

- GPA 2: Managing Significance in Decision-Taking in the Historic Environment (2015);
- GPA 3: The Setting of Heritage Assets (2nd ed., 2017);
- GPA 4: Enabling development and heritage assets (2020).

GPA 3: Historic England guidance on the setting of heritage assets

- 4.34 This note provides guidance regarding the setting of heritage assets and how to assess the effect of change on that setting.
- 4.35 The guidance echoes the definition of ‘setting’ in the NPPF as: *‘the surroundings in which [the asset] is experienced’ and continues: ‘its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral’.*
- 4.36 The guidance provides, at Paragraph 12, a step-by-step methodology for identifying setting, its contribution to the significance of a heritage asset, and the assessment of the effect of Proposed Development on that significance:
- Step 1: identify which heritage assets and their settings are affected;
 - Step 2: assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s);
 - Step 3: assess the effects of the Proposed Development, whether beneficial or harmful, on that significance;
 - Step 4: explore the way to maximise enhancement and avoid or minimise harm;
 - Step 5: make and document the decision and monitor outcomes.
- 4.37 The document then sets out how the step-by-step methodology is used and considers each step in more detail.

Historic England Advice Notes

- 4.38 These advice notes cover various planning topics in more detail and at a more practical level.⁶⁶ The documents most relevant to the proposed works are:
- HEAN 1 - Conservation Areas;
 - HEAN 4 – Tall Buildings;
 - HEAN 10 - Listed Buildings and Curtilage;
 - HEAN 12: Statements of Heritage Significance: Analysing Significance in Heritage Assets.

Conservation principles, policies and guidance for the sustainable management of the historic environment

- 4.39 This document⁶⁷ is referred to in Section 3 of this report. It sets out the following six high-level principles:
- The historic environment is a shared resource;
 - Everyone should be able to participate in sustaining the historic environment;
 - Understanding the significance of places is vital;
 - Significant places should be managed to sustain their values;
 - Decisions about change must be reasonable, transparent and consistent; and
 - Documenting and learning from decisions is essential.

The London Plan

- 4.40 The new London Plan was adopted on 2 March 2021.
- 4.41 Chapter 3 ‘Design’ deals with overarching themes in relation to design in the built environment and provides a range of policies concerning the design of new development in London.
- 4.42 Among these, Policy D3 ‘Optimising site capacity through the design-led approach’ directs that all development must be of

⁶⁶ Historic England Advice Notes: historicengland.org.uk/advice/planning/planning-system

⁶⁷ Historic England (2008) *Conservation Principles, Policies and Guidance for the sustainable management of the historic environment* historicengland.org.uk/advice/constructive-conservation/conservation-principles

- the most appropriate form and land use for the site 'based on an evaluation of the site's attributes, its surrounding context and its capacity for growth to determine the appropriate form of development for that site' and that development should 'respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character'.
- 4.43 Policy D9 deals with 'Tall Buildings' and how their impacts should be assessed and addressed including visual impacts and views of buildings from different distances. In all cases the development should make a 'positive contribution to the existing and emerging skyline and not adversely affect local or strategic views'. Further, tall buildings should 'reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding'. Importantly, 'proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings' as well as 'positively contribute to the character of the area'.
- 4.44 The policies relevant to heritage assets are contained within Chapter 7 'Heritage and Culture'. This defines 'Heritage significance' (para 7.1.7) as 'the archaeological, architectural, artistic or historic interest of a heritage asset. This may be represented in many ways, in an asset's visual attributes, such as - form, scale, materials, and architectural detail, design and setting, as well as through historic associations between people and a place, and, where relevant, the historic relationships between heritage assets.' It goes on to say that 'development that affects heritage assets and their settings should respond positively to the assets' significance, local context and character to protect the contribution that settings make to the assets' significance. In particular, consideration will need to be given to mitigating impacts from development that is not sympathetic in terms of scale, materials, details and form'.
- 4.45 Policy HC1 Heritage Conservation and Growth
- A. Boroughs should, in consultation with Historic England, local communities and other statutory and relevant organisations, develop evidence that demonstrates a clear understanding of London's historic environment. This evidence should be used for identifying, understanding, conserving, and enhancing the historic environment and heritage assets, and improving access

- to, and interpretation of, the heritage assets, landscapes and archaeology within their area.
- B. Development Plans and strategies should demonstrate a clear understanding of the historic environment and the heritage values of sites or areas and their relationship with their surroundings.
- C. Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.
- D. Development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.
- E. Where heritage assets have been identified as being At Risk, boroughs should identify specific opportunities for them to contribute to regeneration and place-making, and they should set out strategies for their repair and re-use.
- Policy HC2 World Heritage Sites
- 4.46 The first part of the policy deals with how boroughs with or in the influence of World Heritage Sites, should include policies in their Development Plans that conserve, promote, actively protect and interpret the Outstanding Universal Value of World Heritage Sites. Further that in considering planning applications, appropriate weight should be given to implementing the provisions of the World Heritage Site Management Plan.
- 4.47 In terms of development proposals with the potential to affect World Heritage Sites or their settings, the policy requires that these be supported by a Heritage Impact Assessment. This includes cases where such proposals may contribute to a cumulative impact on a World Heritage Site or its setting.

- 4.48 Detailed guidance is provided in the form of ‘London’s World Heritage Sites: Guidance on Settings – Supplementary Planning Guidance’.
- Policy HC3 Strategic and Local Views
- 4.49 This policy describes how The Mayor has designated a list of Strategic Views (set-out in the Plan) that will be kept under review and requires that ‘development proposals must be assessed for their impact on a designated view if they fall within the foreground, middle ground or background of that view.’
- 4.50 In order to further protect ‘Strategically-Important Landmarks in the view’ the Mayor will designate ‘landmark viewing corridors and wider setting consultation areas. These elements together form a Protected Vista. Each element of the vista will require a level of management appropriate to its potential impact on the viewer’s ability to recognise and appreciate the Strategically-Important Landmark. These and other views are also subject to wider assessment beyond the Protected Vista.’
- Policy HC4 London View Management Framework
- 4.51 This builds upon Policy HC3 and advises that
- A. Development proposals should not harm, and should seek to make a positive contribution to, the characteristics and composition of Strategic Views and their landmark elements. They should also preserve and where possible enhance viewers’ ability to recognise and to appreciate Strategically-Important Landmarks in these views and, where appropriate, protect the silhouette of landmark elements of World Heritage Sites as seen from designated viewing places.
- B. Development in the foreground, middle ground and background of a designated view should not be intrusive, unsightly or prominent to the detriment of the view.
- C. Development proposals and external illumination of structures in the background of a view should give context to landmarks and not harm the composition of the view as a whole. Where a silhouette of a World Heritage Site is identified by the Mayor as prominent in a designated view, and well-preserved within its setting with clear sky behind, it should not be altered by new development appearing in its background. Assessment of the impact of development in the foreground, middle ground or background of the view or the setting of a Strategically-Important Landmark should take into account the effects of distance and atmospheric or seasonal changes.

- Section D gives further advice on compliance with ‘London Panoramas’, ‘River Prospects’ and ‘Townscape and Linear Views’. Section E advises on ‘Viewing Places’ and F on strategies where there is a ‘Protected Vista’.
- 4.52 Detailed guidance is provided in the form of the London View Management Framework Supplementary Planning Guidance.⁶⁸
- Policy HC7 Protecting public houses
- 4.53 In this new policy, boroughs are advised to protect public houses where they have a heritage, economic, social or cultural value to local communities, or where they contribute to wider policy objectives for town centres.
- 4.54 Applications that propose the loss of public houses with the above attributes should be refused unless there is authoritative evidence that demonstrates that there is no realistic prospect of the building being used as a pub in the foreseeable future. Further proposals for redevelopment of associated accommodation, facilities or development within the curtilage of the public house that would compromise the operation or viability of the public house use should be resisted.
- The Tower Hamlets Local Plan
- 4.55 The Tower Hamlets’ ‘Local Plan 2031: Managing Growth and Sharing Benefits’ was adopted on 15 January 2020.
- 4.56 The policies that are relevant to heritage assets are contained with Policy S.DH3 Heritage and the historic environment’. This sets out that:
- 4.57 1. Proposals must preserve or, where appropriate, enhance the borough’s designated and non-designated heritage assets in a manner appropriate to their significance as key and distinctive elements of the borough’s 24 places.
- 4.58 2. Proposals to alter, extend or change the use of a heritage asset or proposals that would affect the setting of a heritage asset will only be permitted where:
- they safeguard the significance of the heritage asset, including its setting, character, fabric or identity
 - they are appropriate in terms of design, height, scale, form, detailing and materials in their local context

⁶⁸ Mayor of London/GLA (2012) *London View Management Framework - Supplementary Planning Guidance*. Online: www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance-and-spgs/london-view-management

- c. they enhance or better reveal the significance of assets or their settings
 - d. they preserve strategic and locally important views and landmarks, as defined in Policy D.DH4, and
 - e. in the case of a change of use from a use for which the building was originally designed, a thorough assessment of the practicability of retaining its existing use has been carried out outlining the wider public benefits of the proposed alternative use.
- 4.59 3. Applications affecting the significance of a heritage asset will be required to provide sufficient information to demonstrate how the proposal would contribute to the asset's conservation. Any harm to the significance of a heritage asset must be justified having regard to the public benefits of the proposal: whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses, or mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to secure the long-term use of the asset. Factors that will be considered can include:
- a. The significance of the asset, architecturally, historically and contextually
 - b. The adequacy of efforts made to retain the asset in use, and
 - c. The merits of any alternative proposal for the site.
- 4.60 4. Substantial harm to or the total loss of significance of a designated heritage asset will only be supported where it is necessary to achieve substantial public benefits that outweigh that harm or loss, or the following criteria can be satisfied:
- a. The nature of the heritage asset prevents all reasonable uses of the site
 - b. No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation
 - c. Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible
 - d. The harm or loss is outweighed by the benefit of bringing the site back into use.
- 4.61 5. Alterations, extensions or changes of use, or development in the vicinity of listed buildings (as shown on the Policies Map)

- will be expected to have no adverse impact on those elements which contribute to their special architectural or historic interest, including their settings.
- 4.62 6. Significant weight will be given to the protection and enhancement of the borough's conservation areas (as shown on the Policies Map), including their setting. Development within a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance. There will be a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area. Planning applications should explore opportunities from new development within conservation areas and their setting to enhance or better reveal their significance.
- 4.63 7. Significant weight will be given to the protection and enhancement of scheduled monuments (as shown on the Policies Map) and other archaeological sites of equivalent importance. Any harm to their significance must be justified having regard to the public benefits of the proposal: whether it has been demonstrated that all reasonable efforts have been made to mitigate the extent of the harm to the significance of the asset; and whether the works proposed are the minimum required to sustain the asset.
- 4.64 8. Applications affecting the significance of the archaeology will be required to provide sufficient information to demonstrate how the proposal would contribute to the asset's conservation. Where the development includes or has the potential to include heritage assets with archaeological interest, an appropriate desk-based assessment and, where necessary, field evaluation will be required. Where harm can be fully justified, we will require archaeological excavation and/or recording as appropriate, followed by analysis and publication of the results.
- 4.65 9. Development that lies in or adjacent to archaeological priority areas (as shown on the Policies Map) will be required to include an archaeological evaluation report and will require any nationally important remains to be preserved permanently in situ, subject to consultation with Historic England.
- 4.66 10. We will seek to ensure the protection and appropriate enhancement of the borough's historic parks and gardens (as shown on the Policies Map). Development proposals should therefore safeguard those features which form an integral part of the special character or appearance of the park or garden

and ensure they do not detract from the enjoyment, layout, design, character, appearance or setting of the park or garden, key views into and out of the park, or prejudice its future restoration. Where development is likely to affect a historic park and garden or its setting, applications should include a heritage impact assessment setting out the likely impact which it would have upon its significance and the means by which any harm might be mitigated.

5 The Proposed Development and its effect

Introduction

- 5.1 This section of the report describes the proposed scheme in terms of its effect on the heritage significance of the site and its context, described and analysed earlier in this report.
- 5.2 The proposed scheme is described in full in the materials submitted with the application.

The Proposed Development

- 5.3 The Proposed Development comprises the comprehensive redevelopment of the Site. It will provide new retail and workspace floorspace along with residential dwellings and the pedestrianisation of the A12 Abbott Road vehicular underpass to create a new east to west route. The Development will also provide significant, high quality public realm, including a new Town Square, a new High Street and a public park.
- 5.4 The Proposed Development is part of the masterplan for the Aberfeldy and Nairn Street Estates to create a strengthened and cohesive neighbourhood with an identifiable character which celebrates its rich heritage and diverse community. The original Aberfeldy Village masterplan received outline planning consent in 2012. Phases 1, 2 and 3a of this have been completed and are now occupied. Phase 3b is currently on site.
- 5.5 The new masterplan is divided into four phases: A-D. It aims bring about a substantial range of social, economic and environmental benefits. These benefits can be summarised as (but are not limited to):
- a substantial number of new homes: up to approximately 1,628 new homes of different sizes and tenures, helping to create a mixed and balanced community including new affordable housing;
 - optimisation of the potential of this well-located site to deliver homes, jobs and shops within a vibrant, diverse and inclusive place.
 - improved accessibility and permeability including the re-purposing the existing vehicular underpass as a new pedestrian and cycle route across the A12 and two new north-south routes: Community Lane and Enterprise Yard, and the upgrading of the existing north-south route that is Aberfeldy Street. East-West permeability

- has been improved by reinstating the Victorian street pattern of Dee Street, Ettrick Street and Blair Street.
- substantial upgrades to existing open spaces including Leven Road Open Space, and Braithwaite Park as well as creating Highland Place, a new public park at the heart of the Aberfeldy Masterplan.
- 5.6 Tall buildings can play an important role in estate regeneration, particularly within opportunity areas such as Aberfeldy Village, where growth and development are actively and emphatically encouraged. The massing and tall buildings strategy has been developed through a number of consultations with LBTH. A townscape and placemaking study and strategy has informed the principles of the building heights for the masterplan and significant changes have been made to minimise any impact on heritage assets and to achieve variation in building heights which responds to the scale of the existing site context and also strives to adding diversity and interest to the roofscape and streetscape.
- 5.7 The location of tall buildings at Highland Place – the tallest of which will be 28 storeys - marks a central gateway to the Site, where a new public space - Highland Place. Integral to the placemaking strategy is the preservation of sky-space around Balfron Tower and the protection of key Borough Designated views.
- 5.8 The aim of Highland Place is to consolidate height and density away from Balfron Tower so as not to undermine its impact and imposing scale. In order to ensure that the Proposed Development and the Listed buildings within the Balfron Tower Conservation Area continue to read as separate and distinct from one another, buildings in their vicinity will be lower to preserve the ‘sky-space’ around them. The buildings which will sit directly across the A12 from Balfron Tower are horizontal in form and their architectural expression will emphasise this horizontality. Vertical elements which would break the building line and interfere with the silhouette of Balfron are avoided. Building heights step down significantly at the edge of the Proposed Development, ensuring that the cluster of three buildings at Highland Place is clearly defined and that other tall buildings within the development are positioned in such a way as to avoid breaking the silhouette the cluster when seen from the southern bank of the Thames river front.

The effect of the Proposed Development on heritage significance

- 5.9 The Site does not contain any heritage assets. All consideration of effects is directed towards the surrounding heritage assets identified and described in Section 2 of this report.
- 5.10 Balfron Tower (GII*), together with Carradale House (GII) and Glenkerry House (GII), form a highly significant grouping of late 20th century housing along with the other buildings of the Brownfield Estate. Their heritage significance is recognised, by three individual building listings and by the Balfron Conservation Area designation. While other heritage assets will be affected by the Aberfeldy Village development, the potential for greatest effect is on Balfron Tower and its surroundings.
- The significance of Balfron Tower*
- 5.11 It is not the purpose of this report, nor necessary, to discuss Balfron, its designer and its history at great length.⁶⁹ The significance of Balfron Tower, the two other listed towers and the conservation area has a number of key aspects. These are summarised as follows:
- The Brownfield Estate and its buildings are significant as examples of post-war regeneration in London’s East End undertaken by the LCC, the GLC and the London Borough of Tower Hamlets;
 - Ernö Goldfinger is a highly significant modern architect, seen as one of Brutalism’s pre-eminent figures and whose work was highly influential;
 - Goldfinger’s architecture is dramatic, muscular and powerful. As at Trellick, Balfron and Carradale have detached slim towers containing vertical circulation and community spaces, linked at every other floor to the main slab block by walkways;
 - The sculptural and compositional quality of Goldfinger’s work is carried through from the overall massing of the buildings into the use of concrete and in elevational design, and the detail appearance of the buildings is intrinsic to their architectural significance; and

⁶⁹ The full List description of Balfron Tower is included as Appendix A

- The plan form of the buildings and the quality of their accommodation is a key component of the significance of the Brownfield Estate buildings.
- 5.12 Though the estate and its buildings possess heritage significance throughout, Balfron Tower is clearly the most important and iconic element of the overall group notwithstanding the designations allocated to the estate and to Carradale House and Glenkerry. It is visible from many directions, and this is noted in the conservation area appraisal.
- The nature of Balfron's Tower's setting*
- 5.13 However, the story of the development of the Brownfield Estate and its buildings is one where it formed part of an ongoing and wider process of large-scale regeneration. It was not intended as an isolated set-piece. Other tall buildings were anticipated as part of a general approach to housing provision in the area.
- 5.14 There is no evidence at all that Balfron Tower was intended as a focal point – such thinking did not form any part of the planning of the Brownfield Estate, the design of its taller elements or of a masterplanning exercise for Poplar that might have created the specific location of Balfron Tower as an urban focus. For example, the low density of the Aberfeldy Triangle has nothing to do with the presence of Balfron Tower as a landmark building. There is no evidence whatsoever that the Aberfeldy triangle was developed at the scale it was out of a desire to remain low in scale in relation to the height of Balfron.
- 5.15 Notwithstanding its landmark status as designated by the local planning authority and as noted above, the present setting of Balfron Tower contains many tall buildings – notably those of south Poplar and the Isle of Dogs, a relatively short distance from the Tower. Its heritage significance is not harmed by this.
- 5.16 The very architectural qualities that contribute to its heritage significance will allow Balfron Tower that significance to be preserved in the context of new development. Its power and strength as a striking and characterful tall building will not be harmed by new development, and that development should not be constrained by over-stating the sensitivity of Balfron and the other buildings of the Brownfield Estate to change.
- 5.17 We contend that there is, in fact, a legitimate and conceptually robust position that derives from a creative and enabling approach to urban design. This suggests that development in the context of Balfron – possibly to a greater scale than exists – could help create a more coherent, responsive and attractive

- setting and thus enhance the significance of Balfron Tower and its estate.
- 5.18 Finally, the regeneration of Aberfeldy Village creates the opportunity to link to and enhance the ongoing regeneration of Balfron Tower, and in particular creates an opportunity to link the ground plane of Balfron Tower into the new public realm of the Aberfeldy Village project by means of the existing underpass. This, in turn, would assist in facilitating a greater appreciation of Balfron's significance.
- The contribution of Balfron's Tower's setting to its heritage significance*
- 5.19 The NPPF definition and PPG explanation of 'setting' is provided in Section 4.
- 5.20 It is clear that the setting of Balfron Tower, the other two listed towers and the Balfron Conservation Area makes, in physical terms, very little contribution to the significance of these heritage assets. Their relative isolation from a meaningful, connected context or a coherent urban scene with a common grain can be said to harm their significance. The presence and impermeability of the A12 is a wholly negative factor in their setting and detracts from their significance. Nothing could be further from Goldfinger's humane vision for contemporary living than the presence of a multi-lane highway at the foot of such a carefully designed residential building.
- Historic England guidance on the setting of heritage assets
- 5.21 Historic England, in Part 1 of its guidance⁷⁰, discusses concepts of curtilage, character and context. The matter of the curtilage of Balfron Tower and the two other listed towers is irrelevant in relation to the proposed Aberfeldy redevelopment project; no part of it would occur within the curtilage of the listed buildings, although the potential for public realm work at Balfron's base, responding to a potential new linking underpass beneath the A12, exists as a potential enhancement of the tower and improvement in its connectivity with its surroundings.
- 5.22 The Balfron Tower Conservation Area has, by definition and by virtue of being designated in a manner consistent with proper designation practice, 'character and appearance'. That character and appearance is delineated by the boundary of the

⁷⁰ Historic England, GPA 3: The Setting of Heritage Assets (2nd ed., 2017)

- conservation area; its character and appearance, logically, does not extend into areas of different character and appearance, such as Aberfeldy Village. The character and appearance of the Balfron Tower Conservation Area is self-evidently very different from its surrounding context and this is clear from the historical account and the empirical evidence derived from experiencing the built environment around Balfron.
- 5.23 The Lansbury Estate differs from the Brownfield Estate which in turn is different from both Aberfeldy Village and, say, the All Saints Church Conservation Area. Balfron Tower and its surroundings – regardless of being ‘post-war’ – does not share architectural or urban design qualities with the Aberfeldy Village quarter.
- 5.24 Historic England says that ‘*Character is a broad concept, often used in relation to entire historic areas and landscapes, to which heritage assets and their settings may contribute*’. This statement cannot be realistically applied to an area extending beyond the Brownfield Estate, and this assessment is consistent with HE’s subsequent (in GPA 3) regarding ‘extent of setting’ (see below) .
- 5.25 The Historic England discussion of ‘context’ is somewhat opaque, but it is clear that Balfron Tower and its estate do not share ‘*any relationship between it and other heritage assets, which is relevant to its significance, including cultural, intellectual, spatial or functional*’ – with the singular exception of Trellick Tower in west London (and possibly other work elsewhere by Goldfinger).
- 5.26 In respect of Historic England’s discussion of the extent of setting, the specific nature of Balfron and its estate permits a two level assessment of that extent. Firstly, a clear extent is provided by the boundaries of the estate as forming an architectural and geographical extent to setting. Secondly, and beyond that boundary, setting must be considered only in terms of vicinity and visibility. There is no connection at all between Balfron and its estate and other areas such as Aberfeldy, beyond intervisibility. They are not connected by design or an intended, designed commonality.
- 5.27 In discussing ‘Setting and the significance of heritage assets’, the Historic England guidance talks of ‘*settings which have changed may also themselves enhance significance, for instance where townscape character has been shaped by cycles of change over the long term*’. This may well be so, but it is hard to see how the present nature and condition of Aberfeldy Village

- enhances Balfron’s significance. It is worth repeating that there is no evidence that the Aberfeldy triangle was developed at the scale it was in response to the height of Balfron. The setting of Balfron – beyond the estate - is most certainly not an instance of ‘Designed settings’ as discussed in Historic England guidance.
- 5.28 Historic England continues:
- ‘...the numbers and proximity of heritage assets in urban areas mean that the protection and enhancement of setting is intimately linked to townscape and urban design considerations. These include the degree of conscious design or fortuitous beauty and the consequent visual harmony or congruity of development, and often relates to townscape attributes such as enclosure, definition of streets and spaces and spatial qualities as well as lighting, trees, and verges, or the treatments of boundaries or street surfaces’*
- 5.29 There is little, if anything, by way of ‘*conscious design or fortuitous beauty and the consequent visual harmony or congruity of development*’ that occurs in the vicinity of Balfron, or at least any that is actually linked to Balfron in a discernible way. ‘*Enclosure, definition of streets and spaces and spatial qualities*’ that actually relate to Balfron do not exist in its context.
- 5.30 For instance, if Balfron Tower were indeed a focal point in Poplar, one would expect the urban grain and the orientation of streets and views to relate to it. They do not. Visibility of Balfron Tower is, from many points of the compass, is essentially coincidental. The presence of other tall development in these views does not automatically reduce or even actually affect the significance of Balfron Tower.
- 5.31 Historic England continues to discuss ‘Views and settings’ and talks about views as ‘*a purely visual impression of an asset or place which can be static or dynamic, long, short or of lateral spread, and include a variety of views of, from, across, or including that asset*’. It gives five examples of ‘Views which contribute more to understanding the significance of a heritage asset’; none apply to Balfron or its setting. Balfron is not one of the four examples of ‘*Assets, whether contemporaneous or otherwise, which were intended to be seen from one another for aesthetic, functional, ceremonial or religious reasons*’.

Other heritage assets

- 5.32 This section of the report focusses on Balfron Tower and the Balfron Tower Conservation Area as the closest and most significant heritage assets affected by the proposed Aberfeldy Village development. Other assets will, of course, be affected, and the relevant heritage assets are identified earlier. Of these, two merit particular mention.
- 5.33 The Grade II* former Financial Times print works on East India Dock Road (to the south of Aberfeldy Village) is one of a few listed buildings designed by Sir Nicholas Grimshaw. Its interior is explicitly excluded from the listing. The building is in marked contrast to Balfron Tower – it is a non-public industrial building (now in an entirely different use) occupying its site in a rational but wholly utilitarian fashion. It has even less relationship to its surroundings than Balfron, and represents a phase in the redevelopment of East India Dock and its environs. The one feature of the building with a direct relationship to its context – the large, curtain-walled print hall – was eliminated prior to listing.
- 5.34 The former Bromley Hall School (GII) is similar to the former FT building in being inward-looking and very much isolated from its context. Its heritage significance does not rely on its setting and therefore what is important to its significance will not be altered by introducing new built form into its vicinity. However, its present setting amongst abandoned brownfield sites and scrub is a wholly negative factor in its setting and detracts from its significance.
- 5.35 We do not consider that other heritage assets further afield will be affected by the proposed development to a significant degree. The site does not contribute to their heritage significance and they exist already in a varied townscape, which includes taller contemporary development, while retaining their significance. Individual effects on other heritage assets are considered in the Environmental Statement (Chapter 12, 'Built Heritage').

Conclusion

- 5.36 Visibility does not automatically equate to harm; such a concept or rule does not form any part of the planning system, whether in respect of heritage assets or otherwise. The absence of a meaningful, designed, fortuitous, desirable or even inoffensive context for Balfron Tower means that development in its setting is an opportunity for enhancement rather than a

risk of harm to significance. There is little beyond the Brownfield Estate boundaries – apart from Trellick Tower in North Kensington – that has any specific relationship to Balfron's heritage significance. The opportunity lies in designing development so as to respond to Balfron's significance and to create connections with Balfron from its hinterland. These connections can be visual and physical.

- 5.37 Designed to sit within an urban landscape of competing architectural expression, the individual heritage assets - listed and locally listed buildings and other non-designated heritage assets - are robust when it comes to absorbing change, and therefore a change in their setting which introduces new built form into the surrounding environment – in most cases at some distance away - is not enough of a change to diminish their special interest as expressed through their architectural or historical significance.
- 5.38 We conclude that the proposed development will preserve and enhance the setting of designated and non-designated heritage assets. While their settings will be changed, this will be in a highly positive and regenerative fashion

6 Compliance with policy and guidance

- 6.1 This report has provided a detailed description and analysis of the heritage significance of Aberfeldy Village and its heritage context, as required by Paragraph 189 of the National Planning Policy Framework. In addition, the report also describes (in Section 5 'The Proposed Development and its effect') how the proposed scheme will affect that heritage significance. The effect is positive, and for that reason, the scheme complies with policy and guidance. This section should be read with Section 3.

The Planning (Listed Buildings and Conservation Areas) Act 1990

- 6.2 The conclusion of our assessment, contained in previous sections in this report, is that the proposed scheme preserves the surrounding listed buildings interest as well as the character and appearance of the surrounding conservation areas. The proposed scheme thus complies with S.66(1) and S.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. It does not lead to 'substantial' harm or any level of 'less than substantial' harm to any heritage assets.

The level of 'harm' caused by the proposed scheme

- 6.3 As outlined in Section 3, the NPPF identifies two levels of potential 'harm' that might be caused to a heritage asset by a development: 'substantial harm...or total loss of significance' or 'less than substantial'. Both levels of harm must be caused to a *designated* heritage asset – in this instance listed buildings or conservation areas.
- 6.4 The proposed scheme does not lead to 'substantial' harm or any level of 'less than substantial' harm to the designated heritage assets in question. As has been explained earlier, the proposal does very evidently *not* result in the 'total loss of significance' of any listed structure or conservation area.
- 6.5 The only potential for 'substantial' harm would be if the proposed works at Aberfeldy Village caused the loss of a significant component of the special interest of a heritage asset. There is nothing about the proposal that would give rise to this level of harm.

The balance of 'harm' versus benefit

- 6.6 The cumulative effect of the scheme – when all of its elements are considered - will be highly positive. The Emerging Masterplan delivers considerable social, economic and environmental regeneration benefits. These can be summarised, but are not limited, to: a substantial number of new homes; affordable housing delivery; optimisation of site potential and density; and the creation of a vibrant, diverse and inclusive place.
- 6.7 The Proposed Development will not affect the core architectural or historic interest of any heritage asset to any degree that would alter its special interest but will certainly preserve that interest.

The National Planning Policy Framework

- 6.8 This report has provided a detailed description and analysis of the significance of Aberfeldy Village and its heritage context, as required by Paragraph 194 of the National Planning Policy Framework.
- 6.9 The proposed scheme complies with Paragraphs 199 to 202 in that it conserves the heritage assets in question and does not contribute to any level of harm or loss of significance of a heritage asset.
- 6.10 The Proposed Development certainly enhances and reveals the setting of heritage assets and preserves those elements of the setting that make a positive contribution to the asset as required by paragraph 206.

London Plan

- 6.11 The proposed scheme is consistent with the London Plan and fully complies with its Design (Chapter 3) and Heritage (Chapter 7) policies.
- 6.12 The proposed scheme is of the highest architectural quality and responds to Policy D3 '*Optimising site capacity through the design-led approach*' by *positively responding to local distinctiveness and successfully responding to the existing character of the place and in that respects, enhances and utilises the heritage assets and architectural features that contribute towards the local character.*
- 6.13 It is also consistent with Policy HC1 'Heritage Conservation and Growth', in that the applicants have sought to identify, understand and conserve the historic environment and the