

Committee: Development Committee	Date: 21 December 2005	Classification: Unrestricted	Report Number: DC034/056	Agenda Item Number: 5.1
Report of: Director of Development and Renewal		Title: Town Planning Application		
Case Officer: Gillian Nicks		Location: 56 East India Dock Road, London, E14 6JE		
		Ward: Limehouse (February 2002 onwards)		

1. SUMMARY

1.1 Registration Details

Reference No: PA/05/01614

Date Received: 22/09/2005

Last Amended Date: 22/09/2005

1.2 Application Details

Existing Use:

Vacant Land

Proposal:

Erection of an up to six storey building and its use at ground floor level for teaching (Class D1), ancillary cafe purposes and 11 cluster flats for 91 students on upper floors.

Applicant:

Urban Learning Foundation, University of Gloucestershire

Ownership:

Urban Learning Foundation, University of Gloucestershire

Historic Building:

Not applicable

Conservation Area:

Not applicable

2. RECOMMENDATION:

2.1 That the Development Committee **grant** planning permission subject to the conditions outlined below:

(1) Time Limit

(2) Control of Hours

(3) Reserved matters:

(a) Samples of all proposed materials;

(b) Mechanical extraction of fumes from kitchen area, WC and bathrooms;

(c) Access statement;

(d) Treatment of open land, including hard and soft landscaping;

(e) Details proposed walls, fences and railings;

(f) Internal sound insulation between student bedrooms

(4) No music shall be played to be audible from outside premises

(5) Site investigation shall be submitted to investigate and identify potential contamination.

(6) Construction plan

2.2 Informatives

(1) Local Labour in Construction

(2) Contact Environmental Health Department prior to commencement of development (60 Southern Grove, London E3 4PN on 020 7364 5008.)

(3) Contact Building Control Department prior to commencement of development (41-47 Bow Road, London E3 2BS on 020 7364 5009.)

BACKGROUND

3.

Site and Surrounds

3.1 The subject site is situated to the south side of East India Dock Road.

- 3.2 The surrounding area (north side of East India Dock Road) is predominately residential. The south side of East India Dock Road is a mix of residential, educational (taking in the existing ULF building) and commercial space.
- 3.3 To the immediate south of the site are six, two-storey houses, along Pinefield Close (which comes off from East India Dock Road two addresses down from the subject site). To the immediate west of the site are Peabody residential units, consisting of houses and flats, with varying building heights from two to three storeys.
- 3.4 Running parallel to the east of the subject site along Rosefield Gardens are residential flats, within a sixties three-storey block, as well as Gorsefield House directly to its eastern side.
- 3.5 There is no continuity in rooflines or building lines upon East India Dock Road, and within the surrounding area there is a wide range of rooflines, ranging in height from three to ten storeys.
- 3.6 The immediate street frontage at this part of East India Dock Road is most notably characterised by the Grade II listed building at 52 East India Dock Road on the junction with Birchfield Street.
- 3.7 The existing building that would be linked to the subject proposal at second floor level, is a red brick, four-storey building with pitch roof which occupies a c-shaped footprint area, wrapped around an open courtyard. There is a garden area to the rear, with conservatory.

Relevant Planning History

- 3.8 In 2000 it was recommended that planning permission be granted subject to a section 106 legal agreement for the erection of a six storey building comprising a library and teaching facilities to the ground floor and student accommodation (in the form of 58 student study rooms) on the upper five floors. The legal agreement was never signed off and no decision notice sent out.
- 3.9 In October 2001 a detailed conservatory was approved to the rear of the existing development.
- 3.10 In May 2005 planning permission was granted for the erection of a 4-storey extension to provide additional study bedrooms, teaching and ancillary accommodation involving the formation of new vehicular access to Pinefield Close.
- 3.11 The subject site is phase II of a larger development proposed in the 1980's, including the Peabody buildings and the existing Urban Learning Foundation building.

Proposal

- 3.12 The application is for the development of a part 6, part 4, part 2 and part 1 storey building to provide the following accommodation:
- i. The ground floor has three teaching rooms, a reception with office, prayer room and café with associated facilities (including kitchen);
- 3.13 Over the upper floors 91 bedrooms, each with en-suite, are proposed within 11 cluster flats. Each flat has its own kitchen.
- i. The first floor has 29 bedrooms split up into four cluster flats (1x 5 person, 1x 7 person, 1x 8 person and a 9 person unit);
 - ii. The second floor has 20 bedrooms split up into three cluster flats (1x 5 person and 1x 7 person, 1x 8 person unit);
 - iii. The third floor has 20 bedrooms split into three cluster flats (1x 5 person, 1x 7 person and 1x 8 person);
 - iv. The fourth and fifth floors have 11 bedrooms.
- 3.14 The flats will accommodate teacher training students who undertake school placements in East London. Short courses of one to two semesters make it unlike other colleges, where

students stay on a year to year basis. Teaching hours are not limited to 9- 5.30pm, and seminars extend into the early evening. The Foundation attracts a number of students from outside of London, and existing onsite accommodation is inadequate in light of the training hours. The following is a table of current and predicted occupation levels:

	Current Occupation	Future Occupation
Local (University of Gloucester) Students	125	150
Placement Students	80	140
Total	205	290

- 3.15 The applicant actively discourages students from bringing in their own cars, and existing students do not bring in their own cars to the Urban Learning Foundation. There are 14 members of staff presently, which would increase to 20. Whilst there are currently 11 car parking spaces an active campaign to limit staff car usage to those living outside a significant distance away from the site is encouraged.
- 3.16 Within the existing courtyard area, two disabled car parking spaces are to be provided with further provision for seven cars to the rear of the site, along the back wall with 1-7 Pinefield Close. Bicycle storage is also being accommodated within the existing courtyard.
- 3.17 The building would extend by 48.25 metres and be approximately 19.6 metres wide, falling back to 11.55 metres on upper floors. It is a distance of 5 metres from the western boundary. The rear of the building is stepped back, to take account of the sites setting. Whilst the first floor covers the same footprint area of the ground floor, the second and third floors are 15 metres shorter and the fourth and fifth are 17.65 metres less than those below.
- 3.18 The contemporary design of the building makes use of full glazing to all elevations. A white ceramic screen is to frame the top and western side of the front elevation, whilst the use of different glazing panels will add interest to the façade. Lettering is to be installed downwards on the east side of the front elevation to read 'Urban Learning Foundation'. The front entrance will be to the eastern side of the building also. There will be further provision of access at the rear of the site, coming from Pinefield Close, for refuse collection and all other servicing to the site.

4. PLANNING POLICY FRAMEWORK

Comments of Chief Legal Officer

- 4.1 The relevant policy framework against, which the Committee is required to consider planning applications includes the Governments regional planning advice, the London Plan 2004, the Council's Community Plan and the adopted Unitary Development Plan (UDP) 1998.
- 4.2 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004. Section 70(2) of the Town and Country Planning Act 1990 is particularly relevant, as it requires the Committee to have regard to the provisions of the Development Plan, so far as material to the application and any other material considerations.
- 4.3 Whilst the adopted UDP 1998 is the statutory development plan for the Borough, it will be replaced by a more up to date set of plan documents, which will make up the Local Development Framework (LDF) and has recently been published for public consultation.
- 4.4 The report takes account of the policies in Government advice, the London Plan 2004, the statutory UDP 1998.
- 4.5 In accordance with Article 22 of the General Development Order 1995, Members are invited to agree the recommendations set out above which have been made on the basis of the analysis of the scheme set out in this report. This analysis has been undertaken on the balance of the policies set out below and any other material considerations set out in the report.

4.6 The following Unitary Development Plan **proposals** are applicable to this application:

- (1) Flood Protection Areas

4.7 The following Unitary Development Plan **policies** are applicable to this application:

- (1) DEV1 and DEV2 – General Design and Environmental Requirements
- (2) DEV3 – Mixed use development
- (3) DEV4 – Section 106 obligations
- (4) DEV13 – Landscaping
- (5) DEV50 – Noise
- (6) DEV51 - Contaminated Land
- (7) DVE56 - Recycling facilities
- (8) HSG6 - Density
- (9) HSG13 – Internal residential space standards
- (10) HSG14 – Special needs accommodation
- (11) T15 – Transport and Development
- (12) T16 – Traffic priorities for new development
- (13) T17 – Planning Standards
- (14) EDU4 – Further or Higher Education
- (15) EDU9 – Provision new training facilities
- (16) U2 – Development in areas at risk from flooding
- (17) U3 – Flood protection measures

4.8 The following Community Plan **objectives** are applicable to this application:

- (1) A better place for living safely
- (2) A better place for living well
- (3) A better place for learning, achievement and leisure

5. **CONSULTATION**

5.1 The following were consulted regarding this application:

(1) **Design and Conservation**

No objection subject to condition for approval with opaque glazing panels.

(2) **Access Officer**

No formal comments received.

(3) **Building Control**

For building regulation purposes, a lack of information is provided. Therefore the applicant will require discussion with Building Control, prior to the commencement of the development.

(4) **Highways**

Travel statement satisfactory. Therefore, no objection to the proposal subject to a Green Travel Plan (i.e. commitment for the end users of the building to sustainable transport).

(5) **Transport for London - Street Management**

No objection to proposal.

(6) **Environmental Health**

No objection to the proposal, subject to standard conditions and consideration of the following points:

- i. The developer shall consult the Food Safety Team on the construction of the café.
- ii. The kitchen adjacent to ground floor exit from each flat was not in an optimum position for fire safety.

The daylight, sunlight report provided by the applicant was considered satisfactory.

Air Quality Officer

Applicant should submit a construction plan.

Contaminated Land Officer

The subject site was adjacent to an engineering works. Consequently, elevated levels of contaminants within the substrate may be present. Therefore, a condition to ensure site investigation is carried out will be required.

(7) **Education Dept**

No objection to the proposal.

(8) **Cleansing Officer**

No representations received.

(9) **Head of Planning Policy**

The proposal finds general support in the adopted Unitary Development Plan and London Plan. The potential benefits associated with the proposed use are clear and in line with strategic policy direction set out in these documents.

However, they raised other concerns which were:

- Density is high, rooms are small and there is limited access to amenity space.
- Further justification should be provided for the level of parking proposed for the D1 teaching element.
- The Access statement should be expanded to show how the accessible rooms being provided address planning standards.

5.2 Responses from neighbours were as follows:

No. Responses: 0 In Favour: 0 Against: 0 Petition: 0

5.3 Site Notice

Yes – dated 7 October 2005

5.4 The applicant erected a display board within the foyer of the existing Urban Learning Foundation Building showing images of the site as would appear once developed.

6. **ANALYSIS**

Land Use and Principle

6.1 In view of the existing educational use at neighbouring building at East India Dock Road, the proposed educational use with ancillary student accommodation is considered acceptable in principle. Council policy EDU4 of the London Borough of Tower Hamlets Unitary Development Plan (1998) encourages proposals for extended further education uses, subject to their proximity to public transport and it accords with other policies in the UDP. Furthermore, Council policy EDU9 also seeks to encourage new training facilities. It is considered that the proposal will be beneficial to the Boroughs educational needs, as well as the whole of the east of London. Consequently, it is considered that, the proposal is acceptable in land use terms.

- 6.2 The rooms would accord with the Councils Supplementary Planning Guidance on Residential Space standards (1998) for main bedrooms for one person since the proposed floor area for each flat is 14m² (including en-suite). Furthermore, the provision of student cluster flats is considered to be in accordance with Council policy HSG14 of the London Borough of Tower Hamlets Unitary Development Plan (1998) which seeks to ensure that there is no loss of permanent housing (para 5.29) through the development of special needs accommodation.
- 6.3 The proposed density is 722 habitable rooms per hectare. In accordance with the London Plans (2004) public transport accessibility index, this site has a PTAL rating of 4-6 (being within a central setting with large building footprints, and buildings of four to six storeys and above). Consequently, it is considered that the proposed density would be in accordance with the London Plan that sets a density range of 650 to 1100 habitable rooms per hectare.

Design

- 6.4 The proposal has been the subject of extensive pre-application consideration. Along East India Dock Road, the proposed 6-storey frontage is considered to have no detrimental impact upon the integrity of the streetscape. The surrounding area has a mixture of building heights for it to take its context from. Furthermore, it is noted that the Council has previously considered a six-storey building at the site favourably. Therefore, it is considered that the proposal is in accordance with Council policy DEV1 of the London Borough of Tower Hamlets Unitary Development Plan as the scale of development is sympathetic to the surrounding context.
- 6.5 The stepped rear elevation is considered to be in keeping with the scale of development to the rear of the site also. Originally, there was concern about the proximity of the boundary of 56 East India Dock to 54 East India Dock Road. Consequently, the western elevation has been set back from first floor level upwards to address this concern. In view of the orientation of the proposal site with respect to neighbouring development, it is considered that the proposal is not contrary to Council Policy DEV1, criterion 3 that seeks to ensure the continuity of existing building lines.
- 6.6 The overall layout of the site, including the provision of refuse storage, is considered to maximise the potential of the site and is in accordance with Council Policy DEV1, criterion 6, of the London Borough of Tower Hamlets Unitary Development Plan (1998) since the proposal provides adequate soft landscaping and treatment to boundary lines.

Amenity

Overlooking/Loss of privacy

- 6.7 The proposal has taken into consideration its context to the residential units along Pinefield Close. Angled windows have been installed to safeguard the amenity of occupiers of the subject site, as well as those at Pinefield Close. No objections have been received from residents, or from the Peabody Trust. Overall, the proposal is considered to be in accordance with Council policy DEV2 which seeks to protect the amenity of residential occupiers.
- 6.8 Further to DEV2, a minimum distance of 18 metres between opposite habitable rooms is sought. In mind of the above, the design has taken this on board and the site is far enough away to ensure that this standard is met.

Daylight/Sunlight

- 6.9 Daylight and sunlight reports produced by Wilkes Head and Eve (July 2005) were submitted with the application. It is considered that, in accordance with the findings reported by Wilkes Head and Eve for the Urban Learning Foundation, the proposal would have a minimal impact upon the existing daylight and sunlight levels of neighbouring occupiers at Pinefield Close and to residents at Rosefield Gardens. Consequently, the proposal is considered to comply with Council policy DEV2, criterion 2 of the London Borough of Tower Hamlets Unitary Development Plan, which seeks to protect the amenity of adjacent occupiers.

Noise

- 6.10 Council policy DEV50 of the London Borough of Tower Hamlets Unitary Development Plan (1998) seeks to ensure that developers consider neighbouring occupiers during the course of construction of development. Consequently, a condition to ensure a construction plan is submitted has been proposed to ensure that the developer does not produce unacceptable levels of noise within 'unsociable hours'.
- 6.11 No complaints relating to noise have emerged in connection with the existing educational use at the neighbouring site. The manner in which the facility would be used is considered to be unlike the majority of student halls of residents. Consequently, it is considered that the proposal is in accordance with Council policy DEV2 of the London Borough of Tower Hamlets Unitary Development Plan (1998). No objection has been received on noise grounds and the Council has the power to act on any complaints subsequent to the occupation of the development. Nonetheless, it is to be conditioned that no noise shall be audible from outside the site.

Contaminated Land

- 6.12 The proposal site is found to be within proximity to the historic siting of an engineering works. Consequently, there may be elevated levels of contaminants within the substrate. Therefore, it is to be conditioned, in accordance with Council policy DEV51 of the London Borough of Tower Hamlets Unitary Development Plan that an investigation into the soil is carried out prior to construction.

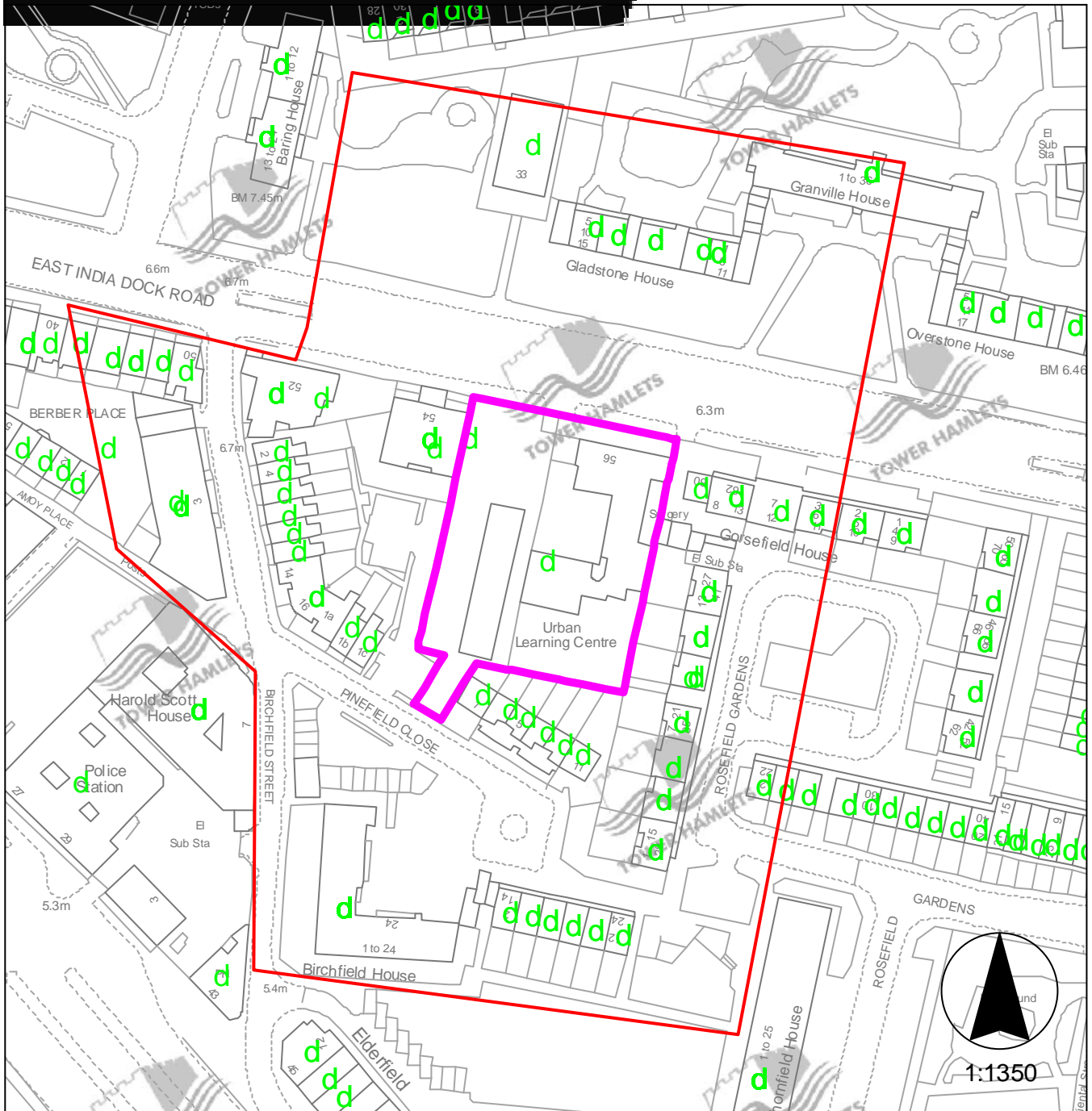
Highways

- 6.13 The subject site is within close proximity to good public transport links. The Docklands Light Railway (Westferry station) is within a five to ten minute walk from the site. Furthermore, a bus stop stands directly outside the site, which is served by bus numbers 15 (Paddington to Blackwall), 115 (East Ham to Aldgate), and D6 (Isle of Dogs to Hackney), which run every 8-15 minutes.
- 6.14 The site is also near to the junction with Burdett Road, which serves bus numbers D3 (Bethnal Green to Isle of Dogs), D7 (Poplar to Mile End) and 277 (Highbury and Islington to Leamouth), which run every 7 to 15 minutes.
- 6.15 In view of the proposed use, it is considered that the development would not require a car free legal agreement. Furthermore, the Council is satisfied with the details provided within the Transport statement submitted which shows that local transport availability and car parking provision on site meet the demand that would be produced from the proposal. The requirement of a green travel plan is considered unnecessary as the proposal includes the provision for cycle storage, and with minimal car parking provision on site is in accordance with Council policy T17 of the London Borough of Tower Hamlets Unitary Development Plan (1998).

7. SUMMARY

- 7.1 Overall, the proposal is considered to comply with Council policy and as such the Council is minded to approve the proposal subject to conditions outlined in section two above.

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

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