

Public Pack

Development Committee



Agenda

Wednesday, 12 June 2024 6.30 p.m.

Council Chamber - Town Hall, Whitechapel

TERMS OF REFERENCE

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<http://www.towerhamlets.gov.uk/committee>



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Development Committee

Wednesday, 12 June 2024

6.30 p.m.

3. MINUTES OF THE PREVIOUS MEETING(S) (Pages 5 - 8)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 30 November 2023.

5. DEVELOPMENT COMMITTEE TERMS OF REFERENCE, QUORUM, MEMBERSHIP AND DATES OF MEETINGS

Next Meeting of the Development Committee

Thursday, 25 July 2024 at 6.30 p.m.



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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE DEVELOPMENT COMMITTEE

HELD AT 18:30 ON THURSDAY, 30 NOVEMBER 2023

COUNCIL CHAMBER - TOWN HALL, WHITECHAPEL

Members Present:

Councillor Kamrul Hussain (Chair)

Councillor Amin Rahman
Councillor Gulam Kibria Choudhury
Councillor Abdul Mannan
Councillor Faroque Ahmed
Councillor Sabina Akhtar
Councillor Asma Islam

Officers Present:

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| Paul Buckenham | (Head of Development Management) |
| Diane Phillips | (Lawyer) |
| Jerry Bell | (Area Planning Manager) |
| Kirsty Gilmer | (Team Leader West) |
| Jane Jin | (Team Leader East) |
| Kevin Crilly | (Principal Planner East) |
| Oliver Cassidy-Butler | (Planning Officer) |
| Thomas French | (Democratic Services Officer (Committees)) |

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS

There were no declarations of disclosable pecuniary interests.

Members of the committee stated that they had received emails from residents on both items.

2. MINUTES OF THE PREVIOUS MEETING(S)

That the unrestricted minutes of the meeting of the Committee held on 2 October 2023 be agreed as a correct record and signed by the Chair.

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE

The Committee **RESOLVED** that:

1. The procedure for hearing objections and meeting guidance be noted.

2. In the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes be delegated to the Corporate Director, Place along the broad lines indicated at the meeting; and
3. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Corporate Director, Place be delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision

4. DEFERRED ITEMS

Nil items.

5. PLANNING APPLICATIONS FOR DECISION

5.1 34 Westferry Circus (PA/23/00513)

Paul Buckenham, Development Manager, introduced the application for alterations to the façade to include the addition of new bi-folding glass doors to the 3rd floor to provide an internal terrace, minor alterations to the glass façade including the addition of bi-folding doors to the 4th floor and proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant.

Updated report was noted.

Oliver Cassidy-Butler provided a presentation on the application. The Officer's recommendation was to grant planning permission, with conditions.

At the invitation of the Chair, objections were raised to the committee, highlighting concerns about the damage the application will have on the fabric of the community, the impact of the late-night licences and how the application does not support the local area.

At the invitation of the Chair, the agent for the applicant highlighted the additional surveys and work that was carried out to better understand noise levels and the impact on the local area. A noise limit has been set and the applicant has been working with the council environmental health officers.

Further to questions from the Committee, officers, provided more details on the following elements of the application:

- Concerns have been raised about the impact this application will have on waste management, can officers state to the committee what impact will be on this service? Officers confirmed that the council has engaged

with the applicant and its happy with the proposed waste management proposals, as outlined in the conditions of the recommendation.

- How will the rooftop event space be managed to ensure that the 100-capacity venue does not impact on residents? The applicant detailed the potential plans for a venue on the rooftop, including the noise limitation that has been discussed with environmental health.
- How do residents feel about the outdoor venue detailed within the application? Objectors raised concerns about how the outdoor venue will be close to resident balcony's and will impact enjoyment in summer months. Officers stated that the council does have powers to act when noise limits are exceeded, and monitoring will be in place.
- Will the outdoor venue include music, live or background? Officers confirmed that any music will be subject to any noise limits that have been imposed within the application.
- Does this application fall within the local plan? Officers stated that they were satisfied that application works within the local plans and allows for the noise arrangements detailed within the application.

The Committee debated the application, highlighting concerns about the noise that will be made from the outdoor venue, from customers and music. Members noted that there has been consideration in the application for noise but wished to do more based on objector concerns.

Members proposed that no amplified music after 8pm and the roof terrace to be vacated by staff by 9pm. This was voted on and agreed.

Members proposed that a noise limiter installed. This was voted on and agreed.

On a vote of 5 in favour, 2 against and 0 abstentions the Committee, that planning permission is **GRANTED**.

Alterations to the façade to include the addition of new bi-folding glass doors to the 3rd floor to provide an internal terrace, minor alterations to the glass façade including the addition of bi-folding doors to the 4th floor and proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant.

Grant planning permission with conditions outlined in the report and the following agreed by the committee:

- Roof terrace to be closed to the public by 8pm with no amplified music after this time and to be vacated by staff by 9pm
- A noise limiter installed.

5.2 Jamestown Way (PA/22/01979)

Paul Buckenham, Development Manager, introduced the application for demolition of the existing building and redevelopment of the site to provide commercial space (Class E) and residential accommodation (Class C3) with

associated infrastructure and works, including reconfiguration and upgrades to the adjoining public garden.

Updated report was noted.

Kevin Crilly, principal planner, provided a presentation on the application. The Officer's recommendation was to grant Planning Permission subject to conditions and planning obligations.

At the invitation of the Chair, objections were raised to the committee, highlighting concerns about the development not being within the character of the site, access to the local park, parking issues and anti-social behaviour.

At the invitation of the Chair, the agent for the applicant highlighted the increased accessibility to public areas, the increase in community space and green space with increased tree planting.

Further to questions from the Committee, officers, provided more details on the following elements of the application:

- Can officers outline the affordable housing within this application? Officers detailed the affordable housing with the application, noting that the applicant has provided more than the statutory obligation. The applicant detailed how affordable housing figure was generated, based on the limit of affordability and the space allowed for this type of housing.

The Committee debated the application before moving to the vote.

On a vote of 4 in favour, 3 against and 0 abstentions the Committee, that planning permission is **GRANTED**.

Demolition of the existing building and redevelopment of the site to provide commercial space (Class E) and residential accommodation (Class C3) with associated infrastructure and works, including reconfiguration and upgrades to the adjoining public garden.

Grant Planning Permission subject to conditions and planning obligations and an additional planning obligation agreed by Committee for an affordable housing review clause upon completion of the development.

6. OTHER PLANNING MATTERS

Nil items.

The meeting ended at 20:41

Chair, Councillor Kamrul Hussain
Development Committee

1. Development Committee

| <p>Summary Description: To determine applications for planning permission and listed building consent which have triggered over 20 representations (for or against) and/or that meet certain criteria with regards to size amongst other issues. Note that certain applications exceed the remit of the Development Committee and these are considered by the Strategic Development Committee.</p> | |
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| <p>Membership: 7 Councillors (each political group may appoint up to 3 substitutes).</p> | |
| Functions | Delegation of Functions |
| <p>1. Applications for planning permission</p> | |
| <p>A. To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT planning permission for applications made under the Town and Country Planning Act 1990 (as amended); that meet any one of the following criteria:</p> <ol style="list-style-type: none"> I. Proposals involving the erection, alteration or change of use of buildings, structures or land with more than 35 residential units or live-work units of any use class, including shared accommodation. II. Proposals involving the erection, alteration or change of use of buildings, structures or land with a gross floor space exceeding 10,000 square metres. III. Retail development with a gross floor space exceeding 5,000 square metres. IV. Proposals involving buildings on Metropolitan Open Land with a gross floor space exceeding 100 square metres. V. If in response to the publicity of an application the Council receives in writing, by email or other electronic form 20 or more individual representations; or a petition (received from residents of the borough whose names appear in the Register of Electors, business addresses in the borough or local Councillors) raising material planning objections to the development, and the Corporate Director, Housing and Regeneration considers that these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Housing and Regeneration. <p>B. To consider and determine recommendations from the Corporate Director, Housing and Regeneration to REFUSE planning permission for applications made under the Town and Country Planning Act 1990 (as amended), where in response to the publicity of an application the Council has received in writing, by email or other electronic form, more 20 or more individual representations supporting the</p> | <p>The Corporate Director, Housing and Regeneration (or any officer authorised by them) has the authority to make decisions on planning matters with the exception of those specifically reserved to the Development Committee, unless:- (i) these are expressly delegated to them; or (ii) where it is referred to the Committee in accordance with Development Procedure Rule No 15</p> |

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| <p>development or a petition in the form detailed in part 1.A. (v) supporting the proposed development. Representations (either individual or petitions) received after the close of the consultation period will be counted at the discretion of the Corporate Director, Housing and Regeneration.</p> <p>C. To consider and determine recommendations from the Corporate Director of Place to GRANT permission for applications seeking minor material amendments to a planning <u>to vary or delete conditions attached to a planning</u> -permission <u>(section 73 of the Town and Country Planning Act) which was</u> previously determined by the Development Committee, and where as a result of publicity any of the criteria in <u>part 1.A.(v)</u> apply and the representations received relate directly to matters arising from the proposed amendments <u>to the permission</u> and not the original <u>permission application</u>.</p> | |
| <p>2. Applications for listed building consent</p> <p>To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT listed building consent for applications made under the Planning (Listed Buildings and Conservation Areas) Act 1990 where any of the criteria in 1.A.(i)-(v) apply; and/or an objection has been received from either the Historic Buildings and Monuments Commission for England (known as Historic England) and/or one of the statutory amenity societies and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p> | <p>As above including to refuse listed building consent.</p> |
| <p>3. Applications for hazardous substance consent</p> <p>To consider and determine recommendations from the Corporate Director, Housing and Regeneration to GRANT hazardous substance consent for applications made under the Planning (Hazardous Substances) Regulations 2015 where the criteria in 1.A(v) apply and/or an objection has been received from any of the consultation bodies listed in the Regulations and these objections cannot be addressed by amending the development, by imposing conditions and/or by completing a legal agreement.</p> | <p>As above including to refuse hazardous substance consent.</p> |
| <p>4. Observations to other planning authorities</p> <p>To respond to requests for observations on planning applications referred to the Council by other local authorities, Development Corporations the Mayor of London, Government Departments statutory undertakers and similar organisations where the development would appear to be response would be contrary to</p> | <p>As above</p> |

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| policies in the adopted Development Plan or would raise especially significant boroughwide issues. | |
| 5. Confirmation of Tree Preservation Orders To consider and determine recommendations from the Corporate Director, Housing and Regeneration to CONFIRM Tree Preservation Orders under s198 of the Town and Country Planning Act 1990 where such orders are the subject of a sustained objection. A sustained objection is defined as one that is maintained despite attempts to resolve it, or is one that is considered to be incapable of resolution by negotiation. | As above |
| 6. General A. To consider any application or other planning matter referred to the Committee by the Corporate Director, Place Housing and Regeneration including preapplication presentations (subject to the agreed protocol) where she/he considers it appropriate to do so (for example, if especially significant borough-wide issues are raised). B. To consider any matter which would otherwise be referred to the Strategic Development Committee but which the Corporate Director, Place Housing and Regeneration , following consultation with the Chairs of both Committees, considers should more appropriately be considered by the Development Committee. | None |
| Note - It shall be for the Corporate Director, Place Housing and Regeneration to determine whether a matter meets any of the above criteria | |
| Quorum: 3 Members of the Committee | |
| Additional Information: | |
| <ul style="list-style-type: none"> • Constitution Part C Section 35 (Planning Code of Conduct) • Constitution Part D Section 54 (Guidelines for Determining Planning Applications under the Town and Country Planning Act 1990) • Constitution Part D Section 54 (Development Committee Procedure Rules) | |

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