

Committee: Strategic Development	Date: 20 th December 2007	Classification: Unrestricted	Agenda Item No: 7.2
Report of: Corporate Director of Development and Renewal		Title: Planning Application for Decision	
Case Officer: Tim Porter		Ref No: PA/06/01787	
		Ward(s): St Katherine's and Wapping	

1. APPLICATION DETAILS

- Location:** 21 Wapping Lane, London, E1W 2RH
- Existing Use:** Vacant warehouse building with ancillary offices and vehicle parking areas.
- Proposal:** Demolition of all existing buildings and the construction of five buildings ranging in height from 3 storeys to 19 storeys plus plant (to maximum height of 70.15m AOD) for mixed use purposes to provide 382 residential units (Class C3), retail use (Class A1, A2, A3, A4, A5) and/or community uses (Class D1) and/or leisure use (Class D2), car parking, landscaping, new vehicular and pedestrian access points and other ancillary work.
- Drawing Nos:** 1375 (PL)001 (Rev. A), 1375 (PL)002 (Rev. B), 1375 (PL)003 (Rev. B), 1375 (PL)004 (Rev. C), 1375 (PL)005 (Rev. A), 1375 (PL)006 (Rev. A), 1375 (PL)007 (Rev. A), 1375 (PL)008 (Rev. A), 1375 (PL)009 (Rev. A), 1375 (PL)010 (Rev. A), 1375 (PL)011 (Rev. A), 1375 (PL)012 (Rev. A), 1375 (PL)013 (Rev. A), 1375 (PL)014 (Rev. A), 1375 (PL)015 (Rev. A), 1375 (PL)016 (Rev. A), 1375 (PL)017 (Rev. A), 1375 (PL)018 (Rev. A), 1375 (PL)019 (Rev. A), 1375 (PL)020 (Rev. B), 1375 (PL)021 (Rev. B), 1375 (PL)022 (Rev. B), 1375 (PL)023 (Rev. A), 1375 (PL)024 (Rev. A), 1375 (PL)050 (Rev. A), 1375 (PL)051 (Rev. A), 11375 (PL)052 (Rev. A), 1375 (PL)053 (Rev. A), 1375 (PL)054 (Rev. A), 1375 (PL)055 (Rev. A), 1375 (PL)056 (Rev. A), 1375 (PL)218-C, 1375 (PL)219-A, 1375 (PL)220-A, 1375 (PL)221-A, 1375 (PL)222-A, 1375 (PL)223-B, 1375 (PL)224-B, 1375 (PL)225-A, 1375 (PL)226-A, 1375 (PL)227-B, 1375 (SK)232-A
- Environmental Statement – Volume 1 – WSP – September 2007
 - Environmental Statement – Volume 2 (Folders 1 and 2) – WSP – September 2007
 - Environmental Statement – Volume 3 – WPS – September 2007
 - Environmental Statement – Response to the Regulation 19 Issues and Environmental Statement Review Prepared by Bureau Veritas – WSP – 2nd November 2007
 - Transport Assessment – WSP – September 2007
 - Design & Access Statement – Paul Davis + Partners – September

LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THIS REPORT

Brief Description of background papers:	Tick if copy supplied for register	Name and telephone no. of holder:
Application, plans, adopted UDP. draft LDF and London Plan		Xxxx Xxxx 020 7364 xxxx

2007

- Design Amendments – Paul Davis + Partners – November 2007
- Landscape Design Report – Whitelaw Turkington – August 2007
- Update Planning Statement – DP9 – September 2007
- GLA Affordable Housing Toolkit Submission and Accompanying Notes – HEDC – September 2007
- GLA Affordable Housing Toolkit 2007-2008 Update Submission

Applicant: Eulysses Limited (Part of the Ballymore Group of Companies)
Owner: Eulysses Limited (Part of the Ballymore Group of Companies)
Historic Building: N/A
Conservation Area: N/A

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 Unitary Development Plan, the Council's Interim Planning Guidance (2007), associated supplementary planning guidance, the London Plan and Government Planning Policy Guidance and has found that:
- 2.2
- The proposal is in line with the Mayor and Council's policy, as well as government guidance which seek to maximise the development potential of sites. As such, the development complies with policy 4B.3 of the London Plan and HSG1 of the Council's Interim Planning Guidance (2007) which seek to ensure this.
- 2.3
- The retail uses (Class A1, A2, A3, A4, A5) and/or community uses (Class D1) and/or leisure use (Class D2) are acceptable in principle as they will provide a suitable provision of jobs in a suitable location. They will also provide a useful service to the community and future residents of the development, as well as provide visual interest to the street. As such, it is in line with policies ST34, ST49 and DEV3 of the Council's Unitary Development Plan 1998 and policies DEV1, SCF1, and RT4 of the Council's Interim Planning Guidance (2007), which seek to ensure services are provided that meet the needs of the local community.
- 2.4
- The proposal provides an acceptable amount of affordable housing and mix of units overall. As such, the proposal is in line with policies 3A.4, 3A.7 and 3A.8 of the London Plan, policy HSG7 of the Council's Unitary Development Plan 1998 and policies CP22, HSG2 and HSG3 of the Council's Interim Planning Guidance (2007), which seek to ensure that new developments offer a range of housing choices.
- 2.5
- The loss of the employment use on site is acceptable because the site is unsuitable for continued industrial use due to its location, accessibility, size and condition. As such, the proposal is in line with employment policies 3B.5 and 3B.9 of the London Plan, and policies CP9, CP11, CP12, CP19 and EE2 of the Council's Interim Planning Guidance (2007), and CFR1 of Council's Interim Planning Guidance City Fringe Area Action Plan (2007), which consider appropriate locations for industrial employment uses.
- 2.6
- The density of the scheme would not result in the overdevelopment of the site and any of the problems that are typically associated with overdevelopment. As such, the scheme is in line with policies DEV1 and DEV2 of the Council's Unitary Development Plan 1998 and policies CP5, DEV1 and DEV2 of Council's Interim Planning Guidance (2007), which seek to provide an acceptable standard of accommodation.
- 2.7
- The development would enhance the streetscape and public realm through the provision of a public realm area and improved pedestrian linkages along the canal. As

such, the amenity space proposed is acceptable and in line with policies 4C.17 and 4C.20 of the London plan, policies ST37, DEV48 and T18 - T19 of the Council's Unitary Development Plan 1998 and policies CP30, CP36, DEV 3, DEV16 and OSN3 of the Council's Interim Planning Guidance (2006), which seek to improve amenity and liveability for residents.

- 2.8 • The quantity and quality of housing amenity space and the public realm strategy is considered to be acceptable and in line with PPS3, policy 3A.15 of the London Plan, policy HSG16 of the Council's Unitary Development Plan 1998 and policies OSN2 and CFR5 the Council's Interim Planning Guidance City Fringe Area Action Plan (2007) which seeks to improve amenity and liveability for residents without adversely impacting upon the existing open space.
- 2.9 • The building height, scale, bulk and design is acceptable and in line with English Heritage and CABE criteria for tall buildings; Planning Policy Guidance 15, policies 4B.1, 4B.5, 4B.8, 4B.9 and 4B.15 of the London Plan, policies DEV1, and DEV2 of the Council's Unitary Development Plan 1998 and policies DEV1, DEV2, DEV3, DEV 27, CON2 and CON5 of the Council's Interim Planning Guidance (2007), which seek to ensure buildings are of a high quality design and suitably located.
- 2.10 • The submitted Environmental Statement is satisfactory, including the cumulative impact of the development. Mitigation measures will be ensured through conditions and a s106 agreement.
- 2.11 • The safety and security of the scheme is acceptable in accordance with policy DEV1 of the Council's Unitary Development Plan 1998 and policy DEV4 of the Council's Interim Planning Guidance (2007), which requires all developments to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 2.12 • Transport matters, including parking, access and servicing, are acceptable and in line with London Plan policy 3C.22, policies T16 and T19 of the Council's Unitary Development Plan 1998 and policies DEV18 and DEV19 of the Council's Interim Planning Guidance (2007), which seek to ensure developments minimise parking and promote sustainable transport option.
- 2.13 • Sustainability matters, including energy, are acceptable and in line with London Plan policy 4A.7 to 4A.10 and 4B.6, and policies DEV 5 to DEV9 of the Council's Interim Planning Guidance (2007), which seek to promote sustainable development practices.
- 2.14 • Contributions have been secured towards the provision of affordable housing, health care and education facilities, highways, transport, public art, open space and public realm in line with Government Circular 1/97, policy DEV4 of the Council's Unitary Development Plan 1998 and policy IMP1 of the Council's Interim Planning Guidance (2007), which seek to secure contributions toward infrastructure and services required to facilitate proposed development.

3. RECOMMENDATION

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

3.2 A. Any **direction** by **The Mayor**

3.3 B. The prior completion of a **legal agreement**, to the satisfaction of the Assistant Chief Executive (Legal Services), to secure the following:

1. Affordable housing provision of 34% of the proposed habitable rooms with a 77/23 split

between rented/ shared ownership to be provided on site.

2. A contribution of £300,000 to mitigate the impacts of the additional population on the surrounding highways, to be provided as follows:
 - £75,000 towards the provision of a raised table on Wapping Lane between the development and Tobacco Dock;
 - £100,000 towards pavement improvements (including street lighting and furniture) from the development to Wapping Station and other local amenities including shops and schools, to the direct benefit of residents of the new development;
 - £25,000 towards the realignment of the bus stops to the south of the development on Wapping Lane to improve accessibility;
 - £100,000 towards improving the eastern footway from the northern edge of the development site to The Highway, but not including the length adjacent to the development site as this should be a s278 agreement. This is for supply and lay of ASP paving for improved access to The Highway and Shadwell Station to the north;
 3. A contribution of £310,800 to mitigate the demand of the additional population on health care facilities.
 4. A contribution of £530,706 to mitigate the demand of the additional population on education facilities.
 5. Provide £250,000 towards open space improvements to relieve the pressure that will arise from the new dwellings on existing open space and recreational facilities within the area.
 6. A contribution of £80,000 towards the maintenance and improvement of the Cable Street Mural (public art).
 7. A capped contribution of £20,000 to TFL for bus facility and accessibility improvements.
 8. The provision and maintenance of a new public canal footpath along south bank of ornamental canal (providing unrestricted public access).
 9. The provision and maintenance of a public walkway along the north-west and northern parts of the site as part of the 'the East-West link' connecting Wapping Lane to Wapping Woods.
 10. Completion of a car free agreement to restrict occupants applying for residential parking permits.
 11. TV reception monitoring and mitigation.
 12. Commitment towards utilising employment initiatives in order to maximise the employment of local residents.
 13. Preparation, implementation and review of a Green Travel Plan.
 14. Preparation, implementation and review of a Service Management Plan.
- 3.4 That the Head of Development Decisions be delegated authority to impose conditions on the planning permission to secure the following:

Conditions

1. Permission valid for 3 years.
2. Details of the following are required:
 - Samples of materials for external fascia of building
 - Ground floor public realm
 - Entrance to Blocks C and D
 - Cycle parking
 - Security measures to the building
 - All external landscaping (including roof level amenity space and details of brown and/or green roof systems) including lighting and security measures, details of the ground floor defensible spaces overlooking the internal courtyard and Wapping Woods, finishes, levels, walls, fences, gates and railings, screens/ canopies, entrances, seating and litter bins
 - The design of the lower floor elevations of commercial units including shopfronts; and
 - The storage and collection/disposal of rubbish
3. Details of the design and layout of proposed canal side pedestrian walkway
4. Landscape Maintenance and Management Plan
5. Parking – maximum of 164 cars (including 4 disabled spaces) and a minimum of 248 residential and 20 non-residential bicycle parking spaces
6. Archaeological investigation
7. Record of the nineteenth century warehouse on the eastern flank of the building (south east corner) to be undertaken
8. Investigation and remediation measures for land contamination (including water pollution potential)
9. Full particulars of the following:
 - Surface/ foul water drainage plans/ works; and
 - Surface water control measures.
10. Details of safe dry escape route from the basement levels below the flood water levels.
11. Details of the site foundation works
12. Construction Environmental Management Plan, including a dust monitoring
13. Submission of the sustainable design measures and construction materials, including details of energy efficiency and renewable measures
14. Further baseline noise measurements during construction and operational phase (plant noise) to be undertaken for design work purposes
15. Limit hours of construction to between 8.00 Hours to 18.00 Hours, Monday to Friday and 8.00 Hours to 13.00 Hours on Saturdays
16. Limit hours of power/hammer driven piling/breaking out to between 10.00 Hours to 16.00 Hours, Monday to Friday
17. Ground borne vibration limits
18. Noise level limits
19. Implementation of micro-climate control measures
20. Implementation of ecological mitigation measures
21. All residential accommodation to be built to Lifetime Homes standard, including at least 10% of all housing being wheelchair accessible
22. Details of the disabled access and inclusive design
23. Details of additional cycle parking spaces where identified by the travel plan survey
24. Details of the highway works surrounding the site
25. Any other condition(s) considered necessary by the Head of Development Decisions

Informatives

1. Section 106 agreement required
2. Section 278 (Highways) agreement required
3. Site notice specifying the details of the contractor required
4. Construction Environmental Management Plan Advice
5. Environment Agency Advice

6. English Heritage Advice
7. Ecology Advice
8. Environmental Health Department Advice
9. Metropolitan Police Advice
10. Thames Water Advice
11. Transport Department Advice
12. London Underground Advice
13. Landscape department advice
14. Contact the GLA regarding the energy proposals

3.5 That, if by 20th March 2007 the legal agreement has not been completed to the satisfaction of the Assistant Chief Executive, the Head of Development Decisions be delegated authority to refuse planning permission.

4. PROPOSAL AND LOCATION DETAILS

4.1 This application represents a revision of two previous proposals for the site first submitted to the Council in June 2004 (LBTH Ref. PA/04/00977). Eulysses Limited was not the applicant at the time. However, the same architect that is involved with the current scheme was involved with the original concept in 2004. The 2004 scheme was similar to the current proposal but there are some significant differences. The 2004 scheme on the subject site was for the following:

“Demolition of existing buildings and the redevelopment to provide five buildings ranging from 4 storeys to 23 storeys in height, and providing 311 residential units, Class A1 retail use (273m²), Class B1 office space (992m²) and Class D1 community use (323m²) with 242 car parking spaces, landscaping, new vehicular and pedestrian access points and other ancillary works”.

4.2 The Mayor reviewed the scheme and concluded in his Stage 1 report (2005) that the principle of the redevelopment of the underused site for a residential-led mixed use, high-density scheme was consistent with London Plan policies. There were, however, a number of planning matters that needed to be resolved. These matters are highlighted below:

- Concerns over the level of affordable housing provision, tenure and unit size
- Concerns regarding residential and environmental amenity relating to play space and improvements to the canal and adjacent open space.
- The design was generally good but there were areas that needed to be improved.
- Improvements were required to the pedestrian route to the Dockland Light Railway Station
- Inadequate consideration had been given to accessibility.

4.3 The application was formally withdrawn in February 2005. Eulysses Limited subsequently purchased the site and through various design changes in consultation with the original architect, resubmitted a duplicate application on the 21st July 2006 (PA/06/1347 and PA/06/1787). The current scheme is based on the original proposal with various changes to the design, layout and overall unit numbers, in an attempt to address the previous concerns raised.

4.4 The duplicate scheme comprised five blocks ranging in height from 3 to 19 storeys plus podium ground level and roof plant (to maximum height of 73.3m) containing a total of 385 residential flats plus retail use (Class A1, A2, A3, A4, A5) and/or community uses (Class D1) and/or leisure use (Class D2), basement car parking, landscaping, new vehicular and pedestrian access points and other ancillary work.

4.5 The applicants appealed to the Planning Inspectorate in respect to a non-determination of application PA/06/1347. The appeal was withdrawn following discussions with the planning

department to overcome a number of concerns with the scheme. The application now before the Council, PA/06/1787, has been amended further to address concerns raised.

4.6 The current proposal for the redevelopment of the site comprises the following:

- The erection of five separate blocks (A to E) incorporating a total of 382 residential units that vary in size and include a mixture of private and affordable flats;
- Each of the blocks are of varying height and include:
 - Block A ranges from 8 to 19 storeys plus roof plant (to a maximum height of 70.15m AOD). The block contains 174 market residential units and the ground floor comprises retail and/ or community and/or leisure uses;
 - Block B ranges from 5 to 10 storeys. The block contains 48 market residential units;
 - Blocks C and D range in height from 3 to 7 storeys. The blocks contain 94 affordable residential units; and
 - Block E comprises an 8 storey building. The block contains 66 market residential units.
- A shared common basement including 164 car parking spaces and 248 cycle parking spaces are proposed;
- As there are no defined users for the proposed commercial floorspace at this stage. The applicant has asked for it to be able to be used for a variety of uses. Consequently, the commercial space is proposed to be used for retail, financial and professional services, restaurant and cafes, drinking establishments, and hot food take-away usage (Classes A1, A2, A3, A4 and A5) and/or community facilities (Class D1) and/or leisure use (Class D2) at ground floor level of Block A; and
- A series of landscaped courtyards and spaces.

4.7 The layout strengthens east-west pedestrian routes along the canal with focus at the junction of Wapping Lane and canal being the main public space. The layout proposes five blocks, but spatially three independent blocks namely A (tall building with stepping profile), B+C+D (perimeter block running along East, South and Western edge of the site) and Block E. This spatial decision has also resulted in three open spaces one linear in nature and other two as squares.

Site and Surroundings

4.8 The site comprises a four storey warehouse building with ancillary offices and vehicle parking areas. The site is currently vacant, but was previously used for the storage of documentation and offices for Group Four Security. The building is constructed from brick and concrete and has high-level windows. A 4 to 6 metre high wall runs along the western and southern boundaries, which serves in part as a retaining wall for the site.

4.9 The site is located on Wapping Lane, which runs north to south from The Highway to Wapping High Street. The application site covers an area of 0.75 hectares. The main vehicular access to the site is on the north-west corner of the site from Wapping Lane with a secondary access point off Raine Street. Pedestrian access to the site is also from Wapping Lane.

4.10 Historically, the site was located within the London Docks complex, on the south western corner of the Eastern Dock. The Docks were closed in 1968 and remained derelict for a number of years. By 1988 most of the docks had been filled in and redeveloped for a range of uses. Immediately to the north of the site is an ornamental canal and public footpath that marks the route of the canal link between Eastern Dock and Western Dock. Beyond that is a multi-storey car park that rises up to ten storeys (32 metres). The ornamental canal continues under Wapping Lane to the west. On its northern side is Tobacco Dock, a Grade I listed building, that was last used as a shopping centre but is currently disused. To the west and north of the canal is the News International print works,

which is to be redeveloped. To the south of the canal there are 3 and 4-storey residential properties. The area to the east of the site comprises open parkland known as 'Wapping Woods', and a 3-storey block of flats. To the south of the site is Raines House, a 2-storey Grade II* listed building occupied by the Academy of St. Martins-in-the-Fields and a small area of open space. There are also blocks of flats that range in height from five to 14 storeys (Oswell House being 14 storeys).

- 4.11 The surrounding area comprises a mix of uses, including commercial, retailing, and residential. The site is located a short distance from local shops. There are also a number of amenity and support services within the area.
- 4.12 In terms of built heritage, the site is not located within a Conservation Area and none of the buildings on the site are listed.
- 4.13 The site has good access to public transport and other amenities, benefiting close proximity to the Shadwell Docklands Light Railway (approximately 500 metres to the north), East London Line and several bus networks. The City is approximately 1.5 kilometres to the west and Canary Wharf is approximately 2.5 kilometres to the east.

Planning History

- 4.14 The following planning decisions are relevant to the application:

PA/04/977 Demolition of existing buildings and the redevelopment to provide five buildings ranging from 4 storeys to 23 storeys in height, and providing 311 residential units, Class A1 retail use (273m²), Class B1 office space (992m²) and Class D1 community use (323m²) with 242 car parking spaces, landscaping, new vehicular and pedestrian access points and other ancillary works – The scheme was withdrawn.

PA/06/1347 Demolition of all existing buildings and the construction of five buildings ranging in height from 3 storeys to 19 storeys plus roof space (to maximum height of 73.3m) for mixed use purposes to provide 385 residential units (Class C3), retail use (Class A1, A2, A3, A4, A5) and/or community uses (Class D1) and/or leisure use (Class D2), basement car parking, landscaping, new vehicular and pedestrian access points and other ancillary work (duplicate application) – The scheme was withdrawn.

5. POLICY FRAMEWORK

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

Unitary Development Plan (as saved September 2007)

Proposals: Not subject to site specific proposals
Flood Protection Area

Policies: Environment Policies

DEV1	Design Requirements
DEV2	Environmental Requirements
DEV3	Mixed Use development
DEV4	Planning Obligations
DEV12	Provision of Landscaping in Development
DEV46	Waterways and Water Bodies
DEV48	Water Frontage
DEV50	Noise

DEV51	Contaminated Land
DEV55	Development and Waste Disposal
DEV69	Water Resources
EMP1	Encouraging New Employment Uses
HSG7	Dwelling Mix
HSG16	Amenity Space
T3	Provision of Additional Bus Services
T16	Impact of Traffic
T18	Pedestrian Safety and Convenience
T21	Existing Pedestrians Routes
S7	Public House
S10	New Shopfronts
OS9	Child Play Space
U2	Consultation Within Areas at Risk of Flooding
U3	Flood Defences

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

Proposals: C33 Development Site (Specific uses have not yet been identified)
Flood Risk Area

Core Strategies: IMP1 Planning Obligations

CP1 Creating Sustainable Communities
CP2 Equal Opportunity
CP3 Sustainable Environment
CP4 Good Design
CP5 Supporting Infrastructure
CP7 Job Creation and Growth
CP11 Sites in Employment Use
CP15 Range of Shops
CP19 New Housing Provision
CP20 Sustainable Residential Density
CP21 Dwelling Mix
CP22 Affordable Housing
CP25 Housing Amenity Space
CP27 Community Facilities
CP30 Improving the Quality and Quantity of Open Space
CP31 Biodiversity
CP36 Water Environment and Waterside Walkways
CP37 Flood Alleviation
CP38 Energy Efficiency and Production of Renewable Energy
CP39 Sustainable Waste Management
CP41 Integrating Development with Transport
CP42 Streets for People
CP43 Better Public Transport
CP46 Accessible and Inclusive Environments
CP47 Community Safety
CP48 Tall Buildings

Policies: Development Control Policies

DEV1 Amenity
DEV2 Character & Design
DEV3 Accessibility & Inclusive Design
DEV4 Safety & Security
DEV5 Sustainable Design

DEV6	Energy Efficiency & Renewable Energy
DEV10	Disturbance from Noise Pollution
DEV11	Air Pollution and Air Quality
DEV12	Management of Demolition and Construction
DEV13	Landscaping
DEV14	Public Art
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
DEV24	Accessible Amenities and Services
DEV27	Tall Buildings
EE2	Redevelopment /Change of Use of Employment Sites
HSG1	Determining Residential Density
HSG2	Housing Mix
HSG3	Affordable Housing
HSG4	Social and Intermediate Housing ratio
HSG7	Housing Amenity Space
HSG9	Accessible and Adaptable Homes
HSG10	Calculating Provision of Affordable Housing
SCF1	Social and Community Facilities
OSN3	Blue Ribbon Network
CON2	Conservation Area

Supplementary Planning Guidance/Documents

Designing Out Crime
Residential Space
Landscape Requirements
Archaeology and Development

Spatial Development Strategy for Greater London (London Plan)

2A.1	Sustainability Criteria
3A.1	Housing Supply
3A.2	Borough Housing Targets
3A.4	Housing Choice
3A.7	Affordable Housing Target
3A.8	Negotiating Affordable Housing
3A.15	Social Infrastructure and Community Facilities
3A.17	Health Objectives
3A.24	Floor Targets
3A.25	Social and Economic Impact Assessments
3C.1	Integrating Transport and Development
3C.2	Matching Development to Transport Capacity
3C.22	Parking
4A.7	Energy Efficiency and Renewable Energy
4A.8	Energy Assessment
4A.9	Providing for Renewable Energy
4A.10	Supporting the provision of renewable energy
4A.14	Reducing Noise
4B.1	Design Principles for a compact city
4B.2	Promoting world class architecture and design

4B.3	Maximising the potential of sites
4B.4	Enhancing the Quality of the Public realm
4B.5	Creating an inclusive environment
4B.6	Sustainable Design and construction
4B.7	Respect Local context and communities
4B.8	Tall Buildings
4B.9	Large scale buildings, design and impact
4C.1	Blue Ribbon Network
4C.2	Context for Sustainable Growth
4C.3	Natural Value of the Blue Ribbon Network
4C.4	Natural Landscape
4C.12	Sustainable Growth Priorities for the Blue Ribbon Network
4C.17	Increasing Access alongside and to the Blue Ribbon Network
4C.20	Design
4C.21	Design Statement
4C.28	Development Adjacent to Canals
5C.1	The Strategic Priorities for East London
5C.2	Opportunity Areas in East London

Government Planning Policy Guidance/Statements

PPS1	Delivering Sustainable Development
PPS3	Housing
PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning & Noise

Community Plan The following Community Plan objectives relate to the application:

- A better place for living safely
- A better place for living well
- A better place for creating and sharing prosperity
- A better place for learning, achievement and leisure
- A better place for excellent public services

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 Arts, Sports and Leisure

- 6.2 Residents within the Cable Street/ St. Georges area (which is located within 400m to the north of the site) have expressed concerns about the Cable Street Mural commemorating the 1936 Battle of Cable Street. The mural is now 25 years old and is in need of restoration. The estimated works have been valued at £80,000.

LBTH Cleansing

- 6.3 The proposed refuse/ recycling collection arrangements via a managed scheme to collect from a central store accessed from Raine Street are acceptable.
- 6.4 The waste proposals for the commercial and retail units separate from the household waste using the same managed scheme and collected from the same collection point are also acceptable.
- 6.5 There appears to be an under provision of waste containers.

(OFFICER COMMENT: This matter will be addressed by planning condition).

LBTH Education

- 6.6 A contribution towards the provision of 43 additional primary school places @ £12,342 = £530,706.

LBTH Energy Efficiency Unit

- 6.7 LBTH Energy Services are in support of the proposed development and the energy strategy submitted. The energy strategy however, needs to be developed further to be acceptable. They are satisfied that this matter can be addressed by a planning condition.

LBTH Environmental Health

Contaminated land

- 6.8 The proposal is acceptable subject to conditions.

Air Quality

- 6.9 No objection. However, due to the proximity of sensitive receptors to the proposed site, dust monitoring should be conducted during the demolition/construction phase. This could be incorporated into the Environmental Management Plan or Code of Construction Practice.

Noise

- 6.10 Overall the noise report is satisfactory. However, it appears that the impact of the commercial and leisure facilities on the residential units above have not been assessed

(OFFICER COMMENT: The details of the non-residential uses have not yet been determined. The scheme will be appropriately conditioned to ensure the amenity of the future residential occupants will not be detrimentally affected by the future ground floor uses)

Sunlight

- 6.11 No comment received.

LBTH Highways

- 6.12 This development would be deemed acceptable providing:

- The entire development is covered by a car free agreement;
- That cycle parking provision is improved to meet standards;
- A link is provided between the development and John Rennie Walk and Wapping Woods;
- That car parking be kept at no more than 84 spaces; and
- That section 278 and 106 agreements are entered into.

Section 278 Requirements

- 6.13 There will significant section 278 requirements brought about by the construction of this development; these to include footways surrounding the site and highways adjacent to the site.

Section 106 Requirements

6.14 The scale of the development will require contributions to the following:

- £75,000 towards the provision of a raised table on Wapping Lane between the development and Tobacco Dock;
- £100,000 towards pavement improvements (including street lighting and furniture) from the development to Wapping Station and other local amenities including shops and schools, to the direct benefit of residents of the new development;
- £25,000 towards the realignment of the bus stops to the south of the development on Wapping Lane to improve accessibility;
- £100,000 towards improving the eastern footway from the north edge of the development site to The Highway, but not including the length adjacent to the development site as this should be a s278 agreement. This is for supply and lay of ASP paving for improved access to The Highway and Shadwell Station to the north;
- A construction management plan;
- A Travel Plan; and
- Car Free agreement.

LBTH Landscape

6.15 With regard to S106 contribution, a sum in the region of £250,000 is in order for improvements to public open space and play facilities within the area.

6.16 It is not acceptable for ground floor windows to directly overlook public open space without there being adequately designed and sized private amenity space as buffers. Management problems are being experienced in park sites where these buffers are non-existent or inadequate and where behaviour which should be perfectly acceptable in parks is being perceived by residents as anti-social. This has led to the removal of seats and play equipment, which are essential components of most parks, and an impoverishment of parks' facilities for all users

(OFFICER COMMENT: The ground floor units facing Wapping Woods incorporate a slight change in level from the court yard gardens which minimises direct overlook of the park. Also, the adjacent park slopes downwards away from the site, which would also minimise the effects of direct overlooking of users of this space from the ground floor windows. The design of the boundary walls should be addressed at the detail design stage, via a planning condition to ensure any potential impacts are mitigated).

British Waterways (Statutory)

6.17 No comment to be made.

Environment Agency (Statutory)

6.18 No objection subject to appropriate conditioning.

Government Officer for London (Statutory)

6.19 No comment received.

Greater London Authority (Statutory)

6.20 The Stage 1 report advised that a residential-led redevelopment of this brownfield site is in principal supported but there are a number of issues that are not consistent with strategic planning policy as follows:

- The proposed percentage of affordable housing is well below the policy requirement.

- Concerns about the site lay-out, the orientation of the dwellings, the variety of the dwellings and the architecture.
- Whilst there will be some reduction in likely carbon dioxide emissions, the applicant has not demonstrated fully that the scheme is incorporating any meaningful combined heat and power unit, where the opportunity currently exists. The proposal does not meet the current or proposed renewable energy target and needs to clarify details on cooling.
- There are a number of transport-related issues that need resolving.

(OFFICER COMMENT: The Stage 1 report was prepared on the 26th April 2007. In response to the concerns raised by the GLA, significant amendments have since been made to the scheme to address these issues. This has been addressed in detail later in this report).

Natural England (Formally English Nature and Countryside Agency) (Statutory)

- 6.21 Overall they are happy that the ecological issues are being handled effectively. Furthermore, they are supportive of the proposal for increased public access and connectivity and biodiversity enhancements laid in the landscaping concepts. If the authority is minded to grant planning permission for the proposal they recommend the use of suitable planning conditions or legal agreements to ensure these aspects are fully adhered to.

Transport for London (Statutory)

- 6.22 The provision of 4 disabled parking spaces in the basement, as shown on the same plan, is noted. TfL would expect this number to be increased to approximately 10 and the developer should make sure these spaces are easily accessible to the disabled people.

(OFFICER COMMENT: This has been addressed under the Highways section of the report).

- 6.23 TfL would like to see a green Travel Plan submitted. This should be secured, monitored and reviewed as part of the Section 106 agreement.

- 6.24 In accordance with TfL's Cycle Parking Standards a minimum of 382 spaces for the residential development should be provided (1 space per residential unit). For other components of the development including commercial and D1/D2 uses, the exact types of land use need to be confirmed in order for the number of cycle parking spaces for the respective use to be determined.

(OFFICER COMMENT: This has been addressed under the Highways section of the report)

- 6.25 A service bay is proposed on Wapping Lane and it is noted that the bay will be controlled by a management company on-site. TfL is concerned how this will be enforced.

(OFFICER COMMENT: Wapping Lane is a local highway and the Council's Highways department raised no objection to the service bay).

- 6.26 A capped sum of £20,000 should be provided as contribution by the developer towards bus facility and accessibility improvements.

- 6.27 The TA mentioned that no detailed construction traffic analysis has been undertaken. It is recommended that consultations with TfL on the routing and the hours that construction vehicles can have access to the site should take place.

(OFFICER COMMENT: The scheme will be conditioned to provide a Environmental Construction Management Plan which should address this concern).

CABE

- 6.28 CABE commented on the previous application on 13th October 2004. They have no further comments to add in relation to the proposed development apart from the comments of English Heritage in relation to the existing perimeter wall. CABE is not convinced that the changes made in response to this are an improvement.
- 6.29 The advice provided by CABE 13th October 2004 was in response to the scheme PA/04/977, which was very similar in design to the proposed scheme. Their response was as follows:

“This is not a project that we would normally wish to see, bearing in mind its type and size, neither of which is particularly controversial or unusual for this location.

The scheme appears to us to be a thoughtful and well considered, particularly in relation to front and backs, entrances, and public and private spaces. We think the scale of the development seems appropriate, and we believe that the contrast between the curved and rectilinear elements could work well. However, we feel that the scheme has too many competing forms and geometries, and could benefit from some ‘calming down’. A simpler and stronger solution could be achieved by restricting the expressionist elements to the tower building only, and making the two smaller curved buildings part of the family of rectilinear blocks”.

Council for British Archaeology

- 6.30 Concerns were raised over the impact of the development on the surrounding area.

(OFFICER COMMENT: The details of the impact have not been quantified or qualified).

English Heritage

- 6.31 The scheme incorporates a substantial amount of the existing wall to Wapping Lane and Raine Street. The existing wall is an important element in the setting of the Grade II* listed Raine’s House.
- 6.32 With respect to the original design submitted in 2006, they were not convinced by the design of the towers topmost elements. The complex geometry behind the design was considered to require further refinement. The subsequent amendments that have been undertaken since the previous submission with regard to the design of the various parts of the development, particularly with regard to the top of the main tower, are considered to benefit the scheme with a more simplified architectural treatment.
- 6.33 There appears to be a complete bay of the nineteenth century warehouse on the eastern flank of the building (south east corner), which does not seem to have been picked in the background information supporting the application. It is important that this is fully recorded and a suitable condition is placed on any permission that may be granted to ensure this occurs.

English Heritage - Archaeology

- 6.34 No objection subject to conditions.

Environment Trust

- 6.35 No comment received.

Inland Waterways Association

- 6.36 No comment received.

Lea Valley Regional Park Authority

6.37 No comment received.

London Borough of Southwark

6.38 No comment made.

London City Airport

6.39 No safeguarding objections.

London Fire and Civil Defence Authority

6.40 No comment received.

London Underground Ltd.

6.41 Provided that Blocks A, B and C can be designed and built without posing any detrimental effect to the tunnel either in the short or long term they have no comment to make.

London Wildlife Trust

6.42 No comment received.

Metropolitan Police

6.43 The Metropolitan Police have raised the following concerns:

- Lack of surveillance onto Wapping Lane, Raines Street, and to the ground floor commercial units and ramped areas along the Canal Frontage;
- There are no security measures to prevent access from Wapping Lane between Blocks A & E;
- The use of materials and balcony design at lower levels may encourage climbing to upper levels;
- Recessed entries, particularly to blocks B and E, may encourage loitering of non-residents;
- Concern over the current design of the boundary walls separating Wapping Woods and ground floor units in Block B, which may not provide adequate security or privacy;
- There appears to be no defensive planting proposed between ground floor flats and the internal courtyards; and
- The Raines Street entrance between Blocks B & C may encourage loitering.

(OFFICER COMMENT: Following the comments raised, the applicant met with the Metropolitan Police to address the points raised above. The Metropolitan Police have since advised that these issues have been addressed through amendments to the plans and can also be addressed through the detailed design stage. The scheme has been conditioned appropriately. The applicant will also be implementing a 24 hour concierge service that will provide surveillance of the site).

Museum of London

6.44 No comment received.

Thames Water Utilities

6.45 No objection was raised regarding sewerage and water supply infrastructure capacity to

service the development. Recommended a number of conditions and informatives to ensure that foul and/ or surface water discharge from the site and water pressure is appropriately addressed.

Tower Hamlets PCT

- 6.46 Initial communication with the PCT indicated that the application site will be asked to contribute £1,742,877 towards primary care needs of residents.

(OFFICER COMMENT: The PCT has requested the developer contribute £1,742,877 towards health and social care facilities. This includes a capital contribution of £310,800 and a revenue contribution of £1,432,077. This figure was calculated by the PCT using the NHS London Healthy Urban Development Unit model (HUDU). The model estimates the likely health care requirements and associated costs from proposed housing schemes. The PCT were requested to provide further evidence to justify the reasonableness of their request, in compliance with Circular 05/05.

According to Circular 05/05, planning obligations can only be sought where they meet all of the following tests.

- i. relevant to planning;
- ii. necessary to make the proposed development acceptable in planning terms;
- iii. directly related to the proposed development;
- iv. fairly and reasonably related in scale and kind to the proposed development; and
- v. reasonable in all other respects.

The PCT has developed a long-term strategy for health and well-being facilities across the Borough. There are a number of new projects underway, including one in close proximity to the application site, being the future News International site.

The PCT has provided no substantial evidence however about the capacity of existing health facilities in the area which might serve the appeal site, nor any indication as to whether or not additional provision would be necessary to meet the demands made by the development. As a result, the Planning Department cannot be sure that the requested contribution would meet tests (iii) and (iv) of Circular 05/05 rather than meet any general need or overcome an existing shortfall which would clearly be contrary to the advice in the Circular.

Overall on this matter, the planning department is of the opinion that there is insufficient evidence to confirm that the health contribution is directly related to the proposed development or necessary to make it acceptable in planning terms. In the circumstances we find that the request for a financial revenue contribution in relation to health provision in this instance is inappropriate and unreasonable and would fail to comply with UDP policy DEV4 and the guidance in the Circular)

7. LOCAL REPRESENTATION

- 7.1 A total of 572 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 on site.] The 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: 30	Supporting: 11
No of petitions received:	1 objecting containing 60 signatories		

- 7.2 The following local groups/societies made representations:

- Sir Thomas More Court Residents Association

7.3 The following issues were raised in representations that are material to the determination of the application, and they are addressed in the next section of this report:

7.4 Land Use

- The proposed density is too high and will negatively impact on social and physical infrastructure of the area (i.e. roads, public open space, social facilities, drainage, sewerage, transport, refuse collection, schooling, medical, etc).
- No need for further retail in the area, where the area is currently provided with an excellent range of shops.
- Inadequate provision of family housing.

7.5 Design

- The height, bulk, scale, and design quality (inc. materials) will negatively impact upon the context of the surrounding area.

7.6 Amenity

- Loss of daylight and sunlight.
- Overshadowing.
- Loss of privacy.
- Increased disruption including noise and vibration.
- Increased pollution.
- Increased anti-social behaviour, noise nuisance and crime.
- Sense of enclosure/ outlook.

7.7 Highways

- There is inadequate provision for car parking spaces. This will have a negative impact on the surrounding area which currently experiences problems from lack of parking.
- There is insufficient infrastructure along Wapping Lane to support the increased traffic levels proposed. Wapping Lane is narrow and would become a danger given the increase proposed. The traffic volumes will also ruin the safe and quiet character of the area.

7.8 Other

- The development will have a negative impact on the local biodiversity
- The scheme is not environmentally friendly

7.9 The following issues were raised in representations, but they are not considered to be material to the determination of the application:

- The motive for the development is to maximise profits
- There are currently vacant units in the area. Accordingly, there is no need for further units.
- The increased population could exacerbate the claim to close Wapping Underground Station
- The Council social housing residents list should be vetted to prevent any anti-social behaviour problems.
- Insufficient time to consider the application

- Health and safety issues associated with construction processes.
- Increase in vermin
- Increase in damp and condensation

8. MATERIAL PLANNING CONSIDERATIONS

8.1 The main planning issues raised by the application that the Committee must consider are:

- Land Use
- Design
- Amenity
- Highways
- Other

Land Use

Principle of Residential-Led Mixed Use Development

Residential Use

8.2 The proposed scheme includes the demolition of the existing industrial uses on the Site, to provide a residential development. In accordance with polices 3A.1 and 3A.2 of the London Plan, the Mayor is seeking the maximum provision of additional housing in London. The London Plan housing targets (December 2006) for Tower Hamlets from 2007 to 2016 is 31,500 new homes, subject to the provision of adequate social and physical infrastructure and contributing to sustainable communities (CP19).

8.3 The site is not designated in the Unitary Development Plan 1998 (UDP) or the Interim Planning Guidance 2007 (IPG) for any particular use.

8.4 On the basis of housing targets, it is considered that the site is appropriate for residential-led development.

Employment Use

8.5 According to paragraph 35 of PPS4, land and buildings currently or last used for industrial purposes will be assessed to see if it is a vital local industrial land resource which must be maintained.

8.6 Policy 3B.5 of the London Plan states that the release of surplus employment land for other uses should be managed in the light of strategic and local assessments of demand. Chapter 10 (supporting paragraph 10.4) of the IPG identifies that the Council has rationalised industrial land within the Borough, of which the site is not allocated.

8.7 Further, the Sub Regional Development Framework for East London advises that particularly in East London, there is more provision for economic activity than is necessary to meet future demand. In terms of future land required for industry and warehousing, the document also considers that in East London, some 500 ha of industrial land can be released to other uses between 2001 and 2016 (paragraph 131, p 35)

8.8 The Site is not a Strategic Employment Site according to the London Plan or in a Local Employment Location for employment in the UDP. There is no specific land use designation for the Site according to the proposals map of both the UDP and the IPG. Further, the retention of industrial use on the site is not considered appropriate when considering policy CP11 of the IPG.

8.9 The building is a legacy of the former dock use that does not relate well to the new

surroundings uses (there being no other industrial/warehousing uses nearby). The proximity of the site to central London and good public transport accessibility means that the site can also contribute towards meeting London's housing needs as well as accommodating business.

- 8.10 In accordance with policies CP11 and EE2 of the IPG, a change of use is permitted where the applicant has shown that the site is unsuitable for continued employment use due to its location, accessibility, size and condition and/or where the development creates new employment and training opportunities which meet the needs of local residents are maximised.
- 8.11 A survey report confirms that the building was constructed pre-WWII for storage purposes. The configuration of the building is obsolete by modern standards and requires regeneration or reconstruction to modern standards. The building has deteriorated and it would be un-economic to convert the existing framework to an alternative use. Additionally, the location of the building with narrow streets in what is becoming a predominantly residential area is not suitable for modern logistics requirements which require access for large lorries on a twenty four hour basis.
- 8.12 The 2007 GLA Stage 1 report notes that "*a residential-led redevelopment of this brownfield site is in principal supported*". Further, the 2005 GLA Stage 1 report mentioned above also stated that "*the principle of the redevelopment of this underused site for a residential-led mixed use, high density scheme is consistent with London Plan policies*".
- 8.13 Where a residential led development is considered to be appropriate, the loss of employment land should be compensated with an increase in the provision of non-residential uses to ensure direct employment opportunities for local people are maximised. In terms of employment generation, the applicant identified that the previous warehousing/distribution use (Class B8) employed approximately 12 jobs. The current proposal provides an area of 887sqm for Class A1 – A5 and/or D1 – D2 uses. Given the range of employment densities applicable to the proposed development, once operational, the applicant has identified that the scheme could generate between 10 and 68 positions.
- 8.14 Members of the public have raised concerns about the provision of more retail space within the area, particularly given the demise of Tobacco Dock to the west of the site. Whilst the actual details of the commercial uses have not been finalised, the London Development Agency has not objected to proposed commercial uses, which includes retail. Given the range of commercial uses and the relatively small floor area proposed, the retail use is not considered to result in an unacceptable impact on the area.
- 8.15 In view of the above comments and the fact that the site is not designated for industrial uses in the London Plan, UDP or the IPG, there are no land use reasons that would sustain a reason for refusal in this instance. A residential-led redevelopment of this brownfield site is in principal supported.

Density

- 8.16 The Site has a net residential area of approximately 0.75 hectares. The scheme is proposing 382 units or 942 habitable rooms. The proposed residential accommodation would result in a density of approximately 478 units per hectare and 1256 habitable rooms per hectare (hr/ha).
- 8.17 The site has a public transport accessibility level, or PTAL, of 3. According to policy 4B.3 of the London Plan, the site is best described as 'urban' and therefore has a suggested density range of 300 – 450 habitable rooms per hectare (hr/ha) in accordance with the 'Density location and parking matrix'.

- 8.18 In general numerical terms, the proposed density would appear to be an overdevelopment of the site. However, the intent of the London Plan and Council's IPG is to maximise the highest possible intensity of use compatible with local context, good design principles and public transport capacity.
- 8.19 Residents have considered that this application results in an unacceptable increase in density and is therefore an overdevelopment of the site. However it should be remembered that density only serves an indication of the likely impact of development. Typically high density schemes may have an unacceptable impact on the following areas:
- Access to sunlight and daylight;
 - Lack of open space and amenity space;
 - Increased sense of enclosure;
 - Loss of outlook;
 - Increased traffic generation; and
 - Impacts on social and physical infrastructure;

These issues are all considered in detail later in the report and were considered to be acceptable.

- 8.20 The following response to the proposed density was given in the 2007 GLA Stage 1 report:

"The 'Density location and parking matrix' is not static as it provides a tool for increasing density in situations where transport proposals will change the public transport accessibility ranking and is dependant on the characterization of current conditions or aspirations to create new parts of the city. Policy 4B.3 of the London Plan states that the Mayor will ensure that development proposals achieve the highest possible intensity of use compatible with local context, the design principles of policy 4B.1 and with public transport capacity. The draft further alterations to the London Plan (GLA, May 2006) emphasis that the policy to maximise the development potential should be compatible with sustainable residential quality. It is not evident, however, that the site is within an area that could potentially undergo a transformation from the current 'urban' setting into a 'central' type of location or that the quality of the design of the proposal justifies a higher density".

- 8.21 Given that the above Stage 1 response on density is not conclusive, reference should be made to the GLA's Stage 1 report for the previous planning application on the site, PA/04/00977 dated 9th February 2005, which proposed 311 residential units (856 habitable rooms or approximately 1,141 hr/ha). The report states:

"The site is within walking distance to the City of London and there are direct pedestrian links to a number of public transport modes, including the Docklands Light Rail, East London Line and bus routes 100 and D3. There are also good cycle routes in the area. The development is also adjacent to a park, which could, with improvement meet the recreational needs of the development and therefore off-set the need for on-site amenity space, thus allowing for a greater built footprint. Given these factors, and the quality of design, the higher density is acceptable".

- 8.22 The proposed density does not grossly exceed the density level for the 2004 scheme (only 115 additional habitable rooms), which the GLA deemed to be acceptable. The site continues to be located within easy access to public transport and open space, and of high quality design.

- 8.23 Policy 3A.2 of the London Plan encourages boroughs to exceed the housing targets and to address the suitability of housing development in terms of location, type and impact on the locality. Policies CP20 and HSG1 of the IPG seek to maximise residential densities on individual sites; taking into consideration the local context and character; residential

amenity, site accessibility; housing mix and type; achieving high quality, well designed homes; maximising resource efficiency; minimising adverse environmental impacts; the capacity of social and physical infrastructure and open spaces; and to ensure the most efficient use of land within the Borough.

8.24 On review of these issues, a high density mixed use development can be supported in this location in accordance with London Plan, UDP and IPG policies. The scheme is considered acceptable for the following reasons:

- The proposal is of quality design and responds appropriately to its context.
- The proposal is not considered to result in any adverse symptoms of overdevelopment.
- A number of contributions towards affordable housing, health, education, open space, transport, community and public realm infrastructure have been agreed to mitigate any potential impacts on local services and infrastructure. It is to be noted that residents feel that the developments high density will result in increased social problems. However, whilst this may or may not be the case, it is proposed that these contributions will assist in alleviating any adverse impacts from this development.
- The development is located within an area with reasonable access to public transport services, open space and other local facilities. The site also has good access to cycle and pedestrian linkages. Further, Thames Water has confirmed there is adequate sewerage and water capacity to meet the needs of the development.
- A section 106 agreement will look at ways to improve the use of sustainable forms of transport, as well as prohibiting any overspill parking from the development.

Housing

Housing Mix

8.25 The scheme is proposing a total of 382 residential units.

8.26 Paragraph 20 of Planning Policy Statement 3 states that

“key characteristics of a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people”.

8.27 Pursuant to policy 3A.4 of the London Plan the development should:

“offer a range of housing choices, in terms of housing sizes and types, taking account of the housing requirements of different groups, such as students, older people, families with children and people willing to share accommodation”.

8.28 The GLA housing requirements study identified within the Mayor’s Housing SPG provides a breakdown of housing need based on unit mix. However, according to the Mayor’s SPG, it is inappropriate to apply the identified proportions crudely at local authority level or site level as a housing mix requirement. Rather, they should be considered in preparing more detailed local housing requirement studies.

8.29 Policy HSG7 of the UDP states that new housing development should provide a mix of unit sizes where appropriate including a substantial proportion of family dwellings of between 3 and 6 bedrooms. The UDP does not provide and prescribed targets.

8.30 The following table below summarises the proposed housing mix against policy HSG2 of

the Interim Planning Guidance 2007, which seeks to reflect the Borough's current housing needs:

		affordable housing						market housing		
		social rented			intermediate			private sale		
Unit size	Total units in scheme	units	%	LDF %	units	%	LDF %	units	%	LDF %
Studio	101	0	0	0	0	0	0	101	36	25
1 bed	97	14	21	20	16	57	37.5	67	23	25
2 bed	111	13	20	35	8	29	37.5	90	31	25
3 bed	56	22	33	30	4			30		
4 bed	12	12	18	10	0			0		
5 Bed	5	5	8	5	0	14	25	0	10	25
TOTAL	382	66	100	100	28	100	100	288	100	100

- 8.31 It is to be noted that the proposed mix represents a significant change from the duplicate application mentioned earlier, PA/06/1347, which was proposing the following mix:

	Studio	1-bed	2-bed	3-bed	4-bed	5-bed	total
social rent	0	4	10	15	15	0	44 (11.5%)
intermediate	0	10	11	0	0	0	21 (5.5%)
Market	85	107	104	22	2	0	320 (83%)
Total	85 (22%)	121 (31.5%)	125 (32.5%)	37 (10%)	17 (4%)	0	385 (100%)

- 8.32 In seeking to meet the housing mix concerns that the GLA and Council had with the duplicate scheme, the applicant has reduced the number of market dwellings from 320 to 288 units, in order to provide a greater number of affordable dwellings and increase the provision of family units.
- 8.33 The applicant has increased the number of social rented housing dwellings from 44 units to 66 units from the original scheme. Further, the applicant has increased the numbers of social rented family housing dwellings by 9 units from the original scheme. The scheme now exceeds the Council's targets for family dwellings in the social rented mix, providing 59% against a target of 45%.
- 8.34 Further, 4 three bed family units have been introduced into the intermediate mix, raising the percentage of family housing from 0% to 14%. The applicant has also increased the provision of family housing within the market element by 6 units.
- 8.35 With regards to the Market component, the scheme has increased the number of market family units from 7.5% to 10% of the total. It is to be noted that the Mayor's Housing SPG states that it is inappropriate to crudely apply their "housing mix requirements especially in relation to market housing, where, unlike for social housing and most intermediate provision, access to housing in terms of size of accommodation is in relation to ability to pay, rather than housing requirements".
- 8.36 A number of residents have raised concern that the scheme does not provide sufficient family housing. However, policy HSG2 and of the IPG identifies that family housing is

needed mostly within social rented housing, which the proposed development exceeds as mentioned above.

- 8.37 It is to be noted that the scheme also exceeds the amount of family housing otherwise achieved across the Borough based on the most recently published LBTH Annual Monitoring Report 2005-6. The table below demonstrates that the proposed development is a significant improvement upon what has been achieved across the Borough and in terms of aspiration, is a positive step towards LBTH achieving key housing targets and better catering for housing need.

8.38

Tenure	Borough-Wide %	Proposal %
Social-rented	21.7	59
Intermediate	9.5	14
Market	1.7	10
Total	6.8	19

- 8.39 On balance, the scheme provides a suitable range of housing choices and meets the needs of family housing in the social rented component. As such, the proposed housing mix is considered to comply with national guidance, the London Plan and the Interim Planning Guidance in creating a mixed and balanced community.

Affordable Housing

- 8.40 Policy 3A.7 of the London Plan sets out a strategic target that 50% of the new housing provision should be affordable.
- 8.41 Policy CP22 of the IPG document states that the Council will seek to maximise all opportunities for affordable housing on each site, in order to achieve a 50% affordable housing target across the Borough, with a minimum of 35% affordable housing provision being sought.
- 8.42 The applicant was originally proposing to provide 65 affordable dwellings, which represented 24% of the proposed housing on habitable room basis. However, following concerns raised by the Council, the applicant amended the scheme which is now proposing 94 affordable dwellings; which is 34% of the total on a habitable room basis.
- 8.43 An evaluation of the schemes viability was prepared by the applicant using the GLA Affordable Housing Development Control Toolkit, where the scheme is proposing less than 50% affordable housing, in line with policy 3A.8 of the London Plan. The toolkit assessment has been scrutinised and its results, on balance, are supported.
- 8.44 Where the scheme is almost meeting the Council's affordable housing target of 35%, the scheme, on balance, is considered acceptable

Social Rented/ Intermediate Ratio

- 8.45 Against London Plan policy 3A.7 affordable housing target of 50%, 70% should be social rent and 30% should be intermediate rent.
- 8.46 Policy CP22 of the IPG states that the Council will require a social rented to intermediate housing ratio split of 80:20 for all grant free affordable housing.
- 8.47 A summary of the affordable housing social rented/ intermediate split is provided below:

Tenure	Units	Habitable Rooms	London Plan	LDF
social rent	66 (70%)	23 (78%)	70%	80%
shared ownership	28 (30%)	77 (22%)	30%	20%
total	94 (100%)	317 (100%)	100%	100%

8.48 The proposed tenure split falls slightly short on the 80% requirement for social rented within the IPG with 77% of the total affordable being for affordable rent. However the scheme exceeds the London Plan target of 70% of the affordable being for rent, and is therefore on balance acceptable.

Design

8.49 The existing industrial development on the site does little to make an active contribution to the urban environment. In fact a number of residents are in support of the demolition of the existing development. However, there is objection to the demolition where the residents are of the opinion that the proposed building does not reflect the scale or character of the surrounding area.

8.50 The Council's Planning Department however is of the opinion that the building's height, scale, bulk and quality of design are appropriate for this location. This assessment is examined in detail below.

Bulk and Massing

8.51 Good design is central to all the objectives of the London Plan. Chapter 4B of the London Plan refers to 'Principles and specifics of design for a compact city' and specifies a number of policies aimed at achieving good design. These principles are also reflected in policies DEV1 and 2 of the UDP and the IPG.

8.52 Policy CP4 of the draft Core Strategy states that LBTH will ensure development creates buildings and spaces of high quality design and construction that are sustainable, accessible, attractive, safe and well integrated with their surroundings. Policy DEV2 of the IPG reiterates DEV1 of the UDP and states that developments are required to be of the highest quality design, incorporating the principles of good design.

8.53 Comments from the 2007 GLA stage 1 report advises that the site is able to take up increased massing and height, subject to high quality architecture and use of materials.

8.54 The GLA also considered an almost identical building in design though larger, being 8 to 23 storeys (and a maximum height of 75.8 metres) on this site. The 2005 GLA stage 1 report states that *"the proposed development relates well to the urban context and the massing of the buildings in relation to adjacent sites is acceptable*. In particular, the report states that *"the rising height of Block A reflects the larger grain development north of the canal and its pivotal location at the edge of the park"*.

8.55 CAGE has considered the 2004 and 2007 schemes and considered the scale of both developments to be appropriate. In fact, the design was simplified through further amendments to address comments made by English Heritage and CAGE.

8.56 The Council and English Heritage raised concern with the termination to the top of the tallest element in Block A in the original scheme. Further articulation to the top of the building has since been made that sees a reduction in bulk and simplification of design, including changes to materials, to enable a more slender reading of the tower from

Wapping Woods.

- 8.57 The general distribution of bulk and massing for Blocks B, C, D and E is acceptable following further amendments to address Council's concerns. As proposed there has been substantial reduction in bulk which would allow better light penetration within courtyards, improved outlook and reduction in overlooking to meet policy requirements. Also, additional open space was released through the reduction in Block E's building footprint from the original proposal.
- 8.58 In summary, on balance of the supporting comments raised by CABI, English Heritage, Council's Design Department and the GLA, the bulk and massing of the development is considered to be acceptable. The scheme should be conditioned appropriately to ensure that a high quality detailing of the development is achieved.

Tall Building

- 8.59 The London Plan encourages the development of tall buildings in appropriate locations. Policy 4B.8 states that tall buildings will be particularly appropriate where they create attractive landmarks enhancing London's character, help to provide a coherent location for economic clusters of related activity or act as a catalyst for regeneration and where they are also acceptable in terms of design and impact on their surroundings. Policy 4B.9 of the London Plan requires all large-scale buildings, including tall buildings, to be of the highest quality of design.
- 8.60 CP48 of the emerging LDF permits the Council to consider proposals for tall buildings in locations outside the tall building cluster locations identified in this policy if adequate justification can be made for their development.
- 8.61 The site is not within an identified tall building cluster. However, as mentioned above, there is evidence that consideration of this type of built form has been given and found to be appropriate on the site. The 2005 GLA Stage 1 report for the withdrawn 23 storey development stated that *"the development will create an attractive landmark and has the potential to act as a catalyst for the regeneration of the surrounding area, in particular the mothballed Tobacco Dock"*. The report goes on to state that *"the height of Block A reflects the larger grain development north of the canal and its pivotal location at the edge of the park. The high design quality and its landmark status also contribute to the justification of this building"*.
- 8.62 As mentioned, the proposed tower is very similar in design and quality to the previous 2004 scheme assessed by the GLA in 2005. The 2007 GLA stage 1 report notes that *"the site occupies a geographically significant point. It marks the difference between the southern part of Wapping with its winding roads, low density development and conservation areas, and the northern part of Wapping which is characterised by a more regular street lay-out and by larger scale buildings and plot sizes. The site also marks the transition of the open space of the park and Shadwell Basin to the built-up area to the west. In addition, the site is strategically located on an east-west bicycle and pedestrian route along the canal. The location on Wapping Lane and opposite Tobacco Dock means that the site has the potential to fulfil a central function for Wapping"*. The report goes on to note that *"the curved block A could fulfil a landmark function along the canal and at the edge of the park"*.
- 8.63 Also, CABI has considered the development and concluded that *"bearing in mind its type and size, neither of which is particularly controversial or unusual for this location...the scheme appears to be thoughtful and well considered...The scale of the development seems appropriate"*.
- 8.64 The Council's urban design officer also noted that *"the preferred location for the taller element was always considered to be furthest away from Wapping Lane and close to*

Wapping Woods to have least impact on the Listed buildings. This location would also guide legibility along canal and will be an anchor to open space”.

8.65 Policy DEV27 of the IPG provides a suite of criteria that applications for tall buildings must satisfy. In consideration of the above comments and policy requirements, the proposal is considered to satisfy the relevant policy criteria as follows:

- The design is sensitive to the local and wider context.
- The architectural quality of the building is considered to be of a high design quality, demonstrated in its scale, form, massing, footprint, materials, relationship to other buildings and open space provision.
- The proposed development does not fall within the strategic views designated in Regional Planning Guidance 3A (Strategic Guidance for London Planning Authorities, 1991) or the Mayor’s draft London View Management Framework SPG (2005). However, the scheme has demonstrated consideration of the appearance of the building as viewed from all angles and is considered to provide an appropriate contribution to the skyline.
- Visually integrated into the streetscape and the surrounding area as a landmark building.
- Presents a human scaled development at the street level.
- Respects the local character and seek to incorporate and reflect elements of local distinctiveness.
- There will be no adverse impact on the privacy, amenity and access to sunlight and daylight for surrounding residents.
- Extensive environmental impact testing including wind and micro climate testing has been undertaken and concludes that the impact on the microclimate of the surrounding area, including the proposal site and public spaces, will not be detrimental.
- Demonstrates consideration of sustainability throughout the lifetime of the development, including the achievement of high standards of energy efficiency, sustainable design, construction and resource management.
- The impact on biodiversity will not be detrimental.
- The scheme will contribute positively to the social and economic vitality of the surrounding area at the street level through its proposed mix of uses.
- Incorporates principles of inclusive design.
- The site is located in an area with good public transport access.
- Takes into account the transport capacity of the area, and ensure the proposal will not have an adverse impact on transport infrastructure and transport services.
- Improves permeability with the surrounding street network and open spaces.
- The scheme provides publicly accessible areas, including the ground floor non-residential uses and public realm.
- The scheme would conform to Civil Aviation requirements. The City Airport has advised there is no safeguarding objection.
- Not interfere, to an unacceptable degree, with telecommunication and radio transmission networks.

8.66 On balance, in accordance with London Plan, CABE / EH guidance on tall buildings, and the IPG the proposal scores merit for its response to the context, evolution of form, distinct character, high quality finishes and generous public realm. The height of the building is considered to be acceptable.

Unit sizes

8.67 According to policy HSG13 of the UDP, all housing units should have adequate provision of internal space in order to function effectively, in accordance with the Council’s residential space supplementary planning guidance (SPG).

- 8.68 The developer identified that of the 382 units, twelve residential units may be below minimum standard. A small unit room analysis was subsequently undertaken following concerns raised by the Council. The analysis confirms that the units that appear to fail are in fact 1 person units. According to the SPG, the minimum floor area for a 1 person unit is 30sqm. The minimum net floor area of the smaller units identified measures approximately 37sqm. Also, the analysis shows that the habitable room sizes exceed the areas within the SPG.
- 8.69 Therefore, the proposed units which were initially considered to be below the areas identified within the Council's residential space SPG, do in fact exceed the minimum areas.
- 8.70 Further to this, the applicant has amended the scheme to provide a greater proportion of dual aspect units to address concerns raised by the GLA. Whilst the GLA has raised concerns over the sizing of the units, on balance, where the unit sizes and design are considered to comply with the Council's SPG, the scheme is considered to be acceptable.

Material and External Appearance

- 8.71 The 2007 GLA stage 1 report states that *"the site is able to take up increased massing and height, subject to high quality architecture and use of materials"*.
- 8.72 A number of amendments have been made to the type and quality of the building materials to address concerns raised by the Council's urban design officer. The choice of material palette for the external cladding system, which includes engineered timber panels, render, stainless steel and terra-cotta panels, is now considered to be of a high quality design. Notwithstanding, further details should be submitted for approval by conditioning to ensure the performance and wearing properties required of a development of this quality is achieved.

Built Heritage

- 8.73 PPG15 (Planning and the Historic Environment) requires local planning authorities who consider proposals which affect a listed building to have special regard to the preservation of the setting of the listed building as the setting is often an important part of the building's character.
- 8.74 Policy 4B.10 of the London Plan seeks to protect and enhance London's historic environment. Further, Policy 4B.11 states that boroughs should ensure the protection and enhancement of historic assets based on an understanding of their special character. Policy CON1[1] of the IPG states that planning permission will not be granted for development which would have an adverse impact upon the setting of the listed building.
- 8.75 As mentioned earlier in this report, the site is not located in a conservation area. There are a number of listed buildings within the vicinity of the site, though there are no listed buildings upon the site.
- 8.76 At the south western corner of the site, along Wapping Lane and Raine Street there is an unlisted brick wall about four metres in height, serving in part as a retaining wall of the site. It is not clear what the history of this wall is. The previous 2004 application demolished this wall. In response to concerns raised by English Heritage, the current application retains most of the wall, making cuts in the upper part of the wall and at ground level for the entrance to the basement car park, vents for its ventilation and for low level balconies.
- 8.77 English Heritage has advised that the retention of the existing wall is a welcome improvement to the scheme. The retained walls are an important and distinctive historic characteristic of many Dockland areas and is an important element in the setting of the Grade II* listed Raines House to the south.

- 8.78 The 2007 GLA stage 1 report advises that the proposed scheme does not enhance the setting of the Grade I listed Tobacco Dock or the Grade II* listed Raines House. However, English Heritage has raised no objection to the proposal and its impact upon the setting of the surrounding listed buildings. The proposal is considered to be appropriate in accordance with PPG15, the London Plan and the IPG.

Permeability and legibility

- 8.79 DEV2 of the IPG seeks to improve legibility and permeability of the urban environment. Whilst the development is not publicly accessible, the proposal does enhance the permeability of the area by opening up the south side of the ornamental canal, and by providing more open space at the northwest corner of the site, opposite Tobacco Dock. Also, private access has been provided to Wapping Woods from the site.
- 8.80 The GLA has raised concern over the transition between block B amenity space and 'Wapping Woods' regarding security and privacy for the inhabitants. Likewise, the transition between private and communal in the courtyards is not considered to be fully resolved. As mentioned elsewhere in this report, this matter was also raised by the Council's landscape department and the Metropolitan Police and it was considered that this matter could be dealt with through the detailed design stage, via condition. This matter is not therefore considered to be a sustainable reason for refusal.
- 8.81 Concerns have also been raised over the legibility of the entrances to blocks C and D, from the court yard, as well as the impact on the privacy of the adjacent bedroom. The applicant has advised that the courtyard entrances to Blocks C and D are secondary entrances. The main entrances to Blocks C and D are from the lift and stair core, which has its address from the lower ground floor at street level on Raines Street. Where the courtyard entrances are secondary, their scale and level of address is considered appropriate. Notwithstanding, to ensure the design of these entrances are clearly legible, further details of there design should be conditioned.
- 8.82 The applicant has also shown how the privacy of adjacent windows to block D entrance can be improved through the repositioning of the bedroom windows and landscape treatment to improve the degree of separation from the entrance. This matter should be addressed by condition.

Blue Ribbon Network

- 8.83 The ornamental canal adjacent to the northern boundary forms part of the Blue Ribbon Network, therefore the policies set out in Chapter 4C of the London Plan are relevant, in particular policy 4C.20, which provides guidance on securing a high quality of design for all waterside developments. The development provides an access along the southern side of the canal for the first time and improves the linkages from the canal to the open space. In general the development responds well to its waterside location and will enhance the Blue Ribbon Network.
- 8.84 The GLA Stage 1 report also considered the impact of the development upon the canal and made the following response:
- "The development provides an access along the southern side of the canal for the first time and improves the linkages from the canal to the open space. In general the development responds well to its waterside location and will enhance the Blue Ribbon Network, although more active uses in the ground floor of Block A would improve the setting of the canal".*
- 8.85 A planning condition is recommended, reserving details of the design and layout of proposed canal side pedestrian walkway to ensure that its design and provision would not

detract from the use and enjoyment of the adjoining water environment. The proposal should also include sustainable urban drainage systems (SUDS) to attenuate water run-off.

Amenity/Open Space

- 8.86 Policy HSG16 of the UDP requires that new developments should include adequate provision of amenity space, and they should not increase pressure on existing open space areas and playgrounds. The Council's Residential Space SPG includes a number of requirements to ensure that adequate provision of open space is provided, as shown below:

Tenure	Proposed	SPG Requirement	Total (m ²)
Family Units	73	50sqm of private space per family unit	3650
Non-family units	309	50sqm plus an additional 5sqm per 5 non-family units;	359
Child Bed spaces (according to the ES calculations)	72	3sq.m per child bed space	216
Total			4225

- 8.87 Following is an assessment against the residential amenity space requirements under policy HSG7 of the emerging LDF Core Strategy document.

Units	Total	Minimum Standard (sq.m)	Required Provision (sq.m)
Studio	90	6	540
1 Bed	93	6	558
2 Bed	103	10	1030
3 Bed	51	10	510
4 Bed	6	10	60
5 Bed	4	10	40
TOTAL	347		2738
Ground Floor Units			
Studio	11	25	275
1 Bed	4	25	100
2 Bed	8	25	200
3 Bed	5	50	250
4 Bed	6	50	300
5 Bed	1	50	50
Total	35		1175
Grand Total	382		3913sqm
Communal amenity		50sqm for the first 10 units, plus a further 5sqm for every additional 5 units	422sq.m (50sq.m plus 372sqm).
Total Housing Amenity Space Requirement			4335sqm

- 8.88 The applicant's Landscaping Design Report states that the site is designed to be read as four distinct areas of amenity space each with distinctly different character, as follows:

- *The canal frontage and entrance plaza:* Creates a new area of public realm. This area generally provides public access to the development, including the commercial premises along the canal.
- *The water boulevard:* Acting as a central confluence between buildings A, B and E,

this boulevard will act as an informal 'play street' where children can safely ride bikes, play in the water features, kick a ball, etc. A water theme will permeate this space. As only emergency vehicles will use this street a safe home zone type street environment will be created.

- *The (communal) gardens:* this area will contain both hard and soft areas in which the residents can relax and play and is semi-enclosed by buildings B, C, D and E.
- *Private Gardens:* Private courtyard gardens are to be provided to ground floor units on Wapping Woods and Raine Street.

8.89 Also, the majority of all units will be provided with private balconies.

8.90 The total amenity space provision for the proposed development, consisting of both public/communal ground floor amenity space and private amenity space at balcony level, comprises 5,642 sqm. As such, this meets the Council's standard.

Child Play Space

8.91 The revised ES advises that the child yield for the development would be 72 children. Applying the GLA SPG guidelines of 10sqm of play space per child, a total of 720sqm would be required on site.

8.92 The scheme is proposing a total area of 1485sqm for informal child play space. The treatment of the space will encourage a stimulating and robust play environment. Whilst the scheme is not proposing formal child play space, the use of formal child's play space off-site, especially where the applicant is providing a s106 financial contribution, is considered to be sustainable in this instance in accordance with the policy justification provided below.

8.93 London Plan Policy 3A.15 seeks the protection and enhancement of social infrastructure, including child play and recreation facilities. The policy seeks to ensure that these facilities are provided within easy reach by walking and public transport of the population that use them.

8.94 The draft GLA Guide to Preparing Play Strategies encourages the provision of a wide range of play opportunities and spaces, rather than prescribed, fenced off area with a quota of manufactured equipment. Further, according to paragraph 11.8 of the Mayor's SPG for Housing, when assessing needs of children and young people, "*full account should be taken of their need for play and informal recreation facilities within walking distance of their home*".

8.95 According to paragraph 16 of PPS3, matters to consider when assessing design quality of housing developments include the extent to which the proposed development "*provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private outdoor space such as residential gardens, patios and balconies*". Paragraph 17 of PPS3 states that "*where family housing is proposed, it will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space*".

8.96 The landscape strategy for the site sets out to provide an environment that will accommodate informal play and recreation for all ages. However, as 70% of the children are anticipated to be 10 years and younger, the site will specifically accommodate informal play for that age group. Within 5 minutes walking distance from the site are formal play facilities for 3 – 12 year olds. These facilities are located at Wapping Gardens and include a children's play area. Play areas for secondary school (12+) children are also provided at Wapping Gardens with 1 ball court and 1 kick about, but these facilities are run down and would benefit from resurfacing or upgrading, facilitated through s106 financial

contributions. The subject site is also located adjacent to Wapping Woods which can be used for informal play for children of all ages, as well; John Orwell Sports centre is located within 5 minutes walking distance.

- 8.97 It is clear that the total open space provision exceeds the minimum requires of the Council's housing SPG and the Interim Planning Guidance. Whilst not all of the units are provided with private amenity space, the development provides a significant communal open space area on-site and enables good access to off-site recreational areas. The applicant is also proposing to improve public realm through enhancement of the south side of the Canal. The proposed child play space is also considered to comply with relevant national and local policies and guidance.
- 8.98 On balance, the amenity space provision is considered acceptable subject to a detailed landscape design condition and s106 contribution towards open space and public realm improvements to mitigate and adverse impact upon the surrounding open space areas.

Accessibility and Inclusive Design

- 8.99 The access statement indicates that 10% of the units will be wheelchair accessible. The scheme should be conditioned appropriately to ensure that this is provided for.
- 8.100 The affordable and market housing elements have been designed to incorporate full Lifetime Homes standard requirements.
- 8.101 To ensure the scheme complies with the minimum accessibility standards, the scheme will be conditions appropriately.

Safety and Security

- 8.102 In accordance with DEV1 of the UDP 1998 and DEV4 of the IPG, all development is required to consider the safety and security of development, without compromising the achievement of good design and inclusive environments.
- 8.103 The Metropolitan Police have raised a number of design issues with the scheme regarding the safety and security of the development. As these issues appear to be more detailed design matters, it is suggested that the development should be conditioned appropriately to consider secured by design principles in consultation with the Metropolitan Police and the Design and Conservation Department where appropriate. The issues raised by the metropolitan police do not appear to so significant that would result in detrimental impacts upon the safety and security of the site or the surrounding area, as suggested by members of the community. In fact, comments from the metropolitan police mentioned above appear to suggest that these matters could be best dealt with through the detailed design process.

Amenity

Daylight /Sunlight Access

- 8.104 DEV 2 of the UDP seeks to ensure that the adjoining buildings are not adversely affected by a material deterioration of their daylighting and sunlighting conditions. Supporting paragraph 4.8 states that DEV2 is concerned with the impact of development on the amenity of residents and the environment.
- 8.105 Policy DEV1 of the Interim Planning Guidance states that development is required to protect, and where possible improve, the amenity of surrounding existing and future residents and building occupants, as well as the amenity of the surrounding public realm. The policy includes the requirement that development should not result in a material deterioration of the sunlighting and daylighting conditions of surrounding habitable rooms.

8.106 The applicant submitted a Daylight and Sunlight report within the ES, prepared by Delva Patman Associates, which looks at the impact upon the daylight, sunlight and overshadowing implications of the development upon itself and on neighbouring residential properties.

8.107 The following properties that were considered to include habitable rooms were assessed for daylight and sunlight:

- Kingsley Mews, Wapping Lane
- 1 – 6 Discovery Walk
- 1 – 25 Wapping Lane, Lowder House
- 21 Farthing Fields, Wapping
- 11 – 23 Penang Street
- John Rennie Walk, Wapping

8.108 According to the UDP, habitable rooms include living rooms, bedrooms and kitchens (only where the kitchen exceeds 13sqm). Delva Patman Associates undertook a survey of 1 John Rennie Walk and 1 – 25 Wapping Lane (Lowder House) and it was found that these particular properties do in fact have kitchens that face the development that are below 13sqm. As these kitchen sizes do not exceed 13sqm, they are not considered to be “habitable” rooms and therefore have not been assessed.

(a) Daylight Assessment

8.109 Daylight is normally calculated by two methods - the vertical sky component (VSC) and the average daylight factor (ADF). The latter is considered to be a more detailed and accurate method, since it considers not only the amount of sky visibility on the vertical face of a particular window, but also window and room sizes, plus the rooms use.

8.110 British Standard 8206 recommends ADF values for residential accommodation. The recommended daylight factor level for dwellings are:

- 2% for kitchens;
- 1.5% for living rooms; and
- 1% for bedrooms.

8.111 The daylight analysis identified that the majority of neighbouring buildings are left with adequate ADF for their room use and therefore meet the required standard. The only windows that fell short of the standards were situated on the north elevation of the building at John Rennie Walk, to the east of the site, on the first and second floors. The assessment showed, however, that the reduction in daylight is less than 20% from the existing and this is therefore considered acceptable in accordance with the BRE guideline.

8.112 Consideration was also given for the rooms within the proposed development. A sample of points within the development was tested for ADF. The point chosen are representative of the worst case scenario for most of the blocks as follows:

- Block B – Ground floor bedroom (2.01%);
- Block D – Ground floor bedroom (1.07%); and
- Block E – Ground floor living room (3.22%) and 2 bedrooms (1.54% and 1.10%).

8.113 The results show all of the worst case scenario rooms tested will be left with adequate levels therefore conforming to BRE standards.

(b) Sunlight Assessment

- 8.114 Sunlight is assessed through the calculation of what is known as the annual probable sunlight hours (APSH). This method of assessment considers the amount of sun available in the summer and winter, for each window within 90 degrees of due south.
- 8.115 The applicant has shown that the only neighbouring property that has windows facing south is Kingsley Mews, located to the north east corner of the site. The site was tested at ground level which confirmed that both the annual and winter sunlight hours are substantially above the recommended minimum levels. The required standard is therefore met.

(c) Shadow Analysis

- 8.116 The BRE report advises that for a garden area or amenity area to appear adequately sunlit throughout the year no more than two-fifths and preferably no more than one-quarter of such garden or amenity areas should be prevented by buildings from receiving any sun at all on 21st March.
- 8.117 The applicants shadow analysis quantifies the area of shadow in relation to the total ground floor amenity area proposed. The analysis identifies that only 32.9% of the total ground floor amenity area will be in permanent shadow on the 21st March. This is less than the 40% advised by the BRE guidance. Further, the analysis shows that no part of Wapping Woods will experience permanent shadow caused by the development on the 21st March. The shadow impacts therefore comply with the BRE guidance.

Sense of Enclosure/ Outlook

- 8.118 Unlike, sunlight and daylight assessments, this impact cannot be readily assessed in terms of a percentage or measurable loss of quality of light. Rather, it is about how an individual feels about a space. It is consequently far more difficult to quantify and far more subjective. Nevertheless, whilst it is acknowledged that the development may result in an increased sense of enclosure and/or loss of outlook, on balance this proposal is not considered to create an unacceptable impact given the city fringe urban context (which the site borders) and the historical character and grain of the area. A reason for refusal based on these grounds is not considered to be sustainable.

Privacy

- 8.119 According to Policy DEV2 of the UDP, new developments should be designed to ensure that there is sufficient privacy for residents. A distance of about 18 metres (60 feet) between opposite habitable rooms reduces inter-visibility to a degree acceptable to most people. This figure is generally applied as a guideline and is interpreted as a perpendicular projection from the face of the habitable room window.
- 8.120 In this regard, the development is not considered to have an impact on the adjacent residential buildings. To the north, west and east of the site, the development is either setback over 18 metres or is off-set from adjacent habitable rooms. Whilst the setbacks from adjacent buildings to the south of the site are within 18 metres, Raines House is not a residential building and the perpendicular distance from adjacent habitable rooms to the south east is appropriately off-set.
- 8.121 The development could have potentially had an unacceptable impact on the privacy of one adjacent habitable room to the south at 21 Farthing Fields where the separation distance is approximately 10 metres. However, the scheme has been amended to off-set the offending window in the south elevation to avoid direct overlooking.
- 8.122 Consideration should also be given to the impact on future occupants of the development.

The internal layout has been redesigned to address policy concerns. Generally, all internal habitable rooms now have a separation distance exceeding 18 metres. The perpendicular distance between parts of Blocks A and E is approximately 16 metres. However, the off-settings of windows has been achieved where possible. This separation distance is considered to be acceptable in this instance.

- 8.123 On balance, the overall impact is considered to be minor and is compliant with planning policy.

Wind/ Microclimate

- 8.124 As part of the application, the applicant undertook a Wind Assessment to assess the impact of the proposal on the microclimate. The conclusions of the study show that the pedestrian level wind environment in and around the site will have no significant residual impact.
- 8.125 In respect of wind conditions on the thoroughfares surrounding the site, the assessment shows that the introduction of soft landscaping measures will result in local wind conditions that are suitable for existing and planned activities.
- 8.126 With the implementation of the proposed soft landscaping measures within the internal courtyard area the wind environment conditions in this area together with the private terraces on the south side of Block C are considered suitable for recreation activities and therefore suitable for the planned uses.
- 8.127 If the Committee was minded to approve the scheme in its current form, the scheme should be conditioned appropriately to ensure the mitigation measures are implemented.

Noise and Vibration

- 8.128 The London Plan seeks to reduce noise by minimising the existing and potential adverse impacts of noise, from, within, or in the vicinity of development proposals. The plan also states that new noise sensitive development should be separated from major noise sources wherever practicable (policy 4A.14).
- 8.129 Policy DEV50 of the LBTH UDP states that the Council will consider the level of noise generated from developments as a material consideration in the determination of applications. This policy relates particularly to construction noise created during the development phase or in relation to associated infrastructure works. Policy HSG15 states that the impact of traffic noise on new housing developments is to be considered.
- 8.130 A noise assessment was carried out and is included within the Environmental Statement. The assessment considers impacts upon the surrounding environment during the construction phase and the operation phase.
- 8.131 The review of the ES document, undertaken by Bureau Veritas identified the noise assessment to be in line with the Town and Country Planning (Environmental Impact Assessment) Regulations 1999. Whilst the potential impacts during the construction and operation phase are considered to be acceptable, Bureau Veritas has requested that the scheme be conditioned to allow further baseline measurements of the noise from the site during construction phase and the operational phase (plant noise) to be undertaken for design work purposes. The scheme has been conditioned appropriately.
- 8.132 The Council's noise officer also found the noise assessment to be acceptable. The scheme will be conditioned to apply restricted construction hours and operation hours, noise and vibration limits to ensure the amenities of surrounding and future residents will be protected.

Air Quality

- 8.133 The development would result in changes to traffic flow characteristics on the local road network. Effects of the proposed development on local air quality based on traffic flow predictions have been assessed
- 8.134 An assessment shows that the effects of the proposed development are likely to be of minor negative impact. In order to mitigate any potential impacts a Construction Environmental Management Plan (CEMP) will be required setting out measures to be applied throughout the construction phase.
- 8.135 During the operational phase, encouraging sustainable transport and reducing dependence on the private car would reduce the impact of the development in terms of both greenhouse gases and pollutants. This will be addressed through s106 agreement.

Highways

Access

- 8.136 The site is in a location of medium public transport accessibility (PTAL 3) and has good links to areas with high public transport accessibility and is in close proximity to a range of local facilities, thereby encouraging more walking and reducing the reliance on private car use. The Shadwell Underground and DLR stations are located approximately 700m to the north of the site, the East London Line (Wapping underground station) is approximately 400m to the south, and bus routes 100 and D3 are stop on Wapping Lane directly to the south of the site.
- 8.137 There are also good cycle routes in the area. The canal towpath to the north is a shared use pedestrian/cycle path. There is a 'traffic-free cycle route' along its entire length. It connects to the Wapping High Street cycle route to the south, which is part of the London Cycle Network (LCN) route. This route also connects with the Cable Street LCN route to the north, which passes Shadwell underground and DLR stations.
- 8.138 In order to maximise the areas of open space for pedestrians and to minimise the impact of car parking at ground level, basement car parking will be provided. Access into all areas of the car park will be directly from Raine Street. Access into the basement car parking will be controlled by a physical barrier system located at point of entry.
- 8.139 Given the high level of accommodation provided, the Council and TFL have determined that contributions for transport infrastructure and public realm improvements are required via the S106 agreement to ensure that the development can be accommodated within the transport network.
- 8.140 Residents have raised concern regarding impacts associate with the construction traffic. To mitigate this, the scheme has been conditioned to provide an Environmental Construction Management Plan.

Parking

Car parking

- 8.141 The basement car park will provide 164 spaces for residents only, including four disabled spaces. These car parking bays will be operated using a stacking system, with each bay holding two cars. The layout for the disabled bays will be designed as per LBTH guidance. The car park will be managed by a service company who will operate the stacking system. Furthermore, should there be more disabled users requiring parking spaces, valets will be

available to park vehicles using the stacking system, thereby enabling disabled drivers to pull up into the car park as required. No spaces are proposed for the commercial elements of the development.

- 8.142 According to policy 3C.22 of the London Plan, on-site car parking provision for new developments should be the minimum necessary to ensure there is no overprovision that could undermine the use of more sustainable non-car modes. This in part, is to be controlled by the parking standard in Annex 4 of the London Plan and UDP policies.
- 8.143 The residential parking provision is equivalent to a parking provision of 0.43 spaces per dwelling. At the time that the scheme was lodged, the parking provision was in accordance with the Council's adopted maximum standard in the UDP 1998 of 1 space per dwelling. However, since the Secretary of State's recent direction, the UDP parking standard has been removed. Notwithstanding this, the proposed car parking provision is in accordance with the standard set out within the IPG parking standard. Further, the number of car parking spaces complies with the parking standards identified in Annex 4 of the London Plan.
- 8.144 It is recommended that a S106 agreement be put in place to ensure that the development is 'car free', so that no controlled parking permits are issued to the new residents of the development. As such, there will be no overspill parking from the development. Most of the residents will therefore be committed to using public transport services and alternative modes for all journeys. As noted above, the provision of public transport to the site is of a good level. Whilst the Council's Highways department have indicated that the number of spaces should be reduced, there is insufficient policy justification to sustain a refusal on these grounds.
- 8.145 Further, TfL indicated that they expect the number of disabled spaces to increase to approximately ten in compliance with the provisions of the Disability Discrimination Act. TfL have not provided policy direction to support this statement.
- 8.146 The parking standard in Annex 4 of the London Plan states that boroughs should take a flexible approach in providing disabled spaces. The only minimum standard mentioned is for new developments to provide 2 car parking spaces which the development complies with. The Accessible London Supplementary Planning Guidance (SPG) does not provide additional information with regards to the quantity of spaces to be provided.
- 8.147 The Council's IPG requires a minimum disabled parking provision of 2 spaces or 10% of the total parking, whichever is the greater. The development does not comply with this. However, in the absence of a parking standard within the UDP 1998 document, the London Plan is considered to be the 'Development Plan'. Where the development is providing 4 disabled parking spaces and a valet service to meet additional demand, the scheme is considered to comply with the London Plan. Therefore, a refusal based on the shortfall of disabled spaces against the IPG or TfL comments based on non-compliance with Disability Discrimination Act is not considered to be a sustainable reason for refusal.
- 8.148 A condition requiring the submission of a service management plan to be approved by the Council is required to ensure the said valet car parking service is provided for and maintained in perpetuity.

Cycle Parking

- 8.149 The duplicate scheme was providing 193 cycle parking spaces. TfL advised that the parking provision was inadequate and should be provided in accordance with their cycle parking standard of 1 space per dwelling unit. The current amended scheme has increased the cycle parking provision to 248 residential spaces at a level of 0.65 spaces per unit with a commitment to monitor the level of cycle ownership to provide additional spaces if

required. This will be monitored through the travel plan surveys up to a provision of 1 space per unit. The applicant has advised that any additional resident and commercial visitor cycle parking identified through the travel plan could be provided at ground floor level convenient to building entrances within the landscape design. In addition, the applicant is prepared to consider creation of a cycle club to ensure that those who wish to cycle are not prevented from doing so.

- 8.150 Following concerns raised by TFL, the applicant has further amended the scheme to provide an additional 20 bicycle parking spaces at ground floor level to meet the needs of non-residents using the proposed commercial uses (refer to plan 1375(SK)232-A). It is proposed that all residential cycle parking is to be provided within secure locations in the basement car park, in dedicated accessible locations close to each of the building cores. The scheme has been conditioned appropriately. Also, a s106 agreement for the preparation, implementation and maintenance of a green travel plan will be secured.
- 8.151 The London Plan does not designate cycle parking standards. Annex 4 of the London Plan states that developments should provide sufficient secure cycle parking and supporting facilities in accordance with PPG13. It also acknowledges that TFL has indicative guidance on cycle parking standards. The scheme exceeded the UDP 1998 parking standard at the time of lodgement; however this has since been removed by the Secretary of State.
- 8.152 PPG13 does not adopt a minimum figure for cycle spaces, rather requires that convenient and secure cycle parking is provided in developments at least at levels consistent with the cycle strategy in the local transport plan.
- 8.153 The TFL cycle parking standard and the Council's IPG require 1 bicycle space per unit for the residential element. However, in the absence of a detailed standard within the London Plan and the UDP, there is insufficient weight to support the refusal of the scheme in terms of an under provision of cycle parking spaces against the TFL cycle parking standard or the Council's IPG cycle parking standard. The bicycle parking provision is therefore considered, on balance, to be acceptable.

Servicing and Refuse Provisions

- 8.154 The servicing strategy for the site will be undertaken at ground floor level with access gained from an off-street service bay off Wapping Lane. This will be controlled upon entry by the on-site management company. Emergency access to the site will also be gained from the entrance in Wapping Lane. A service management plan should be provided and secured by condition as mentioned above.
- 8.155 Provision for the storage of refuse for the residential and non-residential uses has been provided for. It is recommended that a condition be included to ensure the adequate provision of storage of refuse and recycling facilities is provided.

Other

Biodiversity

- 8.156 The development site is not designated for its ecological importance and is considered to be poor in terms of plant diversity and abundance. The proposed development will have a moderate negative impact through the redevelopment of the site. Proposed mitigation measures include the inclusion of native species in landscaping (including trees, water features and green roof), creation of brown roofs and vertical habitat and installation of bird boxes.
- 8.157 The habitat value of the canal to the north was considered, within the ES, to be low as it has brick walls, a solid base and supports no aquatic plants other than algae. No emergent

or submerged plants were noted but the presence of open water increases the number of habitats in the area and the value was therefore determined to be intermediate. It goes on to say that the loss of the linear area of scrub/shrubs along the canal would reduce the amount of cover available for animals and the value of the canal feeder as a wildlife corridor. The ES considered this to be of moderate negative impact.

- 8.158 The Environment Agency originally objected to the development where the assessment of the risk to the bio-diversity interest of the canal and the measures to deal with it were considered to be inadequate. However, following further assessment the Environment Agency has since withdrawn their objection.
- 8.159 The Council's review of the EIA identified that the ecology statement provides an adequate assessment of the potential impacts of construction and operation on the site and local ecology. A number of conditions have been attached to this development to ensure the provision of the biodiversity measures identified within the ES is implemented.
- 8.160 Natural England are "*supportive of the proposal for increased public access and connectivity and biodiversity enhancements laid in the landscaping concepts*"
- 8.163 On balance, the development is considered acceptable in terms of potential impact on biodiversity, subject to appropriate conditioning.

Flooding/ Water Resources

- 8.164 Policy U3 states that the Council (in consultation with the Environment Agency) will seek appropriate flood protection where the redevelopment of existing developed areas is permitted in areas at risk from flooding. The Environmental Statement identified that the south eastern corner of the site is shown to be affected by the Thames River flood defence system, but is only at risk if the Thames Water flood defences fail.
- 8.165 Regarding the runoff rate and potential impact upon the canal feeder, the exact nature of these mitigation measures should be defined at the detailed drainage design stage in consultation with the Environment Agency and the local authority.
- 8.166 The Environment Agency raised no objection on flooding issues. Appropriate mitigation measures should be enforced via planning conditions if planning permission was granted.

Archaeology

Archaeology

- 8.167 PPG15 Archaeology and Planning advises on procedures for dealing with archaeological remains and discoveries. Policy 4B.10 of the London Plan relates to historic conservation.
- 8.168 The site is not located within an Archaeological Priority Zone as specified within the UDP and the IPG. The applicant has not undertaken an archaeological evaluation of the site, despite the request of English Heritage - Archaeology. Notwithstanding, English Heritage are happy to accept appropriate conditioning of the scheme where such information has not been provided prior to determination.

Waste

- 8.169 The application states that "it is recommended that a Construction Environmental Management Plan is implemented for the site in which management of waste will form an integral part." This is supported and the management plan and its implementation should be conditioned. The management plan will implement the requirement to maximise the reusing or recycling of demolition and construction waste, following targets as set out in the

Tower Hamlets Council Municipal Waste Strategy which has set a performance target for recycling and composting of municipal waste of 35% by 2010.

- 8.170 The GLA have raised concerns that the application is not meeting their targets; however, where it meets the Council's target the scheme is considered to be acceptable. The Mayor has the option to direct refusal at Stage 2 referral, if the Committee was minded to approve this scheme, if he is of the opinion that the shortfall from the London Plan target is unacceptable.

Sustainability

- 8.171 The London Plan energy policies 4A.7-4A.9 aim to reduce carbon emissions by requiring the incorporation of energy efficient design and technologies, and renewable energy technologies where feasible. Energy Efficiency is addressed in policy DEV6 which reiterates the Mayor's target of 10% of new development's energy to come from renewable energy generated on site and a reduction of 20% of emissions. Policies DEV7, DEV8, DEV9 and DEV11 seek sustainable developments through water quality and conservation, sustainable drainage, sustainable construction materials and air pollution and air quality.
- 8.172 The applicant has submitted an energy statement to indicate that it will reduce carbon dioxide emissions through design measures to meet minimum requirements of building regulations. A range of energy technologies have been considered as potential on-site energy generation sources. The proposed scheme will comprise Combined Heat and Power (CHP) to generate heat for the affordable residential units and a biomass heating boiler to serve the market residential units.
- 8.173 The proposed CHP system will provide a 7% reduction in the carbon dioxide emissions and the biomass boiler will reduce carbon emissions by 10%. As a result of the proposed measures, the development will result in an overall 21 - 25% reduction in carbon dioxide emissions, of which 10% would come from on-site renewable energy sources.
- 8.174 The GLA and Council's energy officer considers the approach to be broadly in keeping with the requirements of the London Plan, though further clarifications are required to ensure the strategy is compliant.
- 8.175 Whilst agreed measures should be secured by the Council as part of any planning permission, the Council's energy efficiency unit is satisfied that this matter can be dealt with by an appropriate planning condition.

Environmental Statement

- 8.176 The Council's consultants, Bureau Veritas undertook a review of the Environmental Statement. The ES examines the impact of the proposed development on the following issues:
- EIA Process and Method
 - Design Evolution
 - Planning Policy and Context
 - Landscape and Visual Character
 - Archaeology
 - Built Heritage
 - Geology and Contaminated Land
 - Solid Waste management
 - Ecology and Nature Conservation
 - Water Quality and Drainage
 - Noise and Vibration

- Daylight, Sunlight and Overshadowing
- Wind Assessment
- Energy Assessment
- Telecommunications
- Traffic and Transport
- Local Air quality
- Socio-economics
- Cumulative Impacts

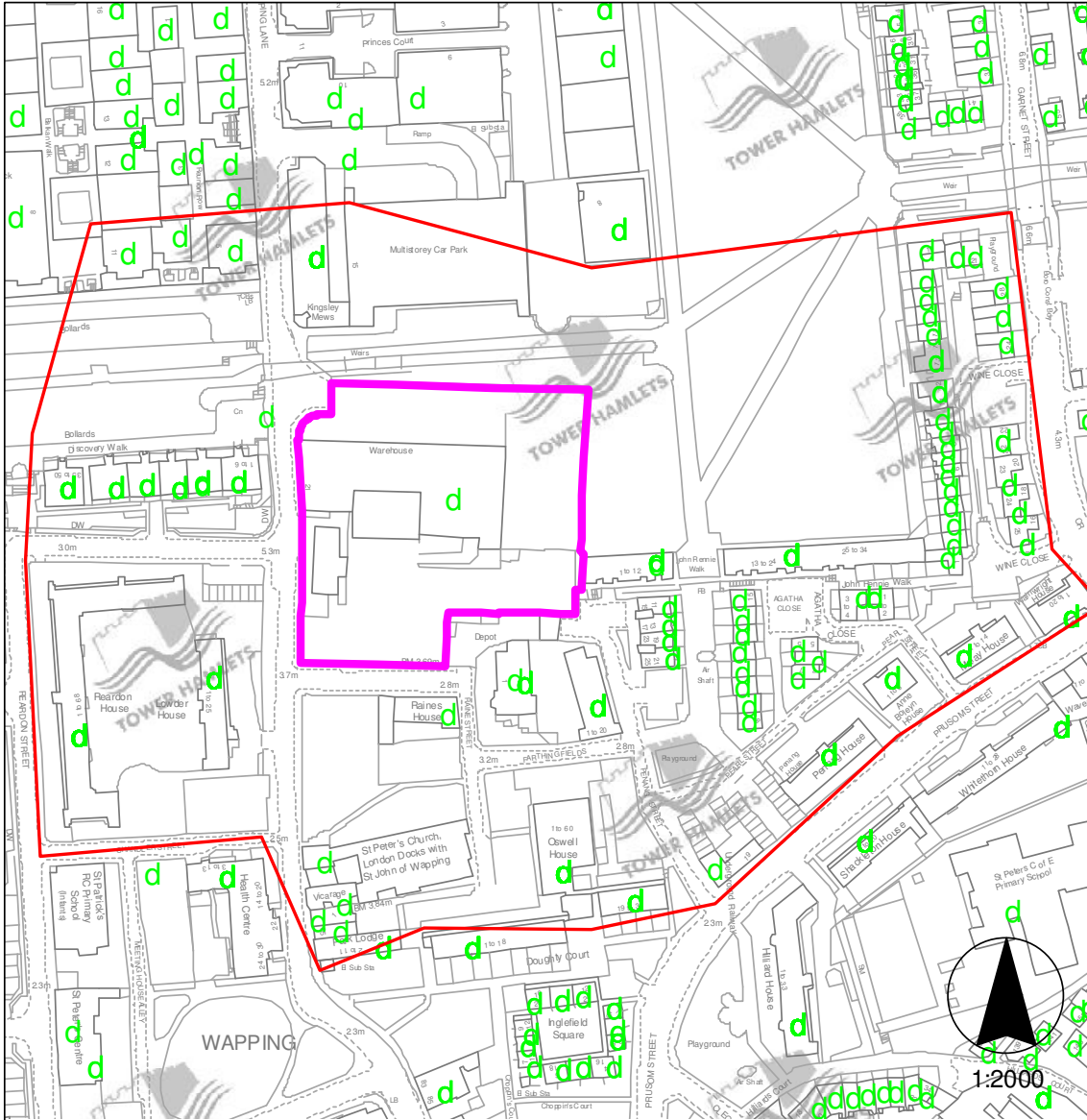
8.177 The review highlighted a number of areas where additional information or clarification was required. Following the submission of further information, Bureau Veritas was satisfied that the additional information provided in the 'Response to regulation 19 issues and environmental statement review prepared by Bureau Veritas' to supplement the original Environmental Statement for 21 Wapping Lane, is adequate for the Council to appropriately form a viewpoint on the environmental impacts of the proposed development. No further information was required.

8.178 The environmental impact has been considered to be satisfactory, with mitigation measures for potential impacts to be implemented through conditions and/ or Section 106 obligations.

9. Conclusions

9.1 All other relevant policies and considerations have been taken into account. Planning permission 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.

Site Map



Legend

- Planning Application Site Boundary
- Consultation Area
- d Land Parcel Address

This Site Map displays the Planning Application Site Boundary and the neighbouring Occupiers / Owners who were consulted as part of the Planning Application process. The Site Map was reproduced from the Ordnance Survey mapping with the permission of Her Majesty's Stationery Office © Crown Copyright. London Borough of Tower Hamlets LA086568