

Committee: Development	Date: 10 th May 2012	Classification: Unrestricted	Agenda Item No: 7.1
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Adam Williams		Ref No: PA/12/00051 & PA/12/00052	
		Ward(s): St Katherine's & Wapping	

1. APPLICATION DETAILS

1.1 **Location:** 136-140 Wapping High Street, London, E1W 3PA

Existing Use: Office/data centre

Proposal: Applications for planning permission and conservation area consent for part demolition and erection of three additional floors and new facade treatments; change of use of the existing property from Offices (B1a) to Residential (C3) comprising 51 residential units and a 50sq.m commercial unit (Use Class A1/A2/A3/A4/A5/B1a) at ground floor level; and other operational and associated works in relation to the proposed development.

Drawing Nos / Documents:

- 616-P-01 (Rev A);
 - 616-P-02;
 - 616-P-110 (Rev A);
 - 616-P-111 (Rev B);
 - 616-P-112;
 - 616-P-113 (Rev A);
 - 616-P-114;
 - 616-P-115 (Rev A);
 - 616-P-116;
 - 616-P-117;
 - 616-P-120;
 - 616-P-121;
 - 616-P-122 (Rev B);
 - 616-P-123;
 - 616-P-124 (Rev A);
 - 616-P-131;
 - 616-P-132;
 - 616-P-133;
 - 616-P-134 (Rev A);
 - 616-P-136;
 - 616-P-137;
 - 616-P-138;
 - 616-P-139;
 - 616-P-140;
 - 616-P-141 (Rev A);
 - 616-P-142 (Rev A);
 - 616-P-143;
 - 616-P-144;
 - 616-P-145 (Rev A);
 - 616-P-146;
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- 616-P-147;
- 616-P-149 (Rev A);
- 616-P-150;
- 616-P-151;
- 616-P-152;
- 616-P-153;
- 616-B-50;
- 616-B-51;
- 616-B-52;
- 616-B-53;
- 616-B-55;
- 616-B-56;
- 616-B-57;
- 616-B-58;
- Planning Statement, prepared by Signet Planning, dated 23 December 2011;
- Summary / Impact Report, prepared by Signet Planning, dated 23 December 2011;
- Design and Access Statement, prepared by Galliard Homes Ltd., dated December 2011;
- GLA Affordable Housing Toolkit Assessment (2011/2012 Version), Edition 2 (December 2011) – Main Report and Findings with Appendices, prepared by Scott Bailey;
- 138-140 Wapping High Street Office Market Review, prepared by Savills, dated August 2010;
- Daylight / Sunlight Report, prepared by GVA, dated 19 December 2011;
- Annotated daylight and sunlight model, showing existing and proposed massing;
- Supplementary Information – Daylight Analysis to Gun Wharf, prepared by GVA, dated 18 April 2012;
- Email from Matthew Craske of GVA dated 23 April 2012;
- Daylight Results for 1-50 Gun Wharf, 126-130 Wapping High Street, prepared by GVA, received 23 April 2012;
- BRE/41, dated April 2012;
- Noise Assessment, prepared by Sharps Redmore Partnership, dated 30 March 2011;
- Assessment of Ground Borne Noise Due to the EEL and Mechanical Services Plant Noise, prepared by Sharps Redmore Partnership, dated 18 April 2012;
- Transport Statement (Issue 9), prepared by Cole Easdon Consultants, dated December 2011;
- Technical Note – Draft Delivery and Servicing Management Plan, prepared by Cole Easdon Consultants, dated March 2012;
- Site Waste Management Plan, prepared by Galliard;
- Archaeological Statement, prepared by CGMS Consulting, dated December 2011;
- Flood Risk Assessment (Issue 3), prepared by Cole Easdon Consultants, dated December 2011;
- Biodiversity Statement, prepared by Ecology Solutions Ltd., dated December 2011;
- Energy Strategy Report (Revised), prepared by Mendick Waring Ltd, dated 18 April 2012;
- Heating Profile Calculation for CHP Unit;

- Code for Sustainable Homes Pre-Assessment Estimator Tool, for 136-140 Wapping High Street, London;
- BREEAM 2011 New Construction Pre-Assessment Estimator, for 136-140 Wapping High Street;
- TER 2009 Worksheet (multiple), dated 22 December 2011.

Applicant: Wapping Riverside Ltd

Owners: IBM;
EDF Energy;
Port of London Authority

Historic Building: N/A

Conservation Area: Wapping Wall

2. SUMMARY OF MATERIAL PLANNING CONSIDERATIONS

- 2.1 The Local Planning Authority has considered the particular circumstances of this application against the Council's approved planning policies contained in the Local Development Framework Core Strategy (2010), London Borough of Tower Hamlets Unitary Development Plan (1998), the Managing Development Development Plan Document (Proposed Submission Version January 2012), the Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan (2011) and the National Planning Policy Framework (2012), and found that:
- 2.2 Sufficient evidence has been provided to justify the loss of employment floorspace in this instance, in accordance with the requirements of saved Policy EMP3 of the Unitary Development Plan (1998), Policy DM15(1) of the Managing Development DPD (2012) and Policy EE2 of the Interim Planning Guidance (2007). These policies seek to resist the loss of employment floorspace in the Borough unless it can be demonstrated that the floorspace in questions is unsuitable for continued employment use or is surplus to requirements.
- 2.3 The proposed delivery of 51 new residential dwellings accords with the objectives of Policy SP02(1) of the Council's adopted Core Strategy (2010) and Policy 3.3 of the London Plan (2011), which support the delivery of new housing in the Borough in line with the housing targets set out in the London Plan.
- 2.4 The proposed development would provide 35.2% affordable housing by habitable room, in accordance with Policy SP02(3) of the Council's adopted Core Strategy (2010), Policy HSG3 of the Interim Planning Guidance (2007), and Policies 3.8, 3.9 and 3.11 of the London Plan (2011). These policies seek to maximise the delivery of affordable housing in line with the Council's target of 50% affordable housing provision, with a minimum provision of 35%.
- 2.5 The proposed development provides a mix of unit sizes, including a high proportion of 1 and 2 bed market units, as well as a high proportion of family sized (3 bed+) affordable units, which responds well to the identified housing need in the Borough. The proposal therefore accords with Policy SP02(5) of the Council's adopted Core Strategy (2010), saved Policy HSG7 of the Unitary Development Plan (1998), Policy DM3(7) of the Managing Development DPD (Proposed Submission Version January 2012) and Policy 3.8 of the London Plan (2011).
- 2.6 The proposed room sizes and layouts have been assessed against the standards set out in the Mayor of London's Housing Design Guide, Interim Edition (2010), and are considered to be acceptable. As such, the proposal accords with the requirements of Policy HSG13 of the Unitary Development Plan (1998), Policy 3.5 of the London Plan (2011) and Policy DM4(1) of the Managing Development DPD (Proposed Submission Version January 2012). The policies

require residential development to include adequate internal space in order to function effectively.

- 2.7 The proposed building incorporates good design principles and takes into account and respects the local character and setting of the development site and its surroundings in terms of scale, height, bulk, design details, materials and external finishes. The proposal therefore accords with the requirements of Policy SP10(4) of the Council's adopted Core Strategy (2010), saved Policy DEV1 of the Unitary Development Plan (1998) Policy DM24 of the Managing Development DPD (2012), Policy DEV2 of the Interim Planning Guidance (2007), and Policy 7.4 of the London Plan (2011).
- 2.8 The proposal accords with the requirements of Policy SP04(4) of the Council's adopted Core Strategy (2010), saved Policy DEV46 of the Unitary Development Plan (1998), Policy DM12(4) of the Managing Development DPD (Proposed Submission Version January 2012), Policy OSN3 of the Interim Planning Guidance (2007) and Policies 7.28 and 7.29 of the London Plan (2011). These policies seek to resist developments that would adversely impact on the character, setting, views, operation and ecology value of waterways within the Borough.
- 2.9 The proposed building has been sensitively designed within the context of the historic built form and public realm and would preserve and enhance the character and appearance of the Wapping Wall Conservation Area. The proposal therefore accords with Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DEV30 of the Unitary Development Plan (1998), Policy DM27 of the Managing Development DPD (Proposed Submission Version January 2012), Policy CON2 of the Interim Planning Guidance (2007), Policy 7.8 of the London Plan (2011) and government guidance set out in Section 12 of the National Planning Policy Framework (2012). These policies and government guidance seek to ensure that development proposals are sympathetic to their historic surroundings and either preserve or enhance the character and appearance of the Borough's Conservation Areas and river frontages within the Thames Policy Area.
- 2.10 The proposed building, by virtue of its height, stepped roof profile, design and materials, would not adversely affect the setting of the adjacent Grade II listed former 19th century warehouse at Gun Wharf, in accordance with Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DM27 of the Managing Development DPD (Proposed Submission Version January 2012), Policy CON1 of the Interim Planning Guidance (2007), Policy 7.8 of the London Plan (2011) and government guidance set out in Section 12 of the National Planning Policy Framework (2012). These policies and government guidance seek to ensure that development located in the vicinity of Statutory Listed Buildings does not have an adverse impact on the setting of those buildings.
- 2.11 Given the poor condition and appearance of the existing building and the high quality architectural design of the proposed replacement building, it is considered that the partial demolition of the existing building accords with the requirements of saved Policy DEV28 of the Unitary Development Plan (1998). This policy seeks to ensure that the character of the Borough's Conservation Areas is not harmed by inappropriate demolition of building.
- 2.12 The proposal would not result in any significant detrimental impacts on neighbouring residential amenity in terms of daylighting and sunlighting conditions, outlook or noise disturbance, in accordance with Policy SP10(4) of the adopted Core Strategy (2010), saved Policy DEV2 of the Unitary Development Plan (1998) Policy DM25 of the Managing Development DPD (2012) and Policy DEV1 of the Interim Planning Guidance (2007). These policies require development to protect the amenity of surrounding existing and future residents and building occupants, as well as protect the amenity of the surrounding public realm.

- 2.13 The proposal includes adequate provision of private and communal amenity space, in accordance with Policy SP02 (6d) of the Council's adopted Core Strategy (2010), saved Policy HSG16 of the Unitary Development Plan (1998), Policy DM4 of the Managing Development DPD (Proposed Submission Version January 2012) and Policy HSG7 of the Interim Planning Guidance (2007).
- 2.14 The proposal includes adequate provision of private and communal amenity space, in accordance with Policy SP02 (6d) of the Council's adopted Core Strategy (2010), saved Policy HSG16 of the Unitary Development Plan (1998), Policy DM4 of the Managing Development DPD (Proposed Submission Version January 2012) and Policy HSG7 of the Interim Planning Guidance (2007).
- 2.15 Subject to condition, it is considered that the on-street servicing arrangements for the commercial unit are adequate and would not significantly impact on the capacity or safety of the road network, which accords with the requirements of Policy SP09(3) of the Council's adopted Core Strategy (2010), saved Policy T16 of the Unitary Development Plan (1998), Policy DM20(2) of the Managing Development DPD (2012) and Policy DEV17 of the Interim Planning Guidance (2007).

3. RECOMMENDATION

- 3.1 That the Committee resolve to **GRANT** planning permission subject to:

The prior completion of a **legal agreement** to secure the following planning obligations:

- (a). A contribution of £16,487.05 towards Employment & Skills Training
- (b). A contribution of £13,860 towards Idea Stores, Libraries and Archives.
- (c). A contribution of £49,125.00 towards Leisure Facilities.
- (d). A contribution of £185,681.00 towards Education.
- (e). A contribution of £67,830.00 towards Health.
- (f). A contribution of £1,650.00 towards Sustainable Transport.
- (g). A contribution of £88,268.40 towards Public Open Space.
- (h). A contribution of £85,488.00 towards Streetscene and Built Environment.
- (i). A contribution of £10,167.79 towards Monitoring.
- (j). A commitment to 20% local employment during construction phase and end user phase and procurement during the construction phase in accordance with the Planning Obligations SPD.
- (k). Secure a permit free agreement to prevent future residential occupiers from applying for on-street parking permits.

That the Corporate Director Development & Renewal is delegated power to negotiate the legal agreement indicated above.

That the Corporate Director Development & Renewal is delegated power to impose conditions and informatives on the planning permission to secure the following matters:

Conditions

1. Time limit
2. Development to be carried out in accordance with the approved plans.
3. Samples and details and external materials to be submitted for approval.
4. Details of windows and doors to PAS 23/24 certification.
5. Details of privacy screen to terrace of unit 6.01.
6. Development to comply with Lifetime Homes standards.
7. Details of 10% wheelchair accessible units to be submitted.
8. Details of biodiversity enhancements to be submitted.
9. Compliance with Energy Strategy.
10. Details on the CHP system (10kWe) to be submitted.
11. Minimum of 65m² (9.6kWp) of photovoltaic panels to be installed.
12. Submission of Code for Sustainable Homes certificates to demonstrate the development achieves a minimum "Level 4" rating.
13. Submission of BREEAM certificates to demonstrate the development achieves a minimum "Excellent" rating.
14. Developer to consult with LPA if any suspected contamination, or unusual or odorous ground conditions are encountered during any ground works.
15. Full details of noise and vibration mitigation measures for proposed dwellings.
16. Noise Impact Assessment and details of all plant to be submitted.
17. S106 car free agreement.
18. Construction Management Plan to be submitted.
19. Full details of the demolition, design and construction methodology, including full details of cranes, to be submitted.
20. All private forecourt/areas to be drained within the site and not into the Public Highway.
21. Scheme of highway improvement works to be submitted.
22. Details of cycle parking stands to be submitted.
23. Details of the refuse storage and collection arrangements for the commercial unit to be submitted.
24. Delivery and Servicing Management Plan to be submitted.
25. Development to be carried out in accordance with the approved Flood Risk Assessment.
26. Communal roof terrace to be provided prior to occupation and retained for use by all residential units.
27. Any other condition(s) considered necessary by the Corporate Director Development & Renewal.

Informatives

1. This development is to be read in conjunction with the S106 agreement.
2. The developer is to enter into a S278 agreement for works to the public highway.
3. The developer is to contact the Council's Building Control service.
4. The developer is to contact PLA's Licensing Officer.
4. Thames Water informative regarding minimum water pressure.
6. Any other informative(s) considered necessary by the Corporate Director Development & Renewal.

That, if within 3-months of the date of this committee the legal agreement has not been completed, the Corporate Director Development & Renewal is delegated power to refuse planning permission.

- 3.2 That the Committee resolve to **GRANT** conservation area consent subject to:

Conditions

1. Time Limit
2. Demolition and redevelopment works to be under the same contract.

4. PROPOSAL AND LOCATION DETAILS

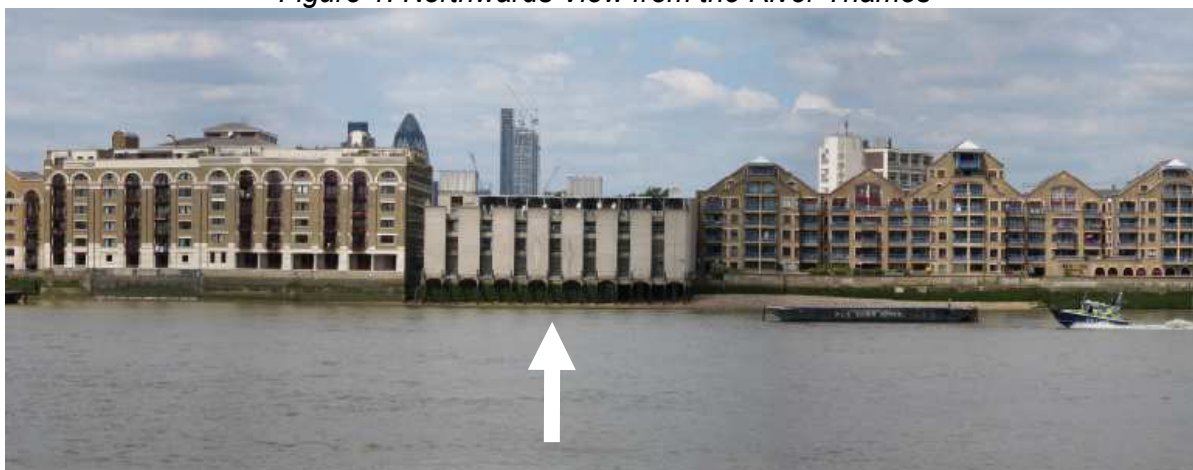
Proposal

- 4.1 The application proposes the conversion and extension of the existing four storey commercial building at 136-140 Wapping High Street from offices (Use Class B1) to residential (Use Class C3). The proposal involves the partial demolition of the existing building, with only the floor slabs and structural columns being retained. It is then proposed to erect a new shell onto the existing building core, together with the erection of three additional storeys. The resultant building would provide a total of 51 residential units together with a 50 square metre commercial unit at ground floor level that incorporates a flexible use for either A1, A2, A3, A4, A5 or B1a use.
- 4.2 The proposed building is of a clean, contemporary design, with the façades of the building faced in brick, whilst the upper storeys of the building at fifth and sixth floor level are of lightweight design and construction, incorporating pre-weathered copper cladding and full-height glazing, and are set back from the below floors. The front elevation of the building includes recessed balconies located at regular intervals, whilst the rear elevation includes part recessed/part projecting balconies that face south across the River Thames.
- 4.3 The proposed scheme delivers 35.2% affordable housing by habitable room and includes separate entrance lobbies, lift cores, bin stores and cycle stores for both the market and affordable units, with all units having access to communal amenity space at roof level. All proposed dwellings are to be built to 'Lifetime Homes' standards and 10% of dwellings are fully wheelchair accessible. It is projected that the development will achieve a 33% reduction in carbon dioxide emissions over the 2010 Building Regulations and residential units have been designed to a Code for Sustainable Homes Level 4 rating, whilst a BREEAM 'Excellent' rating is targeted for commercial element of the scheme.

Site and Surroundings

- 4.4 The application site is a four storey commercial building that was constructed as a warehouse in the 1960's. The façade of the building is faced in grey brick and is of a stark, utilitarian design. The site is bounded by the public highway at Wapping High Street to the north, the adjoining 5-7 storey late 20th century apartment block at 142 Wapping High Street to the east, the River Thames to the south, and the adjacent Grade II listed former warehouse known as at Gun Wharf, at 130 Wapping High Street, which was converted to residential use in the late 1980's to the west. The western half of the application site is situated immediately adjacent the Wapping Overground Station, within which the tunnel entrance and the stairways from the platforms to the street are Grade II listed (see paragraph 4.8 for the English Heritage listing description).

Figure 1: Northwards View from the River Thames



- 4.5 The surrounding area is predominantly residential in character, comprising a mix of 19th century warehouses that have been converted to residential use, together more recent residential developments constructed in the 1980's and 1990's. The site is located a short distance to the east of Wapping Lane, which includes some local shops and restaurants.
- 4.6 The site lies within the Thames Policy Area as designated in the London Plan (2011) and lies within Flood Risk Zone 3. The River Thames and adjacent section of foreshore is designated as a Site of Importance for Nature Conservation (SINC). In addition, the site lies on land designated as being of Archaeological Importance or Potential.
- 4.7 The application site lies within the Wapping Wall Conservation Area, which was designated in January 1983 by the London Docklands Development Corporation (LDDC). Wapping Wall follows the eastern part of the road along the top of the dyke or river wall, after which it is named. Breaching of the wall was a serious problem until the 1580s when it was strengthened by the construction of a continuous line of wharves. The Docklands heritage has provided the framework for the area's regeneration.
- 4.8 The English Heritage listing description for Wapping Station is as follows:

Name: *WAPPING UNDERGROUND STATION (BRUNEL'S TUNNEL ENTRANCE AND THE STAIRWAYS FROM PLATFORM TO STREET ONLY)*

List Entry Number: 1065802

Location

WAPPING UNDERGROUND STATION (BRUNEL'S TUNNEL ENTRANCE AND THE STAIRWAYS FROM PLATFORM TO STREET ONLY), WAPPING HIGH STREET E1

County: *Greater London Authority*

District: *Tower Hamlets*

District Type: *London Borough*

Grade: *II*

Date first listed: *27-Sep-1973*

Details

1. *WAPPING HIGH STREET E1*

4431

(South Side)

Wapping Underground Station

(Brunel's tunnel entrance and the stairways from platform to street only)

TQ 3580 23/820

II

2.

Incorporates the entrance to the Thames Tunnel by Sir Marc Isambard Brunel, built 1824-43. The curved stairways ascending from each platform to the street are part of the original station.

- 2.

Listing NGR: TQ3502580172

Relevant Planning History

- 4.9 PA/58/00887

On 9 April 1958 planning permission was **granted** for the reconstruction of Wapping (London Transport) Station.

- 4.10 PA/58/00890
On 23 May 1958 outline planning permission was **granted** for the use of part of sites above for the storage and wharfage of timber and for the erection of four drying kilns together with a boiler house and storage sheds of aggregate floor space not in excess of 5,000 st. ft.
- 4.11 PA/60/01275
On 20 July 1960 planning permission was **granted** for the establishment of a transport depot and the erection of single storey building to be used for garaging vehicles and a building mainly at first floor level, along the street frontage to be used as offices and as a flat for occupation by a caretaker on sites above.
- 4.12 PA/60/00902
On 12 February 1962 planning permission was **granted** for the erection of a building comprising basement, ground, first and second floors and for its use as a warehouse with a car park on the basement floor and with ancillary offices and canteen on the second floor.
- 4.13 PA/65/00641
On 14 September 1965 planning permission was **granted** for the installation of an electricity transformer chamber.
- 4.14 PA/80/01081
On 13 November 1980 planning permission was **granted** for the construction of new entrance screen to front elevation.
- 4.15 WP/89/00267
On 22 January 1990 planning permission was **granted** for the change of use from archive storage and computer suite to B1 use together with associated car parking.
- 4.16 PA/11/00841 & PA/11/00842
On 12 September 2011 applications for planning permission and conservation area consent were **withdrawn** for part demolition and erection of three additional floors and new facade treatments; change of use of the existing property from Offices (B1a) to Residential (C3) comprising 55 residential units and 50sq.m of commercial unit (Use Class A1/A2/A3/A4/A5/B1a) at ground floor level; and other operational and associated works in relation to the proposed development.

5. POLICY FRAMEWORK

5.1 For details of the status of relevant policies see the front sheet for "Planning Applications for Determination" agenda items. The following policies are relevant to the application:

5.2 Government Planning Policy Guidance/Statements

National Policy Planning Framework (2012)

5.3 Spatial Development Strategy for Greater London (London Plan)

Proposals: Thames Policy Area

Policies:	Policy No.	Title
	2.18	Green Infrastructure: the network of open and green spaces
	3.2	Improving health and addressing health inequalities
	3.3	Increasing housing supply
	3.4	Optimising housing potential
	3.5	Quality and design of housing developments
	3.8	Housing choice
	3.9	Mixed and balanced communities
	3.10	Definition of affordable housing

3.11	Affordable housing targets
3.12	Negotiating affordable housing on individual private residential and mixed use schemes
3.13	Affordable housing thresholds
4.1	Developing London's economy
4.2	Offices
4.7	Retail and town centre development
4.8	Supporting a successful and diverse retail sector
4.12	Improving opportunities for all
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.5	Decentralised energy networks
5.6	Decentralised energy in development proposals
5.7	Renewable energy
5.8	Innovative energy technologies
5.9	Overheating and cooling
5.12	Flood risk management
5.13	Sustainable drainage
5.15	Water use and supplies
5.21	Contaminated land
6.3	Assessing effects of development on transport capacity
6.9	Cycling
6.10	Walking
6.12	Road network capacity
6.13	Parking
7.1	Building London's neighbourhoods and communities
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.8	Heritage assets and archaeology
7.9	Heritage-led regeneration
7.10	World heritage sites
7.11	London view management framework
7.13	Safety, security and resilience to emergency
7.14	Improving air quality
7.15	Reducing noise and enhancing soundscapes
7.19	Biodiversity and access to nature
7.24	Blue Ribbon Network
7.28	Restoration of the Blue Ribbon Network
7.29	The River Thames
8.2	Planning obligations

5.4 Core Strategy Development Plan Document 2025 (adopted September 2010)

Spatial Policies:	Policy No.	Title
	SP01	Refocusing on our town centres
	SP02	Urban living for everyone
	SP03	Creating healthy and liveable neighbourhoods
	SP04	Creating a green and blue grid
	SP05	Dealing with waste
	SP06	Delivering successful employment hubs
	SP09	Creating attractive and safe streets and spaces
	SP10	Creating distinct and durable places
	SP11	Working towards a zero-carbon borough
	SP13	Delivering and implementation

5.5 Unitary Development Plan 1998 (as saved September 2007)

Proposals: Area of Archaeological Importance or Potential

Policies:	Policy No.	Title
	DEV1	Design Requirements
	DEV2	Environmental Requirements
	DEV3	Mixed Use Developments
	DEV4	Planning Obligations
	DEV28	Demolition in Conservation Areas
	DEV30	Additional Roof Storeys in Conservation Areas
	DEV43	Protection of Archaeological Heritage
	DEV44	Preservation of Archaeological Remains
	DEV45	Development in Areas of Archaeological Interest
	DEV46	Riverside, Canalside, Docks and Other Water Areas
	DEV48	Water Frontages
	DEV50	Noise
	DEV51	Contaminated Land
	DEV55	Development and Waste Disposal
	DEV57	Nature Conservation and Ecology
	DEV56	Waste Recycling
	EMP1	Encouraging New Employment Uses
	EMP3	Surplus Office Floorspace
	EMP8	Encouraging Small Business Growth
	HSG7	Dwelling Mix and Type
	HSG13	Internal Standards for Residential Dwellings
	HSG16	Housing Amenity Space
	T7	The Road Hierarchy
	T10	Priorities for Strategic Management
	T16	Traffic Priorities for New Development
	T18	Pedestrians and the Road Network
	S7	Considerations for Development of Special Uses
	S10	Requirements for New Shopfronts
	U2	Development in Areas at Risk from Flooding

5.6 Managing Development Development Plan Document (proposed submission version) January 2012 (MD DPD)

Development Management Policies:	Policy No.	Title
	DM1	Development within the town centre hierarchy
	DM2	Protecting local shops
	DM3	Delivering homes
	DM4	Housing standards and amenity space
	DM11	Living buildings and biodiversity
	DM12	Water spaces
	DM13	Sustainable drainage
	DM14	Managing waste
	DM15	Local job creation and investment
	DM16	Office locations
	DM20	Supporting a sustainable transport network
	DM22	Parking
	DM23	Streets and public realm
	DM24	Place-sensitive design
	DM25	Amenity
	DM27	Heritage and the historic environment
	DM29	Achieving a zero-carbon borough and addressing climate

DM30 change
Contaminated land

5.7 Interim Planning Guidance for the purposes of Development Control 2007 (IPG)

Policies	Policy No.	Title
	IMP1	Planning Obligations
	DEV1	Amenity
	DEV2	Character and Design
	DEV3	Accessibility and Inclusive Design
	DEV4	Safety and Security
	DEV5	Sustainable Design
	DEV6	Energy Efficiency and Renewable Energy
	DEV8	Sustainable Drainage
	DEV9	Sustainable Construction Materials
	DEV10	Disturbance from Noise Pollution
	DEV12	Management of Demolition and Construction
	DEV15	Waste and Recyclables Storage
	DEV16	Walking and Cycling Routes and Facilities
	DEV17	Transport Assessments
	DEV18	Travel Plans
	DEV19	Parking for Motor Vehicles
	DEV20	Capacity of Utility Infrastructure
	DEV21	Flood Risk Management
	DEV22	Contaminated Land
	EE2	Redevelopment/Change of Use of Employment Sites
	RT3	Shopping Provision outside of Town Centre
	RT5	Evening and Night-time Economy
	HSG1	Determining Residential Density
	HSG2	Housing Mix
	HSG3	Affordable Housing Provisions in Individual and Private Residential and Mixed-use Schemes
	HSG7	Housing Amenity Space
	HSG9	Accessible and Adaptable Homes
	HSG10	Calculating Provision of Affordable Housing
	OSN3	Blue Ribbon Network and the Thames Policy Area
	CON1	Listed Buildings
	CON2	Conservation Areas

5.9 Supplementary Planning Guidance/ Other Relevant Documents

LBTH

LBTH Planning Obligations Supplementary Planning Document (2012)

LBTH Wapping Wall Conservation Area Character Appraisal and Management Plan (2007)

LBTH Designing Out Crime Supplementary Planning Guidance (2002)

Mayor of London

London Housing Design Guide, Interim Edition (2010)

Thames Estuary Partnership

Thames Strategy East (2008)

6. CONSULTATION RESPONSE

6.1 The views of officers within the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below.

The following were consulted regarding the application:

LBTH Transportation & Highways

- 6.2 Highways require further clarification over the proposed cycle parking arrangements but have no objections to the development proposals in principle.

If planning permission is granted, please include the following:

- A S106 car and permit free agreement is required.
- A Delivery and Servicing Management Plan is required to be secured via condition.
- A Construction Management Plan will also be required to be secured via condition.
- A condition requiring all private forecourt/areas to be drained within the site and not into the Public Highway should be included in any future planning permission. Details to be submitted to and approved by LBTH.
- The development authorised by this permission shall not commence until the Council (as local planning authority and the highway authority) has approved in writing the scheme of highway improvements necessary to serve this development.

Officer Comments: *In response to the above request for clarification of the proposed cycle parking arrangements, the applicant has submitted a revised cycle store plan, reference: '616-P149 (Rev A)'; showing the provision of a mixture of Sheffield style stands and wall mounted stands. This is discussed in paragraphs 8.86 to 8.89 of this report and is considered to be acceptable.*

LBTH Biodiversity Officer

- 6.3 The site currently has no biodiversity value. Bat surveys found no evidence of bats. Therefore there are no potential adverse impacts on biodiversity. The Biodiversity Statement refers to native planting on the roof, and provision of bird and bat boxes as biodiversity enhancements. However, while the plans show a roof garden, I can find no planting plan for this, nor any reference in the plans to bird and bat boxes. The roof garden is quite small and is intended primarily for amenity. Nevertheless it presents an opportunity to enhance biodiversity by including native species and/or plants that provide nectar or berries. The application site is adjacent to the River Thames, so there could also be opportunities to green the river wall in some way. A condition should be imposed that details of biodiversity enhancements should be provided and approved by the Council. The enhancements should then be implemented as approved.

LBTH Energy Efficiency Unit

- 6.4 Following the submission of the updated energy strategy the Sustainable Development Team are satisfied with the anticipated 33% emission reductions on Building Regulations 2010. Whilst the proposed energy strategy falls short of the requirements of Draft Policy DM29 (which seek a 35% reduction) the anticipated savings are in accordance with the London Plan Policy 5.2 and the applicant has demonstrated the CO2 savings have been maximised at each stage of the energy hierarchy (energy efficiency measures, provision of a CHP and integration of renewable energy technologies).

Recommended conditions:

- Compliance with Energy Strategy.
- Details on the CHP system (10kWe).
- Minimum of 65m² (9.6kWp) of photovoltaic panels to be installed.
- Submission of Code for Sustainable Homes certificates to demonstrate the development achieves a minimum "Level 4" rating.
- Submission of BREEAM certificates to demonstrate the development achieves a minimum "Excellent" rating.

LBTH Crime Prevention Officer

- 6.5 Concerns are raised about the vulnerability of the River and Eastern elevations on the lower

floors, particularly that they may be vulnerable to illegal access and there for crime. In addition, the bin store, cycle store and residential store doors need to be to PAS 23/24 certification with suitable locks, with the residential entrances incorporating laminated glass to 6.4mm, mag locks (not electric strikes), no trades buttons, video entry, and the whole scheme should be conditioned to be to SBD standards.

Officer Comments: *It is recommended that details of the above recommended security measures are secured by condition.*

LBTH CLC Strategy

- 6.6 Financial contributions are required towards Idea Stores, Libraries and Archives, Leisure Facilities, Public Open Space, Smarter Travel and Public Realm Improvements, in line with the Planning Obligations SPD.

LBTH Education Development Team

- 6.7 No comments have been received.

LBTH Waste Policy and Development

- 6.8 Residential waste storage arrangements are adequate. However they should only use this storage for the proposed domestic units. Any commercial units will need a separate storage facility.

LBTH Environmental Health (Health and Safety)

- 6.9 The development should comply with the Construction (Design and Management) Regulations 2007 and Workplace Health Safety and Welfare Regulations 1992. The applicant is required notify the enforcing authority, (HSE), of any work on asbestos covered by the Control of Asbestos at Work (amendment) Regulations 1998 and the Asbestos (Licensing)(amendment) Regulations 1998. Premises used as an establishment for special treatment must have a special treatment licence granted under the above Act by the borough council.

LBTH Environmental Health (Contaminated Land)

- 6.10 The Applicant must carry out an investigation to classify any waste soil arising from the ground works, to allow the citing of an appropriately licensed landfill facility for disposal of the waste. Any planning permission should be subject to a condition requiring the development to consult with the local planning authority if any suspected contamination, or unusual or odorous ground conditions are encountered during any ground works.

LBTH Environmental Health (Noise and Vibration)

- 6.11 The site falls within category "B" of PPG 24 which that states that: - Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. Although the existing development doesn't appear to experience any particular noise and vibration issues, conditions should be imposed to ensure that adequate noise insulation is installed and that structure borne noise will not cause any problems with the new build over the railway tunnel. This should be taken into account in the design to meet the council's rail noise policy limit of 35 dBA. Other conflict of use may occur at the development between residential and its commercial uses and any mechanical and electrical plant noise; servicing and delivery noise should also be taken into account.

Officer Comments: *It is noted that PPG24 has now been replaced by the NPPF, however it remains appropriate to consider protection against noise. It is recommended that a condition be included to secure full details of noise and vibration mitigation measures for the proposed residential dwellings are secured by condition. In addition, it is recommended that a further condition be included to require the submission and approval of a Noise Impact Assessment, including a background noise survey, together with full details of all plant and kitchen extract equipment, prior to occupation of the commercial unit for either A3, A4 or A5 purposes.*

LBTH Environmental Health (Health and Housing)

- 6.12 Premises must comply with relevant statutory requirements including the Housing Act 2004, or comply with relevant Building Regulations. Licensing may be required under the Housing Act 2004 Part 2, unless the premises has Building Control approval.

LBTH Environmental Health (Air Quality)

- 6.13 No comments have been received.

LBTH Parking Services

- 6.14 No comments have been received.

Port of London Authority

- 6.15 It would appear from the application that the proposed balconies would not project further out into the river than the line of existing fendering posts and on that basis the PLA has no objection to the proposed development. The applicant is advised to contact the PLA's Licensing Officer concerning the proposed balconies and the retention and refurbishment of the timber posts.

National Air Traffic Services Ltd

- 6.16 No objection.

English Heritage

- 6.17 We reiterate the advice contained within our response to an earlier notification concerning planning application ref PA/11/00841. *'This is a sensitive site located within the Wapping wall Conservation Area and within the setting of Gun Wharves, Wapping Underground Station and King Henry's Wharves, all of which are Grade II listed. In our view, demolition of the existing post war structure presents a considerable opportunity for enhancement of the setting of these heritage assets.'*

We previously noted that 'the site projects into the river making any development quite prominent in views towards Gun Wharves and King Henry's Wharves. We would advise that particular attention is given to the details of general massing due to the impact on these views. Any development on this should also aim to provide a satisfactory visual transition between the long ranges of modern warehouse style developments to the east and the listed warehouse to the west.'

We note that the design has been subject to modification following discussion with Council officers, after the previous application was withdrawn. The modifications have included simplification of the building form and a reduced pallet of materials to reflect the warehouse and warehouse type form prevalent in this area.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

English Heritage Archaeology

- 6.18 The present proposals are not considered to have an affect on any heritage assets of archaeological interest, due to the negligible new ground impacts. Any requirement for an archaeological assessment of this site in respect to the current application could therefore be waived.

Environment Agency

- 6.19 We consider the proposed development acceptable subject to the inclusion of a condition to require the development to be carried out in accordance with the approved Flood Risk Assessment (FRA) dated December 2011[issue 3] and the following mitigation measures

detailed within the FRA: Finished floor levels of residential properties should be no lower than 5.3 metres Above Ordnance Datum (AOD).

Transport for London (Street Management)

- 6.20 It is considered that the proposal would be unlikely to result in an unacceptable impact to the Transport for London Road Network (TLRN) and Strategic Road Network (SRN) in the vicinity. However, it is considered that the proposed development would impact Wapping London Overground Station, which is operated by London Overground Limited and please see attached comments from them. Therefore, TfL is unable to support the proposal until all issues raised by London Overground has been satisfactorily addressed by the applicant.

London Underground Ltd

- 6.21 No comments have been received.

Officer Comments: It should be noted that Wapping Station is a London Overground, not Underground, asset

London Fire and Emergency Planning Authority

- 6.22 No comments have been received.

Tower Hamlets Primary Care Trust

- 6.23 No comments have been received.

Thames Water Authority

- 6.24 No objection. An informative should be included to advise the developer to take account of this minimum pressure in the design of the proposed development.

London City Airport

- 6.25 Based on the maximum height at 27.25m, London City Airport has no safeguarding objection to the proposed development.

London Overground Infrastructure

- 6.26 Given the proximity of the development to LO railway, LO would like to see the following condition applied to this application:

Prior to the commencement of any development, full details of the demolition, design and construction methodology, including crane base design, crane erection and operation methodologies, and details of foundations and superstructure shall be submitted for approval.

As part of the development, no window openings should be allowed on the facades facing the station. This is to ensure that in the event of an emergency, the effects of any smoke is minimised and to ensure nothing can be thrown onto the railway or station roof.

Officer Comments: In order to ensure that the proposed development does not adversely affect the fabric of Wapping Station, it is recommended that a condition be included to secure full details of the demolition, design and construction methodology, including crane details. It is also recommended that full details of the windows facing Wapping Station are secured by condition.

London Bus Service Ltd

- 6.27 No comments have been received.

7. LOCAL REPRESENTATION

7.1 A total of 334 planning notification letters were sent to nearby properties as detailed on the attached site plan. A site notice was also displayed and the application was advertised in East End Life.

7.2 The total number of representations received from neighbours and local groups in response to notification and publicity of the application were as follows:

No of individual responses: 41 Objecting: 40 Supporting: 1
No of petitions received: 2 objecting containing 55 signatories
0 supporting containing 0 signatories

7.3 The following issues were raised in objection to the scheme that are addressed in the next section of this report:

7.4 Land Use

1. The removal of the commercial premises to create a more residential property does not encourage businesses to move to this area and provide the economic support the area needs.
2. The loss of the commercial premises will result in a loss of revenue to local businesses/shops.
3. 385 flats were recently approved at 21 Wapping Lane, thus is questionable whether there is a need for further housing in Wapping.
4. The proposed development will create a significant strain on local infrastructure resources (such as medical health, transport, education, community town centre).
5. The existing commercial use should be retained through the improvement or replacement of the existing building – the site has good potential for offices.

Housing

6. The proposal does not meet the minimum 35% affordable housing target.

Design

7. Design of the building is not in keeping with other buildings in the area and ignores the historical character of the Wapping Conservation Area.
8. The proposed development will have a significant detrimental impact on Gun Wharf, a Listed Building and Heritage Asset, with specific regard to design, height, bulk and facing materials.
9. The proposed development will degrade significantly the historical character and heritage nature of the Wapping Wall and Wapping Pierhead Conservation Areas, with specific regard to design, height, bulk and facing materials (notably the significant glass frontage and copper cladding)
10. The use of copper cladding and glazing at 6th floor level is inconsistent with the Conservation Area.
11. The bulk and height of the building is out of proportion with the listed Gun Wharf and station buildings.
12. The building is oppressive and overbearing when seen against the context of Gun Wharf.
13. The building will destroy the character of the area as many of the old buildings are of varying heights that allow light to flow into the streets below.
14. The development is not sensitive enough to the wider area which has a very unique and historically important role to play in London's heritage.
15. The submitted drawings are inaccurate – specifically in relation to the profile of, and separation distance to, Gun Wharf on the 'Existing Street Elevation' and 'Existing

- North East Elevation' drawings.
16. The application does not acknowledge that Gun Wharf, 130 Wapping High Street, is a listed building.
 17. Projecting balconies over the river are not features other buildings in this area.
 18. The developer's argument that a uniform roofline is required in Wapping is false – the Port of London Authority's 1937 photographic record of the River Thames show this has never been part of the building tradition along the river.
 19. The applicant has not followed the Council's advise to reduce the height by one storey since the previous application.
 20. There is no need to demolish and rebuild – the tradition in Wapping is for the conversion of warehouses into apartment buildings. It would be wholly inappropriate to permit the unnecessary demolition of the only example of a modern warehouse in Wapping.
 21. The proposed building will overpower the buildings opposite, as they are built to the same level as the existing building.
 22. The design of the block is out of character with other developments in this area which is currently a mix of low and high rise.
 23. The proposed structure has no aesthetic similarities to other buildings in the local area and could set an unfortunate precedent for other development.
 24. The proposal would create a wall along Wapping High Street, cutting off Wapping from the river.
 25. The proposed demolition and construction works will damage the Grade II listed fabric within Wapping Station.

Amenity

26. The proposal will adversely impact on daylight and sunlight for residents of Gun Place and Gun Wharf.
27. The proposal would result in overlooking to the roof terraces at Gun Wharf.
28. The ground floor access within the alley and the roof terrace to flat 6.03 will result in noise disturbance to flats within Gun Wharf.
29. The proposal would result in loss of privacy and light to flats within Gun Place.
30. The proposal would result in loss of privacy and light to flats within Gun Wharf.
31. The proposal would result in loss of privacy and light to flats within Falconet Court.
32. The proposal would result in loss of privacy and light to flats and balconies within Towerside.
33. The proposal would result in loss of privacy and light to flats within 144 Wapping High Street.
34. The proposal would result in loss of light to flats within 150 Wapping High Street.
35. The proposal will result in massing and enclosing of the east elevation of Towerside, 144 Wapping High Street.
36. The amenity space and play area on the roof will overlook balconies at Towerside and is likely to cause a major noise problem.
37. The eastern balconies and 6th floor terrace will directly overlook flats within 144 Wapping High Street.
38. The submitted Daylight and Sunlight report does not address impacts on two of the four windows to 45 Gun Wharf, and the plan form shown for the flat is completely inaccurate.
39. The demolition and construction works will cause an unacceptable level of disruption to local residents who are at home during the day.
40. The installation of external lighting to the alleyway will cause light nuisance to residents in Gun Wharf.
41. The Daylight and Sunlight report only shows overshadowing at noon in midsummer and is not typical of the loss of light during the rest of the year, which would be significantly worse in December.
42. The additional storeys will block local residents' views of the river.

Highways

43. Lack of car parking within the development will put significant strain on on-street parking in the area.
44. Lack of car parking within the development will result in obstruction to traffic on Wapping High Street, especially to buses.
45. The proposal will cause increased noise, pollution, congestion, and parking problems for local residents and businesses.
46. Concerns are raised over the safety implications of the exit to the cycle store adjacent to Gun Wharf – the site lines are very poor in this location.
47. Access for service vehicles, deliveries, refuse collection and visitors is not clear – from the plans it appears there is no service access at all.
48. There is insufficient space in front of the building to permit deliveries without affecting road traffic and the operation of the bus stop outside Wapping Station.
49. Local busses and Overground trains are frequently overcrowded at peak times, which will be worsened by the addition of 51 new flats.

Other

50. The proposal will adversely affect water pressure levels at Gun Wharf, which are already very low.
51. The loss of sunlight to flats within Towerside, 142 Wapping High Street, by increasing the height of the building by 3 floors will result in a loss of solar gain and reduce energy efficiency of the building.
52. The loss of a river view from neighbouring flats will have a negative impact on the value these properties.

Officer Comments: *The above issues are addressed in the Material Planning Considerations section of this report below.*

8. MATERIAL PLANNING CONSIDERATIONS

- 8.1 The main planning issues raised by the application that the Committee must consider are:
- (a). Land Use
 - (b). Housing
 - (c). Design
 - (d). Amenity
 - (e). Highways

Land Use

Loss of Use Class B1 Employment Floorspace

- 8.2 The building was originally constructed as a warehouse in the 1960s and was later converted to office use, with the building in its present form providing 3,527 square metres of office and ancillary accommodation arranged over the ground, first, second and third floors. The proposal is for the conversion, remodelling and extension of the existing building with a change of use from offices to residential, whilst including a 50 square metre commercial unit at ground floor level with flexible use.
- 8.3 The proposal would result in the loss of 3,527 square metres of existing Use Class B1 office floorspace at the site, which the Council will normally seek to resist unless it can be shown that the floorspace in question is unsuitable for continued employment use due to its location, accessibility, size and condition, or that has been marketed at prevailing values for a prolonged period, or that there is a surplus of B1 employment floor space or unimplemented planning permissions for offices in the surrounding area. It is noted that the

application site is not located within a designated Preferred Office Location or Local Office Location.

- 8.4 The application is accompanied by an Office Market Review, prepared by Savills, which includes information on the marketing activity for the site, an office market assessment for the surrounding area and wider Borough, and an assessment of the financial viability of the offices in their current state and once refurbished. This document states that the application site was let in its entirety to IBM United Kingdom Limited on a 10 year lease from 13 April 2006 and was operated as a disaster recovery data centre. The lease included a mutual break option available from 13 April 2011, which was subsequently exercised by IBM, and the premises have been vacant since June 2011.
- 8.5 The freehold interest in the site was initially marketed for sale in late 2008 and during the one month that the site was marketed approximately 20 interest parties inspected the property, which resulted in seven offers to purchase the site. The vendor did not accept any of the offers as they were not deemed to be financially viable and the site was subsequently withdrawn from the market. The site was marketed for a second time in November 2009, by which time IBM had exercised their option to break the lease, and it is stated that no office investors were interested in purchasing the site at this time as it was felt that the property would not let to another occupier once IBM had vacated the premises. During the second marketing exercise a number of interested parties inspected the site with a view to redeveloping the site for residential use and the site was subsequently purchased by Galliard Homes.
- 8.6 The submitted Office Market Review states that there is a significant level of office floorspace in the development pipeline within the E1 area, whilst also noting certain developments in the E1 area have been put on hold due to the current economic climate and lack of tenant demand, for example the 90,000 sq ft Aldgate East Phase Two development. In addition, the market assessment states that there is an oversupply second-hand office space in the E1 area, totalling approximately 1.6 million sq ft (149,000 square metres). A viability assessment for the refurbishment and re-letting of the site for office use has also been provided, which indicates that the cost of refurbishing the building to 'Grade B' level is approximately £1.8 million, which could generate a headline rent of £15 per sq ft. However, given the lost revenue during the refurbishment period and taking into account typical letting voids, it is stated that the refurbishment of the site for office use would be financially unviable.
- 8.7 Taking into account the above, it is considered that sufficient evidence has been provided to justify the loss of employment floorspace in this instance, in accordance with the requirements of saved Policy EMP3 of the Unitary Development Plan (1998), Policy DM15(1) of the Managing Development DPD (2012) and Policy EE2 of the Interim Planning Guidance (2007). These policies seek to resist the loss of employment floorspace in the Borough unless it can be demonstrated that the floorspace in questions is unsuitable for continued employment use or is surplus to requirements.

Proposal Residential Use

- 8.8 Government guidance set out in paragraph 51 of the National Planning Policy Framework (2012) supports proposals for change of use of commercial buildings (within Use Class B) to residential use where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. In addition, Policy 3.3 of the London Plan (2011) and Policy SP02(1) of the Council's adopted Core Strategy (2010) seek the delivery of new homes in the Borough in line with the housing targets set out in the London Plan.

- 8.9 The proposal would deliver a total of 51 new residential dwellings at the site. In addition, the surrounding area is predominantly residential in character and would therefore provide a suitable environment for future residents. It is noted that the application site is not designated for any specific use in either the Schedule of the Unitary Development Plan (1998), the Site Allocations section of the Managing Development DPD (Proposed Submission Version January 2012), or the Interim Planning Guidance (2007). As such, it is considered that the introduction of residential use at the site is acceptable in principle in land use terms.

Proposed Flexible Use Commercial Unit

- 8.10 The proposal includes the creation of a new 50 square metre commercial unit at ground floor level with a flexible use for either A1 (retail), A2 (financial and professional services), A (restaurant/café), A4 (drinking establishment), A5 (hot food takeaway) or B1a (offices). Schedule 2, Part 3, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) sets out the provisions for flexible uses, allowing for a premises to be used for more than one approved use for period of ten years from the date that planning permission is granted, at which point the use existing at that time becomes the lawful use of the premises.
- 8.11 The proposed commercial unit is located on Wapping High Street, immediately adjacent to Wapping Overground Station, and is considered to be well suited in terms of size and location for an active retail type use. In addition, the re-provision of a small office unit suitable for Small and Medium Enterprises (SME) would be appropriate given the existing use of the site as offices and in accordance with Policy SP06(3) of the adopted Core Strategy (2010), which seeks the provision of a range and mix of employment uses and spaces, including units of 250 square metres or less for SME.
- 8.12 Any potential impacts on the amenity of neighbouring residents arising from the use of the commercial unit for either A3, A4 or A5 purposes is addressed in paragraph 8.75 of this report, and is considered to be acceptable subject to condition. As such, it is considered that the proposed flexible use commercial unit is acceptable in principle in land use terms.

Density of Development

- 8.13 Adopted policies in the London Plan (2011) and the Council's Core Strategy (2010) seek for new developments to optimise the use of land. The application site covers an area of 0.13 hectares (1,300 square metres) and the proposed development would deliver 51 new residential units at the site, which include a total of 157 habitable rooms. As such, the residential density of the scheme is 1,208 habitable rooms per hectare (hr/ha).
- 8.14 The application site benefits from good access to public transport, being situated immediately adjacent to Wapping Overground Station and in close proximity to local bus routes and stops. LBTH Transportation & Highways note that the Public Transport Accessibility Level (PTAL) for the site is 3/4. Given the density of surrounding development, with nearby buildings on the south side of Wapping High Street being predominantly 6 storeys in height with large foot prints, it is considered that the setting of the application site for the purposes of calculating residential density lies between 'Urban' and 'Central', as defined on page 85 of the London Plan (2011).
- 8.15 Table 3.2 in the London Plan (2011) sets out a target residential density range of 200-700 hr/ha for developments within 'Urban' areas and 650-1,100 hr/ha within 'Central' areas for sites with a PTAL of 4-6. As such, in numerical terms, the proposed density would appear to suggest an overdevelopment of the site. However, the intent of the London Plan (2011), Core Strategy (2010) and Interim Planning Guidance (2007) is to maximise the highest possible intensity of use compatible with local context, good design and public transport capacity.

8.16 Policy HSG1 of the Interim Planning Guidance (2007) states that solely exceeding the recommended density range in and of itself is not sufficient reason to warrant refusing a planning application. It would also be necessary to demonstrate that a high density was symptomatic of overdevelopment of the site. Typically, an overdeveloped site would experience shortfalls in one or more of the following areas:

- Access to sunlight and daylight
- Sub-standard dwelling units
- Increased sense of enclosure
- Loss of outlook
- Increased traffic generation
- Detrimental impacts on local social and physical infrastructure
- Visual amenity
- Lack of open space
- Poor housing mix

8.17 These specific factors are considered in detail in later section of this report and have been found to be acceptable.

Housing

8.18 The proposed development will deliver a total of 51 residential units and Table 1 below sets out the proposed housing mix for the scheme, split into market, social rent and intermediate (shared-ownership) tenures:

Table 1: Housing Mix

	Market	Affordable Housing	
		Social Rented	Intermediate
1 Bed	11	0	0
2 Bed	23	6	3
3 Bed	3	0	1
4 Bed	0	4	0
Total	37	10	4
Total Affordable Units		14	
Total Units	51		

8.19 This section of the report considers the acceptability of the housing provision with regard to the level of affordable housing, mix of tenures, mix of dwelling sizes and provision of wheelchair units.

Affordable Housing

8.20 Policies 3.8, 3.9 and 3.11 of the London Plan (2011) state that Boroughs should seek to maximise affordable housing provision. Policy SP02(3) of the Council's adopted Core Strategy (2010) and Policy HSG3 of the Interim Planning Guidance (2007) require a minimum provision of 35% affordable housing on schemes providing 10 or more dwellings. Policy DM3 of the Managing Development DPD (2012) and Policy HSG10 of the Interim Planning Guidance (2007) state that affordable housing provision should be calculated using habitable rooms as the primary measure.

8.21 It is noted that letters of representation have been received in which objection is raised to the proposal on the grounds that the scheme fails to meet the Council's minimum affordable housing provision target of 35%. The scheme as originally submitted provided 13 on-site affordable units, which equated to an affordable provision of 32%. The application is

accompanied by a GLA Affordable Housing Toolkit Assessment, which has been independently assessed by BNP Paribas, who consider the site capable of delivering 35% affordable housing together with full S106 financial contributions.

- 8.22 As a result of negotiations the scheme was subsequently amended by the applicant to provide a total of 14 on-site affordable units (56 habitable rooms), which equates to an affordable housing provision of 35.2% by habitable room. As such, the proposal development accords with Policy SP02(3) of the Council’s adopted Core Strategy (2010), which requires a minimum provision of 35% affordable housing provision on schemes providing 10 or more dwellings.

Social Rent / Intermediate Ratio

- 8.23 Policy 3.11 of the London Plan (2011) states that affordable housing provision should include a mix of tenures with a split of 60% social rented to 40% intermediate. Policy SP02(4) of the Council’s adopted Core Strategy (2010) requires a tenure split of 70% social rented to 30% intermediate given the housing needs identified within the Borough. The tenure split for the proposed development is set out in Table 2 below:

Table 2: Tenure Split

Tenure	Habitable Rooms	Percentage of Total (%)	London Plan Target (%)	Core Strategy Target (%)
Social Rent	42	75%	60%	70%
Intermediate	14	25%	40%	30%
Total	56	100%	100%	100%

- 8.24 It can be seen that the development proposal has sought to achieve the Council’s target tenure split of 70:30. Whilst the proposal exceeds the policy requirement, with a greater provision of social rent units, the provision of a 75:25 split between social rented and intermediate units is both supported and considered to be in line with the Council’s policy objectives and requirements.

- 8.25 It should be noted that the proposal does not include any provision of ‘Affordable Rent’ units, which whilst defined as affordable housing are units where rents can be charged at levels up to 80% of market rates and are considered to be unaffordable to the majority of Tower Hamlets residents. As such, the housing model that the applicant is able to deliver at 136-140 Wapping High Street is for all rental units to be at social target rents. As such, the proposal accords with Policy SP02(4) of the Council’s adopted Core Strategy (2010) and Policy DM3(1) of the Managing Development DPD (Proposed Submission Version January 2012).

Mix of Dwelling Sizes

- 8.26 Policy SP02(5) of the Council’s adopted Core Strategy (2010), saved Policy HSG7 of the Unitary Development Plan (1998) and Policy 3.8 if the London Plan (2011) require developments to offer a range of housing choice. In addition, local policies place an emphasis on the delivery of family sized dwellings given the shortfall of family units across the Borough identified in the LBTH Strategic Market Housing Assessment (2009), which forms part of the evidence base for Policy SP02 of the Core Strategy (2010).

- 8.27 Policy DM3(7) of the Managing Development DPD (Proposed Submission Version January 2012) sets out the Council’s targets for the mix of dwelling sizes by tenure. These targets and the breakdown of the proposed accommodation mix are shown in Table 3 below:

Table 3: Mix of Dwelling Sizes

		Market Sale			Affordable Housing					
					Social Rented			Intermediate		
Unit Size	Total Units	Units	%	LBTH target	Units	%	LBTH target	Units	%	LBTH target
1 Bed	11	11	30%	50%	0	0%	30%	0	0%	25%
2 Bed	32	23	62%	30%	6	60%	25%	3	75%	50%
3 Bed	4	3	8%	20%	0	0%	30%	1	25%	25%
4 Bed	4	0	0%		4	40%	15%	0	0%	0%
Total	51	37	100%	100%	10	100%	100%	4	100%	100%

8.28 The proposed development provides a mix of unit sizes, including a high proportion of 1 and 2 bed market units, as well as a high proportion of family sized (3 bed+) affordable units. Whilst it is noted the proposal does not include any 1 bed affordable units, it is considered that the overall mix, including a high proportion of 4 bed social rent units, is acceptable. The proposal therefore accords with Policy SP02(5) of the Council's adopted Core Strategy (2010), saved Policy HSG7 of the Unitary Development Plan (1998), Policy DM3(7) of the Managing Development DPD (Proposed Submission Version January 2012) and Policy 3.8 if the London Plan (2011).

Residential Space Standards

8.29 Policy HSG13 of the Unitary Development Plan (1998), Policy 3.5 of the London Plan (2011) and Policy DM4(1) of the Managing Development DPD (Proposed Submission Version January 2012) require all housing developments to have adequate provision of internal space in order to provide an appropriate living environment, meeting the minimum space standards for new development in the London Plan.

8.30 The submitted drawings and details of the units show that the overall standard of accommodation is high with all 51 dwellings exceeding the Council's minimum space standards for dwellings. In addition, the proposed room sizes and layouts have been assessed against the standards set out in the Mayor of London's Housing Design Guide, Interim Edition (2010), and are considered to be acceptable. As such, the proposal accords with the requirements of Policy HSG13 of the Unitary Development Plan (1998), Policy 3.5 of the London Plan (2011) and Policy DM4(1) of the Managing Development DPD (Proposed Submission Version January 2012).

Wheelchair Housing and Lifetime Homes

8.31 Policy SP02(6) of the Council's adopted Core Strategy (2010) and Policy HSG9 of the Interim Planning Guidance (2007) require housing to be designed to 'Lifetime Homes' standards and for 10% of all new housing to be wheelchair accessible.

8.32 Of the 51 proposed units, 5 units are wheelchair accessible, 3 of which are located at ground floor level with a further 2 located at first floor level. The scheme provides level access to all units, with a level threshold from the footway on Wapping High Street into the two residential entrance lobbies, and a platform lift within each entrance lobby to provide wheelchair access to the lifts. In addition, level access is provided to the communal amenity space at roof level by way of a platform lift from within the lift lobby at sixth floor level. All proposed units are to be built to 'Lifetime Homes' standards.

8.33 Details provided at application stage indicate that proposed residential units comply with 'Lifetime Homes' standards and the proposed provision of 10% of wheelchair accessible units accords with the requirements of Policy SP02(6) of the Council's adopted Core Strategy (2010) and Policy HSG9 of the Interim Planning Guidance (2007). It is recommended that a condition is included to ensure that these standards are met during construction.

Design

Scale, Height, Mass, Bulk and Design

- 8.34 The proposed development includes the partial demolition of the existing four storey building, with only the floor slabs and structural columns being retained (see Figure 2 below). It is then proposed to erect a new shell onto the existing building core, together with the erection of three additional storeys. The south-eastern corner of the existing building floorplate would also be 'cut away' to lessen the impact of the development on the neighbouring residential block at 142 Wapping High Street, and as a result the footprint of the proposed building is approximately 50 square metres smaller than that existing.

Figure 2: Shaded Floor Slabs and Columns to be Retained



- 8.35 The proposed building provides four full storeys at ground to third floor level, whilst the south-west corner of the fourth floor has been cut away to lessen any overbearing or daylight and sunlight impacts to the east facing habitable rooms within Gun Wharf. The fifth and sixth floors of the building are of lightweight design and construction and are set back from the floors below to minimise massing. The height of the proposed building is commensurate with that of the neighbouring buildings, with 142 Wapping High Street to the east of the site ranging from 5 to 7 storeys in height, whilst Gun Wharf to the west of the site ranges from 6 to 7 storeys in height. Furthermore, these building heights are consistent with that of other buildings on the south side of Wapping High Street further to the east and west.
- 8.36 The principal elevations of the building (ground to fourth floor) are faced in brick with the front elevation incorporating recessed balconies set at regular intervals. The building incorporates a curved façade along the perimeter of the Wapping Station rotunda, which includes horizontally aligned recessed brick courses that accentuate the curved building line, whilst the windows are set reveals. These design features provide a degree of texture and architectural detailing to the façade and are considered aesthetically in keeping with the surrounding built form. The south (river facing) elevation incorporates a regular pattern of windows and balconies, with private amenity space being maximised through the use of recessed terraces in combination with small projecting balconies.

Figure 3: Proposed Wapping High Street (North) Elevation



- 8.37 The fifth and sixth floors of the building are set back from the lower floors and incorporate full height glazing panels and pre-weathered copper cladding, with these floors being more light-weight in design and appearance and providing a contrast to the more substantial brick façade on the lower floors. As a result, the mass and bulk of the building lessened and would appear notably less overbearing from street level than the neighbouring building to the west at Gun Wharf, which comprises a continuous six storey façade along Wapping High Street.
- 8.38 Taking into account the above, it is considered that the proposed building incorporates good design principles and takes into account and respects the local character and setting of the development site and its surroundings in terms of scale, height, bulk, design details, materials and external finishes. The proposal therefore accords with the requirements of Policy SP10(4) of the Council's adopted Core Strategy (2010), saved Policy DEV1 of the Unitary Development Plan (1998) Policy DM24 of the Managing Development DPD (2012), Policy DEV2 of the Interim Planning Guidance (2007), and Policy 7.4 of the London Plan (2011).
- 8.39 Saved Policy DEV48 of the Unitary Development Plan (1998) seeks the provision of riverside walkways as part of new developments that have a river frontage. However, given that the site does not presently include a river walkway and that the proposal would retain the core of the existing building, it is not considered that the omission of such a walkway should constitute reason for refusal in this instance. In addition, it is considered that the proposed development would not adversely affect the operation or ecology value of the River Thames and would enhance the setting and views of the Pool and Limehouse Reach river frontage, which is supported.
- 8.40 As such, it is considered that the proposal accords with the requirements of Policy SP04(4) of the Council's adopted Core Strategy (2010), saved Policy DEV46 of the Unitary Development Plan (1998), Policy DM12(4) of the Managing Development DPD (Proposed Submission Version January 2012), Policy OSN3 of the Interim Planning Guidance (2007) and Policies 7.28 and 7.29 of the London Plan (2011). These policies seek to resist developments that would adversely impact on the character, setting, views, operation and ecology value of waterways within the Borough.

Impact on the Wapping Wall Conservation Area and Adjacent Listed Buildings

- 8.41 Given that the proposal involves substantial demolition of the existing building, which is located within the Wapping Wall Conservation Area, Conservation Area Consent is required for the demolition works. The existing building was erected in the 1960's as a warehouse and is of utilitarian design. The building itself is of no historical significance and is incongruous with the surrounding historic built form, detracting from the setting of the Grade

It listed former 19th century warehouse known as Gun Wharf, which lies immediately to the west of the site. In addition, it is considered that the existing building has a negative impact on character and appearance of the Wapping river frontage (see Figure 1 in paragraph 4.4). As such, it is considered that the partial demolition of the building is acceptable in accordance with the requirements of saved Policy DEV28 of the Unitary Development Plan (1998), which seeks to ensure that the character of the Borough's Conservation Areas is not harmed by inappropriate demolition of building. It is therefore recommended that Conservation Area Consent be granted for the partial demolition of the existing building.

- 8.42 In terms scale and height, it is considered that the proposed building is commensurate with that of the surrounding built form, and by setting back the roof storeys the mass and bulk of the building has been reduced so that the building would not appear overbearing within the context of its surroundings. It is noted that the objections have been received on the grounds that the use of copper cladding is inconsistent with the Conservation Area. However, the copper cladding that is to be used is 'pre-weathered' and thus has a matt finish, which is considered to be in keeping with the industrial historic character of the area. In order to ensure that the facing materials are of satisfactory quality and finished appearance it is recommended that samples and details of finishes are secured by condition.

Figure 4: CGI Northwards View from the River Thames



- 8.43 It is considered that the proposed building has been sensitively designed within the context of the historic built form and public realm and would preserve and enhance the character and appearance of the Wapping Wall Conservation Area. The proposal therefore accords with Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DEV30 of the Unitary Development Plan (1998), Policy DM27 of the Managing Development DPD (Proposed Submission Version January 2012), Policy CON2 of the Interim Planning Guidance (2007), Policy 7.8 of the London Plan (2011) and government guidance set out in Section 12 of the National Planning Policy Framework (2012). These policies and government guidance seek to ensure that development proposals are sympathetic to their historic surroundings and either preserve or enhance the character and appearance of the Borough's Conservation Areas and river frontages within the Thames Policy Area.

- 8.44 Given that the application site is located adjacent to a Grade II listed building, the Local Planning Authority is required to pay special regard to the desirability of preserving the building or its setting on any special architectural or historic interest which it possesses. It is considered that the proposed building, by virtue of its height, stepped roof profile, design and materials, would not adversely affect the setting of the adjacent Grade II listed former 19th century warehouse at Gun Wharf, in accordance with Policy SP10(2) of the Council's adopted Core Strategy (2010), Policy DM27 of the Managing Development DPD (Proposed Submission Version January 2012), Policy CON1 of the Interim Planning Guidance (2007), Policy 7.8 of the London Plan (2011) and government guidance set out in Section 12 of the National Planning Policy Framework (2012). These policies and government guidance seek to ensure that development located in the vicinity of Statutory Listed Buildings does not have an adverse impact on the setting of those buildings.

Impact on Wapping Overground Station

- 8.45 The application site sits over part of Wapping Overground Station, within which the tunnel entrance and stairway between the platforms and street are Grade II listed. Accordingly, London Overground (LO) have been consulted on the application, who raised concerns over the potential impact of the development on the fabric of the station. In particular, LO objects to the inclusion of operable windows on the curved elevation of the building facing onto Wapping Station rotunda and roof, as this could allow litter to be thrown on to the roof of the station, including cigarettes, which could burn through the roof lining and result in water leakage into the station.
- 8.46 It is noted that the applicant has been engaged in discussions with LO regarding a solution to this issue, with the most viable option being the use of top-opening windows on the curved façade together with the installation of new fire retardant roofing material to the station roof. However, any works to the station roof would fall outside of the application site and are beyond the remit of this application. It is therefore recommended that full details of the windows are secured by condition.
- 8.47 In terms of the impact of the development on the fabric of the station, including the Grade II listed tunnel entrance and stairway from the platforms to the street, LO have requested that that full details of the demolition, design and construction methodology, particularly concerning foundations and superstructure, are secured by condition.

Safety and Security

- 8.48 The proposal has been assessed by the LBTH Crime Prevention Officer, who has raised concerns over the vulnerability of the River and Eastern elevations on the lower floors, particularly that they may be vulnerable to illegal access and there for crime, and has requested that the bin store, cycle store and residential entrance doors are specified to a PAS 23/24 standard with suitable locks. It is therefore recommended that these additional security measures are secured by condition.

Renewable Energy and Energy Efficiency

- 8.49 Adopted policies set out in the London Plan (2011) and the Council's Core Strategy (2010) seek to reduce carbon emissions by requiring development to incorporate energy efficient design measures and renewable energy technologies. Specifically, Policies 5.2 and 5.7 of the London Plan (2011) seek for development to incorporate renewable energy technologies and achieve a minimum 25% reduction in CO₂ levels above the 2010 Building Regulations, in accordance with the 'Be Lean / Be Clean / Be Green' energy hierarchy. Policy SP11 of the Council's adopted Core Strategy (2010) sets a borough-wide carbon emission reduction target of 60% below 1990 level by 2025. Policy DM29 of the Managing Development DPD (Proposed Submission Version January 2012) sets a target of a 35% reduction in carbon emission for residential development above the 2010 Building Regulations.

- 8.50 The proposed development incorporates a Combined Heat and Power (CHP) system and gas boiler, together with the installation of 65 square metres of Solar Photo-voltaic panels at roof level and the inclusion of a range of passive energy efficiency measures. The submitted Energy Statement Report, revised 18 April 2012, projects a 33% reduction in carbon emissions above the 2010 Building Regulations. The proposal has been assessed by the LBTH Energy Efficiency Unit, who note that whilst the proposal fails to meet the 35% target set out in emerging policy in the Managing Development DPD (Proposed Submission Version January 2012), the proposal exceeds the adopted 25% reduction target set out in Policy 5.2 of the London Plan (2011). In addition, it is considered that the submitted Energy Statement Report shows that the applicant has demonstrated the CO₂ savings have been maximised at each stage of the energy hierarchy (energy efficiency measures, provision of a CHP and integration of renewable energy technologies), which is supported in principle.
- 8.51 The applicant has proposed to achieve a Code for Sustainable Homes Level 4 rating for all residential units and achieve a BREEAM 'Excellent' rating for the non-residential elements of the scheme, which is supported by Sustainable Development Team. It is recommended that the energy strategy and sustainability assessment ratings are secured through appropriate conditions.

Biodiversity

- 8.52 The southern side of the application faces out onto the River Thames, which is a designated Site of Importance for Nature Conservation (SINC). The proposal has been assessed by the LBTH Biodiversity Officer, who notes that the site currently has no biodiversity value. The application is accompanied by a Biodiversity Statement, which proposes native planting on the roof and the provision of bird and bat boxes as biodiversity enhancements. It is noted that no specific details or plans have been provided regarding the location and amount of proposed planting and bird and bat boxes. As such, it is recommended that full details of the biodiversity enhancements are secured by condition.

Amenity

- 8.53 Policy SP10(4) of the adopted Core Strategy (2010), saved Policy DEV2 of the Unitary Development Plan (1998) Policy DM25 of the Managing Development DPD (2012) and Policy DEV1 of the Interim Planning Guidance (2007) require development to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as protect the amenity of the surrounding public realm. Residential amenity includes such factors as a resident's access to daylight and sunlight, outlook and privacy.
- 8.54 It should be noted that whilst a some local residents have objected to the proposal on the grounds that it will result in a loss or partial loss of a river view from their property, which in turn could reduce the value of their homes, matters pertaining to impacts on views and property values are not normally considered to be material planning considerations and it is not considered that there is any special circumstances which would justify treating them as such in this case.

Daylight / Sunlight

- 8.55 Daylight is normally calculated by two methods, namely the Vertical Sky Component (VSC) and No Sky Line (NSL). BRE guidance in relation to VSC requires an assessment of the amount of daylight striking the face of a window. The VSC should be at least 27%, or should be no less than 20% of the former value, in order to ensure that sufficient light is still reaching windows. These figures should be read in conjunction with other factors, including NSL, which takes into account the distribution of daylight within the room, and figures should not exhibit a reduction beyond 20% of their former value.

- 8.56 A number of objections have been received from neighbouring residents within blocks to the east, north and west of the site on the grounds that the proposal would result in a significant deterioration in the daylighting and sunlighting conditions and levels of outlook from habitable rooms within their properties. The application is accompanied by a Daylight/Sunlight Report, prepared by GVA, dated 19 December 2011, which identifies the affected neighbouring blocks and these are addressed in turn below:

1-50 Gun Wharf, 126-130 Wapping High Street

- 8.57 Gun Wharf is a part 6, part 7 storey residential building located immediately to the west of the application site, with the east elevation of Gun Wharf set back some 4.5 metres from the west elevation of the proposed building. The original submitted Daylight/Sunlight Report, dated 19 December 2011, identifies one window as suffering a materials loss in VSC and six habitable rooms that would suffer material losses in NSL. It is noted that a number of objections, including a petition, have been received from residents of Gun Wharf on daylight and sunlight grounds. It is also noted that one letter of objection states that the room layouts for some rooms within Gun Wharf were incorrect in the Daylight/Sunlight Report.
- 8.58 Given the severity of some of the projected losses within Gun Wharf, together an objection relating to the accuracy of the Daylight/Sunlight Report, on 16 April 2012 the Case Officer visited three flats within Gun Wharf in order to verify that the room sizes and layouts used in the Daylight/Sunlight Report were accurate. It was noted that the flats located in the middle of the east elevation benefit from an open plan living/kitchen/dining room, which is served by two east facing windows, whilst the assessment had been carried out on the assumption that kitchen/living rooms and dining rooms/studies were separate rooms served by one window each.
- 8.59 The applicant was notified of the inaccuracies in the report and a revised assessment was carried out for the flats located in the middle of the east elevation of Gun Wharf, utilising the correct open plan layout for the kitchen/living/dining rooms. This information is provided in the Supplementary Information document, prepared by GVA, dated 18 April 2012, and in an email from Matthew Craske of GVA dated 23 April 2012 with attached Daylight Results for 1-50 Gun Wharf, 126-130 Wapping High Street table and associated NSL plan, reference BRE/41, dated April 2012. The revised assessment shows that the daylight impacts on these flats are substantially reduced, with the reductions in VSC and NSL now falling within acceptable thresholds.
- 8.60 It is noted that the proposal would still result in a 27.9% loss in NSL to a bedroom at second floor level (room R2/12). However, given that the flat in question is dual-aspect, with the bedrooms facing east towards the application site and the living/kitchen/dining room facing south across the River Thames, and thus benefiting from excellent levels of daylight and sunlight, and given that the reduction is not significantly greater than the 20% target, at which point a loss of daylight would become noticeable, it is not considered that the proposal would result in a significant deterioration of residential amenity to the occupants of this flat in daylighting terms. It should also be noted that as part of the west elevation of the proposed building is set further back from Gun Wharf than that of the existing building, the proposal would result in some increases in daylight levels to flats within Gun Wharf.

121 Wapping High Street

- 8.61 121 Wapping High Street is a four storey residential building located on the north side of Wapping High Street at the junction with Wapping Dock Road, located to the west of the application site. The submitted Daylight/Sunlight Report shows that VSC levels to windows from first to third floor level would be reduced by between 2.56% to 3.11% whilst NSL would be reduced by between 0% to 7.62%. These reductions are considered to be slight and are thus acceptable.

123 Wapping High Street, Falconet Court

- 8.62 Falconet Court is a four storey residential building located immediately to the north of the application site on the opposite side of Wapping High Street. The proposal would result in VSC losses of no more than 7.78% to any south facing window, which is considered acceptable within this dense urban environment. However, the proposal would result NSL failures to five windows within Falconet Court, with the worst affected windows and rooms being located at first floor level and south facing.
- 8.63 The NSL loss to a bedroom at first floor level (room R2/31) is 27.54%, whilst to a hall (room R5/31), which is not a habitable room, is 29.16%. The worst NSL results within Falconet Court are to kitchens located at first to third floor level, with the NSL for these rooms being reduced by between 25.53% and 45.75%. However, these rooms are each served by one small south facing window and as such significant NSL reductions would be unavoidable for any proposed increase in height at 136-140 Wapping High Street. Whilst the proposal would result in material reductions in the daylighting conditions of some rooms within Falconet Court, it is not considered that this should constitute reason for refusal in this instance given the poor design of the kitchen windows within Falconet Court.

131 Wapping High Street

- 8.64 131 Wapping High Street is two storey residential building with dormers set into the front roof slope that is located to the north-east of the application site, on the opposite side of Wapping High Street. The submitted Daylight/Sunlight report shows that the proposal would result in VSC losses of no more than 11.55% to any south facing window, which is considered acceptable within this dense urban environment. The proposal would result in NSL reductions of 20.88% and 24.66% to two south facing rooms served by dormers at second floor (roof) level. However, given that these are not substantial failures, it is not considered that the proposal would result in a significant deterioration in the daylighting conditions of these rooms.

142 Wapping High Street

- 8.65 142 Wapping High Street is a part 5, part 7 storey residential building that abuts the eastern side of the application site. The submitted Daylight/Sunlight Report shows that impacts on the NSL to rooms within this building would be nominal, ranging from a 2.78% gain to a 1.15% loss. It is noted that two windows within the building would suffer significant reductions in NSL given the proximity of the building to the application site, with these windows serving living/kitchen/dining rooms at third and fourth floor level. However, whilst the impact on these windows is significant (a VSC loss of 47.33% and 62.26% respectively), these rooms are each served by three windows, two of which would retain a VSC of over 27%. As such, it is not considered that the proposal would result in a significant deterioration of the overall daylighting conditions of these habitable rooms.
- 8.66 It is also noted that there are some significant gains in VSC to rooms within 142 Wapping High Street, which has been achieved by the cutting away of the south-east corner of the proposed building, with a 47.55% gain to a living/kitchen/dining room window at ground floor level, which is supported.
- 8.67 The submitted Daylight/Sunlight Report and subsequent information has been independently assessed by Anstey Horne, who conclude that "taken in the round GVA seem able to demonstrate that any impacts on neighbours will generally be quite moderate and that there will be only limited technical transgressions of the BRE guidelines". As such, whilst there are some material losses of daylight to neighbouring properties, for the reasons stated above it is not considered that these losses are significant enough to warrant refusal of the application on amenity grounds.

Proposed Development at 136-140 Wapping High Street

- 8.68 The habitable rooms within the proposed development have been assessed in terms of the size and location of windows and the orientation and layout of rooms, and it is considered that the rooms within the scheme would generally benefit from good sunlighting and daylighting conditions. It is noted that the rooms at first floor level that face onto the Wapping Station rotunda would received reduced levels of daylight due to the height of the rotunda and the proximity of the windows to the rotunda. However, drawing reference 'BRE/39', which is included in the submitted Daylight/Sunlight Report, illustrates that these rooms would nevertheless benefit from adequate NSL levels, with daylight penetrating to an approximate depth of between 40% to 100% of these rooms. In addition, all flats at first floor level that include rooms that face the rotunda are dual-aspect with the primary habitable rooms (living/kitchen/dining rooms) having north and south aspects with the bedrooms facing the rotunda.

Sense of Enclosure / Outlook

- 8.69 The properties that are most likely to be affected in terms of an increased sense of enclosure and loss of outlook are the flats located at the eastern side of Gun Wharf and the western side of 142 Wapping High Street, which bound the west and east sides of the application site respectively. However, it is noted that the proposed building has been designed to minimise any impacts on outlook, specifically through the cutting away of the south-east and south-west corners of the building and by setting the additional roof storeys back from the lower floors. Whilst it is acknowledged that the outlook from some properties will be reduced as a result of the development, given the design of the proposed building and set backs from neighbouring windows, it is not considered that there would be any significant detrimental impacts on the outlook of neighbouring residents.

Overlooking and Loss of Privacy

- 8.70 It is noted that a number of objections have been received from neighbouring residents at 142 Wapping High Street and Gun Wharf, located to the east and west of the site respectively, on the grounds that windows, balconies and the communal amenity space within the proposed development will result in overlooking and a loss of privacy to neighbouring residents.
- 8.71 Design guidance documents usually recommend a visual separation distance of 18 metres between facing habitable room windows or balconies in order preserve the privacy of existing and future residents. Section 5.1 of the Mayor of London's Housing Design Guide, Interim Edition (2010) acknowledges this standard, whilst also noting that strict adherence can limit the variety of urban spaces and housing types in the city and can sometimes unnecessarily restrict density.
- 8.72 In response to the concerns raised by local residents, the applicant has produced a plan showing the overlooking distances between the proposed communal amenity space at roof level and neighbouring balconies and facades, which show a minimum separation distance of 18.6 metres. A further plan was produced showing the distances between the proposed terraces at sixth floor level and neighbouring balconies and windows, which shows a minimum separation distance of 15 metres between the terrace of unit 6.01 and a neighbouring balcony at 142 Wapping High Street. However, given that the angle of view is highly oblique, it would be unlikely to result in any significant loss of privacy. Nevertheless, the applicant has consented to include a privacy screen if required, as indicated on drawing reference '616-P-151'. As such, it is recommended that details of the privacy screen for the terrace of flat 6.01 is secured by condition.

- 8.73 It is also noted that an objection has been received on the grounds that the proposed communal amenity space will result in overlooking to the roof terrace at the eastern end of Gun Wharf at 7th floor level. However, given that the separation distance between the western extremity of the communal amenity space and the eastern elevation of Gun Wharf is approximately 21 metres, it is not considered that the loss of privacy would be significant.
- 8.74 In addition, it is noted that objections have been received from residents of Gun Wharf on the grounds that the proposed west facing windows on the curved elevation over the rotunda will result in overlooking into east facing habitable rooms in Gun Wharf. However, with a separation distance of approximately 26 metres between facing habitable room windows, it is considered that the level of privacy afforded to these residents is acceptable.

Noise

- 8.75 The proposed residential development is situated above the London Overground running tunnels and consideration must therefore be given to the potential impacts on residential amenity from ground borne vibration. The submitted 'Assessment of Ground Borne Noise Due to the EEL and Mechanical Services Plant Noise' report has been assessed by LBTH Environmental Health and is considered to provide insufficient information to ensure that future residents would be protected from undue noise and vibration disturbance. It is therefore recommended that a condition be included to require full details of noise and vibration mitigation measures for the residential units.
- 8.76 It is noted that letters of objection have been received from neighbouring residents within Gun Wharf on the grounds that the proposed cycle store entrance located off of the footway between the site and Gun Wharf would result in noise disturbance to residents. However, it is not considered that the use of the footway and cycle store entrance by residents would result in significant noise disturbance to neighbouring residents.
- 8.77 The proposed commercial unit at ground floor level incorporates a flexible use, which includes A3 restaurant, A4 drinking establishment and A5 hot food takeaway. Such uses usually require the installation of kitchen extract systems, and as such consideration must be given to the potential noise and odour impacts that an extract system would have on neighbouring residents. However, no details of a proposed extract system have been provided.
- 8.78 It is noted that the submitted 'Assessment of Ground Borne Noise Due to the EEL and Mechanical Services Plant Noise' report includes estimated background noise levels at nearby residential façades and concludes that an extract terminating at roof level would not impact on nearby sensitive receptors. However, this limited information provided is not sufficient justification and it is therefore recommended that a condition be included to require the submission for approval of a Noise Impact Assessment and details of all plant.

Residential Amenity Space

- 8.79 Policy SP02 (6d) of the Council's adopted Core Strategy (2010), saved Policy HSG16 of the Unitary Development Plan (1998), Policy DM4 of the Managing Development DPD (Proposed Submission Version January 2012) and Policy HSG7 of the Interim Planning Guidance (2007) require adequate provision of housing amenity space for new homes, including private amenity space in every development and communal amenity space for developments providing 10 units or more.
- 8.80 Of the 51 units proposed, 49 include provision of private amenity space in the form of balconies or terraces, which range from 4.2 square metres to 32.2 square metres in size. The Mayor of London's Housing Design Guide, Interim Edition (2010) recommends a minimum provision of 5 square metres of private amenity space for a 1 bed, 2 person dwelling, with an additional 1 square metre per additional occupant. Whilst some balconies

fall a little below the 5 square metre target, the majority of balconies and terraces meet or exceed the Mayor's targets, resulting in a total provision of 503 square metres of private amenity space at the site, which is supported.

- 8.81 Under the terms of Policy HSG7 of the Interim Planning Guidance (2007), 90 square metres of communal amenity space is also required for the 51 units proposed. The proposal markedly exceeds this target through the provision of approximately 170 square metres of communal amenity space at roof level. The communal amenity space is set back from the east and west parapet walls by between 2.2 – 5.1 metres in order to mitigate any loss of privacy to neighbouring dwellings through overlooking. The communal amenity space can be accessed by both the market and affordable units and level access is provided via a platform lift within the lift lobby at sixth floor level. It is noted that two units do not include any provision of private amenity space. However, given the constraints of the site and the large provision of communal amenity space, it is considered that the overall provision of amenity space at the site is acceptable.
- 8.82 Taking into account the above, it is considered that the proposal includes adequate provision of private and communal amenity space, in accordance with Policy SP02 (6d) of the Council's adopted Core Strategy (2010), saved Policy HSG16 of the Unitary Development Plan (1998), Policy DM4 of the Managing Development DPD (Proposed Submission Version January 2012) and Policy HSG7 of the Interim Planning Guidance (2007).

Highways

Car Parking

- 8.83 The proposal does not include any provision of on-site car parking. The proposal has been assessed by LBTH Transportation & Highways, who note that the Public Transport Accessibility Level (PTAL) for the site is 3/4, which is at the cusp of the level at which the Local Planning Authority seek for developments to be 'car free' on the grounds that they are located in areas with good access to public transport. However, given that the site is situated immediately adjacent to the Wapping Overground Station and is located a short distance from local bus stops, and given the existing levels of on-street parking stress in the surrounding area, Highways consider this site to be suitable for a car and permit free agreement, which should be secured by condition.
- 8.84 It is noted that a number of objections have been received from local residents on the grounds that the proposed omission of any on-site car parking will put a significant strain on on-street parking in the area. However, it should be noted that if planning permission were granted and the development was secured as car and permit free, as is recommended by officers, then future residents at the site would be unable to obtain residents parking permits and thus the proposal would not (subject to the operation of the Council's parking permit transfer scheme for residents in Social Housing) place any further strain on the capacity of on-street residents' parking bays.
- 8.85 Subject to condition, it is considered that the proposal accords with Policy SP09(4) of the Council's adopted Core Strategy (2010), Policy DM22(2) of the Managing Development DPD (2012) and Policy 6.13 of the London Plan (2011). These policies seek for developments located in areas with good access to public transport to be secured as car and permit free.

Cycle Parking

- 8.86 The proposal includes the provision of a total of 64 cycle parking spaces, provided by way of 52 wall mounted cycle parking stands and 6 Sheffield style cycle stands. The proposal includes two separate cycle parking areas at ground floor level, with the larger of the two comprising a curved room situated between the western residential entrance lobby of the building and Wapping Overground Station rotunda, whilst a smaller cycle store is located at

the eastern end of the site, adjacent to the eastern residential entrance lobby.

- 8.87 The Council's emerging cycle parking standards set out in Appendix 2 of the Managing Development DPD (2012) seek the provision of 1 cycle parking space per 1 and 2 bed unit, and 2 cycle parking spaces per 3+ bed unit, which in this instance would require the provision of a total of 58 cycle parking spaces. As such, the provision of 64 cycle parking spaces exceeds the Council's requirements for the development, given the number and size of units proposed, which is supported.
- 8.88 It is noted that the Council will usually seek for cycle parking spaces to be provided in the form of Sheffield style stands, and that the proposal includes a mix of wall mounted stands and Sheffield style stands. However, given that the proposed cycle parking stands are to be located within the envelope of the building in secure rooms, and given the spatial constraints of the ground floor of the building, it is considered that the use of wall mounted cycle stands will not compromise the security of cycle parking at the site. As such, it is considered that the proposed cycle parking facilities are acceptable in principle subject to full details of the wall mounted stands being secured by condition.
- 8.89 Subject to condition, it is considered that the proposal includes adequate secure cycle parking facilities, in accordance with Policy DM22(1) of the Managing Development DPD (2012), Policy DEV16 of the Interim Planning Guidance (2007) and Policy 6.9 of the London Plan (2011). These policies promote sustainable forms of transport and seek to ensure the developments include adequate provision of secure cycle parking facilities.

Waste and Recyclables Storage

- 8.90 The proposal includes the provision of separate refuse and recyclables storage rooms for the both the market and affordable units, located at ground floor level at the front (north side) of the building. Each refuse store can be accessed internally via each of the two residential entrance lobbies and includes direct access onto the public highway at Wapping High Street for collection.
- 8.91 The refuse store for the affordable units is located immediately adjacent to the eastern residential entrance and has a floor area of 20 square metres. The refuse store layouts are shown on the proposed ground floor plan (drawing reference '616-P-110) and details of the storage capacity for refuse, dry recyclables and compostable waste are included in the Design and Access Statement. The waste storage requirements for the proposed residential dwellings has been calculated using the residential waste capacity guidelines set out in Planning Standard 2 of the Interim Planning Guidance (2007), which have been maintained in the Council's emerging Managing Development DPD (2012), included under Appendix 2.
- 8.92 The proposal has been assessed by the LBTH Waste Policy and Development, who consider the proposed residential waste storage arrangements to be adequate. However, it is noted that the proposed commercial unit at ground floor level will require separate provision for waste and recyclables storage, and given the flexible nature of the proposed use, refuse storage details for this unit have not been provided. It is therefore recommended that a condition be attached to any permission requiring full details of the refuse storage and collection arrangements for the commercial unit to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the unit.
- 8.93 Subject to condition, it is considered that the proposal includes adequate facilities for the storage of waste refuse and recyclables, in accordance with saved Policy DEV55 of the Unitary Development Plan (1998), Policy DM14 of the Managing Development DPD (2012) and Policy DEV15 of the Interim Planning Guidance (2007). These policies require planning applications to be considered in light of the adequacy and ease of access to the development for waste collection and the adequacy of storage space for waste given the frequency of waste collections.

Servicing

- 8.94 The proposal includes the formation of a 50 square metre commercial unit at ground floor level with a flexible use for either A1 (retail), A2 (financial and professional services), A3 (restaurant / café), A4 (drinking establishment), A5 (hot food takeaway), or B1a (offices). The proposal does not include any on-site servicing facilities and as such servicing for the commercial unit would take place directly from the public highway on Wapping High Street.
- 8.95 LBTH Transportation & Highways note that the applicant has previously been advised that there are concerns surrounding on-street servicing given the proximity of the bus stop adjacent to Wapping Station, and that Highways required further details and justification in order to consider the potential for on-street servicing. Highways advised that a Delivery and Servicing Management Plan should be submitted at application stage, to include restrictions to the size of vehicle used and the times during which servicing can take place, as these measures would help mitigate the impact of on-street servicing, particularly given the concerns that have previously been expressed around the available carriageway width and proximity of the bus stop.
- 8.96 In response, the applicant has submitted a Draft Delivery and Servicing Management Plan, dated March 2012, in which it is confirmed that servicing vehicles would be no larger than a 10.0 metre rigid vehicle and that servicing would not take place during the morning and evening peak traffic periods of 07:00 to 10:00 hours and 16:00 to 19:00 hours. In addition, reference is made to the Swept Path Analysis included within Appendix 1 of the submitted Transport Statement, which illustrates that a 10.0 metre servicing vehicle stopped in front of the site would not significantly impact on road traffic movements on Wapping High Street, with specific regard to busses travelling to and stopping at the bus stop outside Wapping Station.
- 8.97 LBTH Transportation & Highways have reviewed the additional supporting information and consider the proposed on-street servicing arrangements to be acceptable in principle, subject to a full Delivery and Servicing Management Plan being secured by condition, which should be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the commercial unit.
- 8.98 Subject to condition, it is considered that the on-street servicing arrangements for the commercial unit are adequate and would not significantly impact on the capacity or safety or the road network, which accords with the requirements of Policy SP09(3) of the Council's adopted Core Strategy (2010), saved Policy T16 of the Unitary Development Plan (1998), Policy DM20(2) of the Managing Development DPD (2012) and Policy DEV17 of the Interim Planning Guidance (2007).

Other Issues

Flood Risk

- 8.99 The application site lies within Flood Risk Zone 3, which comprises land assessed as having a 1 in 100 or greater annual probability of river flooding. The application is accompanied by a Flood Risk Assessment, prepared by Cole Easdon Consultants, which has been assessed by the Environment Agency and is considered to be acceptable. In accordance with the advice given by the Environment Agency, it is recommended that a condition be included to require the development to be carried out in accordance with the approved Flood Risk Assessment, and to require finished floor levels of residential properties to be no lower than 5.3 metres Above Ordnance Datum (AOD).

8.100 Subject to condition, it is considered that the proposed development incorporates adequate flood resilient design and would not increase the risk or impact of flooding at the site. The proposal therefore accords with Policy SP04(5) of the Council's adopted Core Strategy (2010), Policy 5.12 of the London Plan (2011), Policy DEV21 of the Interim Planning Guidance (2007) and government guidance set out in Section 10 of the National Planning Policy Framework (2012).

Archaeological Impacts

8.101 The application site lies within an Archaeological Importance or Potential as designated in the Proposals Map of the Unitary Development Plan (1998). Accordingly, the application is accompanied by an Archaeological Statement, prepared by CGMS Consulting, in which it is stated that the redevelopment proposals do not include any below ground intrusive works will therefore have a negligible impact on below ground archaeological deposits. As such, no mitigation measures are recommended by the applicant's archaeological consultant.

8.102 The proposals and submitted Archaeological Statement have been assessed by English Heritage Archaeology, state that the present proposals are not considered to have an affect on any heritage assets of archaeological interest, due to the negligible new ground impacts. As such, any requirement for an archaeological assessment of this site in respect to the current application could be waived.

8.103 Taking into account the above, it is considered that the proposed development would not adversely affect any buried archaeological remains, in accordance with Policy SP10(2) of the Council's adopted Core Strategy (2010), saved Policy DEV43 of the Unitary Development Plan (1998), Policy CON4 of the Interim Planning Guidance (2007), Policy DM27 of the Managing Development DPD (Proposed Submission Version January 2012) and government guidance set out in Section 12 of the National Planning Policy Framework (2012).

Contaminated Land

8.104 The application has been assessed by LBTH Environmental Health (Contaminated Land), who consider the proposal acceptable subject to a condition requiring the developer to consult with the Local Planning Authority in the event that any suspected contamination, or unusual or odorous ground conditions are encountered during any ground works, and to provide classification certificates and waste transport and disposal documentation. As such, subject to condition, it is considered that the proposal is acceptable in land contamination terms.

Local Financial Considerations

8.105 Policy SP13 of the Council's adopted Core Strategy (2010), saved Policy DEV4 of the Unitary Development Plan (1998) and Policy IMP1 of the Interim Planning Guidance (2007) state that the Council will seek to enter into planning obligations with developers where appropriate and where necessary for a development to proceed.

8.106 The Community Infrastructure Levy Regulations 2010 state that any S106 planning obligations must be:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

8.107 The general purpose of S106 contributions is to ensure that development is appropriately mitigated in terms of the impacts on existing social infrastructure such as education, community facilities and health care and that appropriate infrastructure to facilitate the development are secured. It is noted that objections to the proposed development have been received on the grounds that the uplift in residential population at the site will put a strain on local social infrastructure. However, it is considered that such impacts are mitigated through the contributions outlined below.

8.108 The S106 obligations for the scheme have been calculated using the formulae set out in the Council's adopted Planning Obligations Supplementary Planning Document (2012). The total financial contribution sought amounts to £518,557.24, and details of the breakdown are provided below.

8.109 The proposed heads of terms are:

Financial Contributions

- (a) Idea Stores, Libraries and Archives - £13,860.00
- (b) Leisure Facilities - £49,125.00
- (c) Education - £185,681.00
- (d) Health - £67,830.00
- (e) Sustainable Transport - £1,650.00
- (f) Public Open Space - £88,268.40
- (g) Streetscene and Built Environment - £85,488.00
- (h) Monitoring - £10,167.79

Non-financial Contributions

- (i) 35.2% affordable housing units provided on-site (habitable room provision)
- (j) Car and permit free agreement
- (k) Commitment to 20% local employment during construction and end user phase and procurement during the construction phase in accordance with the Planning Obligations SPD.

8.110 It is considered that the package of contributions being secured is appropriate, relevant to the development being considered and in accordance with the relevant statutory tests.

Localism Act (amendment to S70(2) of the TCPA 1990)

8.113 Section 70(1) of the Town and Country Planning Act 1990 (as amended) entitles the local planning authority (and on appeal by the Secretary of State) to grant planning permission on application to it. From 15th January 2012, Parliament has enacted an amended section 70(2) as follows:

8.114 In dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

8.115 Section 70(4) defines "local finance consideration" as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

8.116 In this context “grants” might include:

- a) Great Britain Building Fund: the £400m “Get Britain Building” Fund and government-backed mortgage indemnity guarantee scheme to allow housebuyers to secure 95% mortgages;
- b) Regional Growth Funds;
- c) New Homes Bonus;
- d) Affordable Homes Programme Funding.

8.117 These issues now need to be treated as material planning considerations when determining planning applications or planning appeals.

8.118 Officers are satisfied that the current report to Committee has had regard to the provision of the development plan. As regards local finance considerations, the proposed S106 package has been detailed in full which complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

8.119 Regarding Community Infrastructure Levy considerations, following the publication of the London Mayor’s Community Infrastructure Levy, Members are reminded that the London Mayoral CIL is now operational, as of 1 April 2012. The likely CIL payment associated with this development would be between approximately £100,000 and £110,000. Please be mindful that this is only an initial estimation of the CIL charge at this stage. The amount of the CIL payment may change when planning permission is issued, and final calculations for the scheme are carried out and any applicable exemptions are taken into account. The Council will issue a CIL Liability Notice as soon as possible after a decision notice is issued.

8.120 With relation to grants, the Great Britain Building Fund is part of the Government’s housing strategy published on the 21 November 2011 designed to tackle the housing shortage, boost the economy, create jobs and give first time buyers the opportunity to get on the housing ladder. Officers are satisfied that the development provides the types of units in the form of single occupancy flats within the private and intermediate tenure, and range of unit sizes to accommodate the differing financial constraints of future potential occupiers and therefore the proposal supports this initiative.

8.121 The Regional Growth Fund (RGF) is now a £2.4bn fund operating across England from 2011 to 2015. It supports projects and programmes that lever private sector investment to create economic growth and sustainable employment. It aims particularly to help those areas and communities which were dependent upon the public sector to make the transition to sustainable private sector-led growth and prosperity. Whilst there is no evidence to suggest that this development is directly linked into this initiative, officers are satisfied that through the financial and non-financial contributions toward Enterprise and Employment, there is likely to be a range of job opportunities, both skilled and un-skilled that would support the aim of the initiative to create economic growth and sustainable employment.

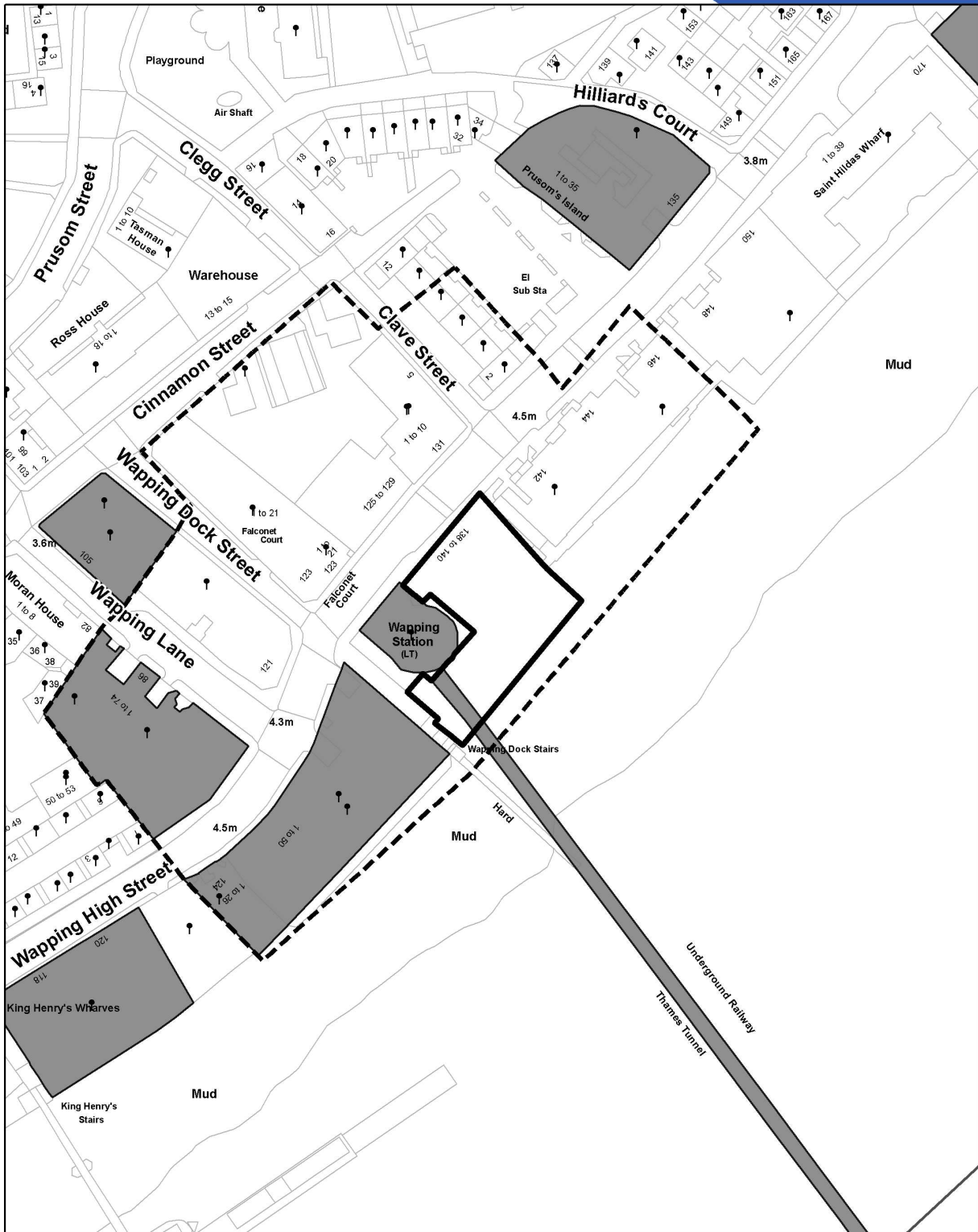
8.122 The New Homes Bonus was introduced by the Coalition Government during 2010 as an incentive to local authorities to encourage housing development. The initiative provides unring-fenced finance to support local infrastructure development. The New Homes Bonus is based on actual council tax data which is ratified by the CLG, with additional information from empty homes and additional social housing included as part of the final calculation. It is calculated as a proportion of the Council tax that each unit would generate over a rolling six year period.

8.123 Using the DCLG's New Homes Bonus Calculator, and assuming that the scheme is implemented/occupied without any variations or amendments, this development is likely to generate approximately £127,243 within the first year and a total of £763,458 over a rolling six year period. There is no policy or legislative requirement to discount the new homes bonus against the S106 contributions, and therefore this initiative does not affect the financial viability of the scheme.

9.0 CONCLUSIONS

9.1 All other relevant policies and considerations have been taken into account. Planning permission and conservation area consent should be granted for the reasons set out in the SUMMARY OF MATERIAL PLANNING CONSIDERATIONS and the details of the decision are set out in the RECOMMENDATION at the beginning of this report.

Planning Application Site Map



Planning Application Site Boundary	Locally Listed Buildings	Land Parcel Address	 1:1,250
Consultation Area	Statutory Listed Buildings		

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process.
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