consent is sought can be carried out independently to the redevelopment.
- 1.3 The application is being re-referred given a vote was not taken at the previous meeting. The Officer Recommendation remains that Listed Building Consent should be granted, subject to conditions.

2. PROPOSAL

- 2.1 The works comprise the following:
 - Insertion of two new wall openings at the southwest corner of the wall, and one new opening in the northern section, forming new entrances to the Site;
 - Infill of the existing opening at the southwest corner of the wall and of the existing opening at the northern end of the wall with new metal gates;
 - Insertion of a new pedestrian lift adjacent to existing steps at the south westernmost corner of the embankment;
 - Limited conservation-led repair;
- 2.2 The existing openings to the south of the Export Building will be maintained and the opening between them, which has already been infilled, will not be altered. New openings will be constructed in a sympathetic manner to reflect the history of the 200 year old wall by reusing historic bricks where possible.
- 2.3 The intent is to infill the inserted openings with new fixed gates. The contemporary pattern of the new gates is influenced by the Flemish bond pattern of the existing wall, while hinting to the timber planks of historic merchant vessels thereby evoking the maritime past of the area.



The boundary wall and embankment wall seen from the southwest

3. RELEVANT PLANNING HISTORY

3.1 PA/21/02182 – Refused

A hybrid planning application for:

Full planning application for works to include: Demolition of existing buildings and structures and the phased erection of buildings, comprising:

- Residential Build to Rent Homes (Use Class C3); Student Accommodation and ancillary facilities (Sui Generis);
- Flexible Commercial Floorspace (Use Class E); Alterations to the Listed Dock Wall and Dock Gardens to provide new pedestrian connections and improved access;

Alterations to the existing access road; Associated improvements to streets, open spaces, landscaping and public realm; and Provision of car and bicycle parking spaces and servicing spaces and other works incidental to the proposed development.

For the purposes of consultation - The Detailed Phase of the application will include buildings of 30 storeys (102.3 AOD) and 36 storeys (113.7 AOD) delivering 150 Homes and 716 Student Bedrooms.

Outline planning application (all matters reserved) for:

Demolition of existing buildings and structures; The phased erection of buildings for use as a Data Centre (Use Class B8), Flexible Creative Workspace (Use Class E(g)), Community Space (Class F2), and/or a Swimming Pool (Class F2); and associated infrastructure; streets, open spaces, landscaping and public realm; car and bicycle parking spaces and servicing spaces; Utilities including electricity substations; and other works incidental to the proposed development.

4. PUBLICITY AND ENGAGEMENT

4.1 Upon validation, the Council sent out consultation letters to 1924 nearby owners and occupiers on 12th October 2021. Four site notices were displayed near the site on 13th October 2021 and an advert was published in the press on 21st October 2021.

4.2 Representations were received in relation to the application for planning permission with reference PA/21/021862 which were summarised in the associated committee report, however no representations were received in direct relation to this application for listed building consent.

5. CONSULTATION RESPONSES

Historic England

5.1 On the basis of the information submitted, Historic England state that it is not necessary for them to be consulted.

LBTH Heritage & Conservation Officer

5.2 The proposed accessible lift is located in front of the Grade II listed wall (being provide with x3 new openings). Proposals also include raising land levels of gradient adjacent to the existing wall and infilling existing opening with new metal gate. The existing metal gates is to be removed and replaced with updated designs in keeping with the remaining development. The new gate pattern is influenced by the existing brick pattern (Flemish bond) and timber ship planking. Though subtle this can be interpreted and appreciated by users of the public realm and occupants of the development.

5.3 The drawings indicate that the x3 new openings are to be provided with shallow brick arch lintels (using salvaged bricks and colour matched mortar/bond). These are in keeping with the

historic fabric of the wall and the existing openings. It is agreed that 'given that the existing openings are later additions' the infill with new metal gates would result in neutral impact.

- 5.4 Though location of the new access lift being a short distance away from the wall, it is judged not to harm the architectural significance of the wall or steps, and perceived harm outweighed by the public benefit of providing enhanced public benefit via enhanced access to level adjacent to the wall. This would in turn benefit the Naval Row Conservation Area. It is agreed with the summary conclusions within the Heritage Statement concerning the assessment of significance of the various elements of the listed structure, including the summary of impacts being of 'highly localised and proportionally can only amount to a very low order of less than substantial harm when considering the entire asset (para 6.9).'

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

- 6.2 In this case the Development Plan comprises:

- The London Plan 2016 (LP)
- Tower Hamlets Local Plan 2031

- 6.3 The key development plan policies relevant to the proposal are:

London Plan

HC1 – Heritage conservation and growth

Local Plan

S.DH1 – Delivering high quality design

S.DH3 – Heritage and the historic environment

- 6.4 Other policy and guidance documents relevant to the proposal are:

- National Planning Policy Framework (2021)
- National Planning Practice Guidance (updated 2019)

7. PLANNING ASSESSMENT

- 7.1 The key issues raised by the proposed development are:

- i. Design & Heritage

Design & Heritage

- 7.2 The proposals include alterations to the Grade II listed East India Dock Boundary Wall, to improve pedestrian access and the reconfiguration of the public space along the adjoining embankment, also listed as Grade II, to introduce new landscaping. The application seeks listed building consent for these works.

7.3 The works comprise the provision of three new openings within the wall, which will match the style of the existing openings. These are located to the south to allow more direct access to and from the stairs which lead into the estate. An existing opening will be infilled with reclaimed brick and a decorative gate. A decorative gate will be installed at the existing opening.

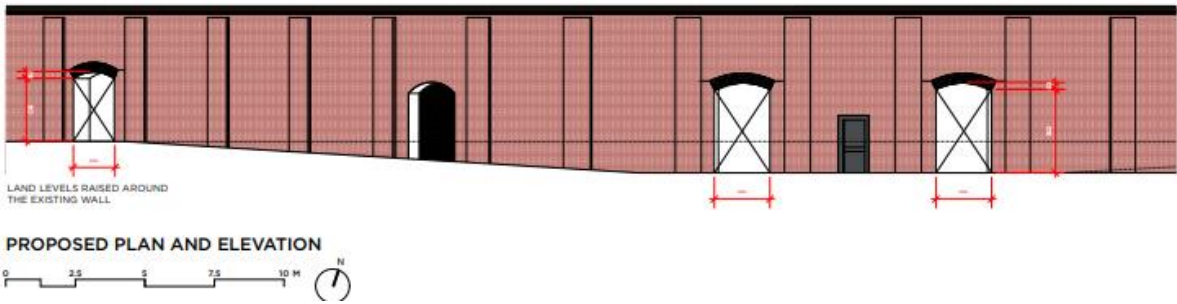


Figure 1 – Proposed Wall Openings

7.4 In addition to the works to the wall openings, an accessible lift is to be installed adjacent to the existing embankment steps, as well as general wall repairs. Repairs will be undertaken to the wall including re-pointing areas which have previously undergone repair using mis-matched cement and bond which is not reflective of the original wall. Furthermore, the 1990's gate that was previously installed will be replaced with one that is more sensitive to the historic setting of the wall.



Figure 2 – Proposed Accessible Lift

- 7.5 The main heritage consideration is whether the proposed alterations to the wall and stairs would at least preserve the significance of the listed structures and preserve or enhance the character or appearance of the Naval Row Conservation Area.
- 7.6 Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, regardless of whether any potential harm amounts to substantial harm, its total loss or less than substantial harm to its significance. The proposed development would see the retention of the wall as a standalone structure, with limited removal of historic fabric proposed.
- 7.7 Overall, the heritage statement submitted with the application concludes that the proposed development amounts to less than substantial harm to the listed boundary wall and no harm to the other assets including the Conservation Area as a result of the proposals. The Council's heritage officer concurs with the assessment and level of harm attributed to the works.
- 7.7 Paragraph 202 of the NPPF requires a balance in an instance of less than substantial harm to the significance of a designated heritage asset.
- 7.8 The heritage and public benefits of the proposed works include the further appreciation of the heritage asset along with further interaction with the wall, through the proposed openings and new routes through and around the Site; increased accessibility and permeability through the introduction of an accessible lift and conservation-led repair will reverse previous harm and restore the original appearance of the wall and embankment thereby preserving the significance of the assets.
- 7.9 Given the weight that should be afforded to preserving the special interest of the listed structures, it is considered that the proposal results in less than substantial harm to a small portion of the asset would be outweighed by the heritage and public benefits.
- 7.10 Having due and proper regard to the statutory requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposed works would comply with the relevant London Plan and Local Plan policies and requirements of the National Planning Policy Framework.

8. RECOMMENDATION

- 8.1 That **conditional Listed Building Consent is GRANTED.**
- 8.2 That the Corporate Director of Place is delegated the power to impose conditions to address the following matters:

8.3 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans.
3. Full details and materials.
4. Sections (1:50) of pedestrian lift and decorative gate

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Drawing No.	Description
217	Existing Dock Wall Elevation 02
216	Existing and Proposed Embankment Steps
215	Proposed Dock Wall Elevation 01
218	Proposed Dock Wall Elevation 02

