

<b>Committee:</b> Development Committee	<b>Date:</b> 12 October 2005	<b>Classification:</b> Unrestricted	<b>Report Number:</b> <b>DC020/056</b>	<b>Agenda Item Number:</b> <b>5.1</b>
<b>Report of:</b> Director of Development and Renewal.		<b>Title:</b> Town Planning Application.		
<b>Case Officer:</b> Nathan Te Pairi.		<b>Location:</b> 7-9 Solebay Street, London, E1 4PW.		
		<b>Ward:</b> Mile End and Globe Town.		

## 1. SUMMARY

### 1.1 Registration Details

**Reference No:** PA/05/01097  
**Date Received:** 06/07/2005  
**Last Amended Date:** 20/07/2005

### 1.2 Application Details

**Existing Use:** Ambulance Station and a commercial building comprising of warehouse/office/storage uses.

**Proposal:** Demolition of existing ambulance station and warehouse/office. Erection of a six-storey building to provide an ambulance station (NHS Trust) and student accommodation comprising of 42 cluster units and 20 one-bedroom units together with ancillary provisions on the ground floor.

**Applicant:** D.B. Investments Ltd  
**Ownership:** London Ambulance Service & D.B. Investments  
**Historic Building:** Not applicable  
**Conservation Area:** Not applicable

## 2. RECOMMENDATION:

2.1 That the Development Committee **refuse** planning permission for the reasons outlined below:

1. The bulk, scale and height of the proposed building would be excessive and therefore would have a detrimental effect on the visual amenity, character and appearance of the area, contrary to policy DEV1(1) of the London Borough of Tower Hamlets' Unitary Development Plan 1998.
2. The proposed height and scale of the building result would be overly dominant in the street frontages of Harford and Solebay Street and does not take into account the existing building and rooflines of the surrounding buildings. It would therefore have a detrimental effect on the street elevations of Solebay and Harford Street. As such, the proposal is contrary to policy DEV1(3) of the London Borough of Tower Hamlets' Unitary Development Plan 1998.
3. The submitted application fails to provide adequate soundproofing for the proposed student accommodation. The proposal therefore fails to demonstrate that the traffic-related noise would not result in a material loss of amenity for the future occupiers of the student accommodation. Therefore the proposal is contrary to policy DEV2(1) of the London Borough of Tower Hamlets' Unitary Development Plan 1998.
4. The submitted application fails to provide an adequate Travel Plan and Safety Audit for the safety of the local residents and road users. The proposal therefore fails to demonstrate that the additional impact on the local road network would not result in a detrimental impact on the safety of local residents, road users and pedestrians. Therefore the proposal is contrary to policy T15, T16 and T18 of the London Borough of Tower Hamlets' Unitary Development Plan 1998.

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

Brief Description of background paper:	Tick if copy supplied for register	Name and telephone no. of holder
Application case file, plans, UDP, PPG's.		Development Control 020 7364 5201

### **3. BACKGROUND**

#### Site Description and Location

- 3.1 The application site is a 1845m<sup>2</sup> (approx), rectangular-shaped plot of land bound by three roads; Solebay Street, Toby Lane and Harford Street. At present the site contains a NHS ambulance station within a single storey building from which three permanent ambulances operate. The existing ambulance station has a single access and egress point located on Harford Street. The remaining two-thirds of the site is covered by a part one and two-storey building used for warehouse/office use.
- 3.2 To the south is James House, a six-storey residential estate block that is set back from the road by 12.5m (approx) and adjoins Moray House, a four-storey residential estate block that has frontages onto both Harford and Solebay Street. To the east of the site is a newly constructed four-storey warehouse/office building at 11 Solebay Street. To the northeast of the site is a three-storey Council-owned building with associated carparking. To the east of the site is Galveston House, a six-storey residential estate building that is set back 30m from Harford Street. To the north of the site is a Thames Water site that is currently vacant and is not proposed for development.
- 3.3 Harford Street and Solebay Street are designated as being a part of the Safe Route to Schools Programme and serve the No. 339 bus service. There is a high level of pedestrian activity as many of the surrounding residents walk via Harford Street to Mile End Road for its excellent transportation links. Located on the north side of Mile End Road and only 2 minutes' walk from the subject site is Queen Mary University, one of the principal tertiary education providers in the East End.

#### The Proposed Development

- 3.4 The applicant proposes to demolish both the ambulance station and warehouse/office building and redevelop the site to provide a new part six-storey building. The proposed development would comprise of a new ambulance station and 208 bedrooms in 42 clusters and 20 one-bedroom flats with ancillary laundrette, cycle parking, reception office, convenience store, maintenance store and an internally housed sub-station. The ancillary services would be used only by students living within the proposed accommodation. The accommodation would be used solely for students of Queen Mary University. This part of the building would be six storeys high.
- 3.5 The ambulance station would provide an additional three permanent ambulances to bring the total to six, and a new access point from Toby Lane is proposed. To accommodate for ambulance movements in and out of the proposed building the ceiling height would be raised by one metre at ground floor level. This would result in the building exceeding the typical height of a six-storey building. The proposed development would also include a small landscaped strip around the outside of the building.

#### Relevant History

- 3.6 Outline planning permission was granted on 17 December 2002, Ref: PA/01/01772 for the demolition of existing buildings on site and the erection of a six-storey building to provide student accommodation together with ground floor cycle and vehicle parking, reception, office and service area. Attached to the outline planning permission is a s.106 agreement that requires the accommodation to be occupied by students only, a car-free agreement and a s.278 agreement for the restoration of the public footpath once the works are completed.
- 3.7 The current scheme (PA/05/01097) differs from the original outline scheme (PA/01/01772) in three respects. The original scheme proposed only student accommodation, would be six-storeys high and would occupy 1152m<sup>2</sup> of the site. The current scheme proposes a new ambulance station, student accommodation and would occupy the entire site, 1824m<sup>2</sup>. To accommodate for ambulance movements in and out of the proposed building, the ceiling height would be raised by one metre at ground floor level. As such, the western portion of the proposed building would be higher than the scheme approved in the outline planning permission (PA/01/01772).
- 3.8 Part of the s.106 agreement that accompanied the above planning permission required the applicant to relocate the warehouse/office use in accordance with policy of EMP2. The applicant has since constructed a new building at 11 Solebay Street and transferred the warehousing and office uses from 9 Solebay Street.

#### 4. PLANNING POLICY FRAMEWORK

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

Not applicable

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

##### Strategic Policies

ST4 Development in the context of the built environment.  
ST27 Improvement of safety and convenience of all road users.  
ST50 Allocation of Sites.

##### Detailed Policies

DEV 1 General and Design.  
DEV 2 General Design and Environment.  
DEV 3 General Design and Mixed Use sites.  
DEV 4 Planning Obligations.  
DEV51 Contaminated Land.  
DEV55 Refuse arising from new development.  
EMP2 Retention of existing employment uses.  
HSG14 Special Needs Accommodation.  
HSG15 Development Affecting Residential Amenity.  
HSG16 Amenity Space.  
SCF4 Proposals for the Location of Primary Health Facilities.  
T15 Additional effects on the existing transport networks.  
T16 Operational requirements and Impact on traffic.  
T18 Pedestrians and the Road Network.

##### Planning Standards

T17 Planning standards Parking

4.3 The following New Unitary Development Plan 1st Deposit Draft **proposals** are applicable to this application:

Not applicable.

4.4 The following New Unitary Development Plan 1st Deposit Draft **policies** are applicable to this application:

##### First Deposit UDP

EMP1 Promoting economic growth and employment opportunities.  
EMP2 Mixed-use development.  
EMP8 New build residential/Employment mixed-use proposals.  
EMP10 Redevelopment or change of use of employment sites.  
HSG8 Housing density.  
HSG10 Lifetime homes and mobility housing.  
HSG12 Amenity space.  
EMP1 Promoting economic growth and employment opportunities.  
EMP2 Mixed use development.  
EMP8 New build residential/Employment mixed-use proposals.  
EMP10 Redevelopment or change of use of employment sites.  
TRN6 Parking and servicing.  
TRN11 Bicycle facilities.  
TRN10 Pedestrian permeability.  
UD1 Scale and density.  
UD2 Architectural quality.  
ENV1 Amenity.

ENV9 Development and contaminated land.  
ENV11 Waste disposal.

### Planning Standards

Planning Standard 1: HMO Space Standards.  
Planning Standard 2: Density.

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

1. A better place for living well – improving housing, health and housing care and promoting healthy living.

### **Comments from the Chief Legal Officer.**

- 4.6 The relevant policy framework against which the Committee is required to consider planning applications includes the adopted London Plan 2004, the Council's Community Plan, the adopted Unitary Development Plan (UDP) 1998, the Draft UDP and Interim Planning Guidance Notes.
- 4.7 Decisions must be taken in accordance with sections 54A and 70(2) of the Town and Country Planning Act 1990 and section 39(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.
- 4.8 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). The emerging policies in the Draft UDP and the Interim Planning Guidance will inform the LDF and, as the replacement plan documents progress towards adoption, they will gain increasing status as a material consideration in the determination of planning applications.
- 4.9 The report takes account not only of the policies in statutory UDP 1998 but also the emerging plan, which reflect more closely current Council and London-wide policy and guidance.
- 4.10 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.

## **5. CONSULTATION**

5.1 The following were consulted regarding this application:

(1) **Cleansing Officer**

No comments received.

(2) **Environmental Health**

- Concerns that doubling the amount of ambulances is going to create additional noise for the local occupants. Residents should be protected from noise likely to cause sleep disturbance.
- The applicant should employ an Acoustic Consultant to establish the NEC categories for all the habitable rooms on all floors of this proposal and then submit a report detailing the findings of the survey and recommending appropriate noise reduction methods in accordance with BS 8233.
- The room sizes and amenities provided are satisfactory. My chief concerns relate to fire safety and the need to comply with Building Regulations 1991.
- The subject site was occupied by a Depot and lies adjacent to a Ropery and a Cooperage and consequently the site may contain elevated levels of contaminants within the substrate. Any suspected contamination needs to be reported to Council during the course of construction.

- Validation and certification of the proposed development achieves a BREEAM Environmental rating exceeding 70%. The applicant shall have regard to guidance from the Building Research Establishment.
- No provision should be made for on-street car parking.
- Provision for bicycle storage facilities to be at least 1 per residential unit.

(3) **Head of Highways Devpt**

The development is located in an area that receives high levels of pedestrian movement and is located on a bus route and is a safe route to schools. As such, the Transport Department needs to be assured that the access is secure by design. Therefore the developer is required to provide a Travel Plan and a Road Safety Audit.

(4) **Education Development Team**

No objection.

(5) **Thames Water Authority**

No comments received.

5.2 Responses from neighbours were as follows:

No. of Responses: 43    In Favour: 0                      Against:43                      Petition: 1

5.3 Objections

Letters of objection to this application have been received. Attached to one of the letters was a petition containing 43 signatures from the Ocean Estate Tenants & Leaseholders Association objecting to the proposal. The reasons for the objections are as follows:

1. Loss of privacy and overlooking - The windows of the proposed development will face bed and living rooms of the opposite residential housing blocks.
2. Loss of amenity and noise - The inclusion of proposed plant, laundrette, telecom substation and shop.
3. The project is detrimental to the community and of no benefit whatsoever.

**6. ANALYSIS**

6.1 The Issues raised in this report are as follows:

- (i) Bulk, Scale and Design.
- (ii) Residential Amenity of Student Accommodation.
- (iii) Transportation.

Bulk, Scale and Character

- 6.2 The combined bulk, scale and height of the proposed building would be unacceptable, as it would be overly dominant in the context of the surrounding buildings. The proposed development would occupy almost the entire site and would be six storeys high on the eastern portion of the site and would marginally exceed six storeys on the western part of the site.
- 6.3 The applicant noted that the outline planning permission (PA/01/01772) approved a six-storey building. In response, Council's Officers pointed out the current scheme (PA/05/01097) would introduce an additional 8500m<sup>3</sup> (approx) of bulk to the original scheme.
- 6.4 In addition, the raised ceiling height in the proposed ambulance station would mean that the height of the proposed building would exceed the height approved by the outline planning permission. Therefore, the current scheme would be materially different from the outline planning permission.
- 6.5 Council's Conservation Officer considers that the proposed bulk and massing of the building is not appropriate in the context of the area and recommends a gradual transition in terms of overall height

from Harford Street toward Solebay Street. In addition, no.11 Solebay Street is a four-storey office block and therefore this development should not exceed five storeys (five storeys with set back details). Council's Officers offered this advice to the applicant. However this advice was disregarded.

- 6.6 The proposal would therefore result in the construction of a building that is out of character with the surrounding area in terms of overall bulk and height and would be over development of the subject site. Therefore the proposed development is considered to be contrary to policy DEV1(1) of London Borough of Tower Hamlets' Unitary Development Plan 1998.
- 6.7 The proposed development would be built with frontages to Harford and Solebay Street. The proposal would be constructed directly onto the back edge of the footway. As such, the proposed development would be overly dominant in the street elevations of Harford and Solebay Street and would not take into account the building lines and rooflines of the adjacent existing buildings. Therefore the proposal would be contrary to policy DEV1(3) of the London Borough of Tower Hamlets' Unitary Development Plan 1998.

#### Residential Amenity of Student Accommodation.

- 6.8 The proposed development would provide 42 cluster units on ground to fifth floors and 20 one-bedroom units on the sixth floor for student accommodation purposes. The proposed accommodation would be located adjacent to Harford and Solebay Street. PPG24 states that habitable rooms should be designed to protect future occupants from traffic noise, during the day and especially at night to prevent sleep disturbance.
- 6.9 Council's Environmental Health Officer has commented that the applicant has failed to provide adequate soundproofing for the proposed student accommodation. The proposal therefore fails to demonstrate that the noise-related traffic would not result in a material loss of amenity for the future occupants of the student accommodation. Therefore the proposal is contrary to policy DEV2(1) of the London Borough of Tower Hamlets' Unitary Development Plan 1998.

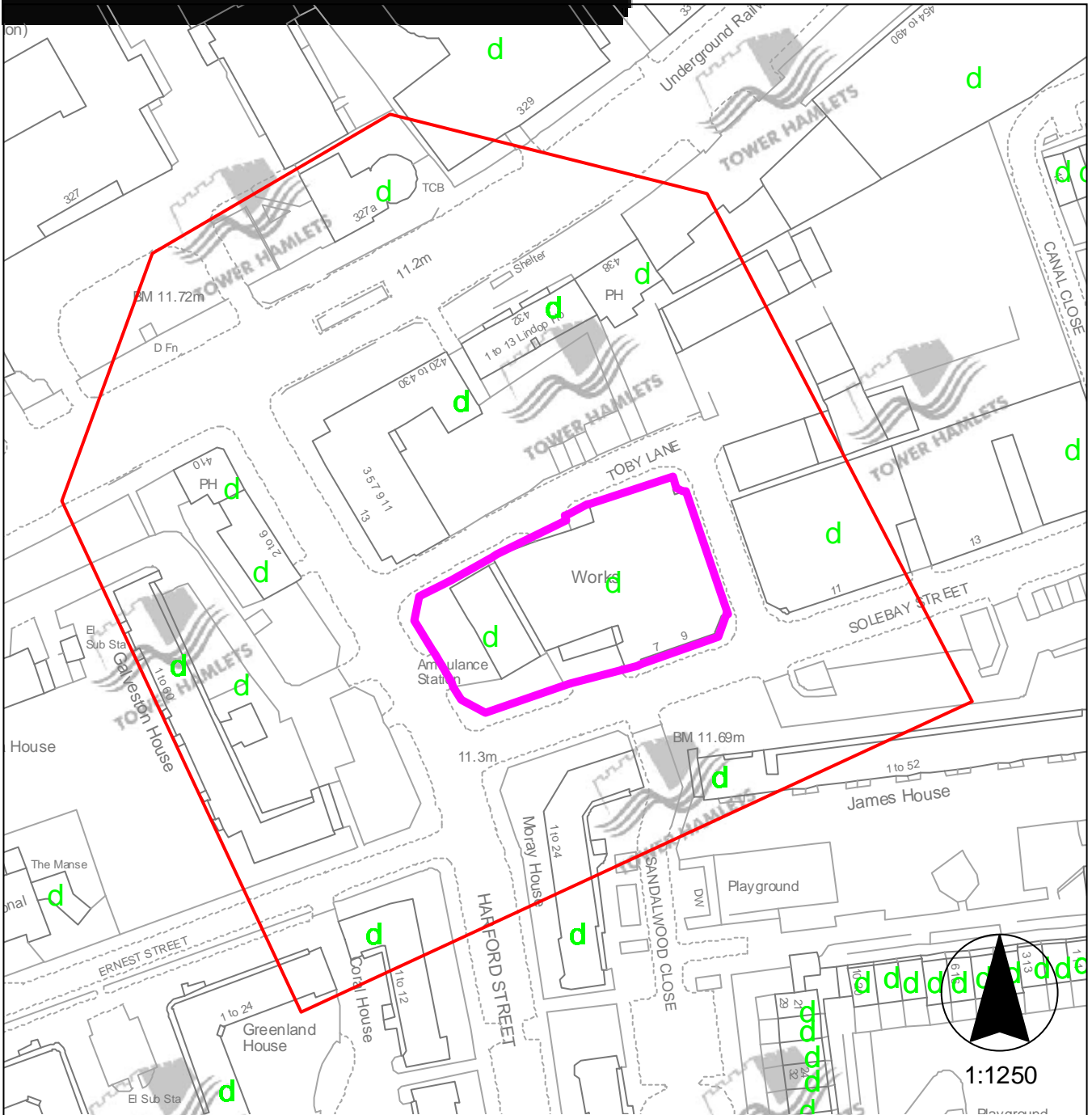
#### Transportation

- 6.10 The proposal would increase the number of permanent ambulances from three to a total of six. The scheme would provide 10 on-site car parking spaces for the ambulance station and a further three spaces serving the student accommodation component of the development.
- 6.11 Council's Transport Officer has noted the proposal would be located in an area that receives high levels of pedestrian movement, is located on a bus route and is designated as part of the Safe Route to Schools programme. In light of these issues, the Highways Department needs to be assured that the access is secure by design.
- 6.12 Council's Transport Officer continues to state that the applicant has failed to submit a Travel Plan and complete Road Safety Audit. The proposal therefore fails to demonstrate that the additional impact on the local road network would not result in a detrimental impact on the safety of local residents, road users and pedestrians. Therefore the proposal is contrary to policy T15, T16 and T18 of the London Borough of Tower Hamlets' Unitary Development Plan 1998.

## **7. SUMMARY**

- 7.1 The proposed development would be out of character with the surrounding area in terms of overall bulk and height, and would represent over development of the site. In addition, the proposed development would introduce an overly dominant street elevation that does not take into account the existing building rooflines along Harford and Solebay Street. Furthermore the applicant has failed to submit adequate information in relation to traffic safety and soundproofing for the proposed student accommodation. The proposal is therefore recommended for refusal.

# 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

## POPLAR AMBULANCE STATION AND 7-9 SOLEBAY STREET, SOLEBAY STREET, LONDON, E1