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## **PLANNING, DESIGN AND HERITAGE STATEMENT** **SEPTEMBER 2021**

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**Application for the installation of pedestrian gate and refuse enclosure**  
Land Rear of Park Heights Court, 1 Wharf Lane, London E14 7HW

# PLANNING, DESIGN AND HERITAGE STATEMENT

JULY 2021

Property: Land Rear of Park Heights Court, 1  
Wharf Lane, London E14 7HW

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## 1.0 INTRODUCTION

### Application Summary

- 1.1 SHW Partnership LLP has been instructed by Kinleigh Folkard & Hayward to submit a planning application for the installation of pedestrian gate and refuse enclosure at Norway Wharf, E14 7HW.

### Planning Statement

- 1.2 This planning statement will detail the proposal and address relevant policy issues as identified in national, regional and local policy guidance. Along with this statement, the application is supported by the following information:
- Planning Application Form.
  - Community Infrastructure Levy Forms.
  - Site Location Plan.
  - Existing and Proposal Plans, Elevations.
  - Planning Statement by SHW.
- 1.3 All information necessary to determine the application should be found within these documents. This report has been prepared in accordance with the Royal Town Planning Institute Code of Conduct.

## 2.0 SITE DESCRIPTION

- 2.1 Norway Wharf is a residential development located north of the DLR viaduct and west of the Limehouse Cut Canal. The site is located off Wharf Lane within the St Annes Church Conservation area. Norway Wharf is not listed; however the site boundary extends beneath DLR viaduct which is Grade II listed. There are a number of other Grade II listed buildings within the vicinity which safeguard the visual setting of St. Anne's Church. The tow path area to the south east of the site is within Flood Zone 3 with the rest of the site risk free of flooding.
- 2.2 The surrounding area is mixed use in character, with a variety of building types and sizes influenced by the areas maritime history. Immediately north of the site is the rectory gardens, which is a publicly accessible open space. Further afar is the Commercial Road (A13) which runs west to Aldgate and East to Poplar. North west of the site is Limehouse District Public Library and a Catholic Church. Beyond the viaduct to the south is predominantly residential with blocks ranging between 2 and 12 stories.
- 2.3 The site has a PTAL level 6a which is the second highest attainable level. Lime House DLR and National Rail station is 0.4 miles away (8 Minute Walk), and there are various bus routes serviced on Commercial Road heading to Charing Cross, Old Street, Aldgate, East Ham, Blackhall and Cross Harbour.

## 3.0 THE PROPOSED DEVELOPMENT

- 3.1 The proposal is for the installation of pedestrian gate and refuse enclosure.

- 3.2 The pedestrian gate is proposed on the Limehouse Cut Canal Pathway on the north east corner of the site, on the boundary shared with the rectory gardens. The gate is proposed to deter loitering along the tow path which during the summer months sees an overspill of people from the rectory gardens. The area has fallen victim of crime which has made residents of Norway Wharf feel unsafe. The gate is therefore proposed to deter crime and improve security for residents.
- 3.3 The refuse enclosure is proposed around the existing refuse store area, located under the viaduct, in the 4<sup>th</sup> arch away from the tow path. The new refuse enclosure is in an accessible location for both residents and servicing. It is proposed to build an enclosure around the refuse bins which is sheltered, secure and sympathetic to the surroundings in terms of design.

## 4.0 PLANNING HISTORY

- 4.1 The site has been subject to the following relevant decisions:

DATE	REFERENCE	DESCRIPTION	DECISION
26 Nov 2003	PA/02/00479	Change of use from stone masons' yard to residential. Construction of one 12-storey building, one 7-storey building, one 6-storey building and one 5-storey building to create 73 residential units (62 x 2-bedro... (contact planning for further information)	Planning permission: <b>Granted</b>
18 Jun 2009	PA/09/00567	Refurbishment works consisting of the removal of brick slips on elevations to Park Heights Court and Docklands Court, including associated minor areas of render and cedar cladding (recladding in similar materials/colours)	Planning permission: <b>Granted</b>
Submitted	PA/21/01211/NC	Proposed works to 3 blocks: Park Heights Court, Grosvenor Court and Lime House Court. The proposal includes cladding remediation works on all three blocks. Timber cladding, panels and decking are to be repla... (contact planning for further information)	Planning permission: <b>Pending</b>

## 5.0 PLANNING POLICY FRAMEWORK

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states any determination should be made in accordance with the Development Plan unless material considerations indicate otherwise. The proposal has been considered within the context of National, Regional and Local Planning Policy, and the key policies are summarised below.
- 5.2 Other material considerations are the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG), and a number of Supplementary Planning Policy Guidance and Documents prepared by the GLA and the Council, as well as emerging policy documents.

### National Planning Policy Framework

- 5.3 The NPPF (2021) sets out the Government's planning policies for England and how they should be applied and is an important material consideration. It should be taken account of in the preparation of the development plan and in making decisions on planning applications.
- 5.4 Paragraph 8 outlines that there are three overarching objectives to achieving sustainable development. They are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives. The three objectives are economic, social and environmental. Economically, the objective is to build a strong, responsive and competitive economy.
- 5.5 These objectives are:
- Economic – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
  - Social – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - Environmental – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 5.6 The NPPF states that “so that sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development” (Paragraph 10). Paragraph 11 identifies that in making decisions this means:
- Approving development proposals that accord with an up-to-date development plan without delay; or
  - Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    1. The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    2. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.7 Paragraph 10 confirms that the common theme running through National Planning Policy is a presumption in favour of sustainable development.
- Promoting health and safe communities*
- 5.8 Planning policies and decisions should aim to achieve healthy, inclusive and safe places (paragraph 92). They should promote social interactions. Mixed use developments and pedestrian and cycle connections are cited as a part of this. Developments should encourage active and continual use of public areas. They should also provide safe and accessible green

infrastructure, sports facilities, local shops and access to healthier food, allotments and layouts that encourage walking and cycling.

#### *Promoting sustainable transport*

- 5.9 In terms of transport, development proposals should consider their impact and promote walking, cycling and public transport. Safe and secure access for all users' needs to be achieved. Any significant impacts should be mitigated in a cost-effective way to an acceptable degree and development should only be prevented or refused if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe (paragraphs 112 and 113).

#### *Achieving well-designed places*

- 5.10 In terms of design paragraph 126 identifies that the creation of high-quality buildings and places is fundamental to what the planning system should achieve. It is also a key aspect of sustainable development and creates better places in which to live and work. Developments should (inter alia) be visually attractive, with good architecture, layout and landscaping, and be sympathetic to the local character (paragraph 130)

## **Regional Planning Policy**

### *London Plan 2021*

- 5.11 The London Plan 2021 is the Spatial Development Strategy for Greater London which was formally published by the Mayor on 2<sup>nd</sup> March 2021. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital.
- 5.12 Strategic planning in London is the shared responsibility of the Mayor of London, Corporation of the City of London, and 32 London Boroughs. Boroughs' local development documents must be 'in general conformity' with the London Plan, which must be taken into account when planning decisions are taken in any part of London unless there are planning reasons why it should not.
- 5.13 The document brings together the geographical and locational aspects of the Mayor's other strategies, to ensure consistency with those strategies, including those dealing with: Transport, Environment, Economic development, Housing, Culture and Health and health inequalities.

Particularly of note are the following policies:

- 5.14 **Policy D4** Delivering good design. Design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers.
- 5.15 **Policy D5** Inclusive design. Development proposal should achieve the highest standards of accessible and inclusive design. They should be designed taking into account London's diverse population and be able to be entered, used and exited safely, easily and with dignity for all
- 5.16 **Policy D11** Safety, security and resilience to emergency. Development should include measures to design out crime in proportion to the risk. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area.

- 5.17 **Policy D3** Optimising site capacity through the design-led approach. Policy requires development to be street-based with clearly defined public and private environments and facilitate efficient servicing of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users. Development should Achieve safe, secure and inclusive environments. They should respond to the existing character of a place and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.
- 5.18 **Policy HC1** Heritage conservation and growth. Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings
- 5.19 **Policy T6** Car parking. Car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car-free development should be the starting point for all development proposals in places that are well-connected by public transport. The maximum car parking standards set out in Policy T6 .1 Residential parking should be applied to development proposals.
- 5.20 **Policy T7** Deliveries, servicing and construction. Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street.

#### **Planning Practice Guidance (PPG) 2014**

- 5.21 The Planning Practice Guidance is a web-based resource that was published in November 2014 and updated in October 2019, setting out national planning guidance.
- 5.22 Under the 'Design; Process and Tools' Chapter, Paragraph 1 "well designed places can be achieved by taking a proactive and collaborative approach at all stages of the planning process".
- 5.23 The 'Housing and Economic Development Needs Assessments' Chapter sets out the support given to LPAs when assessing housing need (Paragraph 1, Reference ID: 2a-001-20190220).

#### **National Design Guide 2019**

- 5.24 The National Design Guide was published in September 2019 and illustrates how well-designed places can be achieved in practice.
- 5.25 The long-standing, fundamental principles for good design are that it is: fit for purpose; durable; and brings good delight. Hence, the purpose for design quality and the quality of new development at all scales is to create well-designed and well-built places that benefit people and communities.
- 5.26 The guidance confirms that buildings are an important component of places and proposals for built development are a focus of the development management system However, good design involves careful attention to other important components of place including layout, form, scale, appearance, landscape, materials and detailing. Well-designed places have individual characteristics which work together to create its physical character. The ten characteristics help to nurture and sustain a sense of community and they work positively to address environmental issues affecting climate. The ten characteristics are context; identity; built form; movement; nature; public spaces; uses; homes and buildings; resources and lifespan.

#### **Local Planning Policy**

- 5.27 The *Tower Hamlets Local Plan 2031: Managing Growth and Sharing Benefits* was adopted by Full Council on 15 January 2020. This document provides spatial policies, development management policies and site allocations to guide and manage development in the borough. Local Plan. Policy S.SG2 is a general policy seeking sustainable growth in the borough of Tower Hamlets.
- 5.28 The relevant policies are detailed in section 6 onwards as they affect the site. Relevant policy to be addressed are as follows:
- Policy S.DH1: Delivering high quality design.
  - Policy D.DH2: Attractive streets, spaces, and public realm.
  - Policy S.DH3: Heritage and historic environment.
  - Policy S.STR1: Sustainable travel.
  - Policy D.TR2: Impacts on the transport network.
  - Policy D.TR3: Parking and permit-free
  - Policy D.TR4: Sustainable delivery and servicing.

## 6.0 PLANNING POLICY CONSIDERATIONS

- 6.1 This section reviews National, Regional and Local Planning Policies that are most relevant to the proposal, and addresses how the proposed development complies with these policies with particular regard to the following planning matters. It is structured around considerations that are material to the development.

### **Context & Principle of the development**

- 6.2 Local Plan Policy S.SG1 sets out the overall strategy of how and where growth will be distributed across the borough. To achieve the vision and objectives of the Local Plan, four sub-areas are identified to manage the development opportunities at a strategic level. The site is within the Central sub area boundary. The sub-area is not a designated opportunity area, but has the capacity to deliver new development. The Central Sub area is a collection of vibrant and distinctive town centres, transport interchanges and residential areas. The sub-area comprises nine distinct character places. The application site is located within the boundary of Limehouse. Tower Hamlets Urban Structure and Characterisation Study describes the area as:

*“largely residential in use and is primarily characterised by historic warehouse conversions, modern developments, as well as post-war council estates. The development immediately adjacent to the River Thames forms a continuous band of settlement, that joins the riverside development in Wapping to the Isle of Dogs. These residential buildings along the River largely consist of medium- to high-density historic warehouse conversions and modern developments. Access to the river is currently blocked in many instances by a number of modern, gated developments. Development north of Commercial Road primarily consists of a number of low- to medium-rise housing estates, with some modern development along the Regent’s Canal and Limehouse Cut Canal. Commercial Road contains a mix of low- to medium-rise commercial and residential uses.”*

- 6.3 The application site is privately owned land and is not a public space as such. Nevertheless, there is a public right of way that runs through the rectory gardens, along the tow path that then meets Wharf Lane. There is no pedestrian route underneath the viaduct along the tow path, therefore any person trying to cross the viaduct would have to walk back up Wharf lane via Island Row.

This is not a straight forward route and rarely used. However, if any person did want to make a journey from Commercial Road across the viaduct they can still do so via Wharf Lane, Norway Place or Island Row.

- 6.4 Policy D11 of the London Plan refers to safety, security and aims to integrate design measures to prevent crime. Policy D3 also seeks safe, secure and inclusive environments. The proposed pedestrian gate has been requested by residents of Norway Wharf due to the amount of people utilising the tow path as an overspill area to the adjacent rectory park. The tow path has fallen victim of crime and causing many residents to feel unsafe. The pedestrian gate is proposed to deter crime and revitalise a sense of safety and security for residents. The gate would not completely prevent members of public using the tow path as this could still be accessed via Wharf Lane. However it is hoped that the development will dramatically improve the current situation as the proposed gate would deter loitering.
- 6.5 The south west towpath is partially located within Flood Zone 3. Whilst this is a material consideration, it is only half the path width that sits within this margin and the rest is categorised risk free from flooding. Therefore despite the proposed gate partially being within zone 3, no FRA is submitted as the principal function of the gate is not considered to be hindered by the risk from flooding.

## Conservation and Heritage

- 6.6 Limehouse is named for its connection with the building mortar trade in the 14<sup>th</sup> Century where by the lime coasts were used to produce quick lime. The past dockland previously exported beer to colonial servicemen in India and voluntary and involuntary emigrants to Australia. Limehouse was also once home to London's China Town within the 1890's.
- 6.7 In the 19<sup>th</sup> Century Limehouse was a key gateway to the canal system leading to the Lea Valley and upward to northern regions. It therefore served an important route for commercial trade across Britain.
- 6.8 According to the Tower Hamlets Urban Structure and Characterisation Study, approximately half of Limehouse sits within conservations areas. The site sits within St Annes Conservation area, the second largest conservation area in Limehouse. The St. Anne's Conservation Area was designated in 1969 bounded by DLR line to the south (once the London and Blackwall railway viaduct), and Commercial Road to the north. The Limehouse Cut runs through the centre of the Conservation Area.
- 6.9 St Annes Conservation area has a number of listed buildings, in particular those that surround the site include Limehouse District Library, British Sailors Society, Limehouse Town Hall, Church of St Annes.
- 6.10 Of particular relevance to the proposal is the Limehouse Cut and Grade II listed railway viaduct to north of Regents Canal Dock between and including Branch Road Bridge and Limehouse cut up to Three Colt Street. The Limehouse Cut and the Listed Viaduct contribute to the special character of this conservation area and have been successfully preserved. They illustrate the areas industrial past and offer a unique environment with the vibrant urban context of Limehouse today.
- 6.11 Policy HC1 of the London plan requires development affecting heritage assets settings to conserve their significance. Likewise Policy S.DH3 of the Local Plan requires development proposals to preserve or, where appropriate, enhance the borough's designated heritage assets

in a manner appropriate to their significance. Furthermore development within a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance.

- 6.12 The proposed refuse store is located beneath the Listed railways arches; therefore the proposal has carefully considered the impact that development would have on the heritage asset. The design is sympathetic to the heritage asset significance. There will be no fixtures or fittings to the historic fabric of the arches and the railings will be supported by the new foundations only. If ever required, the refuse store could be removed in the future without causing harm to the heritage asset.
- 6.13 The refuse area is not set to change, rather an enclosure is proposed to be erected to ensure the area is left clean and secure, protected from vandalism and arson. The proposal therefore seeks approval on the enclosure itself rather than the use of this space as a refuse store, as this has already been established. The proposal is considered to improve the existing appearance of the bins and helps to preserve the heritage asset and conservation area in accordance with Policy HC1 of the London Plan and the Tower Hamlets Local Plan Policy S.DH3.

## **Design,**

- 6.14 Policy D4 of the London Plan seeks good design principles in all development proposals. Similarly, Policy S.DH1 requires development to meet the highest standard of design, layout and construction which respects and positively responds to its context.
- 6.15 The proposed pedestrian gate located on the tow path has been designed to match the height of the existing wall. The manufacturer is yet to be confirmed as contractors will have the option to use their own supplier or fabricate the gate themselves, however It is likely to use Eagle Automation Systems Limited or equivalent. The gate will be constructed of black steel to match the existing fencing along the tow path which will respond to the character and appearance of fencing in the conservation area. The gate will be controlled by a fob and automatically operated which mean that it can be used and exited safely, easily and with dignity for all.
- 6.16 The refuse store has been designed to respond to the form of the viaduct and character of the area. Design cues have been taken from the railings within the St Annes Conservation area, with particular reference to the rail heads around the St Annes Church. The refuse enclosure will also be constructed of black steel to match that along the tow path.
- 6.17 The proposal has carefully considered the design using high quality materials which complements the immediate and wider surroundings. The proposed design is in accordance with Policy D3 & D5 of the London Plan the Tower Hamlets Local Plan Policies S.DH1 & S.DH2.

## **Highways and transportation**

- 6.18 Policy T7 of the London Plan requires development to facilitate safe, clean, and efficient deliveries and servicing. Similarly, policy D.TR4 of the tower hamlets local plan seeks sustainable methods in the movement of goods and services. Given that that size and location of the off-street refuse store remains the same, and it is only the encloser being proposed, the proposal is considered to be in accordance with Policy T7 of the London Plan and the Tower Hamlets Local Plan Policy D.TR4.



**Section 106 / Planning obligations and Community Infrastructure Levy (CIL)**

- 6.19 It is not anticipated that a Section 106 would be required to mitigate any impacts from the development, but the Council's confirmation on this would be required. Given that no residential floorspace is proposed, the scheme would not be liable for CIL.

**7.0 SUMMARY**

- 7.1 The proposed works at Norway Wharf include the installation of a pedestrian gate along the tow path, and erection of a refuse enclosure underneath the listed viaduct.
- 7.2 Both the proposed works use matching material that are sympathetic to the character of the area. The proposal accords with the aims of National, Regional and Local Policy, and we therefore trust that Officers will support the proposal.