

Summary of Responses South Shoreditch Conservation Area Review 2021

Respondent ID	Organisation	Date Received	Comment ID	Respondent's Comments	Council's Response
SSCA01	WeWork	02/06/2021	1.01	Concern over the number of letters recieved.	Every address within the area recieves a letter informing them of the consultation to ensure it reaches everyone.
SSCA02		03/06/2021	2.01	Supports the extension of the SSCA.	Noted.
			2.02	Apprehensive about the lighthearted launage surrounding the flexibility of buildings and the view that all new developments are a good thing	Noted. All buildings within the area have been assessed as to whether they make a positive, neutral or negative contribution to the character and apperance of the Conservation Area.
			2.03	Concerns regarding the nighttime economy	Noted.
SSCA03		03/06/2021	3.01	Concerns regarding the removal of the Shoreditch Triangle from the Conservation Area	This section is not proposed to be removed from the Conservation Area.
SSCA04		05/06/2021	4.01	Supports the propsed boundary alterations and updated appraisal.	Noted.
SCA05		06/06/2021	5.01	Supports the propsed boundary alterations and updated appraisal.	Noted.
SCA06		08/06/2021	6.01	Welcomed the detailed history sections	Noted.
			6.02	Concerns regarding the ommision of plans to discourage more late night drinking on Ravey Street.	This is not a planning consideration.
			6.03	Concerns with plans to develop the car park behind McQueens bar	This development is not located within the London Borough of Hackney.
SCA07		14/06/2021	7.01	Supports the proposed boundary alterations	Noted.
			7.02	Recomend enhancement of the Hoxton Square Chatacter Area by reducing the noise and traffic polution	Noted, the management plan now referecnes the impact of vehicles withiin the Hoxton Square Character Area.
			7.03	Recomend reducing the number of bar licenses.	This is not a planning consideration.
			7.04	Recomend reducing Hoxton Square and surroundings streets to bycles and local traffic only.	Noted.
SCA08		17/06/2021	8.01	Supports the propsed boundary alterations and updated appraisal.	Noted.
SCA09		18/06/2021	9.01	Supports the propsed boundary alterations and updated appraisal.	Noted.
			9.02	Concerns over the number of adverts covering whole facades.	The Management Plan provides guidance on large scale adverts within Shoreditch.
			9.03	Concerns over large out of scale development e.g. the Courthouse Hotel	Developments within the SSCA are designed to preserve or enhance the conservation area.
			9.04	Welcomes the tree planting in Shoreditch and the pocket park in Hoxton Street	Noted.
SCA10		24/06/2021	10.01	Believe that Shoreditch should follow the example of Covent Garden and move away from clubs towards a day time economy	Noted, the Future Shoreditch Area Action Plan provides a strategy for balancing mixed uses in the area.
			10.02	Western end of Rivington Street is closed during the day and feels abandoned	Noted. The public realm improvements are designed to help to enived the streets.
			10.03	A Covent Garden style means that further areas within Shoreditch could be pedestrianised and therefore reduce pollution	Noted.
			10.04	Recomend that traffic could go directly north up Shoreditch High Street and not through Great Eastern Street.	Noted. However it is important to note that these roads are managed by TFL.
SCA11	Historic England	24/06/2021	11.01	Historic England welcome the proposal to review and revise the South Shoreditch Conservation Area in accordance with the requirement to maintain an up to date evidence base for the historic environment and to set out a positive strategy for the conservation and enjoyment of the historic environment.	Noted.
			11.02	The appraisal is detailed and sets out a clear case for the historic and architectural significance of the conservation area. We note the proposed minor changes to the boundary will bring heritage assets into the conservation area boundary and/or rationalise the boundary.	Noted.
			11.03	The appraisal should reference the APAs	The apraisal has been updated.
			11.04	The area has traditionally reflected craft and SME use and the area today retains a strong individual character which reflects the uses and activities of the area. Additionally the cultural vibrancy and nightlife activity of certain areas is contrasted by the quietness of others and a strong daytime/evening economy contrast. Some of the uses have arguably led to a detrimental impact on the character and appearance as the area which can be subject to planning restrictions.	Noted.
			11.05	Additional references should be provided to the fossilised perimeter wall of Holywell Priory.	The appraisal has been updated.
			11.06	Reference historic alleys off Fairchild Place e.g. Three Cups Alley	The appraisal has been updated.

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			11.07	Welcomes the considerable detail of the architectural character section but recommends exploring whether this could be broken up.	Noted, the intention is for a more detailed index to be provided with a street by street breakdown.
			11.08	Recommends expanding the section on views to clearly outline which elements it is desirable to protect.	The appraisal has been updated.
			11.09	Recommends referencing local policy within the management plan.	Owing to frequently changing policy and supporting documents e.g. tall buildings the management plan does not refer to particular policies explicitly but instead the Hackney, Conservation Area webpages will be updated to reflect this changing policy which supports appraisals.
			11.1	Minor observations including spelling corrections and suggestions for additional references to the 1990s art scene	The appraisal has been updated.
SCA12		26/06/2021	12.01	Supports the general principles of the management plan but concerned that the Council does not follow them	Noted.
			12.02	States that previous applications have contravened the Management Plan	The management plan is a new document designed to provide guidance on preserving the character and appearance of Shoreditch going forward.
			12.04	Concerned that much of the clutter within Hoton Square referenced within the appraisal was approved by the Council and that the guidance is coming too late.	Noted, conservation forms one element of the planning balance. Where signage is approved the aim is for it to be compatible with the character and appearance of the SSCA.
			12.05	Supports the identification of 23-25 Hoxton Street as a positive building	Noted.
SCA13		29/06/2021	13.01	Comments on the bollards at the intersection of Rivington Street and Charlotte Street and the incongruous nature of them.	Noted. The bollards are designed to provide protection to both buildings and pedestrians on these busy high profile junctions.
			13.02	Previously raised concerns on the moveable garden planters and instead recommends hanging planters to not limit the space for delivery vans and cars.	Noted.
SCA14		29/06/2021	14.01	Acknowledges the Appraisal and Management Plan are thorough but recommends that it also acknowledges the residential population of Shoreditch.	Noted.
			14.02	Welcomes the public realm improvements e.g. pocket parks and new tree planting	Noted.
			14.03	Concerns regarding the anti-social behaviour from litter etc	Noted.
			14.04	The character and nature of South Shoreditch Conservation Area could be improved and managed better if there was more joined-up thinking between Hackney Planning, Licensing, Markets, Public Realm etc.	The management plan outlines a proactive approach between council departments.
SCA15	CBRE on behalf of Global Mutual	29/06/2021	15.01	Responding on behalf of GM which has a land interest in the CA located at 35 Great Eastern Street which is currently identified as a negative contributor. GM are currently engaging with the London Borough of Hackney on redevelopment of this site.	Noted.
			15.02	The site is identified as a key development opportunity within the Shoreditch area and the emerging Area Action Plan.	Noted.
			15.03	Believe the site is suitable for a taller building than existing as the site lies at the edge of the CA and not within and the 19th century buildings are the principal reasons for the designation of the CA.	Disagree, the significance of the SSCA is partly due to the juxtaposition of heights where buildings within the CA are a relatively uniform height stepping up outside of the CA. The impact of a taller building would be felt throughout the CA.
			15.04	The Site is identified as a negative intrusion to the CA and sits within a Sub-Area which was added to the CA in 2009.	Noted.
			15.05	The site and the Sub-Area around the site was subject to significant bomb damage during WW2 and as a result today it consists entirely of postwar buildings, on both sides of Great Eastern Street. Nothing within this area relates to the significance of the CA other than the building line – which in the case of the Site has been eroded on all sides.	Disagree, whilst the area was badly bomb damaged during World War II a significant amount of 19th century development has survived within the area all of which are located adjacent or in close proximity to the site as can be demonstrated by the buildings at the junction of Curtain Road and Great Eastern Street.
			15.06	The CA appraisal, where it identifies key views and vistas in and from the CA, does not identify any which feature the Site prominently, possibly because the existing building is a negative intrusion. The opportunity exists to improve the townscape of the CA by replacing the existing negative intrusion with a high quality redevelopment.	Noted. The replacement of existing building offers an opportunity for an enhancement of the CA.

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			15.07	As a free standing, prominent island site on London's Inner Ring Road, at a significant crossroads junction, the Site is a suitable one for a tall building as per other consented tall buildings in the CA such as the Art'otel and Highgate Hotel on the west and eastern ends of Great Eastern Street.	The SSCA does not provide site specific guidance for development proposals. Site specific guidance is provided within the Future Shoreditch Area Action Plan.
			15.08	The Revised CAA continues to note that the existing building at 35 Great Eastern Street is a negative contributor to the CA. This is one of only five negative contributors within the whole CA, demonstrating the importance of bringing change to the site. Page 47 of the Revised CAA notes that these sites detract from the character and appearance of the CA and that, in principle, the redevelopment of these sites would be encouraged, provided proposals for their replacement are of a high quality architectural design and would make a positive contribution to the CA.	Noted.
			15.09	The current building on site was constructed in the 1960s. Given the current appearance of the building, we support the CAA concluding that the site is a negative contributor to the CA. However, the CAA does not contain reference made at para 5.3.6 of the existing CAA that the building is a 'particularly negative feature' that 'provides a particularly negative landmark in this area.' This text should be reinstated to ensure the extent of the building's negative contribution is fully reflected.	Disagree, the building has been identified as one of five negative contributors within the CA and it is considered that this outlines the current contribution suitably and therefore does not expand upon further.
			15.1	Support the notion in the CAA that the redevelopment of such sites would be encouraged	Noted.
			15.11	We note that the CAA is concerned with the 'threat' to the CA through the development of taller buildings, particularly the increasing proximity of the city fringe and high rise buildings as 'detrimentally impacting the setting of the CA'. Therefore at 8.7 the CAA notes that any buildings rising above five storeys will require careful consideration and a high quality, contextual response. It continues that buildings significantly taller than the prevailing heights within the CA will likely be resisted. This appears to be due to a concern regarding the taller development granted in the City Fringe. At p30, the City Fringe developments 'appear in and dominate every south looking vista from the CA. This is particularly important as it provides a clear visual break between the inside and outside of the CA.' At page 83, this statement is repeated noting that there is 'no transition zone ... between inside and outside of the CA.' It is not clear whether this is considered a positive feature of the CA, but it is clear that the impact of taller buildings on the setting of the CA is a concern due to its warehouse,	Noted. The appraisal has been updated and clarification has been provided on page 83.
			15.12	Recommend the use of transition zones within the SSCA to help reduce the impact of tall buildings on the area	Disagree, the significance of the SSCA relates to the juxtaposition of building heights where the character and appearance of the CA relates to the circa 5 storey building heights. This clear distinction between areas that are outside and inside the CA is important and would be harmed by the introduction of a transition zone.
			15.13	Whilst it is noted that taller buildings will be 'generally resisted', we note that there have been two proposals recently granted consent in the southern portion of the CA, in close proximity to the site - Highgate Hotel (Fairchild Street) and Art'otel (Great Eastern Street).	Noted.
			15.14	Consider that these are all potential exceptions for a taller building being supported at 35 Great Eastern Street given its location on a key junction, its detrimental impact on the character and its potential to deliver a transition between the heights in the City Fringe and the central part of the CA. We understand that the site was only added to the CA in 2009 as a protection along with another negative contributor and a neutral building. Therefore, the CAA should give some consideration of the opportunity that the site has to provide a transitional built form, to the City Fringe from being too dominant in views across the CA. This would assist with ensuring any development proposed can result in a positive contribution to the CA	The SSCA is not designed to provide site specific advice and instead clearly outlines the areas of significance and how the character and appearance of the SSCA can be preserved/enhanced. The Future Shoreditch AAP provides site specific guidance. However, the use of transition zones is not considered appropriate within this context. The SSCA is characterised by juxtapositions of buildings heights within and outside of the conservation area. The area is currently notable for its lack of transition zones and this has continued to form an important part of its character.
			15.15	Overall, we are supportive of the CAA being updated and it is noting that the building at 35 Great Eastern Street continues to be a detriment to the CA.	Noted.

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			15.16	We also consider that the requirement for taller buildings to require careful consideration and a high quality design response to be justified. However, we request that the CAA reflects that there is potential for height to be considered as an opportunity to provide a transition zone and enhance, rather than be seen as purely a threat to, the CA, particularly on sites identified as a redevelopment opportunity.	Disagree, the juxtaposition of building heights with buildings outside and inside of the CA is a key characteristic. Moreover, the relationship and height difference between buildings on Great Eastern Street and those off it is notable. The Future Shoreditch Area Action Plan provides site specific advice on key site allocations such as this.
SCA16	University of the Arts London	30/06/2021	16.01	UAL is the owner of 100-102 Curtain Road and is concerned about the degree of change set out within the draft SSCA in respect to 102 Crutain Road which the latest assessment is contradictory to both the adopted and draft site allocations for this site.	The proposals are consistent with the 2009 South Shoreditch Conservation Area Appraisal where both buildings are identified as buildings of townscape merit.
			16.02	As an overview of the objection, on pages 52-53 the SSCAA describes 102 Curtain Road as "an excellent example of a good quality post war warehouse" and identifies it as a positive contributor to the character and appearance of the conservation area, effectively giving it status as a non-designated heritage asset and creating a presumption in favour of its retention. It is considered that the building fails to meet the criteria for a positive contributor and is incorrectly designated as such.	Disagree. The identification of the building as making a positive contribution does not effectively give it a status as a non-designated heritage asset, it simply outlines that the building makes a positive contribution to the character and appearance of the conservation area as was previously identified in the 2009 appraisal where it was identified as a building of townscape merit.
			16.03	The policies in the adopted Site Allocations Local Plan have referred to the redevelopment building since 2016 when the plan was adopted, and indeed this position was carried forward in the draft Future Shoreditch Area Action Plan that was published for consultation in 2019. Although building is assigned "townscape merit" in the current Conservation Area Appraisal which dates from 2009, it has always been clear in the development plan that the building is suitable for redevelopment.	Noted. It is considered that there is scope for development but development that works with the existing building rather than requiring their demolition.
			16.04	Furthermore the 100-102 Curtain site has twice been granted a Certificate of Immunity from Listing (COIL), originally in 2012 and again in 2018. The report by Historic England on the 2017 application is appended at Annex B. Historic England concludes that: "The former commercial warehouse at no 102 is a standard and largely utilitarian structure which has been subject to a high degree of alteration..... There are no remaining elements of the commercial warehouse at no 102 which tangibly connect it to the upholstery trade it was built to serve."	Agree, the building has twice been granted a Certificate of Immunity from Listing as it is not considered to be of sufficient special interest to warrant inclusion as a statutory listed building. However, it should be noted that this is an incredibly high bar to meet and indeed, even in Hackney only circa 1400 buildings are considered to be of sufficient interest to be included.
			16.05	Within the draft SSCAA, 100 Curtain Road is now also identified as a positive contributor to the conservation area, rather than only of townscape merit as set out in the existing conservation area appraisal. It is considered that this is not a robust conclusion for the building as a whole for reasons set out in the DIA report and UAL also objects to this aspect of the draft SSCAA.	The 2009 document report uses the term Building of Townscape Merit to describe positive buildings. Therefore the designation is consistent with the 2009 appraisal.
			16.06	The Adopted Site Allocations Local Plan (SALP) identified 100-102 Curtain Road as Site 129 and recognised that the building has been granted a Certificate of Immunity from listing in 2012, but is designated as a Building of Townscape Merit, and lies within the South Shoreditch Conservation Area and an Archaeological Priority Area.	Noted.
			16.07	Acknowledges that the site is within the conservation area and building has townscape merit, the adopted development plan clearly identifies the site for redevelopment and new build rather than a refurbishment of the existing buildings.	
			16.08	Draft Future Shoreditch Area Action Plan: This document is in preparation and when adopted will cover the Shoreditch area. The FSAAP was published for consultation in April 2019.	Noted.
			16.09	On page 14 this document explains that the NPPF has introduced a presumption in favour of sustainable development that requires local planning authorities to plan positively to seek opportunities to meet objectively assessed development needs. It is explained that the FSAAP will establish policy that is in keeping with national policy and proactively plans for positive, sustainable growth.	Noted.
			16.1	In this context the UAL site at 100-102 Curtain Road is identified as site FSOS 06. (Full extent of site is 100-102 Curtain Road)	Noted.

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			16.11	Again, it is clear from this document that the intention is that 102 Curtain Road is suitable for redevelopment. Indeed, this is explicitly stated in the text. Given this history of site allocations, and a very thorough development plan preparation process, which for the adopted plan lasted from 2010 to 2016, it is not clear what has changed such that 102 Curtain Road should now be identified as a positive contributor to the conservation area with a presumption for its retention.	In the 2009 South Shoreditch Conservation Area Appraisal this building is identified as a Building of Townscape Merit and therefore by identifying this building as a positive building it is consistent with the previous appraisal.
			16.12	The approach taken in both the adopted SALP and the draft FSAAP, which anticipates the building's redevelopment, is supported by the 2017 report by Historic England on the most recent COIL.	Agree, the building has twice been granted a Certificate of Imunity from Listing as it is not considered to be of sufficient special interest to warrant inclusion as a statutory listed building. However, it should be noted that this is an incredibly high bar to meet and indeed, even in Hackney only circa 1400 buildings are considered to be of sufficient interest to be included.
			16.13	The approach taken in the SSCAA in identifying the 100 Curtain Road building as a whole as a positive contributor, is also questionable as discussed in the DIA report. A detailed consideration of the merits of both 100 and 102 Curtain Road is set out in the DIA report. This concludes that the draft conservation area appraisal is inaccurate in its assessment of 102 Curtain Road and that it is not an undesignated heritage asset nor a positive contributor to the conservation area.	In the 2009 South Shoreditch Conservation Area Appraisal this building is identified as a Building of Townscape Merit and therefore by identifying this building as a positive building it is consistent with the previous appraisal. Following a site visit examining including examining the inside the Council are satisfied that both buildings make a positive contribution to the SSCA.
			16.14	In respect of 100 Curtain Road, it concludes that while there are elements of the building which do make a positive contribution to the conservation area, these are realistically confined to the oldest elements of the surviving building which remain unaltered and visible in the conservation area. A more appropriate approach would be to identify these in a more detailed study so they can be incorporated into a design which will support them in a continued long-term use. We note that the draft FSAAP site allocation provides a policy framework for this approach and would ensure adequate protection of the significant aspects of this building and its contribution to the conservation area.	Disagree. The building was constructed in two stages but to the original design. It was likely paused as a result of World War I. As such the entire building is considered to make a positive contribution and following a site visit is considered to be a Non-Designated Heritage Asset.
			16.15	On this basis we request that the draft SSCAA is amended and that 100 and 102 Curtain Road are assigned a neutral status within the conservation area, rather than identified as positive contributors.	Disagree. The buildings are considered to make a positive contribution to the character and appearance of the SSCA.
SSCA17	Montague Evans (on behalf of Linea Properties Ltd)	30/06/2021	17.01	Associated companies of Linea control a large parcel of land in the southern part of the SSCA, comprising the majority of the urban block bounded by Worship Street, Curtain Row, Holywell Road and Scrutton Street ("the Site"). The Site is no. 125 in the 2016 Site Allocations Local Plan, which provides an indicative development capacity of c. 90,000 sqm. It is thus an important site that presents significant opportunities for enhancement of the SSCA through new development meeting the requirements of the site allocation, the opportunity area designation and the Borough's wider requirements for economic development. The evidence base for the adopted site allocation (and the site allocation that will replace it under the emerging Area Action Plan) is the adopted Appraisal.	Noted.
			17.02	Linea recognises that the process of revising adopted Appraisals and management plans is best practice, and desirable in order to take account of changed circumstances. However, Linea also considers that the present draft Appraisal and Management Plan requires significant revision.	Noted.
			17.03	The fundamental failure in the draft Appraisal is its lack of engagement with the existing strategic planning policy context for planning decisions in the SSCA.	The appraisal has been updated to cross reference the wider planning policy context and relevant policies to heritage assets. However, it does not provide a full policy context for full planning decisions as this would replicate the LP33 and the London Plan.
			17.04	The City Fringe Opportunity Area (OA) Framework (2015) should be referenced to put the information and guidance in the draft Appraisal into its modern, 'real world' planning context.	The appraisal has been updated to reflect the existing planning policy context.
			17.05	The draft Appraisal does not reflect best practice as set out in Historic England's advice note on Conservation Area Appraisal, Designation, and Management (2019) (HEAN 1), attached at Enclosure 3. In particular, the express need to recognise the development context of conservation areas is clearly set out in this guidance.	"The appraisal has been updated to reflect the existing planning policy context and in line with Historic England advice para 41 the introduction will "provide a context for the appraisal, the national and local policy framework " and a brief explanation of what a conservation area is, how and why it is designated, and a summary of the implications of designation for members of the community looking at the appraisal for the first time".

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			17.06	The Site Allocations Plan should also be referenced at appropriate points in the text to set particular areas into their wider planning context.	The Conservation Area Appraisal outlines what elements are of historic and architectural interest within the SSCA rather than providing site specific advice as this is the role of the Future Shoreditch Area Action Plan.
			17.07	The references to the adopted development plan need to be revised to reflect the adoption of the new Local Plan.	Agreed, the appraisal has been updated.
			17.08	The draft Appraisal makes no effort to actually link these policies to the objectives of the draft Appraisal. Later on, the draft Appraisal seeks, erroneously, to rewrite or overwrite some of these policies in the context of tall buildings.	The management plan has been updated to reflect the policies in LP33 and the emerging Future Shoreditch Area Action Plan.
			17.09	Concern raised regarding missing London Plan policies	The appraisal has been updated to include full references to the relevant London Plan policies but does not repeat the policy verbatim nor include every development management policy.
			17.1	The draft characterisation analysis of the southern part of the SSCA is inconsistent with the analysis in the evidence base underpinning the emerging AAP. This evidence base includes the adopted Appraisal and has informed other studies.	Disagree, the revised appraisal provides an update to the CAAMP based on the relevant changes to Shoreditch. However, the overarching principles behind the document are similar.
			17.11	The draft Appraisal does not cite the adopted Appraisal at all or provide any explanation for any of its proposed changes in approach to the Appraisal and management of the SSCA. This explanation is necessary to make sense of the reappraisal and for the new management plan to be effective at informing future or policies, allocations and development management decisions relating to the SSCA.	Noted, the introduction has been revised to acknowledge why a reappraisal has been undertaken.
			17.12	For example, the draft Appraisal includes the Linea site within a larger character area, Holywell Row, when past analysis of standing fabric in the adopted Appraisal concluded that that the Linea site is more varied than the adjoining land. Therefore, we consider that its present unquestioned inclusion within the Holywell Row character area fails to properly consider the development of the area, notably the degree of change after significant damage during World War II.	Disagree, the 2009 adopted appraisal states at para 1.2.3. <i>"It is considered that the 1991 boundaries are both appropriate and robust in terms of defining the essential historic and architectural character of the South Shoreditch area."</i> Therefore the inclusion of the Linea site within the character area is consistent with previous evidence bases. It is noted that there is a minor alteration the boundary to the north of the character area which includes larger industrial factories with wider roads, quite distinctive to the central Shoreditch character area.
			17.13	Here we draw attention to the analysis at 5.3, paragraphs 48-54 of the adopted Appraisal. Here it is noted, for example, 5.3.1, that the architectural character of this zone is 'more diluted with a feel of transition between the heart of the modern City Fringe to the south and the heart of the historic furniture trade to the north'. Additionally, the same paragraph notes more mixed building characteristics overall, and more consistent character in Holywell Row only (which we do not dispute). Paragraph 5.3.6 notes, furthermore, that the large concentration of post-WWII buildings make for an 'uninviting streetscape' lacking pedestrian links. We refer again to this analysis later in our discussion of these same buildings in the draft Appraisal.	As acknowledged the area outside of the conservation area has undergone considerable change such as the The Stage to the east which involved almost comprehensive redevelopment. As such, there is a clearer distinction between inside and outside of the conservation area and the transition feel is no longer apparent.
			17.14	Best practice guidance on the draft of conservation area appraisals is set out in Historic England's Advice Note 1: Conservation Area Appraisal, Designation, and Management (2019) (HEAN1). We attach HEAN1 at Enclosure 3. What has changed also includes consents for dense and taller development in and around the SSCA - several which have been granted since the adopted Appraisal – see HEAN1, paragraph 42 (general character, location and uses). Montagu Evans' previous submission on behalf of Linea identified several consents for such development in the SSCA.	Whilst there have been a number of denser and taller developments in and around the SSCA the appraisal accurately reflects the character and appearance of the area where the majority of these taller developments are located outside of the designated conservation area.
			17.15	The draft Appraisal has an alarmist tone which, in our view, betrays a potential bias against new development on the part of its authors. For example, the intensive office uses south of Worship Street and the intensified sites east of Curtain Road are presented as threats, when in fact those consents were achieved in the knowledge they would affect the setting of the SSCA and listed buildings in it. Those impacts were, following rigorous application determination process, deemed acceptable.	Noted. The Appraisal and Management Plan are there to inform the understanding of the significance and elements that contribute to the character and appearance of the conservation area. The buildings in question were considered to be harmful to the character and appearance of the conservation area, but the public benefit outweighed the harm.
			17.16	Change is a dynamic force that can be harnessed to draw on and enhance the wider social, cultural, economic and environmental benefits of the SSCA. We consider that the positive aspects of change should be better represented in the draft Appraisal.	The appraisal is to define the character and appearance of the area. The management plan defines how the character and appearance of the area can be enhanced. The role of the Future Shoreditch AAP is to examine wider social, cultural, economic and environmental benefits.

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			17.17	The document sets out the history of the area in section 2.0 context, and especially at section 2.2 Historical Development. However, it does not then go on to provide more detailed lacks phasing analysis that demonstrates the degree of change in the area (even indicatively)	The map regression and historical development accurately depicts the development of Shoreditch and its development.
			17.18	We consider that this is an overstatement of the real juxtaposition in building heights and certainly misrepresents the most visually distinctive spatial features in the SSCA, for example by disregarding the importance of Great Eastern Street and the railway line with the alignment/position of Bishopsgate.	Noted. This has been rephrased.
			17.19	More significantly, we see this characterisation of the SSCA as comprised of small scale buildings, with larger buildings only outside it, as seeking to limit the potential for larger scale development within the SSCA. This characterisation reinforces the false dichotomy promoted by the draft Appraisal, between City and the SSCA (see comments under the heading 'Bias', above).	Disagree. The existing adopted 2009 appraisal acknowledges this and states <i>"The most visually distinctive spatial feature of the zone is the change between the edge of the City and the southern fringe of South Shoreditch. The 'wall' of the City Fringe office developments appears almost like a giant wave about to break over the southern half of South Shoreditch"</i> para.5.5.20
			17.2	The fact is that tall buildings are a presence in the southern parts of SSCA and already influence its character. They signify the spatial reality effected by the development plan and form part of the evolving physical baseline recognised in the London Plan.	Noted.
			17.21	If managed carefully, new large buildings would not undermine the character of the area and could deliver major enhancements in the form of new public space, enhanced public realm and investment in and modernisation of historic fabric of architectural and historic merit.	Noted. Policy D9 Tall Buildings of the London Plan (June 2020) requires Boroughs to identify appropriate locations within development plans. The Future Shoreditch AAP will define these sites.
			17.22	The map at Figure 46 of the draft Appraisal reclassifies a number of buildings from negative (as they are in the adopted Appraisal ¹) to neutral. The reasons for assessing buildings as either neutral or negative is not explained in the text of the draft Appraisal.	Noted. This has been clarified.
			17.23	In particular, with respect to the Linea site, it changes the classification of the properties at the north end of the Linea site from negative (in the last Appraisal at its paragraph 5.3.6) to neutral. There is no explanation as to why this has been done, and we have been unable to identify any compelling reasons for this new approach to these post WWII buildings.	The previous appraisal failed to outline or define how buildings are defined. Moreover, there were considerable inconsistencies within the 2009 appraisal where a high level approach was undertaken which lacked an indepth understanding of individual sites and the merits of different buildings within. The new appraisal clearly outlines the criteria for different building contributions within the SSCA. However, for clarification purposes, the appraisal has been updated to discuss those buildings that make a neutral/negative contribution.
			17.24	Our historic fabric Appraisal (Enclosure 2) arrives at a similar conclusion to the adopted Appraisal, and we commend its findings to those undertaking the final drafting of the new Appraisal. In summary, our analysis concludes that the generally poor architectural and urban design quality of these buildings, constructed at a time of post-WWII restrictions, means they are detracting features. They should, therefore, remain classified as negative.	Disagree, the buildings owing to the size, materials and details are considered to make a neutral contribution to the character and appearance of the conservation area as they neither contribute nor actively detract from the Conservation Area's special character. Moreover, the existing appraisal takes a broad brush approach to neutral areas rather than a building to building basis.
			17.25	Changing the characterisation of a building has development management consequences. Moving it from negative to neutral marks a move from an 'in principle' encouragement in favour of redevelopment, to a qualified statement of non-resistance.	Noted.
			17.26	Given the deficiencies in the draft Appraisal's overall approach to planning policy (as detailed at section 2 above), it is not clear what would necessarily constitute "relevant planning policy" in this context.	The appraisal has been updated to provide clarification. However, it is important to note that the document is designed to be read alongside the relevant policies (at the time) which are often subject to change.
			17.27	On page 84, section 8.7, the draft Appraisal gives advice on 'taller buildings'. The draft Appraisal seeks to limit new development to existing heights uniformly across the area, whilst dismissing, without adequate reasoning, the differences that already exist across and within the SSCA.	This section has been amended with reference to the relevant policies and ther Future Shoreditch Area Action Plan.
			17.28	This statement is wholly inappropriate in a guidance document whose primary purpose is to define what is special about this CA and to put forward a positive strategy for its management. It is not the job of the new Appraisal to formulate policy, let alone to pre-determine the authority's approach to applications.	This has been amended and policy D9 of the London Plan and LP1 of LP33 referenced.

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			17.29	As a consequence, there is no consistent plot pattern across the SSCA. We acknowledge that historic plot patterns present a feature of interest in Hoxton Square and (for different reasons), possibly along Great Eastern Street. We also acknowledge that the Georgian "Narrow And Dense" plot patterns ostensibly identified on Curtain Road and Holywell Road, at page 11 of the draft Appraisal, can be noteworthy, where present. However, these features manifest inconsistently across the SSCA, and, significantly, are not a feature of relevance on Linea's site. 6.38 It is therefore factually incorrect to assert, as the draft Appraisal does at page 80, that in that part of the Holywell Row Character Area occupied by Linea's site, there is a threat to (our emphasis added):	Holywell Row follow the Georgian plot boundaries and therefore this assertion is correct.
			17.3	The plot pattern in the Linea site has altered considerably over time, and its grain - as expressed through the pattern of plots - is inconsistent, demonstrating either one phase, or a clear succession of phases. In any event, a number of the existing plots are hard paved yards which have no amenity value.	Noted.
			17.31	It is hard to see how the strategic objectives of land use optimisation within the existing allocation in the OA could be fulfilled within the terms of the draft Appraisal which, as detailed above, sets up a false dichotomy between conservation and the delivery of economic regeneration. Making more efficient use of backland area is an obvious way to meet the growth and economic objectives of the development plan.	The appraisal is to define the character and appearance of the area. The management plan defines how the character and appearance of the area can be enhanced. The role of the Future Shoredich AAP is to examine wider social, cultural, economic and environmental benefits and provide advice on individual site allocations.
			17.32	On a purely practical note, we observe that the document is currently divided into sections, but the paragraphs are not numbered within the sections. Its useability would be improved by having all paragraphs separately numbered.	Noted.
			17.32	The draft Appraisal correctly notes the degree of bomb damage (paragraph 3.2, page 20, and in the preceding bomb damage map on page 15), in the Holywell Row Character Area.	Noted.
			17.32	However, the short text surrounding this analysis does not accurately reflect the effects of that damage, which entails significant loss of old fabric on Linea's allocation site. This is documented at length in Linea's historic submissions (Enclosure 2) and should be expressly documented in the new Appraisal.	Noted, the appraisal is here to describe the conservation area as a whole and identifies areas where particularly high concentrations of bomb damage took place.
			17.32	On page 34, under the heading "Holywell Row Character Area: Public Realm and Open Space", we note and support the recognition of the lack of existing public realm in the Holywell Row Character Area. For this reason, and as indicated above, the new Appraisal should recognise the potential for new development to positively address this issue by providing opportunities for enhancement. Linea's site, in particular, presents a major opportunity for the creation of quality, new public realm, sorely lacking in this area - a point which is also recognised in the emerging allocation.	Open spaces are not a common character in this character area of the SSCA and so it is unclear how this could be an enhancement.
SCA18	Pinsent Masons LLP (on behalf of Linea Properties Ltd)	30/06/2021	18.01	Provides a technical consultation response by Montagu Evans in response to the new draft South Shoreditch Conservation Area Appraisal and Management Plan and legal grounds of objection. This includes a failure to contextualise the draft appraisal in the real work physical and planning policy context for the SSCA and errs and misjudgements in methodology and presentation. Defects identified relate to the misconception of the role of the draft appraisal, changes in approach from the existing appraisal.	Noted. Full responses to individual points are outlined below.
			18.02	Concerns with the failure to contextualise the information and guidance in the draft appraisal by reference to changes in the statutory development plan and associated policies, designations and guidance arising since the adoption of the current SSCAMP	The appraisal has been updated to cross reference the wider planning policy context and relevant policies to heritage assets. However, it does not provide a full policy context for full planning decisions as this would replicate the LP33 and the London Plan.
			18.03	Failure to follow Historic England's best practice advice on Conservation Area Appraisal and Management Plans	Historic England's best practice guidance has been used in addition the draft has been written with feedback and discussions with Historic England.

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			18.04	Raises concerns that the Appraisal fails to meet the statutory objectives of 'preservation and enhancement', in Section 71 of the Planning LBCA Act	Disagree. The fact that the client may take a different view to the Council on issues such as building heights, the quality and classification of existing buildings etc. does not render the appraisal unlawful or mean that the appraisal would fail to "preserve and enhance" the conservation area. There may legitimately be a range of views about how best to achieve the objective of s.71. The fact that your client takes issue with the planning judgments of officers does not render those judgments unlawful.
			18.05	Fails to set out a positive strategy for the conservation and enjoyment of the historic environment as required under para 185 of the NPPF. Failure to following HE's advice for Conservation Area Management Plans to provide a 'positice strategy for the conservation and enjoyment of the historic environment'.	Noted. The management plan sets out a positive strategy towards the conservation of the South Shoreditch Conservation Area.
			18.06	Raises concerns with the "selective' vantage point and the 'tone' adopted in the draft appraisal, which presents development associated with the City as a threat, rather an an opportunity to enhance the special interest of the SSCA and to deliver wider public benefits'	Noted. The Appraisal and Management Plan are there to inform the understanding of the significance and elements that contribute to the character and apperance of the conservation area. "Disagree. Moreover, it should be noted that the existig adopted 2009 appraisal uses similar launguage for example it discusses the 'wall' of the City Fringe office developments appears almost like a giant wave about to break over the southern half of South Shoreditch"" para.5.5.20. Moreover, the same laungage is used within the English Heritage document, Behind the Veneer. With reagrds to the wider public benefits, this is not the purpose of the document. Any planning application would consider the relevant public benefits at the relevant time.
			18.07	Suggests a weak approach to the assessment of building phasing, which results in a failure to distinguish areas which have been subject to physical alterations (such as Linea's site) from those which have not	The map regression and historical development accurately depicts the development of Shoreditch and its development.
			18.08	a selective assessment of scale as the defining characteristic in the SSCA which runs the risk of misrepresenting the most visually distinctive spatial features in and around the area, and specifcly limits the potential for more intense and taller development in the SSCA.	Disagree. The existig adopted 2009 appraisal acknowledges this and states " <i>The most visually distinctive spatial feature of the zone is the change between the edge of the City and the southern fringe of South Shoreditch. The 'wall' of the City Fringe office developments appears almost like a giant wave about to break over the southern half of South Shoreditch</i> " para.5.5.20
			18.09	Failure to explain the basis for the propsoed reclassification of certain buildings to the north of Linea's site from neutral to negative	There is no legal requirement for the Council to provide reasons for each and every change between its conservation area appraisals for 2009 and 2021. The Council and its officers are not bound by the observations and conclusions of its historic 2009 appraisal. Nor are they required, by law, to give reasons for the changes in emphasis and approach between the appraisals. Interested parties are given the opportunity to respond to the draft guidance and proposals for the CA in the course of the consultation. Provided the conservation area proposals are consistent with extant development policy and reasonable in all other respects, they do not need to replicate historic proposals from 2009 nor explain every change from the previous appraisal.
			18.1	Concerns over the 'blanket resistance to tall buildings proposals within the SSCA, which turns on a misunderstanding of the role and function of the draft appraisal in the stautory scheme	Noted, this follows the same policy as consulted in the 2018 Future Shoreditch Draft AAP stating that tall builidngs were not appropriate within the SSCA. It has now been reworded.
			18.11	An erroneious approach to plot, boundaries, and layours within the SSCA which fails to grapple with changes and amalgamation whcih have taken place over time, and in respect of Linea's site, seeks to elevation an unremaktable feature to a position of significance.	Holywell Row follow the Georgian plot boundaries and therefore this assertion is correct.
			18.12	Identified defects in the character area and detailed buildings assessments for Holywell Row and Workshop Street and fails to recognise carefully managed development, including development for more intense and taller buildings, as an opportunity rather than a threat. Selectively framing the City in negative terms and failure to take ownerships of previous planning decisions granting consent for more intense and taller developments in and around the SSCA e.g. Principal Place.	Disagree, the appraisal identifies the special architectural and historic interest of the SSCA which is desirable to preserve or enhance. The Future Shoreditch Area Action identifies opportunities and site allocations for future development. A planning application will enable the LPA to weigh up any public benefits that may outweigh the harm to designated heritage assets. The Conservation Area Appraisal and Management Plan is not the document for this excersize to be conducted in.

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			18.13	Need a greater clarity in the detailed building analysis e.g. specify for which buildings do and do not make a positive contribution to the SSCA.	<p>There is no legal requirement for the Council to provide reasons for each and every change between its conservation area appraisals for 2009 and 2021. The Council and its officers are not bound by the observations and conclusions of its historic 2009 appraisal. Nor are they required, by law, to give reasons for the changes in emphasis and approach between the appraisals. Interested parties are given the opportunity to respond to the draft guidance and proposals for the CA in the course of the consultation. Provided the conservation area proposals are consistent with extant development policy and reasonable in all other respects, they do not need to replicate historic proposals from 2009 nor explain every change from the previous appraisal.</p> <p>The draft 2021 appraisal and proposals have been developed in accordance with Historic England's Advice Note on Conservation Area Appraisal Designation and Management (2nd edition). There is no requirement for officers to give reasons for the changes between the 2009 Appraisal and the draft SSCAA although the reasons for the changes are obvious.</p> <p>The whole reason for conducting a review and fresh appraisal of the conservation area is to reflect the substantial physical and economic changes that everyone accepts have taken place in the South Shoreditch area over the last couple of decades. It would be surprising if there were not some changes between the documents.</p> <p>The degree of change in terms of the appraisal and the guidance provided should not be overstated. In substantive terms these consist of some minor boundary alterations to the conservation area where officers consider those appropriate and the recategorization of a handful of buildings from "negative" (which attract a presumption in favour of development) to "neutral" (to which a presumption of 'no resistance' against redevelopment applies). This reflects both the physical changes in the area in terms of the new development in South Shoreditch and the developing understanding within the Council and in wider conservation circles of post-war architecture, which has highlighted the significance of such architecture in a manner which was underappreciated in 2009.</p>
			18.14	Concerns regarding a blanket approach in the Management Plan	Agreed, this has been improved to provide more detail on individual character area.
			18.15	Raises concerns that the draft appraisal does not achieve its statutory objectives or preservation and enhancement of the SSCA	Disagree. The fact that the client may take a different view to the Council on issues such as building heights, the quality and classification of existing buildings etc. does not render the appraisal unlawful or mean that the appraisal would fail to "preserve and enhance" the conservation area. There may legitimately be a range of views about how best to achieve the objective of s.71. The fact that your client takes issue with the planning judgments of officers does not render those judgments unlawful.

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			18.16	Raises questions over the status of the document and the role within the statutory scheme	<p>The Council has never suggested that the draft SSCAA is a development plan document (DPD) or a supplementary planning document (SPD). The draft SSCAA has never been promoted on that basis. The draft SSCAA is a "proposal for the preservation and enhancement" of the South Shoreditch Conservation Area prepared in accordance with the Council's duty pursuant to s.71 of the 1990 Act. Like the 2009 South Shoreditch Conservation Area Appraisal which preceded it, this a s.71 "proposal". The statutory consultation requirements for such proposals are set out at s.71(2). The requirement for consideration at a public meeting has, in fact, been exceeded in this case by the Council's decision to undertake a public consultation with consideration of written representations etc.</p> <p>The SSCAA does not purport to be and is not in substance a local development document (and in particular it is not a DPD or SPD) (per reg. 5 of the Town and Country Planning (Local Planning) (England) 2012 Regulations). The proposal does not set out the development management policies or site allocations for South Shoreditch. It does not identify the area as an area of significant change or special conservation.</p> <p>Its status is such that it will be a material planning consideration in future decision-making in relation to planning applications relating to South Shoreditch. It is expected that if adopted, the SSCAA will also form part of the evidence base in the examination of the emerging South Shoreditch AAP.</p> <p>The Council does not accept that any of the proposals in the draft SSCAA constitute statements of planning policy which should be excised or, alternatively, brought forward in a DPD. The SSCAA has been brought forward in the context of the local development plan (and emerging AAP for Shoreditch). It is consistent with adopted policy and does not step aside out the limits of that policy or purport to set down development management policies for the Shoreditch area. The function of the management plan is simply to provide guidelines for reinforcing the positive character of the historic area by avoiding, minimising and mitigating the impacts identified as affecting the Shoreditch area.</p>
			18.18	Concerns raised with particular reference to para 8.7 which is considered to be inappropriate within the management plan.	Noted. This paragraph has been amended with a greater reference to LP33 Policy and that of the forthcoming Future Shoreditch Area Action Plan.
			18.19	Requests clarification on the proposed relationship with the emerging AAP. Questions why the SSCA was reviewed when the 2017 Conservation Area Review Study did not identify it as urgent.	<p>The questioning of the timing of the draft appraisal is completely unfounded. Section 71 provides that the duty of a LPA is to formulate and publish proposals for conservation areas "from time to time". The frequency of any review will depend on, amongst other things, development pressures in the local area. The Historic England Advice Note to which you refer suggests that a review "every five years is ideal" (at para. 104). In that context, there is nothing unusual or untimely about the timing of this review which comes over 10 years after the previous appraisal. There is a consensus that the local area has experienced substantial change in the last decade or so, it is therefore wholly appropriate for the appraisal to be reviewed and updated at the current time.</p> <p>The emerging AAP will, once adopted, contain development plan policies applicable to South Shoreditch. Your client has had and will continue to have the opportunity to make representations on the emerging AAP in the plan examination of the AAP. The reg. 18 draft AAP published on 29 April 2019 took account of the 2009 CA appraisal because no other appraisal existed for the conservation area at that time. The appraisal has now been updated. It is therefore entirely appropriate that the reg. 19 draft of the AAP, when that comes forward (likely to be in 2022), should reflect the most up to date evidence base and refer to the 2021 SSCAA. Consideration will need to be given to the draft SSCAA. This does not lead to inconsistency. It simply reflects the fact that over the course of the plan-making process, the evidence base relevant to the AAP has been updated and it is necessary to take that into account.</p>

