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| Committee: Development | Date: 10 th October 2012 | Classification: Unrestricted | Agenda Item Number: |
| Report of: Corporate Director of Development and Renewal | | Title: Town Planning Application | |
| Case Officer: Elaine Bailey | | Ref No: PA12/01850 | |
| | | Ward: St Katherine's & Wapping | |

1. APPLICATION DETAILS

- Location:** Capital Wharf, 50 Wapping High Street, London E1W
- Existing Use:** Residential block of apartments with boundary wall abutting Thames Path (it is the boundary wall that is subject to the application proposal).
- Proposal:** Erection of a painted steel hand rail along river boundary wall.
- Drawing Nos:** 691/101/ Rev A;
Design Statement ref: 691/12.01 v3
- Applicant:** Capital Wharf Management Company
- Owner:** Capital Wharf Management Company (freeholder)
- Historic Building:** No
- Conservation Area:** Wapping Pier Conservation Area

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 London Borough of Tower Hamlets adopted Core Strategy (2010), the Unitary Development Plan, the Council's Interim Planning Guidance (2007), the Managing Development: Development DPD (submission version 2012), associated supplementary planning guidance, the London Plan and National Planning Policy Framework (2012) and has found that:
- 2.2 The proposed handrail on the existing boundary wall is considered acceptable in terms of its location, scale, design and appearance and is not considered to have any significantly harmful impacts on the character and appearance of the Wapping Pier Conservation area or any views across the Thames. The proposal therefore complies with Saved Policy DEV1 of the adopted UDP (1998), Policy SP10 of the adopted Core Strategy (2010) and Policies DM12, DM23, DM24, and DM27 of the Managing Development DPD (submission version 2012).

3. RECOMMENDATION

- 3.1 That the Committee resolve to GRANT planning permission subject to the conditions

set out below.

- 3.2 1. Three year time period.
2. The proposed works to be carried out in accordance with the approved plans.
- 3 Hand rail to be painted black.

4. BACKGROUND

- 4.1 This application is submitted by Capital Wharf Management Ltd – the freeholder and management company for this 8 storey block of 85 flats.
- 4.2 The applicant notes that the proposal is intended as a deterrent to youths mis-using the river wall, attracting anti-social behaviour, and potentially resulting in a safety risk in light of the low height of the wall and its proximity to the river edge.

5. PROPOSAL AND LOCATION DETAILS

Proposal

- 5.1 The application proposed the installation of 300mm steel hand rail to the top of the existing boundary wall along the Thames.

Site and Surroundings

- 5.4 The boundary wall lies on the edge of the river and Thames pathway in front of a residential block of apartments, known as Capital Wharf, 50 Wapping High Street.
- 5.5 The wall varies in height from 900m to 1.1m.
- 5.6 Capital Wharf comprises an 8 storey residential block of 85 apartments.
- 5.7 The site falls within the Wapping Pier Conservation Area and adjoins 1-5 Pier Head House to the east which is a Grade II listed building.
- 5.8 The area in front of the riverside wall is owned by the applicant, however, the Thames Path is also a public right of way.

6. PLANNING HISTORY

- 6.1 No relevant planning history.

7. RELEVANT POLICIES

Government Planning Policy

- 7.1 National Planning Policy Framework (2012)

London Plan Spatial Development Strategy for Greater London (2011)

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|-----|---------|------|----------------------------------|
| 7.2 | Policy: | 7.3 | Designing Out Crime |
| | | 7.4 | Local Character |
| | | 7.6 | Architecture |
| | | 7.8 | Heritage assets and archaeology |
| | | 7.9 | London View Management Framework |
| | | 7.29 | River Thames |

Adopted Core Strategy (2010)

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|-----|---------|------|---|
| 7.3 | Policy: | SP04 | Blue and Green Grid |
| | | SP09 | Creating attractive and safe streets and spaces |
| | | SP10 | Creating distinct and durable places |

Unitary Development Plan 1998 (as saved September 2007)

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|-----|--------|------|----------------------------|
| 7.4 | Policy | DEV1 | Design requirements |
| | | DEV2 | Environmental Requirements |

Managing Development: Development Plan Document (submission version 2012)

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| 7.6 | Policy | DM24 | Place Sensitive Design |
| | | DM23 | Streets & Public Realm |
| | | DM12 | Water Spaces |
| | | DM27 | Heritage and the historic environment |

8. CONSULTATION RESPONSE

- 8.1 The views of the Directorate of Development and Renewal are expressed in the MATERIAL PLANNING CONSIDERATIONS section below. The following were consulted regarding the application:
- 8.2 Design & Conservation
Confirmed no objection in design surgery and requested railing to be painted black due to location within a conservation area.
- 8.3 Transport & Highways
No objection as this is not on public highway.
- 8.4 Environment Agency
No concerns provided wall is sound in terms of existing coping or covering.
Officer response: The applicant has confirmed that the riverside wall capping is sound as this formed part of the redevelopment of the site and has been constructed with a brickwork cladding to a concrete encased sheet piled wall.
- 8.5 British Waterways
No comment received.
- 8.6 Port of London Authority
The proposed railing does not appear to extend over Mean High Water and on that basis the PLA has no objection to the proposed development.

9. LOCAL REPRESENTATION

- 9.1 A total of 149 neighbouring properties within the area shown on the map appended to this report were notified about the application and invited to comment. The application has also been publicised in East End Life and a site notice erected on 16/8/12.
- 9.2 It must be noted that the original consultation had an error on the consultation letter, referring to the site address as 'Flat 44', Capital Wharf. A re-consultation letter was sent to all those consulted originally (18th September) originally to clarify site address as Capital Wharf and not 'Flat 44'.
- 9.3 A total of 40 objections have been received at the time of writing this report. Copies of all letters are available on the file. In summary, the concerns raised in the objections are as follows:
- Works are unnecessary
 - Hand rail will block views across the Thames
 - Will encourage more anti-social behaviour
 - Cost of installation
 - Not wanted by residents of Capital Wharf
 - Reduce public amenity and enjoyment of the river
 - Block views to Tower Bridge
 - Impacts on character of the development
 - Unsightly proposal
- 9.4 *Officer Comment: The above concerns are addressed in the material considerations section of this report.*

10. MATERIAL PLANNING CONSIDERATIONS

- 10.1 The main planning issues raised by the application include:
- The proposal in principle;
 - The design merits of the proposal and its impact on the conservation area;
 - Any amenity implications;
 - Any implications the proposal might have in terms of protected views;

Proposal in Principle

- 10.2 The application proposes the erection of a painted steel handrail to an existing boundary wall, abutting the Thames. Officers have no concerns regarding the principle of the proposal. The works are minor in nature and raise no land use issues.

Design Issues & Impact on the Conservation Area

- 10.3 The proposed hand rail measures 300mm in height, and is designed in a similar fashion to other railings within the Capital Wharf development and will sit on the edge of the existing 1m high wall.
- 10.4 The hand rail will sit on the full length of the wall to the Thames Path. Due to variation in levels, the rail will reach an average of 1m height from ground level with max of 1.4m.

- 10.5 In terms of national policy - the NPPF promotes good design and requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and making a positive contribution to local character and distinctiveness. In this instance, the Wapping Pier Conservation Area and the listed buildings at Pier Head House are considered the relevant heritage assets to be taken into consideration.
- 10.6 In terms of local planning policy - Saved policy DEV1 of the UDP (1998), policy SP10 of the Core Strategy (2010) and Policies DM24 of the Managing Development DPD (submission version 2012) together seek to ensure appropriate design, ensuring development is sensitive to and enhances local character.
- 10.7 In terms of conservation issues specifically, Policies DEV27 of the UDP, SP10 of the Core Strategy and Policy DM27 of the Managing Development DPD (submission version 2012) seek to protect and enhance heritage assets within the Borough. In this instance, this includes the Wapping Pier Conservation Area and any adjoining listed buildings.
- 10.8 In terms of assessment of the proposal against such policies, the proposed hand rail measuring 30cm above the existing boundary wall is not considered to have any significantly harmful impacts of the character of the immediate area or the character and appearance of the conservation area. The works proposed are minor in nature and in scale and the type of railing proposed is already evident in the immediate vicinity, such as the block of apartments at Capital Wharf itself and other railings along the Thames Path. The applicant's willingness to accept a condition ensuring the hand rail is painted black is also considered to improve the appearance of the railing and protect the local character of the area and in particular the conservation area. Furthermore, officers have no concerns regarding the impact of the railing on the adjoining listed buildings towards the end of the path.
- 10.9 In light of the fact that the Thames Path is a public right of way, consideration has also been given to Policy DM23 of the Managing Development DPD (submission version 2012) which requires developments to improve and maintain the public realm, and improve safety and security without compromising good design and inclusive environments. The proposal will also accord with policy DM23 as the railing is considered to improve the safety and security for those using the area along the pathway within which the wall abuts. Due to the relatively minor scale of the railing and its sensitive design, the proposal is considered to improve the public realm.
- 10.11 To conclude, the proposed handrail is considered acceptable in terms of its location, scale, design and appearance and is not considered to have any significantly harmful impacts on the character and appearance of the Wapping Pier Conservation area. The proposal therefore complies with Saved Policy DEV1 of the adopted UDP (1998), Policy SP10 of the adopted Core Strategy (2010) and Policies DM12, DM23, DM24, and DM27 of the Managing Development DPD (submission version 2012).

Amenity Implications

- 10.12 Due to scale and the nature of the proposal (a hand rail), the proposal will not give rise to any adverse impacts to adjoining residential amenity in terms of loss of daylight/sunlight, loss of privacy, noise or nuisance and the development is

generally in accordance with saved policies DEV2 of the UDP (1998), Policy SP10 of the Core Strategy (2010) and Policy DM25 of the Managing Development DPD (Submission Version May 2012) which together seek to protect residential amenity.

- 10.13 Residents have raised concerns regarding the need and cost of the proposal, however such matters are not material planning considerations for officers.

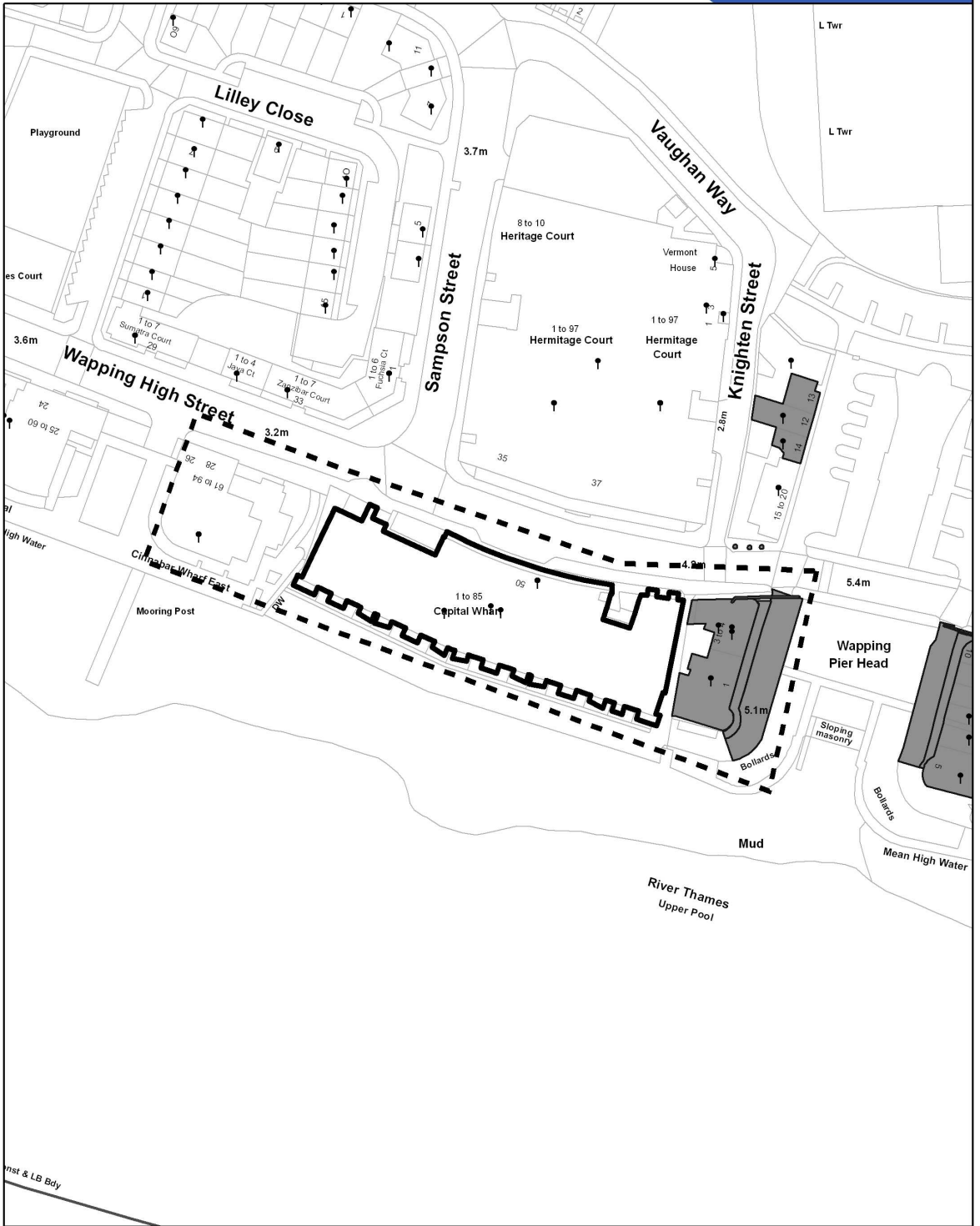
Views

- 10.14 A number of the objections submitted by the public raise concerns regarding how the proposal will block their view across the river. Officers have considered this and do not believe that a railing of 30cm in height on top of an existing wall, will result in the blocking of views across the Thames or the enjoyment of any views along the river. The site does fall within the viewing corridor for Tower Bridge protected by Policy 7.8 of the London Plan (London View Management Framework) but as site photographs illustrate, the proposed hand rail of this scale, will not affect this.
- 10.15 It is also worth noting that the only view at ground level over the wall will be from those standing in the path, as the apartments in Capital Wharf are at raised level and benefit from full unobstructed views towards Tower Bridge and across the Thames.

11 Conclusions

- 11.0 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 as set out in the RECOMMENDATION at the beginning of this report

Planning Application Site Map



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|------------------------------------|----------------------------|---------------------|---------------------------|
| Planning Application Site Boundary | Locally Listed Buildings | Land Parcel Address | 0 15 m 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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