

# GREATER LONDON AUTHORITY

## Good Growth

**Julian Shirley**

DP9 Ltd  
100 Pall Mall  
London  
SW1Y 5NQ

**GLA ref:** GLA/1200cd/14

**Tower Hamlets Council ref:** PA/14/02096

**Date:** 25 March 2022

Dear Mr Shirley,

**Town & Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008**

**Bishopsgate Goodsyard**

**GLA reference:** GLA/1200cd

**Tower Hamlets Council reference:** PA/14/02096

**Applicant:** Bishopsgate Goodsyard Regeneration Ltd

### **GRANT OF LISTED BUILDING CONSENT SUBJECT TO CONDITIONS**

The Mayor of London, acting as the Local Planning Authority, hereby grants listed building consent for the following works, in accordance with the terms of the above-mentioned application (which expression shall include the drawings and other documents submitted therewith):

*“Restoration and repair of the existing Grade II listed Braithwaite Viaduct and adjoining structures for proposed Class A1/A2/A3/A5/D1/D2 and Sui Generis use at ground level. Structural interventions proposed to stabilise London Road structure, removal of sections of London Road roof to create openings over proposed new public squares; formation of new shopfront opening; installation of new means of public access up to park level. Part removal of adjoining unlisted wall on Brick Lane to provide improved public realm and pedestrian access into the site.”*

At: Land known as Bishopsgate Goods Yard including Braithwaite Street as bounded by Shoreditch High Street, Bethnal Green Road, Sclater Street, Brick Lane, Wheler Street, Commercial Street and Quaker Street within the London Boroughs of Hackney and Tower Hamlets, London, E1

**Subject to the following conditions:**

**Conditions**

**Condition 1 - Time limit**

The development to which this consent relates must be commenced no later than three years from the date of this permission.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

**Condition 2 - Compliance with approved plans**

The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed in writing with the Local Planning Authority:

07-XX-DR-A-05\_10-010 REV P1; 07-XX-DR-A-05\_10-011 REV P1; 07-XX-DR-A-05\_10-012 REV P2; 07-B0-DR-A-05\_10-B00 REV P1; 07-00-DR-A-05\_10-000 REV P1; 07-01-DR-A-05\_10-100 REV P1; 07-B0-DR-A-05\_10-B01 REV P1; 07-00-DR-A-05\_10-001 REV P2; 07-01-DR-A-05\_10-101 REV P1; 07-XX-DR-A-00\_10-01 REV P1; 07-XX-DR-A-00\_10-02 REV P1; 07-XX-DR-A-00\_10-03 REV P1; 07-00-DR-A-00\_10-7A000 REV P1; 07-01-DR-A-00\_10-7A100 REV P1; 07-XX-DR-A-00\_10-7A51 REV P1; 07-XX-DR-A-00\_10-7A52 REV P1; 07-XX-DR-A-00\_10-7A01 REV P1; 07-XX-DR-A-00\_10-7A02 REV P1; 07-XX-DR-A-00\_10-7A03 REV P1; 07-XX-DR-A-00\_10-7A04 REV P1; 07-XX-DR-A-00\_10-7A05 REV P1; 07-XX-DR-A-00\_10-7A06 REV P1; 07-00-DR-A-00\_10-7A001 REV P1; 07-00-DR-A-00\_10-7A101 REV P1; 07-XX-DR-A-00\_10-7A61 REV P2; 07-XX-DR-A-00\_10-7A62 REV P2; 07-XX-DR-A-00\_10-7A63 REV P2; 07-XX-DR-A-00\_10-7A11 REV P3; 07-XX-DR-A-00\_10-7A12 REV P3; 07-XX-DR-A-00\_10-7A13 REV P2; 07-XX-DR-A-00\_10-7A14 REV P3; 07-XX-DR-A-00\_10-7A15 REV P3; 07-XX-DR-A-00\_10-7A16 REV P3; 07-B0-DR-A-00\_10-7BB00 REV P1; 07-00-DR-A-00\_10-7B000 REV P1; 07-01-DR-A-00\_10-7B100 REV P1; 07-XX-DR-A-00\_10-7B51 REV P1; 07-XX-DR-A-00\_10-7B52 REV P1; 07-XX-DR-A-00\_10-7B53 REV P1; 07-XX-DR-A-00\_10-7B54 REV P1; 07-XX-DR-A-00\_10-7B01 REV P1; 07-XX-DR-A-00\_10-7B02 REV P1; 07-XX-DR-A-00\_10-7B03 REV P1; 07-XX-DR-A-00\_10-7B04 REV P1; 07-XX-DR-A-00\_10-7B05 REV P1; 07-XX-DR-A-00\_10-7B06 REV P1; 07-B0-DR-A-00\_10-7BB01 REV P1; 07-00-DR-A-00\_10-7B001 REV P2; 07-01-DR-A-00\_10-7B101 REV P1; 07-XX-DR-A-00\_107B61 REV P1; 07-XX-DR-A-00\_107B62 REV P2; 07-XX-DR-A-00\_107B63 REV P2; 07-XX-DR-A-00\_107B64 REV P2; 07-XX-DR-A-00\_107B11 REV P1; 07-XX-DR-A-00\_107B12 REV P1; 07-XX-DR-A-00\_107B13 REV P1; 07-XX-DR-A-00\_107B14 REV P1; 07-XX-DR-A-00\_107B15 REV P1; 07-XX-DR-A-00\_107B16 REV P1; 07-00-DR-A-00\_10-7C000 REV P1; 07-01-DR-A-00\_10-7C100 REV P1; 07-XX-DR-A-00\_10-7C51 REV P1; 07-XX-DR-A-00\_10-7C52 REV P1; 07-XX-DR-A-00\_10-7C53 REV P1; 07-XX-DR-A-00\_10-7C01 REV P1; 07-XX-DR-A-00\_10-7C01 REV P1; 07-XX-DR-A-00\_10-7C03 REV P1; 07-XX-DR-A-00\_10-7C04 REV P1; 07-00-DR-A-00\_10-7C001 REV P1; 07-01-DR-A-00\_10-7C101 REV P1; 07-XX-DR-A-00\_10-7C61 REV P1; 07-XX-DR-A-00\_10-7C62 REV P1; 07-XX-DR-A-00\_10-7C63 REV P1; 07-XX-DR-A-00\_10-7C11 REV P1; 07-XX-DR-A-00\_10-7C12 REV P1; 07-XX-DR-A-00\_10-7C13 REV P1; 07-XX-DR-A-00\_10-7C14 REV P1; 07-00-DR-A-00\_10-7D000 REVP1; 07-01-DR-A-00\_10-7D100 REV P1; 07-XX-DR-A-00\_10-7D51 REV P1; 07-XX-DR-A-00\_10-7D52 REV P1; 07-XX-DR-A-00\_10-7D53 REV P1; 07-XX-DR-A-00\_10-7D01 REV P1; 07-XX-DR-A-00\_10-7D02 REV P1; 07-XX-DR-A-00\_10-7D03 REV P1; 07-00-DR-A-00\_10-7D001 REV P1; 07-01-DR-A-00\_10-7D101 REV P1; 07-XX-DR-A-00\_10-7D61 REV P1; 07-XX-DR-A-00\_10-7D62 REV P1; 07-XX-DR-A-00\_10-7D63 REV P1; 07-XX-DR-A-00\_10-7D11 REV P1; 07-XX-DR-A-00\_10-7D12 REV P1; 07-XX-DR-A-00\_10-7D13 REV P1;

Reason: For the avoidance of doubt and in the interests of proper planning and so as to ensure that the development is carried out fully in accordance with the application.

### **Condition 3 - Works to match**

All new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

### **Condition 4 - Brickwork to match**

Any areas of new facing brickwork shall match the existing brickwork adjacent in respect of colour, texture, face bond and pointing, unless shown otherwise on the drawings or other documentation hereby approved or required by any condition(s) attached to this consent.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

### **Condition 5 - Masonry cleaning**

No cleaning of masonry or brickwork shall be undertaken until a method statement has been submitted and approved in writing by the Local Planning Authority in consultation with Historic England. The statement shall include:

- i) Details of the protection measures for internal and external surfaces where required- such measures to include methods of fixing (any drawings provided to be at 1:20 scale);
- ii) Details of proposed cleaning method(s);
- iii) Number, location and dimensions of test panels;
- iv) Drawings annotated to show the area and extent of proposed cleaning (existing submitted drawings can be used where appropriate);
- v) The proposed programme for cleaning.

The cleaning shall be undertaken in accordance with the standards agreed following inspection of test panels as confirmed in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

### **Condition 6 - New discoveries**

Any currently hidden historic features that are revealed during the course of works shall be immediately protected and work suspended in the immediate relevant area whilst the Local Planning Authority is notified of the discovery. Works shall remain suspended until the Local Planning Authority authorise a scheme of works for preservation in situ; partial retention; or recording and removal.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

### **Condition 7 - Redundant services**

All redundant plumbing, mechanical and electrical services and installations shall be carefully removed from the listed building (Braithwaite Arches) before the completion of the consented works hereby approved, unless agreed in writing with the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

### **Condition 8 - Salvage strategy**

Prior to the moving or removal of any historic item a full schedule of all historic items to be moved within or removed from the site shall be submitted in writing for approval by the Local Planning Authority. The schedule shall include a plan (1:500) showing the location of the items and a gazetteer of photographs, and be accompanied by a Salvage Strategy, which is to include a methodology for removal, storage, reuse and disposal of historic

items. The handling of historic items shall be in accordance with the approved schedule and Salvage Strategy thereafter unless agreed in writing with the Local Planning Authority.  
Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

#### **Condition 9 - Archaeological watching brief**

All works of excavation, regardless of whether at established ground level or above the historic arch structures, shall be subject to an archaeological watching brief, details of which shall be submitted in writing for approval by the Local Planning Authority in consultation with Historic England.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

#### **Condition 10 - Structural assessment of Braithwaite Viaduct**

No development of Plots 8B or 8C shall commence until detailed design and method statements are submitted to and approved by the Local Planning Authority. Such statements shall include details of structural and ground movement monitoring of all structures; material testing; inspection of all structures and geotechnical site Investigations. Such geotechnical / enabling works site investigations shall include details of all structures including the following:

1. Existing foundations: size, level and formation;
2. Existing arch extrados levels, fill material;
3. Arch pier backing levels, fill material;
4. Back fill material.

The development of Plots 8B or 8C shall thereafter be carried out in accordance with the approved design and method statements, and all structures and works comprised within the development of Plots 8B or 8C hereby permitted which are required by the approved design statements in order to procure the matters mentioned in this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

#### **Condition 11 - Details of works to viaduct**

Notwithstanding the approved drawings, details of the proposed works to the viaduct structure shall be submitted in writing for approval by the Local Planning Authority, in consultation with Historic England and shall include:

- a. Details of all works associated with the structural support and servicing of the proposed landscape and structures at viaduct level, including detailed construction method statement;
- b. Details of repairs, including relevant method statements and samples, as necessary;
- c. Details of ground finishes beneath the viaduct at the London Road level;
- d. Details of proposed modern finishes, signage, shopfronts, and infill screens to viaduct arches;
- e. Details of proposed services associated with the new occupation of the viaduct arches, including plumbing, mechanical, electrical and data services. Details should include position, type and method of installation of services, as well as any associated risers, conduits, vents and fittings;
- f. Details of proposed lighting.

The relevant work shall be carried out in accordance with such approved details

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

**Condition 12 - No use of piling**

There shall be no use of piling (whether in the form of Pali Radice or otherwise) through the existing arch structures in respect of the construction of Plots 8B and 8C, without express approval in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building.

A handwritten signature in black ink on a white background. The signature reads "John Finlayson" in a cursive, slightly stylized script. The name "John" is written in a simple cursive, while "Finlayson" is more elaborate with a large, looping 'F' and a long horizontal stroke at the end.

**John Finlayson**

Head of Development Management

## **NOTES TO APPLICANTS**

### **Statement of Applicant's Rights arising from the refusal of listed building consent or from the grant of consent subject to conditions.**

If you are aggrieved by the decision of the local planning authority to refuse consent for the proposed works or to grant it subject to conditions, then you can appeal to the Secretary of State under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

If you want to appeal against the local planning authority's decision, then you must do so within 6 months of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.

Appeals must be made using a form which you can get from the The Planning Inspectorate, Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/government/organisations/planning-inspectorate>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted consent for the proposed works or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

### **Purchase Notices and Compensation**

If either the local planning authority or the Secretary of State refuses permission or consent to develop land or grants it subjects to conditions, the owner may claim that the land cannot be put to a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the Council requiring the Council to purchase the land in accordance with the provision of Part IX of the Town and Country Planning Act 1990 or sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In certain circumstances compensation may be claimed from the local planning authority if permission or consent is refused or granted subject to conditions by the Secretary of State on appeal. These circumstances are set out in sections 169 and related provisions of the Town and Country Planning Act 1990.