

Development Committee

Agenda

Monday, 4 September 2023 at 6.30 p.m.
Council Chamber - Town Hall, Whitechapel

The meeting will be broadcast live on the Council's website. A link to the website is here - <https://towerhamlets.public-i.tv/core/portal/home>

Chair:

Councillor Kamrul Hussain

Vice Chair:

Councillor Amin Rahman

Members:

Councillor Gulam Kibria Choudhury, Councillor Abdul Mannan, Councillor Faroque Ahmed, Councillor Sabina Akhtar and Councillor Asma Islam

Substitute Members:

Councillor Shafi Ahmed, Councillor Iqbal Hossain, Councillor Bellal Uddin, Councillor Amina Ali, Councillor Asma Begum and Councillor Shahaveer Shubo Hussain

(The quorum for the Committee is 3 voting members)

The deadline for registering to speak is **4pm Thursday, 31 August 2023**

The deadline for submitting information for the update report is Noon
Friday, 1 September 2023

Contact for further enquiries:

Thomas French, Democratic Services,
thomas.french@towerhamlets.gov.uk

Tel: 020 7364 3048

Town Hall, 160 Whitechapel Road, London, E1 1BJ

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



Public Information

Viewing or Participating in Committee Meetings

The meeting will be broadcast live on the Council's website. A link to the website is detailed below. The press and public are encouraged to watch this meeting on line.

Please note: Whilst the meeting is open to the public, the public seating in the meeting room for observers may be limited due to health and safety measures. You are advised to contact the Democratic Services Officer to reserve a place.

Meeting Webcast

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A Guide to Development Committee

The role of the Development Committee is to determine applications for planning/listed/conservation area consent which have triggered over 20 representations (in support or against) and/or that meet certain criteria with regards to size amongst other issues.

The Committee is made up of seven Members of the Council as appointed by Full Council. Political balance rules apply to the Committee. Meetings are normally held on a monthly basis and are open to the public to attend.

Objectors to planning applications and applicants may request to speak at the Committee. If you wish to speak on an application, you must contact the Committee Officer listed on the agenda front sheet by 4pm one clear day before the meeting, as shown on the committee timetable. For further information, see the Council's website.

Public Engagement

Meetings of the committee are open to the public to attend, and a timetable for meeting dates and deadlines can be found on the council's website.

London Borough of Tower Hamlets

Development Committee

Monday, 4 September 2023

6.30 p.m.

APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND OTHER INTERESTS (PAGES 7 - 8)

Members are reminded to consider the categories of interest in the Code of Conduct for Members to determine whether they have an interest in any agenda item and any action they should take. For further details, please see the attached note from the Monitoring Officer.

Members are reminded to declare the nature of the interest and the agenda item it relates to. Please note that ultimately it's the Members' responsibility to declare any interests form and to update their register of interest form as required by the Code.

If in doubt as to the nature of your interest, you are advised to seek advice prior to the meeting by contacting the Monitoring Officer or Democratic Services

2. MINUTES OF THE PREVIOUS MEETING(S)

To confirm as a correct record the minutes of the meeting of the Development Committee held on 10 August 2023.

To follow

3. RECOMMENDATIONS AND PROCEDURE FOR HEARING OBJECTIONS AND MEETING GUIDANCE (PAGES 9 - 10)

To **RESOLVE** that:

- 1) in the event of changes being made to recommendations by the Committee, the task of formalising the wording of those changes is delegated to the Corporate Director Place along the broad lines indicated at the meeting; and
- 2) 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 is delegated authority to do so, provided always that the Corporate Director does not exceed the substantive nature of the Committee's decision.

- 3) To note the procedure for hearing objections at meetings of the Development Committee and meeting guidance.

4. DEFERRED ITEMS

Nil Items.

5. PLANNING APPLICATIONS FOR DECISION

5.1 5th floor, 34 Westferry Circus, London, E14 8RR PA/23/00513 (Pages 17 - 46)

Proposal: Proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant.

Recommendation: Grant planning permission with conditions

5.2 Rich Mix, 35-47 Bethnal Green Road, London, E1 6LA PA/23/00719/PA/23/00720 (Pages 47 - 74)

PA/23/00719

Proposal: Provision of a new pedestrian entrance to the Rich Mix from Redchurch Street, with construction of a new single-storey entrance pavilion in the rear yard, provision of outdoor seating, parking bays and relocation of existing plant.

Recommendation: Grant planning permission with conditions and planning obligations.

PA/23/00720

Proposal: Material Amendment sought to vary Condition No.7 (servicing and loading area), Condition No. 9 (access doors) and No. 10 (deliveries) to planning permission (Ref: PA/02/00876) granted 25/03/2004 for "Refurbishment of existing building to provide an arts centre (for the improvement of inter-cultural understanding) including provision of music, IT education, performing and visual arts, a new 3 screen cinema together with the erection of a rear five storey building and roof level enclosures".

Recommendation: Grant planning permission with conditions

6. OTHER PLANNING MATTERS

Next Meeting of the Development Committee

Monday, 2 October 2023 at 6.30 p.m. to be held in Council Chamber - Town Hall,



Tower Hamlets Council
Tower Hamlets Town Hall
160 Whitechapel Road
London E1 1BJ

Whitechapel



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Agenda Item 1

DECLARATIONS OF INTERESTS AT MEETINGS– NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Code of Conduct for Members at Part C, Section 31 of the Council's Constitution

(i) Disclosable Pecuniary Interests (DPI)

You have a DPI in any item of business on the agenda where it relates to the categories listed in **Appendix A** to this guidance. Please note that a DPI includes: (i) Your own relevant interests; (ii) Those of your spouse or civil partner; (iii) A person with whom the Member is living as husband/wife/civil partners. Other individuals, e.g. Children, siblings and flatmates do not need to be considered. Failure to disclose or register a DPI (within 28 days) is a criminal offence.

Members with a DPI, (unless granted a dispensation) must not seek to improperly influence the decision, must declare the nature of the interest and leave the meeting room (including the public gallery) during the consideration and decision on the item – unless exercising their right to address the Committee.

DPI Dispensations and Sensitive Interests. In certain circumstances, Members may make a request to the Monitoring Officer for a dispensation or for an interest to be treated as sensitive.

(ii) Non - DPI Interests that the Council has decided should be registered – (Non - DPIs)

You will have 'Non DPI Interest' in any item on the agenda, where it relates to (i) the offer of gifts or hospitality, (with an estimated value of at least £25) (ii) Council Appointments or nominations to bodies (iii) Membership of any body exercising a function of a public nature, a charitable purpose or aimed at influencing public opinion.

Members must declare the nature of the interest, but may stay in the meeting room and participate in the consideration of the matter and vote on it **unless:**

- A reasonable person would think that your interest is so significant that it would be likely to impair your judgement of the public interest. **If so, you must withdraw and take no part in the consideration or discussion of the matter.**

(iii) Declarations of Interests not included in the Register of Members' Interest.

Occasions may arise where a matter under consideration would, or would be likely to, **affect the wellbeing of you, your family, or close associate(s) more than it would anyone else living in the local area** but which is not required to be included in the Register of Members' Interests. In such matters, Members must consider the information set out in paragraph (ii) above regarding Non DPI - interests and apply the test, set out in this paragraph.

Guidance on Predetermination and Bias

Member's attention is drawn to the guidance on predetermination and bias, particularly the need to consider the merits of the case with an open mind, as set out in the Planning and Licensing Codes of Conduct, (Part C, Section 34 and 35 of the Constitution). For further advice on the possibility of bias or predetermination, you are advised to seek advice prior to the meeting.

Section 106 of the Local Government Finance Act, 1992 - Declarations which restrict Members in Council Tax arrears, for at least a two months from voting

In such circumstances the member may not vote on any reports and motions with respect to the matter.

Further Advice contact: Janet Fasan, Divisional Director Legal and Monitoring Officer Tel: 0207 364 4800.

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Guidance for Development Committee/Strategic Development Committee Meetings.

Who can speak at Committee meetings?

Members of the public and Councillors may request to speak on applications for decision (Part 6 of the agenda). All requests must be sent direct to the Committee Officer shown on the front of the agenda by the deadline – 4pm one clear working day before the meeting. Requests should be sent in writing (e-mail) or by telephone detailing the name and contact details of the speaker and whether they wish to speak in support or against. Requests cannot be accepted before agenda publication. Speaking is not normally allowed on deferred items or applications which are not for decision by the Committee.

The following may register to speak per application in accordance with the above rules:

Up to two objectors on a first come first served basis.	For up to three minutes each.
Committee/Non Committee Members.	For up to three minutes each - in support or against.
Applicant/ supporters. This includes: an agent or spokesperson. Members of the public in support	Shall be entitled to an equal time to that given to any objector/s. For example: <ul style="list-style-type: none"> • Three minutes for one objector speaking. • Six minutes for two objectors speaking. • Additional three minutes for any Committee and non Committee Councillor speaking in objection. It shall be at the discretion of the applicant to allocate these supporting time slots.

What if no objectors register to speak against an applicant for decision?

The applicant or their supporter(s) will not be expected to address the Committee should no objectors register to speak and where Officers are recommending approval. However, where Officers are recommending refusal of the application and there are no objectors or members registered, the applicant or their supporter(s) may address the Committee for 3 minutes.

The Chair may vary the speaking rules and the order of speaking in the interest of natural justice or in exceptional circumstances.

Committee Members may ask points of clarification of speakers following their speech. Apart from this, speakers will not normally participate any further. Speakers are asked to arrive at the start of the meeting in case the order of business is changed by the Chair. If speakers are not present by the time their application is heard, the Committee may consider the item in their absence.

This guidance is a précis of the full speaking rules that can be found on the Committee and Member Services webpage: www.towerhamlets.gov.uk/committee under [Council Constitution, Part C Section 35](#) Planning Code of Conduct

What can be circulated?

Should you wish to submit a representation or petition, please contact the planning officer whose name appears on the front of the report in respect of the agenda item. Any representations or petitions should be submitted no later than noon the working day before the committee meeting for summary in the update report that is tabled at the committee meeting. No written material (including photos) may be circulated at the Committee meeting itself by members of the public including public speakers.

How will the applications be considered?

The Committee will normally consider the items in agenda order subject to the Chair’s discretion. The procedure for considering applications for decision shall be as follows:
 Note: there is normally no further public speaking on deferred items or other planning matters



- (1) Officers will introduce the item with a brief description.
- (2) Officers will present the report supported by a presentation.
- (3) Any objections that have registered to speak to address the Committee
- (4) The applicant and or any supporters that have registered to speak to address the Committee
- (5) Committee and non- Committee Member(s) that have registered to speak to address the Committee
- (6) The Committee may ask points of clarification of each speaker.
- (7) The Committee will consider the item (questions and debate).
- (8) The Committee will reach a decision.

Should the Committee be minded to make a decision contrary to the Officer recommendation and the Development Plan, the item will normally be deferred to a future meeting with a further Officer report detailing the implications for consideration.

How can I find out about a decision?

You can contact Democratic Services the day after the meeting to find out the decisions. The decisions will also be available on the Council’s website shortly after the meeting.

For queries on reports please contact the Officer named on the front of the report.

<p>Deadlines. To view the schedule of deadlines for meetings (including those for agenda papers and speaking at meetings) visit the agenda management timetable, part of the Committees web pages. Visit www.towerhamlets.gov.uk/committee - search for relevant Committee, then ‘browse meetings and agendas’ then ‘agenda management timetable’.</p>	 <p>Scan this code to view the Committee webpages.</p>
<p>The Rules of Procedures for the Committee are as follows:</p> <ul style="list-style-type: none"> • Development Committee Procedural Rules – Part C of the Council’s Constitution Section 35 Appendix B. • Terms of Reference for the Development Committee - Part B of the Council’s Constitution Section 19 (7). 	 <p>Council’s Constitution</p>



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Housing and Regeneration

Classification: Unrestricted

STANDING ADVICE ON APPLICATIONS FOR DECISION

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning applications for determination by the Committee. The Chair may reorder the agenda on the night. If you wish to be present for a particular application you should attend from the beginning of the meeting.
- 1.2 The following information and advice applies to all those reports.

2. THIRD PARTY REPRESENTATIONS

- 2.1 Under section 71(2)(a) of the TCPA 1990 and article 33(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015, the Committee is required, to consider any representations made within specified time limits. The Planning Officer report directs Members to those representations and provides a summary. In some cases, those who have made representations will have the opportunity to address the Committee at the meeting.
- 2.2 All representation and petitions received in relation to the items on this part of the agenda can be made available for inspection at the meeting.
- 2.3 Any further representations, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Update Report.

3. ADVICE OF DIRECTOR OF LEGAL SERVICES AND MONITORING OFFICER

- 3.1 This is general advice to the Committee which will be supplemented by specific advice within the reports and given at the meeting, as appropriate.

Decisions on planning applications

- 3.2 The Committee is required to determine planning applications in Section 70(2) of the Town and Country Planning Act 1990 (TCPA 1990). This section requires the Committee to have regard to:
 - the provisions of the Development Plan, so far as material to the application;
 - a post-examination draft neighbourhood development plan, so far as material to the application
 - any local finance considerations, so far as material to the application; and
 - to any other material considerations.
- 3.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 explains that having regard to the Development Plan means deciding in accordance with the

Development Plan, unless material considerations indicate otherwise. If the Development Plan is up to date and contains policies relevant to the application and there are no other material considerations, the application should be determined in accordance with the Development Plan.

- 3.4 The Committee has several choices when considering each planning application:
- to grant planning permission unconditionally;
 - to grant planning permission with conditions;
 - to refuse planning permission or
 - to defer the decision for more information (including a site visit).
- 3.5 If the committee resolve to refuse planning permission, they must provide reasons that are based on evidence, development plan policies and material considerations. The Council may be subject to an award of costs in the event that reasons for refusal cannot be defended at appeal.

The Development Plan and other material considerations

- 3.6 The relevant Development Plan policies against which the Committee is required to consider each planning application are to be found in:
- The London Plan 2021;
 - Tower Hamlets Local Plan 2020;
 - The Isle of Dogs Neighbourhood Plan 2021.
- 3.7 The Planning Officer's report for each application directs Members to those parts of the Development Plan which are relevant to each planning application, and to other material considerations.
- 3.8 Material considerations are those that are relevant to the use and development of land in the public interest and relevant to the development proposed in the application.
- 3.9 National Policy as set out in the National Planning Policy Framework 2019 (NPPF) and the Government's online Planning Practice Guidance (PPG) are both material considerations.
- 3.10 Other material planning considerations may include (but are not limited to):
- the design, size and height of new buildings or extensions;
 - the impact of new uses of buildings or of land;
 - loss of light and the privacy of neighbours;
 - access for disabled people;
 - the provision of affordable housing;
 - the impact of noise from proposed development;
 - the impact of development on public transport, the highway network, parking and road safety;
 - effect on heritage assets such as listed buildings and conservation areas;
 - environmental impacts.
- 3.11 The purpose of a Planning Officer's report is not to decide the issue for the Committee, but to inform Members of the considerations relevant to their decision making and to give advice on and recommend what decision Members may wish to

take. Applicants and objectors may also want to direct the Committee to other provisions of the Development Plan (or other material considerations) which they believe to be relevant to the application.

- 3.12 The Planning Officer's report summarises statutory consultee responses, non-statutory responses and third party representations, to report them fairly and accurately and to advise Members what weight (in their professional opinion) to give those representations. Ultimately it is for Members to decide whether the application is in accordance with the Development Plan and if there are any other material considerations which need to be considered.

Local finance considerations

- 3.13 Section 70(2) of the TCPA 1990 provides that a local planning authority shall have regard to a local finance consideration as far as it is material in dealing with the application. Section 70(4) of the TCPA 1990 defines a local finance consideration.
- 3.14 The prevailing view is that in some cases Community Infrastructure Levy (CIL) and potential New Homes Bonus payments can lawfully be taken into account as a material consideration where there is a direct connection between the intended use of the CIL or NHB and the proposed development. However to be a 'material consideration', it must relate to the planning merits of the development in question.
- 3.15 Accordingly, NHB or CIL receipts will be 'material' to the planning application, when reinvested in the local areas in which the developments generating the money are to be located, or when used for specific projects or infrastructure items which are likely to affect the operation or impact on the development. Specific legal advice will be given during the consideration of each application as required.

Listed buildings and conservation areas

- 3.16 Under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant **listed building consent** for any works, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 3.17 Under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development which affects a listed buildings or its setting, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest it possesses.
- 3.18 Under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, in considering whether to grant planning permission for development in a conservation area, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

Trees and the natural environment

- 3.19 Under Section 197 of the TCPA 1990, in considering whether to grant planning permission for any development, the local planning authority must ensure, whenever it is appropriate, that adequate provision is made, by the imposition of conditions, for the preservation or planting of trees.

- 3.20 Under Section 40 of the Natural Environment and Rural Communities Act 2006 (Duty to conserve biodiversity), the local authority “must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”.

Crime and disorder

- 3.21 Under Section 17 of the Crime and Disorder Act (1998) (Duty to consider crime and disorder implications), the local authority has a “dutyto exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment)..”

Mayor of London’s Transport Strategy

- 3.22 Section 144 of the Greater London Authority Act 1999, requires local planning authorities to have regard to the London Mayor’s Transport strategy.

Equalities and human rights

- 3.23 Section 149 of the Equality Act 2010 (Public Sector Equality Duty) (Equality Act) provides that in exercising its functions (which includes the functions exercised by the Council as Local Planning Authority), that the Council as a public authority shall amongst other duties have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Equality Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 3.24 The protected characteristics set out in Section 4 of the Equality Act are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Equality Act.

- 3.25 The Human Rights Act 1998, sets out the basic rights of every person together with the limitations placed on these rights in the public interest. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with Article 8 rights will be legitimate and justified.

- 3.26 Both public and private interests are to be taken into account in the exercise of the Council's planning authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members having regard to the Human Rights Act 1998, to take into account any interference with private property rights protected by the European Convention on Human Rights and ensure that the interference is proportionate and in the public interest.

Environmental Impact Assessment

- 3.27 The process of Environmental Impact Assessment is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 3.28 The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision-making process.
- 3.29 The 2017 Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental effects.
- 3.30 The Environmental Statement, together with any other information which is relevant to the decision, and any comments and representations made on it, must be taken into account by the local planning authority in deciding whether or not to grant consent for the development.

Other regulatory regimes

- 3.31 Other areas of legislation that cover related aspects of construction, environmental matters or licensable activities do not need to be considered as part of determining a planning application. Specific legal advice will be given should any of that legislation be raised in discussion.

4. RECOMMENDATION

- 4.1 That the Committee notes the advice in this report prior to taking any planning decisions recommended in the attached reports.

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DEVELOPMENT COMMITTEE

4th September 2023

Report of the Corporate Director of
Housing and Regeneration

Classification: Unrestricted

Application for Planning Permission

[click here for case file](#)

Reference	PA/23/00513
Site	5 th floor, 34 Westferry Circus, London, E14 8RR
Ward	Canary Wharf
Proposal	Proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant.
Summary Recommendation	Grant planning permission with conditions
Applicant	Riverside Crem 3 Ltd
Architect/agent	Ackroyd Lowrie / Hybrid Planning & Development
Case Officer	Oliver Cassidy-Butler
Key dates	<ul style="list-style-type: none">- Application registered as valid on 13/03/2023.- Public consultation finished on 05/05/2023- An updated technical advice note relating to the Noise Impact Assessment was received on 12/07/2023.

EXECUTIVE SUMMARY

The application seeks full planning permission for the creation of a roof top, open aired terrace space, to provide ancillary accommodation for an existing restaurant/bar use, atop 34 Westferry Circus. The proposed development comprises alterations to the basement, third, fourth and fifth (roof) levels of the host building, to facilitate the changes.

The application seeks permission to create a 237sqm rooftop terrace which will provide an outdoor dining experience / rooftop bar. The proposed land use is considered acceptable, being an extension of the existing restaurant use of the site's third and fourth floors.

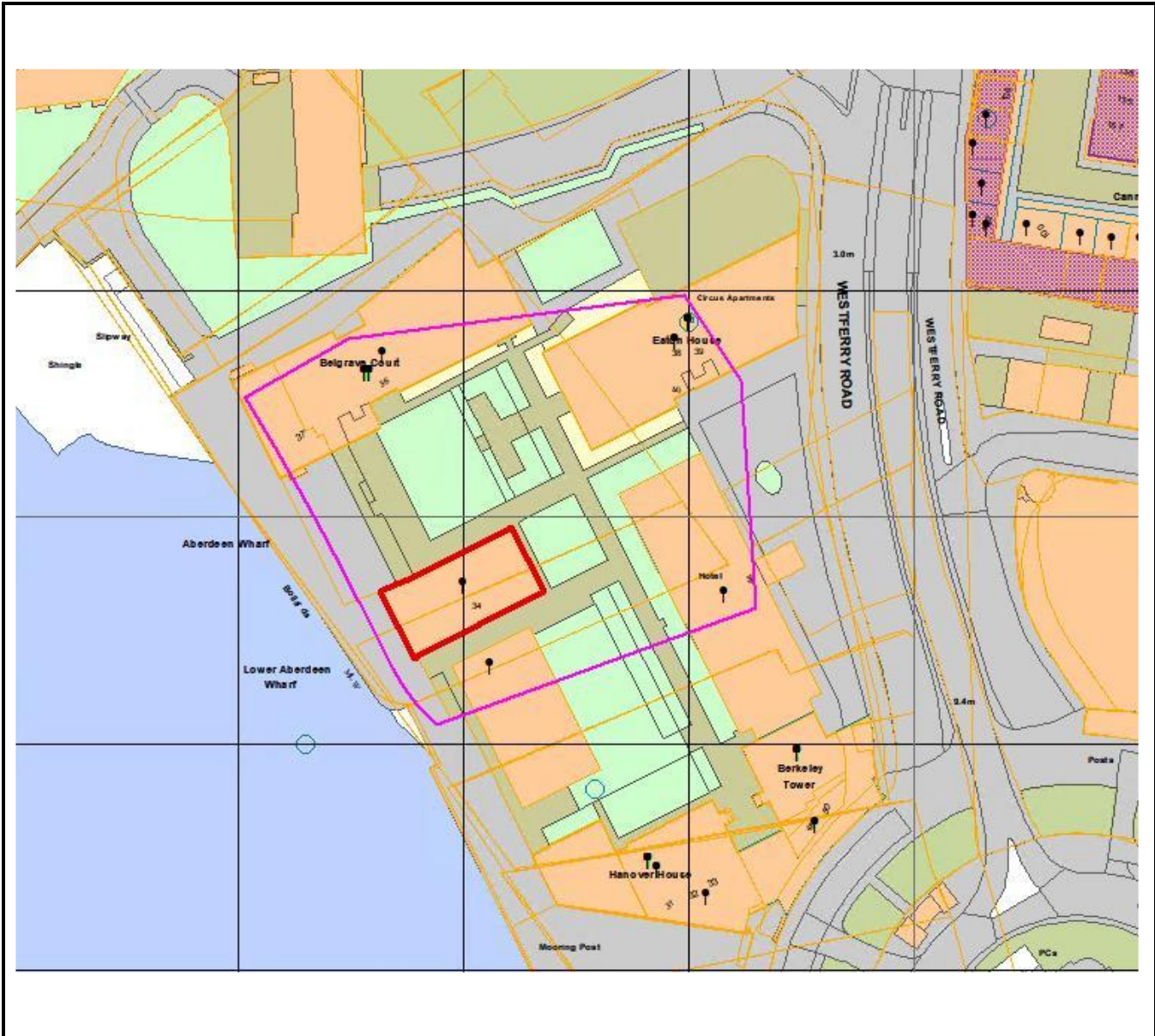
A Noise Impact Assessment has been submitted as part of the application. A further supplementary Advice Note was provided in June 2023, which was considered to robustly demonstrate that the proposals would not pose undue harm to the experienced amenities of locals residents as a result of noise

disturbances. Conditions are however proposed to limit the hours of operation from the terrace, by prohibiting any use between 22:00 - 08:00 hours.

The proposals are regarded acceptable in terms of design, being in keeping with the existing contemporary architectural style of the host building. It is proposed that a condition be applied to secure detail of a lighting strategy, in order to prevent the development being visually obtrusive.

The development proposes to provide an additional 6 short stay cycle parking spaces (3 Sheffield stands) and 4 long stay spaces (located within a secure locker). Officers have consulted the borough's highways officers and agree with their assessment that the proposed uplift is appropriate is compliant with policies S.TR1 and D.TR3 of the Tower Hamlets Local Plan (2020), and policy T5 of the London Plan (2021), which outlines the minimum provisions of cycle parking required to support development within London. It is proposed that a Construction Management Plan be secured by way of condition, to ensure that the development does not unduly affect the safety or function of the local highway network.

Officers are recommending this application for approval as it is considered to comply with the policies of the Development Plan.



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<ul style="list-style-type: none"> Planning Application Site Boundary Other Planning Applications Consultation Area Land Parcel Address Point Locally Listed Buildings Statutory Listed Buildings 	<h3>Planning Applications Site Map PA/23/00513</h3> <p>This site map displays the Planning Application Site Boundary and the extent of the area within which neighbouring occupiers / owners were consulted as part of the Planning Application Process</p>	<p>London Borough of Tower Hamlets</p>
	<p>Scale : 50m grid squares</p>	<p>Date: 4th September 2023</p>

1. SITE AND SURROUNDINGS

- 1.1 The application site is a five-storey building located within the mixed-use development known as Canary Riverside which comprises a hotel, offices, restaurants, and residential buildings. The application site is located adjacent to the River Thames, which is to the west of the site. The building is accessible by a public walkway which runs parallel to the river.
- 1.2 The lower floors of the building are currently occupied by Virgin Active Gym. The Third and fourth floors have previously been used as a restaurant but have remained vacant for approximately 4 years. The roof (fifth floor) remains vacant and undeveloped. The third and fourth floors are accessible from within the building via a stairway or two separate lifts.
- 1.3 The application site is neither locally nor statutory listed. Nor does it lie within a Conservation Area,
- 1.4 The site is situated within the Canary Wharf Major Centre and the Canary Wharf Strategically Important Skyline Area.
- 1.5 The site is within the designation of: CIL Zone 1 and Flood Zone 3.
- 1.6 The site has a PTAL (Public Transport Accessibility Level) of 5 which is 'good' on a scale of 0-6b where 6b is the most accessible.

2. PROPOSAL

- 2.1 The application seeks full planning permission for a roof extension with the creation of an external terrace space (237sqm) with outdoor seating associated with the existing restaurant at the third and fourth floor. The roof terrace would provide space for approximately 100 customers.
- 2.2 The edges of the terrace would be set back from the roof edge, by approximately 2.15m, and bounded by a 2m tall, obscured glass balustrade acting as an acoustic barrier. The terrace space would include a 0.8m tall rooftop bar occupying approximately 31.2 sq.m, positioned centrally within the terrace's eastern end. Its bulk will be largely obscured from the public realm when viewed from ground level. Plant machinery is proposed to be located at the eastern end of the terrace, sat behind the stairway and lift overrun, which will provide access to the rest of the host building. The lift overrun will stand to a height of approximately 2.5m, being approximately 2.33m wide x 2.06m deep.
- 2.3 The application seeks to introduce plant machinery to the eastern end of the rooftop terrace. The plant will consist of x7 plant units, measuring approximately 1m (height) x 1.2m (depth) x 8.7m (width).
- 2.4 Other alterations to the façade include the addition of new bi-folding glass doors to the 3rd floors in order to provide a terrace creating amenity space, and minor alterations to the glass façade on the 4th floor in order to provide bi-folding doors, which were approved under planning application ref: PA/21/00168 and which have been included within this application. The bi-folding doors, when open, will form a full width, recessed balcony which provides diners with westward views of the Thames River and open aired dining experience.

3. RELEVANT PLANNING HISTORY

Planning History relevant to the application site

- 3.1 PA/22/00143: Proposed roof extension with the creation of an external terrace space with outdoor seating to existing restaurant and new plant. Alterations to the façade to include addition of new bi-folding glass doors to the 3rd floor in order to provide a terrace creating amenity space and minor alterations to the glass façade on the 4th floor in order to provide bi-folding doors. Refused – 19 July 2022.
- 3.2 PA/21/00168: Alterations to the façade to include addition of new bi-folding glass doors to the 3rd floor in order to provide a terrace creating amenity space and minor alterations to the glass façade on the 4th floor in order to provide bi-folding doors. Permitted – 06 April 2021.
- 3.3 PA/16/03395: Change of use of third and fourth floor from A3 (restaurant) into two residential dwellings. Permitted – 23 February 2017.

The above consent is understood to never have been implemented.

4. PUBLICITY AND ENGAGEMENT

- 4.1 The Council notified 313 neighbouring owners/occupiers by post and the application was also publicised online.
- 4.2 A site notice was displayed on 14/04/2022 within the immediate vicinity of the site.
- 4.3 A total of 96 letters of representation were received in response to the proposals. 29 letters were received in support of the proposals, and 76 were received in objection.
- 4.4 Below is a summary of representations received in support of the proposals:
- The unit has been vacant for six years and it would be good to see it an active use once again.
 - The proposals would not result in overlooking, a loss privacy or noise disturbances.
 - The proposals are considered to benefit the Canary Riverside Estate and would provide an increased variety of cuisines available within the local setting.
- 4.5 Below is a summary of representations received in objection of the proposals:
- The proposals would harm the experienced amenities of local residents by way of increased noise disturbance. The site lays in close proximity to residential properties which are considered vulnerable to further noise disturbance, due to the proximity of conflicting uses, and due to the existing pattern of development which would amplify any noise created as a result of the restaurant's operation.
 - The application suggests that the local area experiences noise disturbances already. This is not accurate. The site is largely shielded from noise due to the pattern of development. The noise which emanates from neighbouring commercial units has been inaccurately represented.

- Concerns are raised in respect to the accuracy of the submitted noise impact assessment and the proposed noise mitigation measures.
- The proposals would if permitted pose a security risk, with restaurant clientele being provided access to the Canary Riverside development and associated gardens. Local residents already report problems with nuisance behaviours and are concerned that this would be exacerbated.
- The application would introduce opportunities for overlooking to occur, which would be harmful to experienced sense of privacy of local residents.
- The development would harm the experienced amenity of local residents as a result of increased light pollution. There are further concerns that the operation of the rooftop bar/restaurant area would result in air pollution and odour/smell pollution also.
- The proposed rooftop use is inappropriate given its setting within a primarily residential area. The volume of customers is far too much and the density of development is inappropriate.
- The proposals would result in excess waste and litter being left behind and within the local setting.
- The changes from the most recent application are negligible and the scheme is still considered generally unacceptable.

Concerns were raised with respect to a lack of public consultation in response to amendments to the noise impact assessment and the comments shared between the applicant team, the planning officer and environmental health officers also

- The proposed development would adversely impact upon the quiet enjoyment of local residents, and would if permitted result in adverse impacts to health and wellbeing.

5. CONSULTATION RESPONSES

Internal Consultees

LBTH Environmental Health – Smell/Pollution Team

- 5.1 No objections towards the proposed development.

LBTH Environmental Health – Noise and Vibration

- 5.2 No objections towards the proposals.

The applicant has provided an Advice Note, dated 11 June 2023 to support the Environmental Noise Assessment, dated 30 November 2022. The applicant has qualitatively reviewed noise emissions, and officers agree with that the noise limits proposed are achievable.

- 5.3 LBTH Environmental Health – Noise and Vibration Officers recommend that conditions be applied, in order to preserve the experienced amenities of local residents. The proposed conditions will prohibit use of the terrace between the hours of 22:00 - 08:00 and the volume of noise which may

be produced by its operation. Further standard conditions are recommended restricting noise emissions from plant machinery and the requirement to submit a verification report demonstrating compliance with predicted noise levels reported.

LBTH Transport and Highways

- 5.4 No objections subject to the application of conditions to secure details of Construction Management Plan (CMP).

The applicant is required to provide a CMP as a pre-commencement condition to ensure that there is minimal impact to pedestrians, vehicles and to the public highway during the construction phase of development.

- 5.5 The proposed extension will increase the number of customers. LBTH Transport and Highways welcomes the proposed increase to the provision of cycle parking available to staff and customers.
- 5.6 The applicant is required to provide details of the existing car park and how this will be managed to ensure that there is not an increase in customers attending via car, and instead promote sustainable travel.

LBTH Waste Management

- 5.7 No objections to the proposed development.

6. PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that decisions on planning applications must be taken in accordance with the Development Plan unless there are material considerations that indicate otherwise.

- 6.2 In this case the Development Plan comprises:

- The London Plan (2021)
- The Tower Hamlets Local Plan (2020)

- 6.3 The key development plan policies relevant to the proposals are:

Land Use - (*Concentration of existing use*)

- o Local Plan policies – S.TC1, D.TC5

Design - (*layout, townscape, massing, heights and appearance*)

- o Local Plan policies – S.DH1,
- o London Plan policies – D1, D3, D4

Amenity - (*privacy, noise, light pollution, odour construction impacts*)

- o Local Plan policies – D.DH8 and D.ES9
- o London Plan policies – D3

Transport- (*sustainable transport, highway safety, car and cycle parking, servicing*)

- o Local Plan policies – S.TR1, D.TR2, D.TR3, D.TR4, D.MW3

- London Plan policies – T5

Environment - (*air quality, odour, waste,*)

- Local Plan policies – S.ES1, D.ES2

6.4 Other policy and guidance documents relevant to the proposals are:

- National Planning Policy Framework (2021)
- National Planning Policy Guidance (updated 2021)

7. ASSESSMENT

7.1 The decisive issues are:

- Land Use
- Design
- Neighbouring Amenity
- Transport and Waste Management
- Environment
- Equalities and Human Rights

Land Use

7.2 Policy S.TC1 of the Tower Hamlets Local Plan (2020) outlines that development is required to support the role and function of the borough's town centre hierarchy and the provision of town centre uses in line with the principles established for its relative setting. Development within the Canary Wharf Major Centre will be expected to provide a high proportion of comparison retail compared to convenience, along with leisure and civic uses. Policy S.TC1 goes on to state that new development must contribute positively to the function, vitality and viability of the Major Centre and that the scale of development should reflect the character, scale and role of the centre to which it is set.

7.3 Policy D.TC5 of the Tower Hamlets Local Plan (2020) states that cafes, restaurants and drinking establishments, will be supported within the Canary Wharf Major Centre, provided that it can be demonstrated that the overall vitality and viability of the town centre would be enhanced.

7.4 The lawful use of the third and fourth floors is Use Class E(b) (restaurant use), although it is noted that both floors have been left vacant for approximately 4 years. The proposals seek to extend the existing lawful use. Thus, the proposed land use is considered acceptable in principle, and its intensification would contribute positively toward the function, vitality and viability of the Canary Wharf Major Centre, and the immediate setting of the application site, in accordance with policy S.TC1.

Design

7.5 Policy S.DH1 of the Local Plan (2020) seeks to ensure development meets the highest standards of design and layout. Development should positively respond to its context by demonstrating appropriate scale, height, mass, bulk and form. It should represent good urban design, and ensure

that architectural language, design of details and elements complements the immediate surroundings.

- 7.6 The proposals comprise the installation of bi-folding glazed doors at third floor level to the elevation that fronts the River Thames. Currently the façade comprises partial glazing up to second floor level with the remaining areas having a masonry finish, and the top level being fully glazed. The glazing to the top level would be amended to allow for the introduction of doors, however, would remain as existing in terms of materials. To the northeast and southwest elevations, existing single pane windows at third floor level are to be replaced with larger three panel windows.

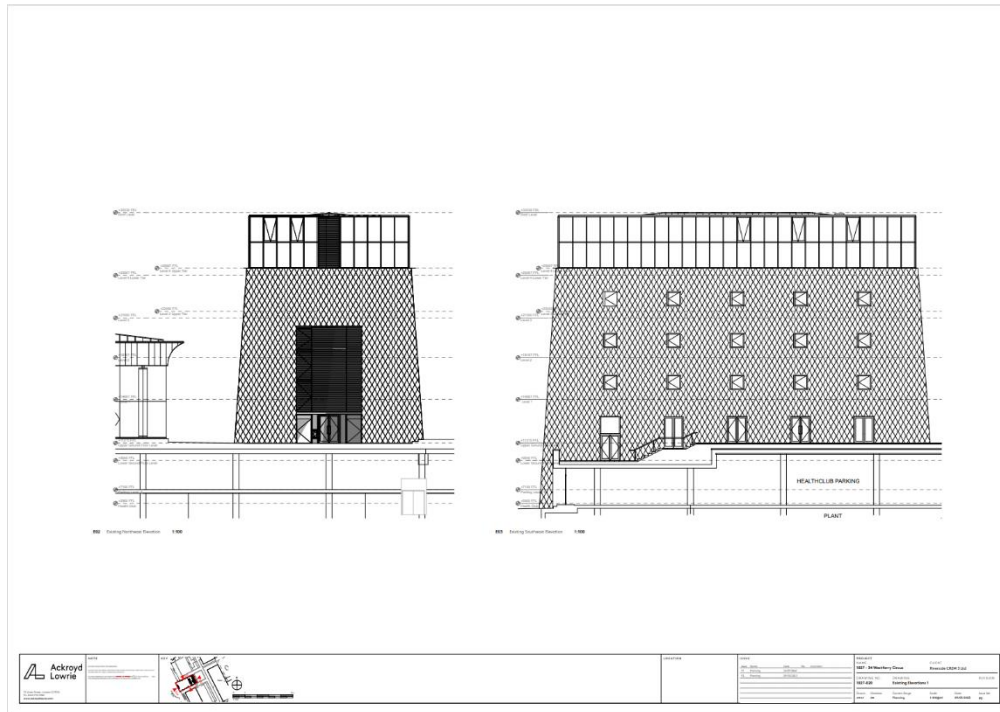


Figure 1.1: Existing West and Southern Elevations

- 7.7 The introduction of additional glazing at third floor level would not detract from the existing architectural quality of the building and would reflect its modern appearance. The alterations to the fenestration pattern have a limited impact on the overall building. Furthermore, Officers note that the proposed alterations were granted full planning permission, under PA/21/00168. The changes proposed to the third and fourth floors, are thus considered to be acceptable in terms of design and appearance.

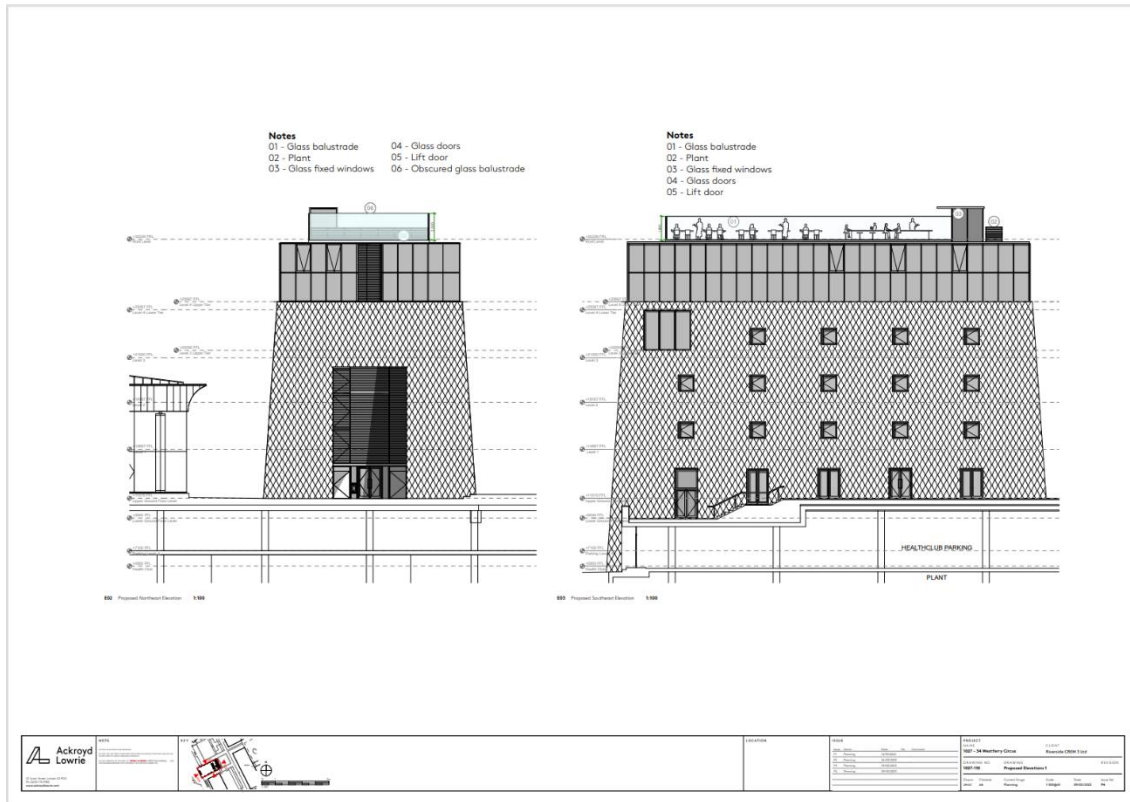


Figure 1.2: Proposed West and South Elevations.

- 7.8 In terms of the most substantial aspect of the proposals, the proposed roof terrace would be bounded by a 2m tall, obscured glass balustrade, which would serve as an acoustic screening. The screening will comprise of individual sheets, set within a metal framing system (inclusive of appropriate sound insulating seals). The acoustic screening will be designed to ensure that there are no gaps, in order to optimise the acoustic insulation provided by the structure. Officers propose to apply condition to ensure that the screening is not inclusive of any gaps, and that the surfacing density of the screen is at least 10kg/m², to ensure that the development is in accordance with policies D.DH8 and D.ES9 of the Tower Hamlets Local Plan (2020).
- 7.9 The roof terrace will be set back approximately 2.15m from the building's roof edge to reduce its dominance. The terrace space would include a 0.8m tall rooftop bar occupying approximately 31.2 sq.m, positioned centrally within the terrace's eastern end. The materiality of the roof terrace and rooftop bar are considered to be in keeping with that of the host building. The scale of development is appropriate in design terms and would not introduce excessive bulk and mass to the roofscape. The lift overrun and plant machinery are located appropriately at the rear of the terrace (east end), to further minimise the developments visual prominence from the public realm via oblique angles.
- 7.10 Officers consider the proposals to be in accordance with policy S.DH1 of the Tower Hamlets Local Plan (2020). However, it is noted that details of a lighting strategy have not yet been provided. It is therefore proposed to impose a suitable condition to secure detail of lighting arrangements, to

prevent any disruption to local residents as a result of visually obtrusive lighting, in accordance with policies S.DH1 and D.DH8 of the Tower Hamlets Local Plan (2020).

Neighbouring Amenity

- 7.11 Policy D.DH8 of the Tower Hamlets Local Plan (2020) stipulates that development is required to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupants, as well as the amenity of the surrounding public realm. Policy D3 of the London Plan (2021) requires that site capacity is optimised through a design-led approach, which seeks to deliver appropriate outlook, privacy and experienced amenity for future occupants of the site.
- 7.12 Policy D.ES9 of the Tower Hamlets Local Plan requires development to be appropriately designed to mitigate the impacts of increased levels of noise and vibration and avoid causing undue disruption within the local setting. Where new noise-sensitive land uses are proposed in proximity to existing noise-generating uses, development is required to robustly demonstrate how conflict with existing uses will be avoided, through mitigation measures.
- 7.13 Belgrave Court lays approximately 33.1m to the north of the host building. To the northeast and east of the site lays, Eaton House and the Canary Riverside Plaza hotel, respectively. Both buildings are distanced greater than 24m away from the site. To the south and southeast of the site, lies Hanover House and Berkeley Tower, respectively. Both buildings are positioned at a distance greater than 50m away from the site. Immediately to the southeast of the site, the adjoining building is a low-rise development accommodating a gym.
- 7.14 To the northeast and southwest elevations, existing windows are to be enlarged. The separation distances detailed above exceed the 18m distance between windows and habitable rooms which reduces inter-visibility to a degree considered acceptable by most people. In addition, given the fourth floor currently benefits from full height glazing, there is an existing degree of mutual overlooking between the site and surrounding buildings. Officers do not therefore consider the proposed enlargement of windows to be harmful to the experienced amenities of local residents.
- 7.15 For the same reasons set out above (mutual overlooking and sufficient distances between buildings), the proposal for a new roof terrace would not result in an increase in overlooking or loss of privacy to neighbouring buildings. In addition, the roof terrace has been designed such that it would be set back from the roof edge on all sides, sat behind a 2m tall obscured glazed glass balustrade, which would further reduce opportunities for overlooking to occur.
- 7.16 The application has been accompanied by a Noise Assessment (prepared by Sharps Redmore) and a supplementary Advice Note was also subsequently submitted to Officers for review. The documents submitted have been assessed by LBTH Environmental Health Noise and Vibration Officers who have considered the impacts in terms of noise and vibrations, that the proposal would have upon the local setting and amenities of neighbouring occupiers.
- 7.17 In assessing the proposal, Officers note that planning application PA/22/00143 was refused on the basis that the development would have an unacceptably detrimental impact on neighbouring occupier's amenity by way of noise and disturbance. The previous planning application included a glass balustrade, acting as an acoustic barrier, standing to a height of 1.8m. The Environmental Health Officer assessing the noise impacts of the proposal considered the effectiveness of the proposed mitigation measure and concluded that the acoustic barrier would be ineffective for residential units positioned at levels higher than the proposals.

- 7.18 The current planning application is similar in nature to PA/22/00143, however an increase in the height of the glass balustrade from 1.8m to 2m is proposed, in addition to amendments to the location of the rooftop bar, and access arrangements via the lift and staircase also.
- 7.19 This application has been accompanied by a Noise Impact Assessment, prepared by Sharps Redmore. The Noise Impact Assessment has utilised a revised noise modelling SoundPlan, which differs to the one used by M Safe Technologies Ltd, which was submitted under PA/22/00143. The Sharps Redmore report, assumes a source term of 66dB/m² for the proposed use of the roof terrace. This is significantly lower than the LAeq 85 dB, which had been assumed for the same use, as detailed in the M Safe Technologies Assessment.
- 7.20 Environmental Health Noise and Vibration Officers have confirmed that the initial report produced by M Safe Technologies was based upon a very brief noise calculation which did not consider to adequately evaluate noise emissions from the proposed roof terrace.
- 7.21 The Sharps Redmore assessment, which supports this application utilises a more detailed noise modelling calculation, which robustly demonstrates that the predicted noise outputs from the terrace would be lower than that which had previously been assumed. The assumed source term of 66dB/m² is considered acceptable by Environmental Health Officers. Given the separation distance between the terrace and local residential properties, the SoundPlan modelling indicates that sound from the terrace will be experienced by local residents at a volume of 43-45dBa, which would be acceptable as it is at least 5dB below the measured background L90 50dBA.
- 7.22 Environmental Health Officers are now satisfied that the proposals do not present undue harm to local residents, as demonstrated in the Noise Impact Assessment and supplementary Advice Note (prepared by Sharps Redmore) accompanying this planning application. The two documents have been compiled using a different dataset/computer modelling software to that which was used by the previous consultants (M Safe Technologies' Acoustic Consultancy Report). The computer modelling system and methodology is regarded as being more detailed and accurate, and thus sufficiently demonstrates greater certainty to the likely impacts. Environmental Health Officers have concluded that the information submitted as part of this application has robustly demonstrated that the proposals would not cause undue harm and therefore, they do not raise objection.
- 7.23 To ensure that noise impacts are minimised and mitigated against, Officers propose to impose a number of suitable conditions. Officers will apply condition to limit the hours use for the roof terrace and prohibiting any use of the terrace between the hours of 22:00 pm– 08:00am. A condition will also be applied to ensure that the terrace is closed to customers from 21:00, to allow a 1 hour period for staff to clear the roof terrace after service. The proposed condition will also ensure that it will limit low frequency noise in the 63hz and 125hz octave bands assessed at 1 m outside a window to a habitable room, so that it shows no increase.
- 7.24 A condition will also be applied prohibiting use of the terrace until a post verification report (which will require the inclusion of acoustic tests results) and details and specification of the acoustic screening has been submitted to and approved by the Local Planning Authority. To produce the verification report, an array of speakers to simulate noise emission with appropriate source input can be used. This will ensure that the development is built out in compliance with the noise criteria established and also ensure that the glass balustrade, acting as an acoustic barrier has a surface density of at least 10kg/m², and is without gaps, to prevent noise from being amplified into the local setting.

- 7.25 The conditions proposed by Environmental Health Noise and Vibration Officers have been accepted by the applicant and will mitigate against undue noise nuisance arising from the proposal, throughout the lifetime of the development (inclusive of the construction phase). The proposals are therefore considered by Officers to be compliant with policy D.ES9 and D.DH8 of the Tower Hamlets Local Plan (2020).
- 7.26 Concerns have also been expressed around security and public access to the site. Officers understand that whilst the restaurant used to be accessed via the gardens, this access was moved several years ago. The restaurant would now be accessed via the main entrance, which is accessible from the Thames Path. Furthermore, the gardens are understood by Officers to be gated and accessible via fob keys. The proposals would not alter this, and thus is not considered likely to pose a heightened security risk to local residents.

Transport and Waste Management

- 7.27 The application site has a PTAL rating of 5, meaning that public transport accessibility of the site is moderate to good. The application site, as existing provides x5 cycle stands at lower basement level.
- 7.28 Given the intensification of the restaurant use, the development proposes to make the provision for an additional 6 short stay cycle parking spaces (3 Sheffield stands) and 4 long stay spaces (located within a secure locker). The proposed uplift is compliant with policies S.TR1 and D.TR3 of the Tower Hamlets Local Plan (2020), which seek to promote the uptake of green and active travel within the borough and reduce reliance upon carbon reliant travel patterns.
- 7.29 The Restaurant Use floors of levels 3 and 4 currently share waste arrangements with the gym which occupies the lower levels of the host building. It is proposed that waste management continues to operate as existing, whereby bins are brought from the refuse areas of the lower basement, to designated loading bays, which are emptied by a private refuse collector. The proposals do however seek to increase waste capacity from 2 x 1100L bins to 6 x 1100L bins, to accommodate the increase in the capacity in the restaurant. Additionally, it should be noted that refuse will be collected on a daily basis.
- 7.30 The Council's Waste Management Officer has confirmed that the proposed waste management strategy is appropriate and would not compromise local amenity as a result of excess waste. The proposals are thus considered to be compliant with policy D.MW3 of the Tower Hamlets Local Plan (2020).
- 7.31 Although officers consider the proposals to be acceptable in nature, a condition to secure detail of a thorough waste management strategy for the proposals should be secured. This is to ensure that the development is in accordance with policy D.MW3 of the Local Plan (2020)

Environment

Air Quality

- 7.32 Policy D.ES2 of the Local Plan (2020) states that development s required to meet exceed the 'air quality neutral' standard, including promoting the use of low or zero emission transport and reducing the reliance on private motor vehicles.
- 7.33 The application seeks to introduce plant work to the rooftop of the host building. Officers have consulted LBTH Environmental Health Air Quality Officers in respect to the plans, who have raised

no objections to the proposals. The proposal is therefore considered to be compliant with policy D.ES2 of the Tower hamlets Local Plan (2020).

Human Rights and Equalities

- 7.34 The proposal does not raise any unique human rights or equalities implications. The balance between individual rights and the wider public interest has been carefully considered and Officers consider it to be acceptable.
- 7.35 The proposed development would not result in adverse impacts upon equality or social cohesion.

Conclusion

- 7.36 The application is considered by Officers to be compliant with the policies of the development plan. The information submitted in support of the proposals is considered to have robustly demonstrated the proposed development would not unduly impact upon the experienced amenities of local residents as a result of noise disturbances or overlooking and loss of privacy. Furthermore, the design and general management strategy is considered to be acceptable. Officers therefore recommend the application for approval.

8. RECOMMENDATION

- 8.1 That planning permission is GRANTED subject to the application of the following planning conditions. That the Corporate Director of Place is delegated the power to impose conditions and informatives to address the following matters

8.2 Planning Conditions

Compliance

1. 3 Years Deadline for Commencement of Development.
2. Development in Accordance with Approved Plans.
3. Restrictions on Demolition and Construction Activities:
 - a. All works in accordance with Tower Hamlets Code of Construction Practice
 - b. Standard hours of construction and demolition
 - c. Air quality standards for construction machinery
 - d. Ground-borne vibration limits
 - e. Noise pollution limits.
4. Noise from Plant
 - a. Any mechanical plant and equipment within the development shall be designed and maintained for the lifetime of the development so that it does not exceed the limits hereby agreed by Environmental Health Noise and Vibration and outlined within Section 2.3 of the Sharps Redmore Advice Note.
 - b. No mechanical plant or equipment shall be operated within the site until a post installation verification report, including acoustic tests has been submitted to and approved in writing by the local planning authority.
5. Hours of Operation of roof terrace
 - a. No operation between 22:00 – 08:00 hours
 - b. Closed to customers after 21:00 hours
 - c. Limitations to noise that can be produced during hours of operation.

6. Acoustic Glazed Screen shall have no gaps or opening, and the surfacing density must be at least 10kg/m²
7. The rooftop terrace capacity shall not exceed 100 customers at any one time, in compliance with the submitted roof plans, in order to limit the volume of noise created by patrons of the rooftop dining area.

Pre-Occupation

8. Approval of materials (Including full details of acoustic performance of glazed screen)
9. Approval of a lighting strategy (lighting equipment, luminosity, and on/off times)
10. Cycle Parking (full details of cycle parking and lifetime upkeep of parking arrangements)
11. Refuse storage (full details of refuse storage areas)
12. Post verification report (details to be submitted including acoustic tests)

Appendix Plans and Elevations

Figure 1 – Location Plan



Figure 3 – Existing lower basement plan

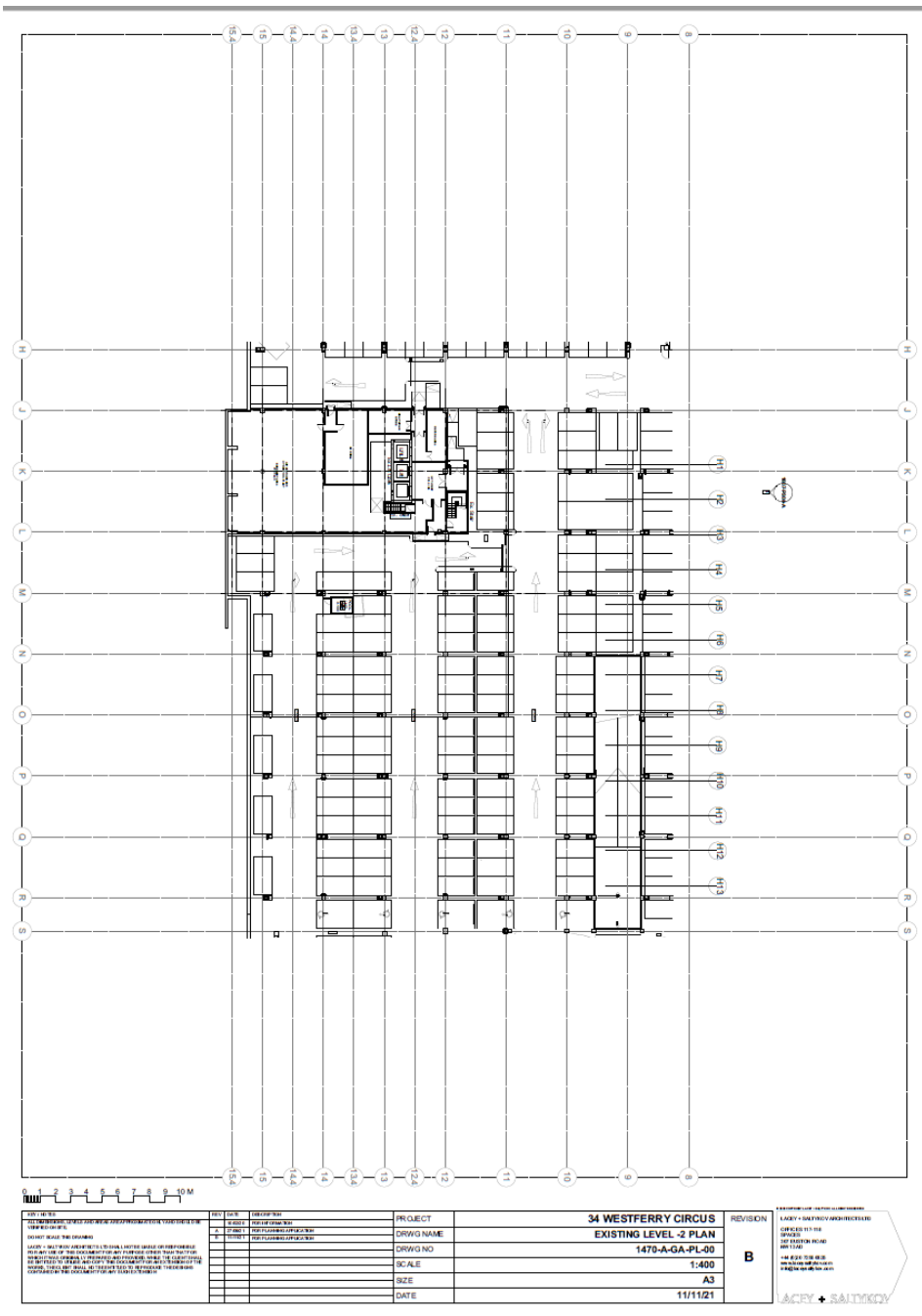


Figure 4 - existing basement plan highlighting bin store

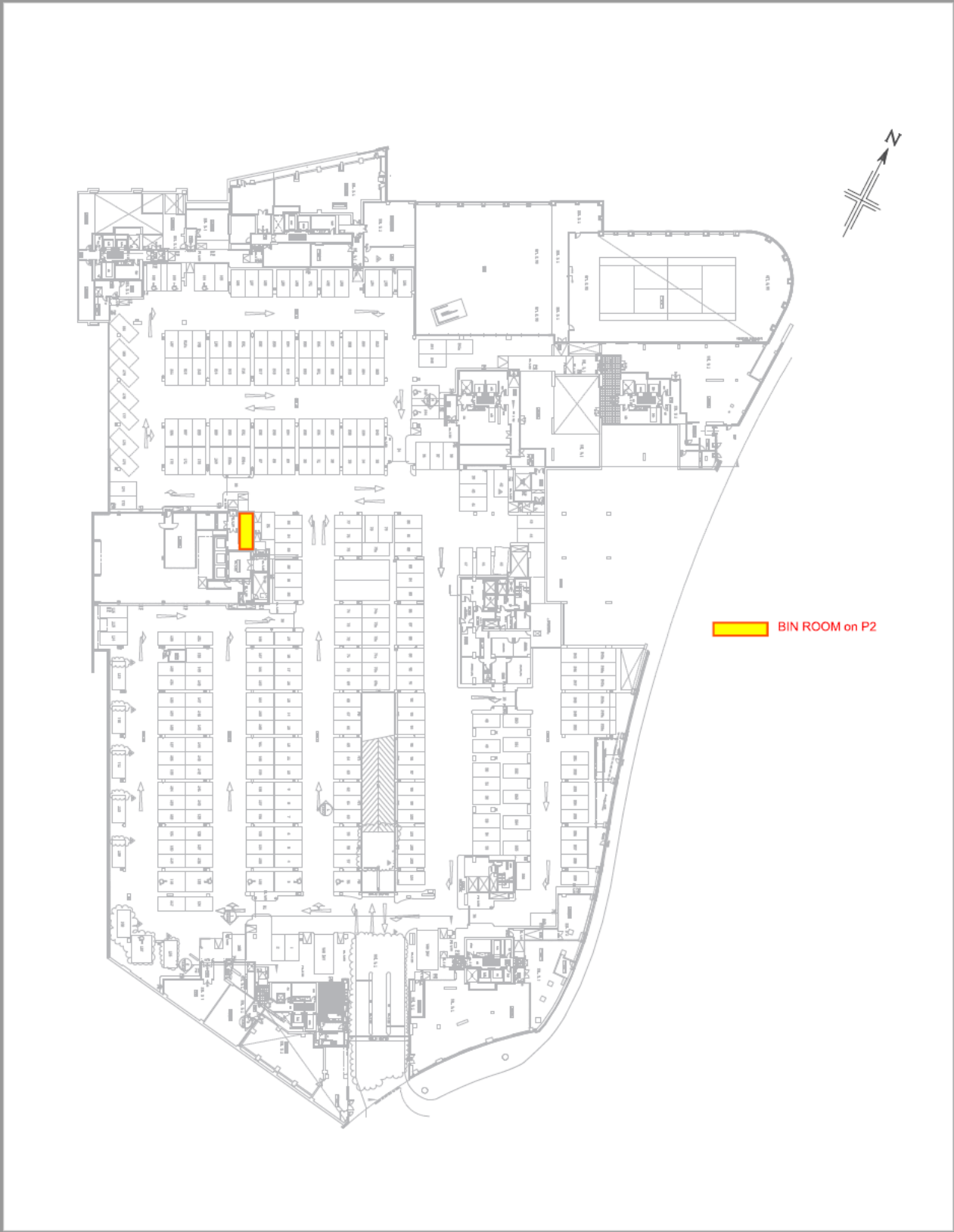


Figure 5 – Existing fourth floor plans

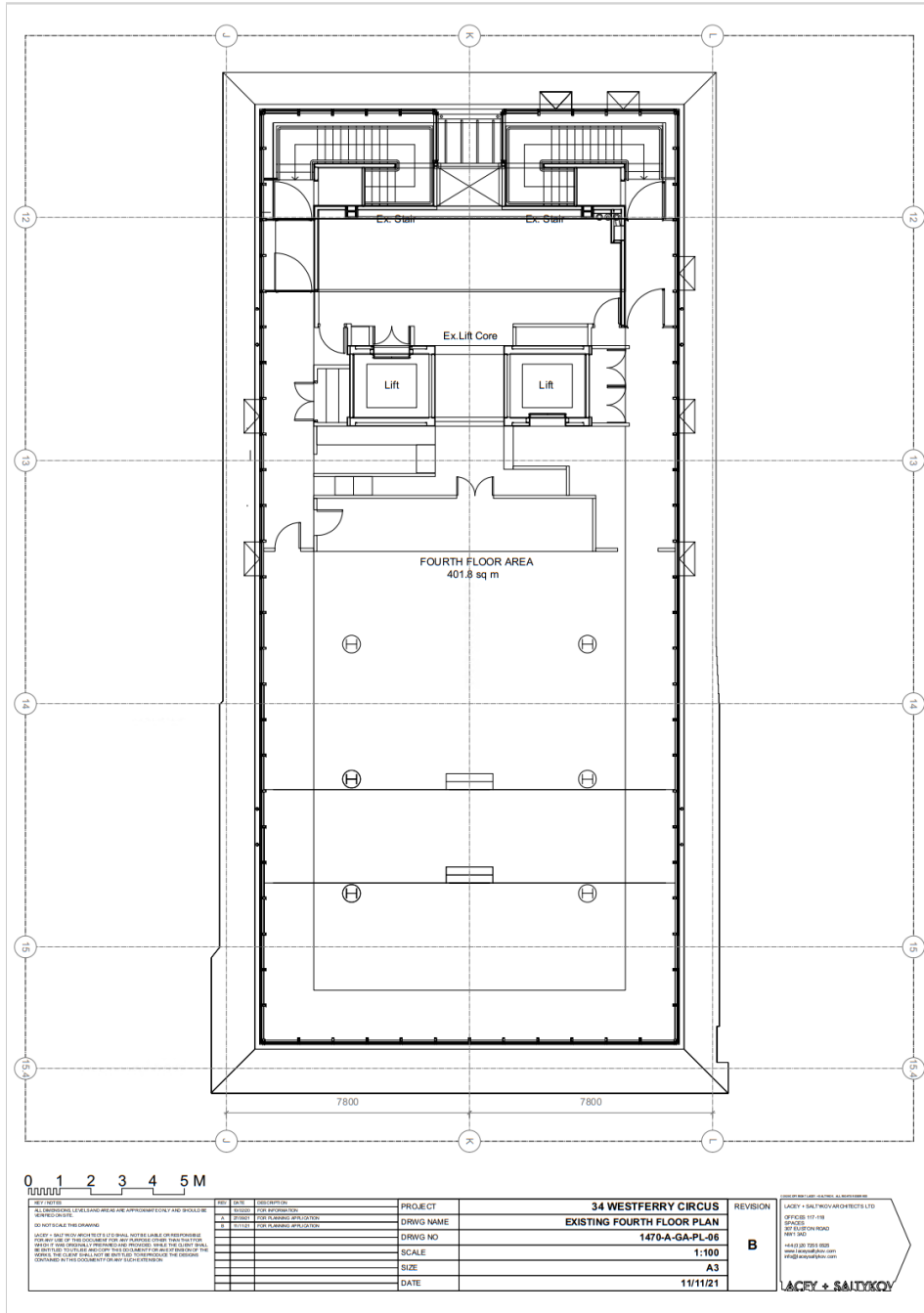


Figure 6 – Existing roof plans

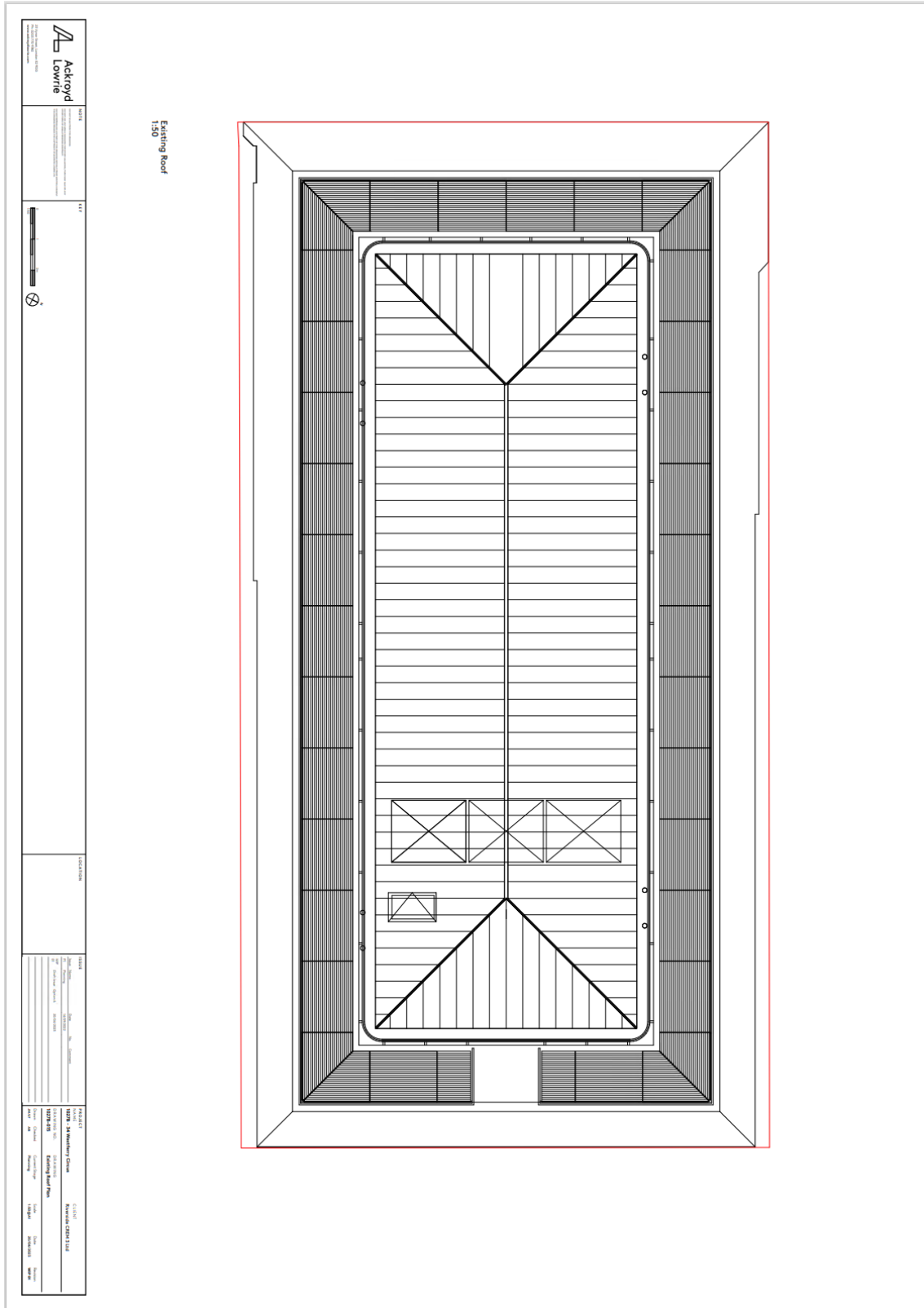


Figure 7 – Existing elevations 1

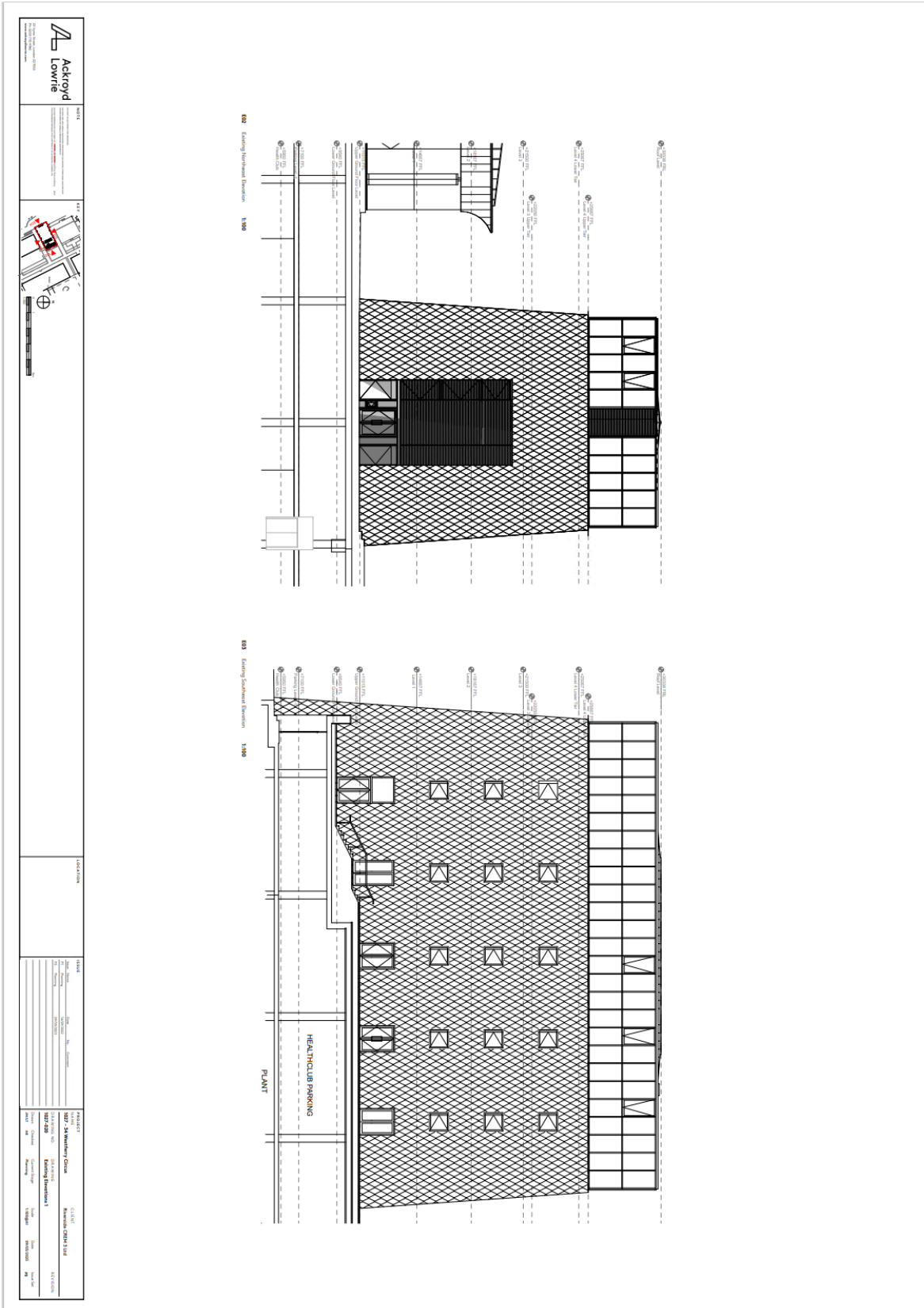


Figure 9 – Proposed lower basement level

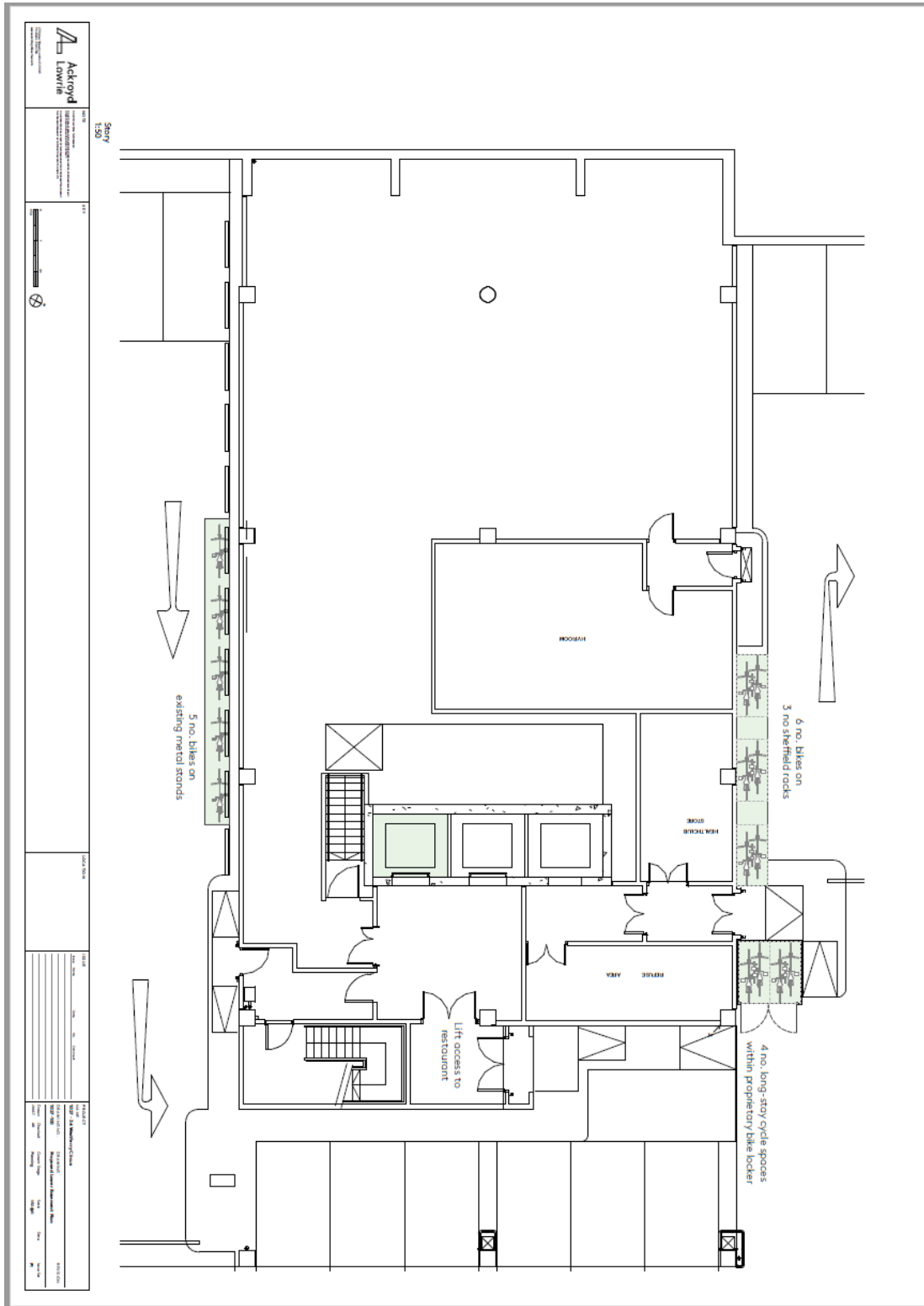


Figure 10 – Proposed fourth floor plans

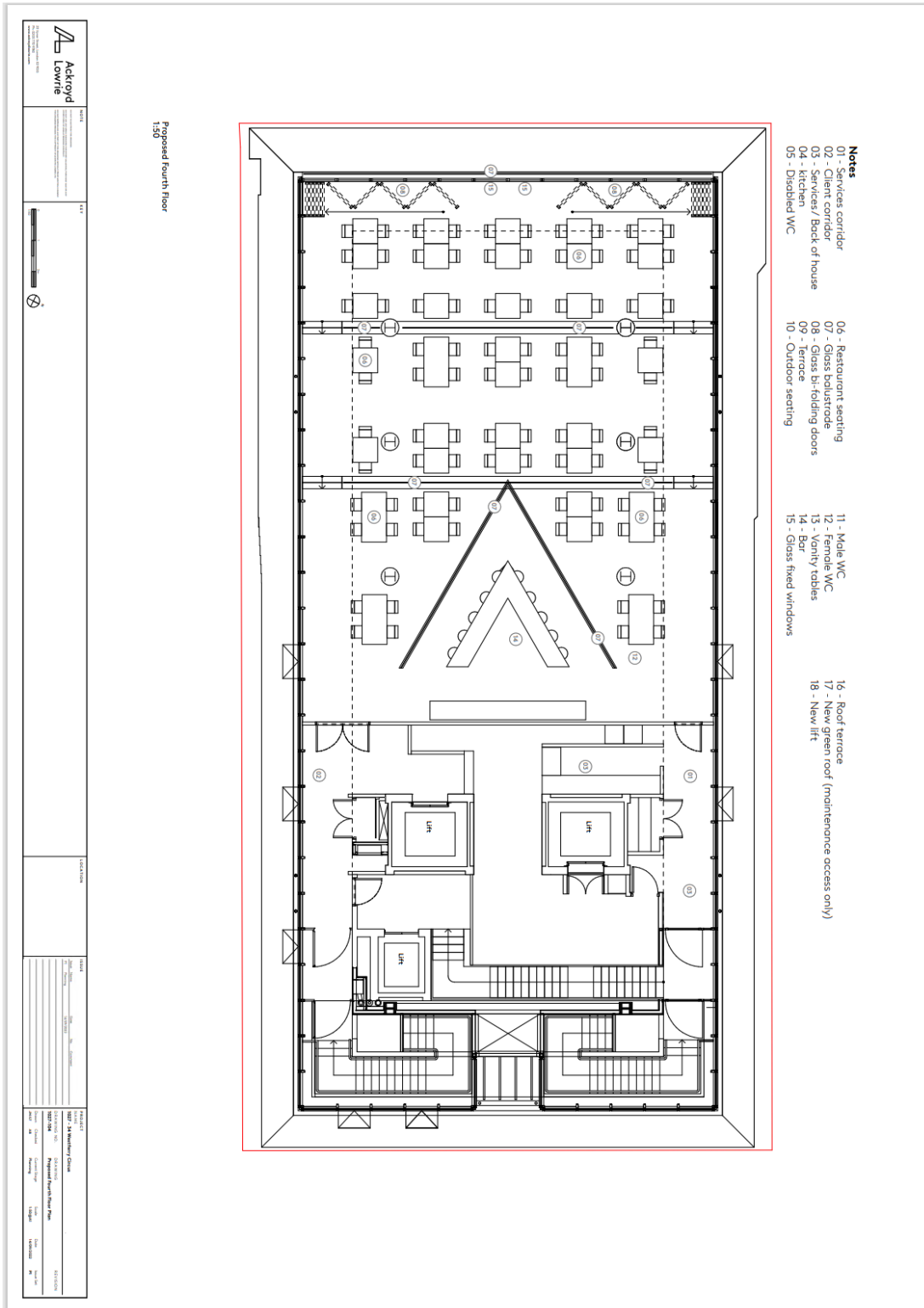


Figure 11 – Proposed roof terrace plan

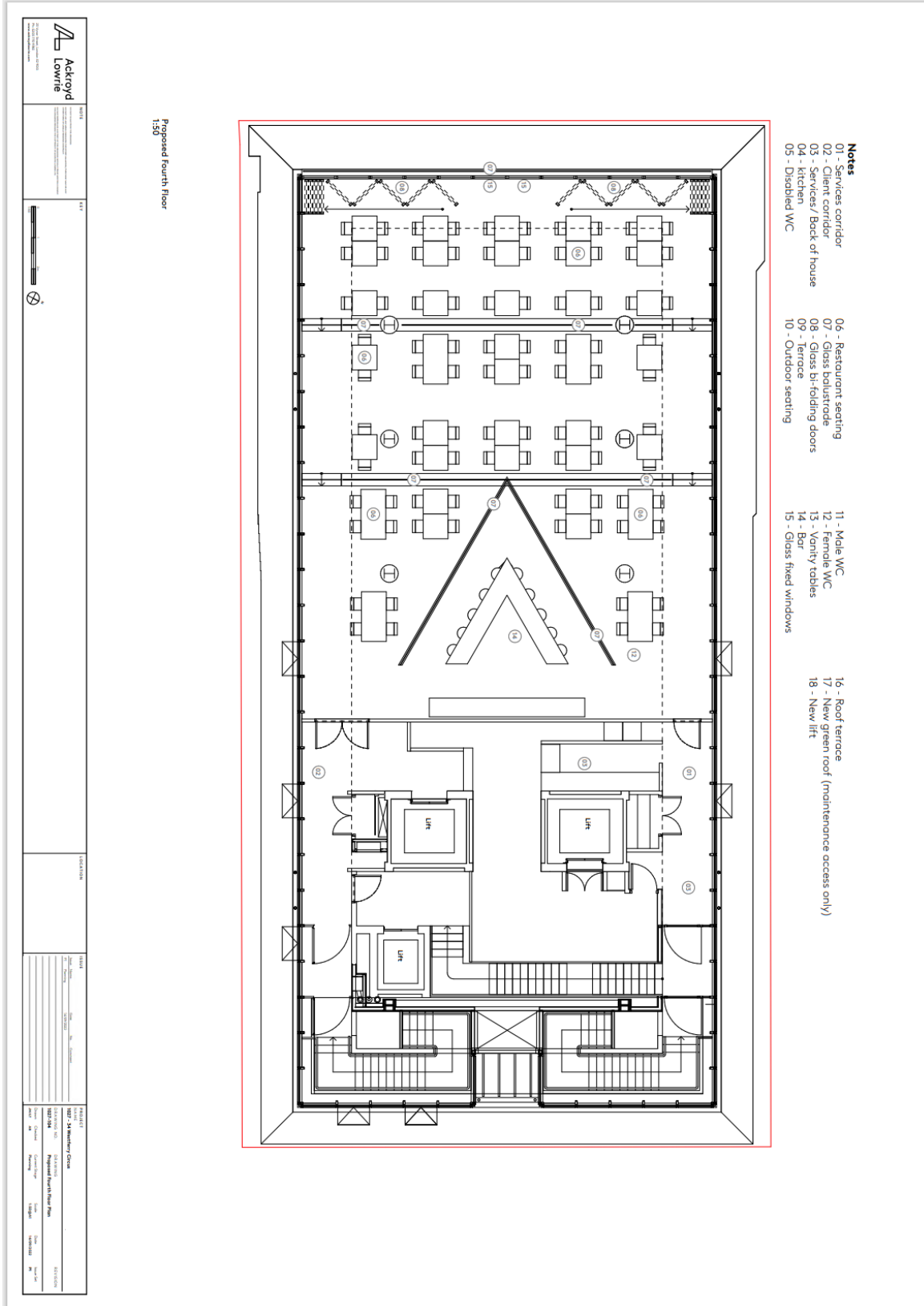


Figure 12 – Proposed elevations 1

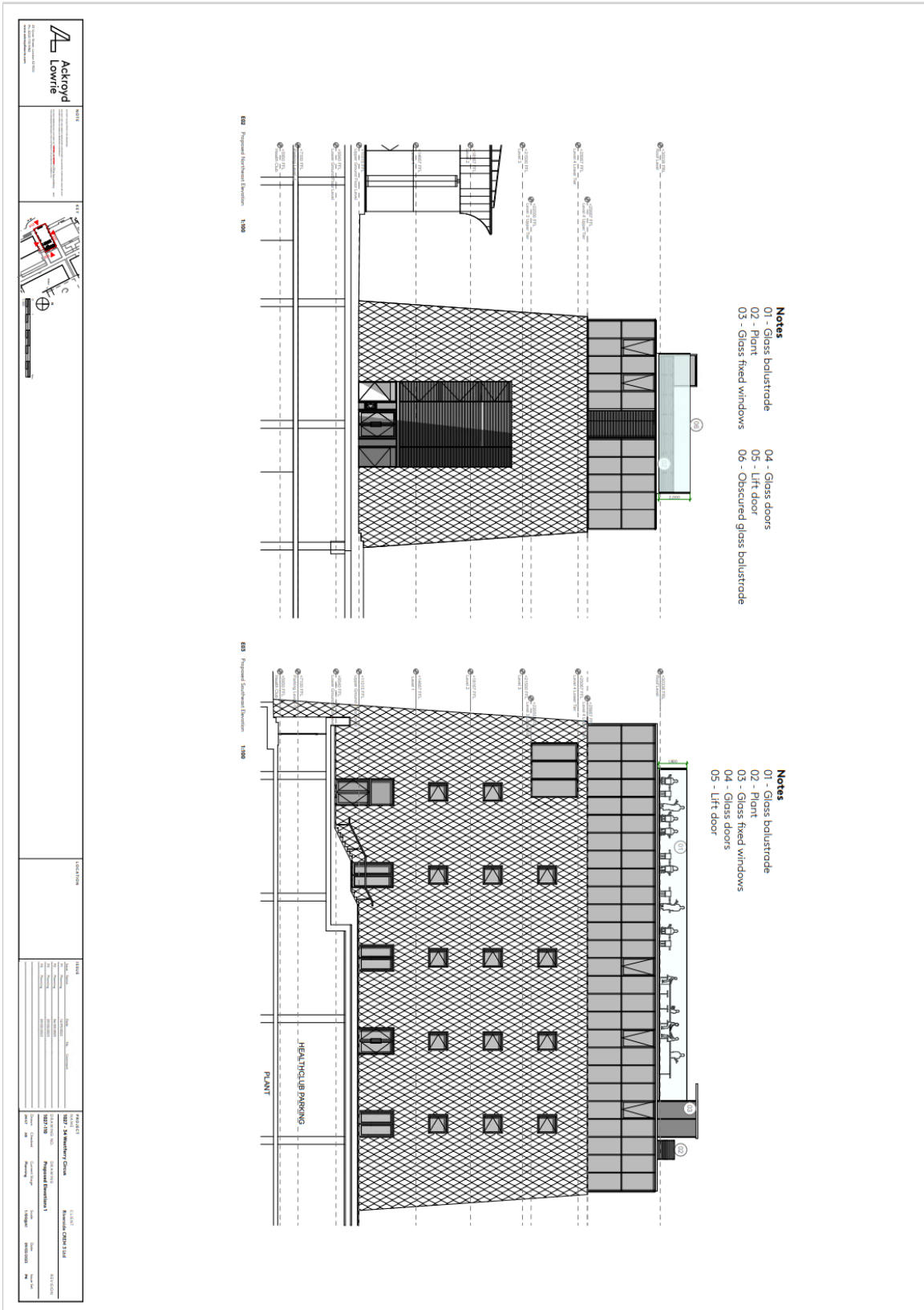
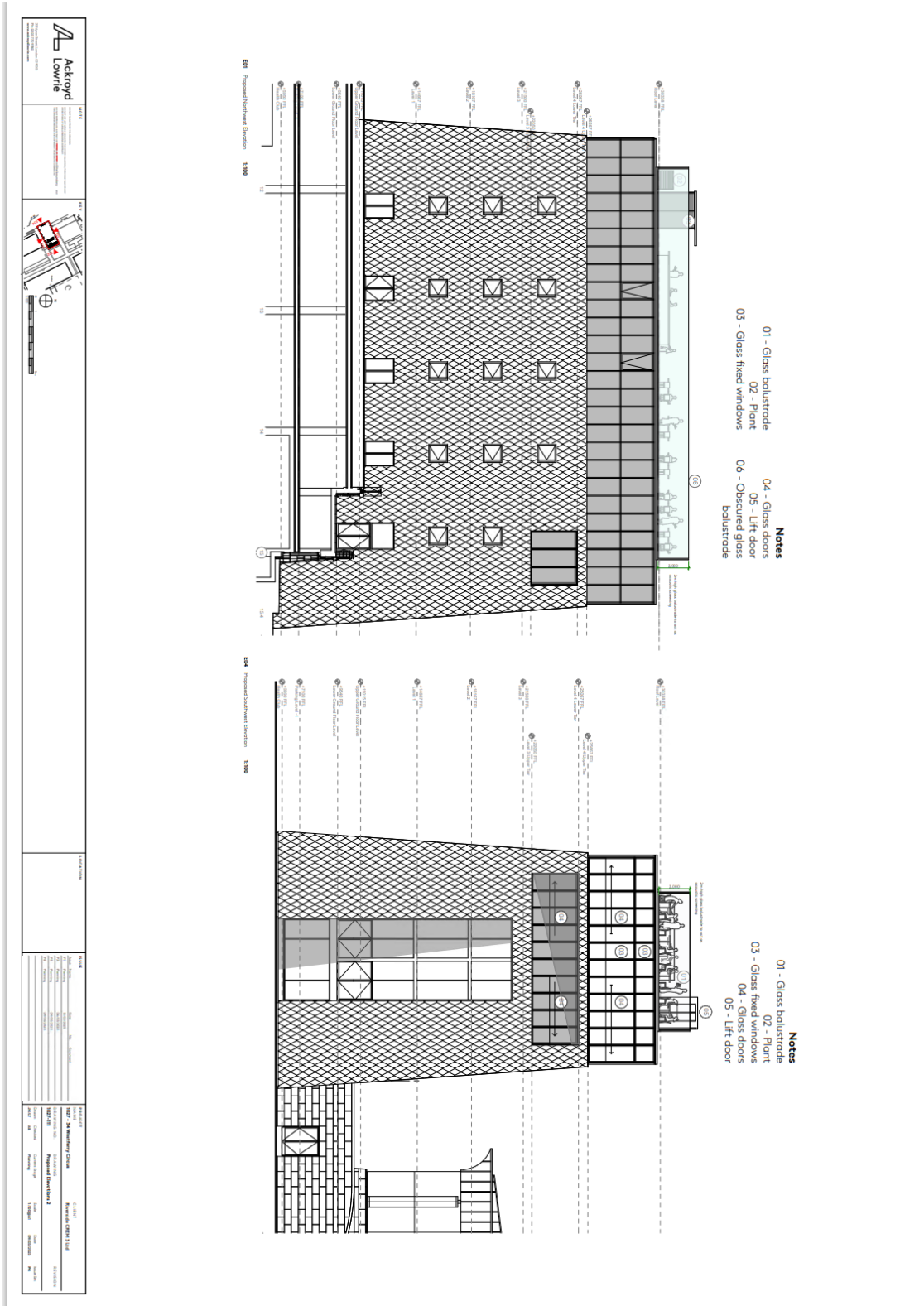


Figure 13 – Proposed elevations 2



Drawings):

1470-A-SP-01 (Revision D)

1470-A-GA-PL-00 (Revision B)

Basement plan highlighting bin room

1027-010

1027-020 P3

1027-021 P2

1027B-015 REV WIP 01

1470-A-GA-PL-06 (Revision B)

1027-100

(Other supporting documents):

Cover Letter, dated 10 March 2023

Environmental noise Assessment of a Proposed Roof Terrace Bar and Restaurant (Project No 2221519), dated 30th November 2022, produced by Sharps Redmore

Advice Note (Project No 2221519), dated 11th June 2023, produced by Sharps Redmore

Email correspondence from Hybrid Planning, regarding waste management, dated 20 July 2023.

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Application for Planning Permission 1

Reference	PA/23/00719
Site	Rich Mix, 35-47 Bethnal Green Road, London, E1 6LA
Ward	Weavers
Proposal	Provision of a new pedestrian entrance to the Rich Mix from Redchurch Street, with construction of a new single-storey entrance pavilion in the rear yard, provision of outdoor seating, parking bays and relocation of existing plant.
Summary Recommendation	Grant planning permission with conditions and planning obligations.

Application for Planning Permission 2

Reference	PA/23/00720
Site	Rich Mix, 35-47 Bethnal Green Road, London, E1 6LA
Ward	Weavers
Proposal	Material Amendment sought to vary Condition No.7 (servicing and loading area), Condition No. 9 (access doors) and No. 10 (deliveries) to planning permission (Ref: PA/02/00876) granted 25/03/2004 for “Refurbishment of existing building to provide an arts centre (for the improvement of inter-cultural understanding) including provision of music, IT education, performing and visual arts, a new 3 screen cinema together with the erection of a rear five storey building and roof level enclosures”.
Summary Recommendation	Grant planning permission with conditions

Applicant	Rich Mix
Architect / Agent	The Planning Lab
Case Officer	Adam Hussain
Key dates (both applications)	- Applications registered as valid on 6 th April 2023 - Public consultation finished on 22nd August 2023

EXECUTIVE SUMMARY

The application site consists of a 5-storey cinema, arts and music venue called the Rich Mix. The Rich Mix is located in the west of the borough, within the Bethnal Green Road District Centre and the Tower Hamlets City Fringe Activity Area. The entrance and main frontage of the building is on Bethnal Green Road, at the south. The north of the building includes a servicing and delivery yard which fronts onto Redchurch Street.

The application site is not within a conservation area and does not include any listed buildings. The application site is opposite the Redchurch Street Conservation Area which is on the north of Redchurch Street.

The proposal is for the construction of a new single-storey extension, the creation of an outside seating area and a new boundary treatment in a section of the existing delivery and servicing yard. The proposal provides two off-street parking spaces. These two parking spaces would be used for delivery and servicing, and blue badge (disabled) parking. The proposal would provide a new pedestrian entrance to the Rich Mix from Redchurch Street. The works would be part of a remodelling of the ground floor of the venue.

In design terms the proposal would provide improvements to the current setting and appearance of this part of Redchurch Street. At present this edge to the cultural venue is comprised of a tall solid gate enclosing the site's delivery and servicing yard that does not help activate the street. The proposed extension would be a modest-sized addition and together with the new boundary treatment would provide a better more visually pleasing and active public facing frontage to Redchurch Street than the existing service yard.

Located opposite the Rich Mix on Redchurch Street are a series of commercial premises on the ground floor, which serve the general public with the upper floors serving as residential.

The proposals would change the range of activities taking place on this side of the Rich Mix through the introduction of a second public entrance to the venue and the provision of outside seating. The proposed new entrance from Redchurch Street to the venue would be closed everyday at 9pm. The outside seating would close at 8pm during the week and 9pm at weekends. The opening times would be controlled by planning condition. The outside seating area would have a modest capacity to seat 30 people (approximately 5 or 6 tables). This is a reduction from the initial submitted proposal that would have provided seating capacity for 60 people. The capacity would be controlled by planning condition.

The application site is a town centre location in a busy and vibrant part of the borough. The proposals have been reviewed by the Council's noise team. They have no objection to the proposals.

The proposed delivery and servicing strategy is comprised of the provision of two new off-street spaces with the continuation of an existing arrangement for some on-street deliveries from both Bethnal Green Road and Redchurch Street. This is the same strategy as existing with the exception that the delivery and servicing yard would change and be replaced by the two off-street servicing spaces. The delivery and servicing strategy associated with the Rich Mix, a long-standing use, has been assessed by Highways officers who find the proposals acceptable.








The application has received a number of representations for and against the proposals. The representations in support of the proposals state that the Rich Mix is a vital community and arts centre in Tower Hamlets. That the proposals will transform the ground floor of the centre and enable it to have a more sustainable future. The representations in objection to the proposals state that the proposed intensification of activity has the potential to be a nuisance to residents. That the proposals will cause an impact in respect of noise and an impact in respect of congestion on the road.

The proposals which are the subject of this recommendation involve two applications. A full planning application for the proposed works. In addition, a material amendment application to vary the wording of conditions on the original planning permission.

Both proposals are recommended for approval, the former subject to conditions and a planning obligation.



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<ul style="list-style-type: none">  Planning Application Site Boundary  Other Planning Applications  Consultation Area  Land Parcel Address Point  Locally Listed Buildings  Statutory Listed Buildings 	<p>Planning Applications Site Map</p> <p>PA/23/00719 & PA/23/00720</p> <p>This site map displays the Planning Application Site Boundary.</p>	 <p>TOWER HAMLETS</p> <p>London Borough of Tower Hamlets</p>
	<p>Scale: 50m grid squares</p>	<p>Date: 24 August 2023</p>

1. SITE AND SURROUNDINGS

- 1.1 The Rich Mix (RM) is a cinema, arts venue, music and theatre venue, and workspace provider for charities and small businesses. The Rich Mix has operated since 2006.
- 1.2 RM is located in the west of the borough, at the western end of Bethnal Green Road. The site is approximately 80m from Brick Lane to the east, and approximately 180m from Shoreditch High Street Overground Station to the west.
- 1.3 The RM site is part of a triangle-shaped urban block which has Bethnal Green Road at its south and Redchurch Street at its north. The site is composed of a main 5-storey building on Bethnal Green Road. On Redchurch Street there is a deliveries and servicing yard, and a 5-storey addition (with an angled architectural profile).

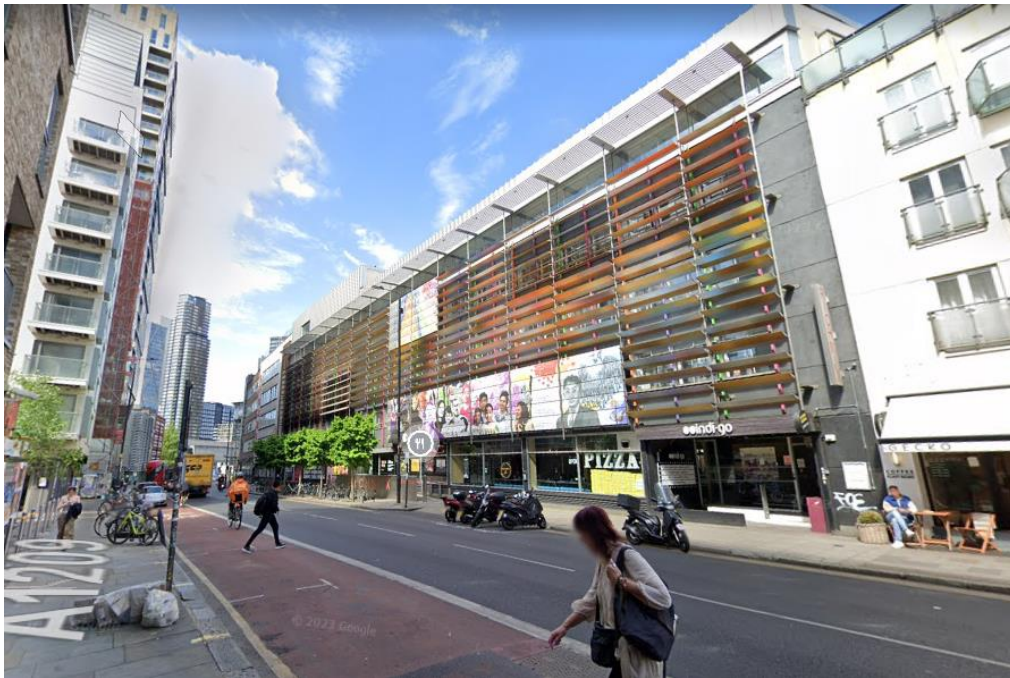


Fig.1 Streetview of the site from Bethnal Green Road, looking west.



Fig. 2 Streetview of the site from Redchurch Street.



Fig. 3 Birds eye view of the site from the north-east.

1.4 The site previously was occupied by a leather maker's factory. Planning permission was granted in 2002 for conversion and extension of the factory to provide the Rich Mix centre.

The facilities in the Rich Mix include the following:

- A dedicated live music space

- 3 cinema screens
- A first-floor cinema bar
- Workspace for charities and creative and commercial businesses.
- 2 x multi-use theatre / arts/ meeting spaces

1.5 The site has a number of commercial and residential neighbours. In general ground floor uses in this area are commercial and upper floors are residential.

The application site is within the following policy designations:

- Brick Lane District Centre
- The Bethnal Green frontage is within a Secondary Shopping Parade
- Tower Hamlets City Fringe Activity Area

The site is also located:-

- Opposite (but outside) the Redchurch Street Conservation Area
- Opposite the Locally Listed 85 Redchurch Street (Currently the 'Labour and Wait' shop).

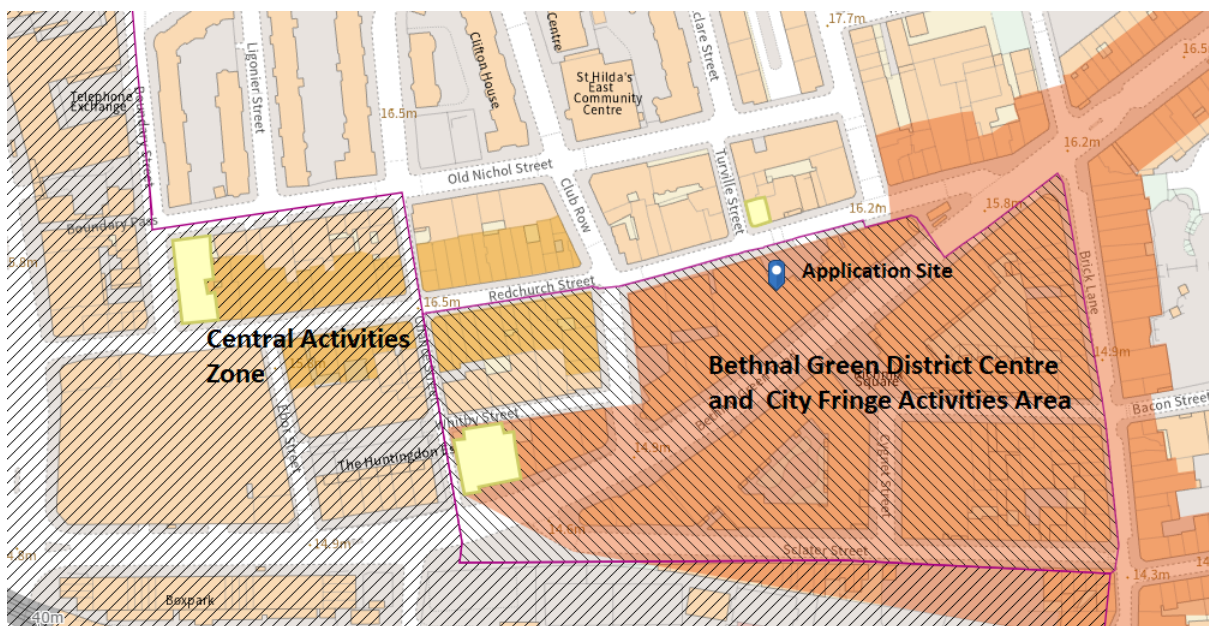


Fig. 4 Town Centre Site designations

2. PROPOSAL

2.1 The two applications which are the subject of this report are as follows:

Full Planning Application: PA/23/00719: Provision of a new pedestrian entrance to the Rich Mix from Redchurch Street, with construction of a new single-storey entrance pavilion in the rear yard, provision of outdoor seating, parking bays and relocation of existing plant.

Section 73 Material Amendment Application: PA/23/00720: Material amendment to vary the wording of conditions no. 7 (Servicing and loading area), 9 (Access doors) and 10 (Deliveries) of Planning Permission ref. PA/02/00876 dated 25/03/2004.

Proposed development:

- 2.2 The proposal is for a single-storey extension to the Rich Mix building at its frontage with Redchurch Street.
- 2.3 The extension would have a flat roof at a height of approximately 4m. The extension would have a floor area of approximately 80sq.m.
- 2.4 The purpose of the extension is to create a new public pedestrian entrance into the Rich Mix from Redchurch Street. This entrance would be used alongside the existing pedestrian entrance from Bethnal Green Road.
- 2.5 The existing yard on Redchurch Street is currently used for vehicle loading and servicing only, and this is secured by planning condition. The proposals would retain a section of this yard area as a vehicle loading and servicing area. In addition, it would introduce a modest new extension and open space that would serve an outside seating area for customers of the venue. The scheme would introduce a new fence and planted boundary.
- 2.6 The proposed operating hours:
 - Use of the Redchurch Street entrance for arrival and leaving the venue: 9am to 9pm, Mondays to Sundays.
 - Use of the outside seating: 9am to 8pm, Sundays to Thursdays. 10am to 9pm, Fridays, Saturdays and Bank Holidays. The outside seating shall not be used outside of these times.
 - The maximum capacity for the outside seating shall be 30 patrons.
- 2.7 The retained service yard area would provide space for 2 x parking spaces retained for the use of Rich Mix. One of these spaces will be for servicing vehicles for the Rich Mix. The second space would be for blue badge (wheelchair user) parking for the Rich Mix. This space will also be available for servicing when not in use for blue badge parking. The use of these spaces will be managed by the Rich Mix through an electronic booking system that would be secured by planning condition with the servicing and delivery plan.
- 2.8 The proposed works would be implemented along with a redesign of the internal ground floor layout of the Rich Mix. In summary the changes would provide for a new open plan layout on the ground floor with a combined café and box office, community space, a large 'Changing Places' toilet and infant changing area, and outside seating area.
- 2.9 The recycling and waste store would be located in the same location as the existing one on the eastern corner of the yard.
- 2.10 There is a condenser unit (the outdoor part of the air conditioning) within the yard. The proposals include relocation of the unit to the roof of the proposed extension, against the wall of the building. The unit would include an acoustic enclosure.

Explanatory note on the submitted planning applications:

- 2.11 The Rich Mix centre is in place from planning permission PA/02/00876 dated 25/03/2004. This permission was for the conversion of the former Leather factory to create the Rich Mix.
- 2.12 The proposal subject of this report is a new Full Planning Application for the proposed extension and related changes. However, the original permission has a number of planning conditions that control the use of the servicing yard.
- 2.13 The proposals involve two applications. A full planning application for the proposed works. A material amendment application to vary the wording of conditions on the original permission.

Planning application PA/23/00720 for variation of conditions of permission PA/02/00876 dated 25/03/2004:

- 2.14 The proposed variation of conditions are as follows (new wording in *italics* for information).

Condition 7 – Servicing and Loading Area:

- 2.15 Existing wording: The whole of the servicing and loading area shown on the approved drawings shall be provided before the commencement of the uses hereby permitted and the area shall be retained thereafter only for loading and unloading purposes.
- 2.16 Proposed wording: The whole of the servicing and loading area shown on the approved drawings shall be provided before the commencement of the uses hereby permitted and the area shall be retained thereafter only for loading and unloading purposes, *or operated in conjunction with plans provided as part of planning application ref: PA/23/00719.*

Condition 9 – Access doors:

- 2.17 Existing wording: None of the access doors leading out to Redchurch Street shall be used for the entrance or exit of members of the public except in the case of emergencies.
- 2.18 Proposed wording: None of the access doors leading out to Redchurch Street shall be used for the entrance or exit of members of the public except in the case of emergencies, *or in conjunction with the arrangements set out in planning application ref: PA/23/00719.*

Condition 10 – Deliveries and Servicing:

- 2.19 Existing wording: All deliveries, loading and unloading of vehicles, and all other servicing carried out in connection with the permitted development shall only be carried out between the hours of 8.00am to 6.00pm Mondays to Fridays, and 10.00am to 1pm on Saturdays, and shall not be carried out on Sundays or Public Holidays.
- 2.20 Proposed wording: All deliveries, loading and unloading of vehicles, and all other servicing carried out in connection with the permitted development from within the *servicing yard and Redchurch Street* shall only be carried out between the hours of 8.00am to 6.00pm Mondays to Fridays, and 10.00am to 1pm on Saturdays, and shall not be carried out on Sundays or Public Holidays.

3. RELEVANT PLANNING HISTORY:

Planning

- 3.1 **PA/02/00876:** Planning permission for refurbishment of existing building to provide an arts centre (for the improvement of inter-cultural understanding) including provision of music, IT education, performing and visual arts, a new 3 screen cinema together with the erection of a rear five storey building and roof level enclosures.

Approved: 25th March 2004.

- 3.2 **PA/05/00015:** Submission of details to discharge the matters reserved under Conditions 2(b), 2(c), 3(b) and 4 of the planning permission dated 25 March 2004 (Ref: PA/02/00876), relating to proposed multi-coloured louvres & display zone, the ground floor elevations (and shutters), refuse storage arrangements, and opaque glazing provision.

Approved: 24th March 2005.

- 3.3 **PA/17/00883:** Variation of conditions 7 (provision of service yard for servicing and deliveries only) and 9 (Use of access doors to Redchurch Street) of planning permission ref : PA/02/00876, Dated 31/03/2017 to allow the use of the servicing yard for a food market of no more than 4 food trucks at any one time at weekends between 12:00 and 18:00 for a period of no more than 14 days in a calendar year.

Withdrawn on 30th June 2017. (Submitted on 28th March 2017)

- 3.4 **PA/21/00578:** Variation of conditions 7 (servicing and loading area) and 9 (access doors) of planning permission ref: PA/02/00876 dated 25/02/2004 to allow the rear yard to be used for outdoor dining for a temporary period until October 2021.

Approved 18th June 2021

- 3.5 **PA/21/02699:** Installation of air-conditioning condenser unit and louvre in rear yard.

Approved: 11th February 2022.

Enforcement

- 3.6 A number of enforcement complaints have been investigated by the Planning Compliance team during the life of the Rich Mix.

- 3.7 **ENF/08/00720:** Use of backyard outside approved planning hours.

Conclusion: Advised not to throw bottles outside permitted hours. Case Closed on 12th January 2009.

- 3.8 **ENF/10/00304:** Non-compliance with a number of planning conditions including noise and use of the servicing yard. This includes noise from events at Rich Mix escaping from extraction ducts and disturbing neighbours.

Conclusion: Enforcement Notice issued on 21st December 2010. Following the issuing of the notice sound insulation works carried out at the Rich Mix. The enforcement report records that no further complaints related to this matter were received. Case closed on 17th December 2012.

- 3.9 **ENF/13/00069:** Unlawful advertisement (a mural) on the wall.

Conclusion: Mural was removed. Case closed on 13th May 2013.

- 3.10 **ENF/23/00094**: Installation of 3 air conditioning condenser units instead of the 1no. unit approved.

Conclusion: The two additional units have been removed. Complainant alleges that remaining approved unit is louder than permitted. Case open. (Planning Compliance team waiting for resolution of live planning applications).

4. PUBLICITY AND ENGAGEMENT

- 4.1 Following receipt of the applications, for each the Council sent letters to nearby owners/occupiers and displayed a site notice. A press advert was also published in the local newspaper.

- 4.2 A total of 54 representations were received.

- 4.3 A total of 26 representations were received in SUPPORT of the proposals. These were predominantly from local charities and businesses that operate from or work together with the Rich Mix, and local people who are visitors and users of the Rich Mix.

- 4.4 The planning issues raised in the supporting letters are summarised as follows:

- Rich Mix is a vital community and arts centre in Tower Hamlets. The Rich Mix provides a diverse offer including music, theatre, visual arts, cinema, creative workshops and courses for residents of Tower Hamlets and beyond.
- Rich Mix is a wonderful constant, seen it as a second home. A place where can hold meetings, write poems, read through plays, and have a cup of coffee. Have watched many performances, watched numerous films, danced the night away and played bingo.
- The proposals to improve and renovate the ground floor are welcome. They will transform the ground floor and mean more people of Tower Hamlets can enjoy and share culture.
- The outdoor seating and green yard space will benefit users of the building and help to bring local people together. The proposals establish positive connections between residents residing north and south of the building.
- The proposals will enable Rich Mix a more sustainable future and ability to deliver its mission to more people in more ways.

- 4.5 A total of 28 representations were received in OBJECTION to the proposals. These consist of one letter by Verve Planning Consultants on behalf of 13 local residents, and a further 15 individual letters. These were predominantly from local residents who live on Redchurch Street, opposite the Rich Mix, and from addresses in other parts of the borough.

- 4.6 The planning issues raised in the letters of objection are summarised as follows:

- The proposed intensification of activity has the potential to be a nuisance to local residents. The proposal suggests the new pedestrian entrance would be open every day until 9pm, would sell alcohol and accommodate up to 60 people. This would create a different noise environment at this site.
- Not convinced with some of the assertions in the noise assessment, which suggests the outdoor seating noise would blend into the general noise of the area. Believe there are inaccuracies in the assessment.
- The clearing away of tables and chairs between 9pm and 10pm would continue noise in the yard into the late evening.
- The relocated air conditioner condenser unit to the roof of the extension is a concern as it is in an elevated position. The existing plant is noisy.
- Proposals for servicing likely to cause congestion. Question logic of the proposed area for servicing because it can only accommodate a transit van. The booking system unlikely to be workable because delivery personnel follow their own timeline.
- If officers are minded to allow the applications, request a number of measures as a minimum, including : hours of opening for Redchurch entrance and seating to be 11am to 6pm, 30 seated guests in outside space at any one time, no music to be played outside, windows to be non-openable, deliveries between 8am and 6pm only.

5. CONSULTATION RESPONSES

External Responses

Greater London Authority (GLA) – Planning and Regeneration

- 5.1 The GLA supports the proposals. Rich Mix is a vital community arts centre in Tower Hamlets. The GLA has provided £700,000 funding to support works at the Rich Mix. The proposed improvements to the building, including a new outdoor seating area and green yard space, will greatly benefit users of the building, and help to bring local people together and encourage the sharing of culture.

Internal Consultees

Tower Hamlets Environmental Health

- 5.2 The proposal is acceptable. The principle of outside seating in this location is acceptable. The outside seating is to be used on Sundays to Thursdays until 8pm, and on Fridays and Saturdays until 9pm. The seating is to be limited to 30 patrons. The entrance may be used for arrival and leaving until 9pm Mondays to Sundays.

- 5.3 Planning conditions required to control the noise levels from the plant and from the outside seating. Planning conditions required to secure the Noise Management Plan (NMP), and to control the operating hours from this entrance.

Tower Hamlets Transport and Highways

- 5.4 The Highways officers have reviewed the applicant's transport assessment and delivery and servicing assessment. The proposal involves off-street servicing and on-

street servicing on Bethnal Green Road and Redchurch Street. The proposals are acceptable. However, should permission be granted, and the displacement of vehicles become a problem in terms of safety or obstruction, then LBTH reserve the right to introduce new restrictions which would prohibit servicing from the road at any time. We would seek a commuted sum (£10,000) to cover this potential change in the on-street restrictions from the applicant. To be returned if not used after 3 years.

- 5.5 A S278 agreement is required to make good any damage to the footway from the construction works.
- 5.6 The applicant is required to adhere to the construction code of Practice and provide a construction management plan which is associated with the CCOP.

6. RELEVANT PLANNING POLICIES AND DOCUMENTS

- 6.1 Legislation requires that planning applications are determined in accordance with the Development Plan, unless there are material considerations that indicate otherwise.
- 6.2 The Development Plan in Tower Hamlets comprises:
 - The London Plan (2021)
 - Tower Hamlets Local Plan 2031 (2020)
- 6.3 The key development plan policies relevant to the proposals are:

Design

- Local Plan – S.SG2, S.DH1, D.DH2 & S.DH3
- London Plan – D4 & D8

Amenity

- Local Plan – D.DH8 & D.ES9
- London Plan – D13 & D14

Transport

- Local Plan – S.TR1, D.TR2 & D.TR4
- London Plan – T3, T4 & T7

- 6.4 Other policy and guidance documents relevant to the proposals are:
 - National Planning Policy Framework (2021)
 - National Planning Practice Guidance (2021)
 - GLA City Fringe Opportunity Area Planning Framework (2015)
 - Noise Policy Statement for England (NPSE) (2010)

- Guidelines for Environmental Noise Impact Assessment (Institute of Environmental Management and Assessment, 2014).

7. PLANNING ASSESSMENT

Introduction

- 7.1 The Rich Mix is a significant cultural, arts and entertainment venue in the west of the borough. The venue works together with and puts on arts and cultural events with a particular focus on primarily serving people from South Asian, East Asian, African, Caribbean and Arab communities. The venue has three cinema screens with screenings including independent films and Hollywood blockbusters. The venue has a purpose-built live music space with live music and DJ events.
- 7.2 The Rich Mix, both to its south and north is located within the Tower Hamlets City Fringe Activity Area and the Brick Lane District Centre. The boundary to London's Central Activities Zone (CAZ) is on Redchurch Street, approximately 100m to the west.
- 7.3 The proposal is for changes to the ground floor layout, particularly a new extension and entrance on Redchurch Street. The Rich Mix first opened in 2006. The proposal would not change the type of activities or mix of functions that the Rich Mix is known for. The applicants intention is that the changes will make the building work more successfully and that the Rich Mix will be able to operate financially more sustainably into the future.
- 7.7 The key matters that relate to the proposed development are:
 - i. Design and Heritage
 - ii. Neighbour Amenity
 - iii. Highways and Transport
 - iv. Material amendment to conditions

Design and Heritage

Policy Context

- 7.8 Tower Hamlets Local Plan 2031 (2020) policy S.DH1 (Delivery high quality design) states that development is required to meet the highest standards of design, layout and construction. The policy sets out 9 factors that need to be met including “ensure the architectural language...complements and enhances their immediate and wider surroundings” (c), “use high quality design, materials” (e) and “create well-connected, inclusive and integrated spaces and buildings which can be easily adaptable to different uses and the changing needs of users.” (f).
- 7.9 Local Plan 2031 (2020) policy D.DH2 (Attractive streets, spaces and public realm) part 2 states that development is required to positively contribute to the public realm. The

policy sets out 14 factors through which this is to be achieved including : “optimising active frontages towards public streets and spaces” (a), providing a range of public spaces that can function as places for social gatherings and other recreational uses” (c), “ensuring that soft landscaping is maximised to soften the streetscape” (j) and “locating entrances in visible, safe and accessible locations”. (k).

- 7.10 Local plan 2031 (2020) policy S.DH3 (Heritage and the historic environment) states that “proposals must preserve or enhance the borough’s designated and non-designated heritage assets in a manner appropriate to their significance”. Part 6 of the policy states that “Significant weight will be given to the protection and enhancement of the borough’s conservation areas.”

Assessment

- 7.11 The proposals are to remodel the ground floor of the Rich Mix including a new extension (approximately 80sq.m), outside seating and a new boundary treatment. It is common that the ground floor arrival at an arts or entertainment venue is an inviting and spacious area where people can meet, wait and dwell for some time and have a drink. The ground floor of the Rich Mix that has been operating since 2006 is dated and has a more fragmented ground floor arrangement composed of a number of separate spaces. The proposals are to achieve a more ‘fit-for-purpose’, desirable and enjoyable arrival at this local cinema and arts venue. In principle, Officers support this ambition and recognise that this will support and enhance the operation of the Rich Mix and the experience for visitors.



Fig. 5 Visualisation of the proposed external works



Fig.6 The proposed external works

- 7.12 The proposed extension would be subservient to the main building and would be set back from the footway with Redchurch Street by approximately 6m. In the context of the existing Rich Mix building this would be a modest-sized addition.
- 7.13 The extension would be a timber frame, with large, glazed door and windows, with reclaimed red brickwork and retractable canopies. The proposals include a new boundary treatment comprising of a low wall and planted fencing. The vehicle parking area would have swing gates.
- 7.14 In respect of design and public realm the proposals are welcome. At pedestrian level the existing frontage is characterised by a tall impermeable fence and gate which secures the servicing and loading yard. (see fig. 2 above). The proposals would significantly enhance the relationship with the street and would meet a number of the policy objectives for policy D.DH2 (Attractive streets, spaces and public realm). The Council's design officer has reviewed the proposals and confirms that a more active frontage is needed in this location and that the proposals will help to provide that.
- 7.15 The proposals would be an improvement to the street compared to the existing situation in respect of design and public realm. The proposals would introduce visual interest and biodiversity enhancement. The proposals would also create a greater level of activity, passive surveillance and movement along Redchurch Street. This location is within the District Centre and Activity area and is a short distance from London's Central Activities Zone. Local and London Plan policy seeks to support the vitality and viability of these centres. The proposals would contribute to that objective.

Neighbour Amenity

Policy Context

- 7.16 Tower Hamlets Local Plan 2031 (2020) policy D.DH8 (Amenity) states that “development is required to protect and where possible enhance or increase the extent of the amenity of new and existing buildings and their occupation, as well as the amenity of the surrounding public realm”. Amenity in this policy relates to privacy, outlook, daylight and sunlight, odour, noise, and dust and fume pollution.
- 7.17 Tower Hamlets Local Plan 2031 (2020) policy D.ES9 (Noise and vibration) states development is required to use the most appropriate orientation, layout and design to minimise noise and vibration impacts. The proposals are required to set out mitigating measures where necessary and provide a noise assessment. Part 3 of the policy states that proposals must demonstrate that the level of noise emitted from new heating or ventilation plant will be below the background level by at least 10dBA (A-weighted decibels).

Assessment

Noise and Disturbance

- 7.18 Redchurch Street is a long street that meets Shoreditch High Street, to the west, and Bethnal Green Road, to the east. It is a mixed-use street including shops, a number of cafes, office space, residential properties and a public house, the Owl and Pussycat. On the eastern end of Redchurch Street, at the junction with Bethnal Green Road is the Brewdog bar. This is approximately 25m from the application site and is open until midnight during the week and 1am at weekends. The Owl and Pussycat is open until midnight. The Brewdog bar and the Owl and Pussycat both have outside seating facing the street.
- 7.19 In general terms, the application site and nearby streets are a vibrant and lively part of the borough and a destination for residents from other parts of Tower Hamlets and other parts of London. The application site has a Public Transport Accessibility Level (PTAL) of 6a. (1a – lowest, 6b -highest). This reflects the good transport links with Shoreditch High Street overground approximately 175m, to the west, and a variety of bus routes.
- 7.20 The Rich Mix, on the south of Redchurch street, is within the Brick Lane District Centre and the Tower Hamlets City Fringe Activity Area. At this part of Redchurch Street the properties on the north side don't sit within the town centre. (see Fig. 4 above). However, as described above, along Redchurch Street (on the south and north sides) there are a mix of uses. Further to the north is the Boundary estate. This is predominantly residential; however, it also includes some areas of shops, offices and community use.
- 7.21 In the context of the mix of uses there is a need to assess whether the scheme proposals are compatible with protecting the amenity of residential neighbours in respect of noise and disturbance. There is a need that commercial businesses in or at the edge of town centres are able to operate successfully. Equally, there is an important expectation that residents are able to enjoy their homes with a reasonable degree of peace and quiet. Local Plan policies D.DH8 (Amenity) and D.ES9 (Noise and Disturbance) set out the Local Plan policy tests to be applied, alongside any relevant material considerations.

7.22 In response to the public consultation the Council has received letters of objection from 28 local residents. Letters have been received from residents at 85 and 89 Redchurch Street, which are immediately opposite the Rich Mix servicing and delivery yard. Letters have been received from residents with addresses in other parts of the borough. In respect of noise and disturbance, the objection letters relate to the potential impact of the proposals on the character of Redchurch Street more generally and the noise disturbance to neighbouring residential properties.



Fig. 7 View along Redchurch Street from the east. Rich Mix servicing yard on the left. Mixed-use (commercial and residential) properties opposite, on the right



Fig. 8 View of the existing servicing yard and mixed-use (commercial and residential) properties opposite.

7.23 The main aspects of the proposals that have the potential for noise and disturbance to residents are as follows:

- The relocated air-conditioning condenser unit.
- The noise and activity from patrons using the proposed outside seating.
- Comings and goings of visitors to the Rich Mix in the new entrance

7.24 The proposals are as follows:

- The Bethnal Green Road and proposed Redchurch Street entrances used for visitors to arrive and leave, until 9pm on Mondays to Sundays. After 9pm only the Bethnal Green Road entrance to be used.
- The outside seating would be used as follows: 9am to 8pm, Sunday to Thursday and 10am to 9pm, Friday, Saturday and Bank Holidays.
- The outside seating area to have a capacity of 30 people (approximately 5 or 6 tables).

- 7.25 These restrictions would be controlled by condition.

Relocated air-conditioning unit.

- 7.26 There is an existing air-conditioning unit in the servicing yard. Planning permission was granted for this unit in February 2022. The proposed construction of the extension will require this unit to be relocated. The unit would be relocated on the roof of the extension within an acoustic enclosure.
- 7.27 Policy D.ES9 states that new plant must be at least 10dB lower than the existing background noise level. The noise assessment by the applicants identifies that the relocated unit within its acoustic enclosure would have a predicted noise level of 26dB(A) (decibels). This would be 18dB(A) below the background noise level. The Council's Noise officer has studied the submitted report and is satisfied with the conclusions. In this respect the noise levels would comfortably meet the policy requirement and would be below the background noise level of the surrounding area. A planning condition would be imposed to secure the noise levels would not exceed at least 10dB lower than the existing background levels.

Outside seating area

- 7.28 The proposed outside seating would be for use of visitors of the Rich Mix. This includes people who may buy food and drink (coffee/tea/soft drink or alcoholic drink) from inside the premises. The seating would accommodate a maximum of 30 people, which is approximately 5 or 6 tables. The Rich mix has an existing bar at first floor, next to the entrances to the cinema screens. This would remain in operation and is the focus in the venue for people to have food and drink later in the evening.
- 7.29 Many of the evening cinema screenings for the Rich Mix begin between 7pm and 8pm. This means that being able to use the seating until 8pm will allow visitors to meet and relax before the evening performances and film screenings.
- 7.30 The applicants have submitted a noise assessment which demonstrates that the noise from customers sitting and talking would be below the background noise level of this location. In addition to this, the noise officer has requested a condition to control the noise levels from the outside seating.
- 7.31 In the assessment of the proposals officers have given weight to the character of the area. This is a town centre location. It is a popular and lively part of the borough with many people still arriving home from work at around 7pm and 8pm. The Brewdog Bar is a neighbouring bar that is open until midnight during the week. It has outside seating and residential properties directly above. The Owl and the Pussycat pub is also on Redchurch street, but approximately 130m to the west. This has some outside seating on the street. It is open until midnight with residential properties immediately above, next to and opposite them. In this context, Planning officers advise that 8pm is a reasonable closing time for the outside seating at the Rich Mix.
- 7.31 The Council's noise officer has reviewed proposals. They have no objection to the principle of a new entrance and outside seating in this location. They have no objection to the proposals subject to the proposed operating hours being controlled by condition.
- 7.32 The Council's noise officer has reviewed the submitted noise assessment and confirmed the methodology and practice followed by the applicant's consultant is

correct. Some of the objection letters received highlight that the L-shape of the Rich Mix building on Redchurch street increases the noise impact. The noise assessment results have been arrived at with industry recommended computer software with a 3D model of the existing buildings and the proposals.

- 7.37 In conclusion, Officers have considered the proposed hours and limitation on the number of people, and the submitted technical noise assessment. In this context the proposed use of the outside seating would limit noise impact to residents to no more than the existing background noise level and maintain a reasonable noise environment in this location.

Comings and goings of visitors using the new entrance

- 7.38 The use of the new entrance for arriving and leaving the Rich Mix would be up to 9pm. From 9pm all users will arrive and leave from Bethnal Green Road and a planning condition would be imposed to ensure the Redchurch Street entrance is not used after this time.
- 7.39 Officers consider the proposal for the Redchurch street entrance to be used until 9pm is reasonable and appropriate to the context in this neighbourhood. The Council's Noise officer has no objection to the proposed timing. This is a designated town centre location with other comparable commercial premises operating in the evening.

Planning Conditions related to Noise Management

- 7.40 The Council's Noise officer has requested a number of planning conditions to appropriately control the noise management at the application site. The Noise officer has requested a Noise Management Plan (NMP) from the applicants which they have provided. The NMP sets out the steps to be taken to address cases of noise disturbance and proactive steps to ensure the agreed noise management steps are followed. The Noise officer has reviewed the NMP and is satisfied with it. Some of the measures secured in the NMP include:
- Sets out organisational responsibilities for dealing with Noise complaints, from Visitor Services Assistant to Chief Executive Officer.
 - Setting out preventative and reactive management measures. This includes staff supervision of the outside seating area, verbally asking customers to be mindful of nearby residents when seating, and a direct means of communication with the duty manager for residents.
 - A noise action plan setting out the steps that will be taken if a noise complaint is received.
- 7.41 The NMP will be secured by condition. This will be in addition to stand-alone conditions that secure the hours of use of the Redchurch Street entrance and the outside seating. In addition to a condition that controls the maximum noise levels for neighbouring residential properties.
- 7.42 In conclusion, subject to the recommended conditions, Officers consider that the proposal is reasonable in respect of noise and disturbance. The proposals would minimise noise impacts and protect the amenity of neighbouring residential properties.
- 7.43 In respect of daylight, sunlight, outlook and privacy, due to the modest scale of the proposals and the subservient relationship with the existing Rich Mix building, the

proposals would not have a material impact on the amenity of neighbouring properties in respect of these matters.

Highways and Transport

Policy Context

- 7.44 Local Plan 2031 (2020) policy S.TR1 (Sustainable Travel) states that development will be expected to “not adversely impact the capacity, quality, accessibility and safety of the transport network in the borough.
- 7.45 Local Plan 2031 (2020) policy D.TR2 (Impacts on the Transport Network) states that development will be required to submit a transport statement. Also, that development that will have an adverse impact to traffic congestion will have to provide effective mitigation measures.
- 7.46 Local Plan 2031 (2020) policy D.TR4 (Sustainable delivery and servicing) states that development that generates a significant number of vehicle trips is required to demonstrate how:
- Impact to the transport network and amenity will be avoided, remedied or mitigated including with construction management plans and delivery and servicing plans.
 - delivery of goods and servicing will be provided within the site to encourage shared arrangements and timing of deliveries, unless demonstrated it can take place on-street without affecting highway safety or traffic flow.
 - Deliveries to sites will be received through suitable accommodation and management.

Assessment

- 7.47 The existing servicing and delivery strategy for the Rich Mix is comprised of 3 elements. There are deliveries made on-street on Bethnal Green Road. There are servicing and contractors who come to site who use the delivery and servicing yard. There are deliveries made on-street on Redchurch Street.
- 7.48 The applicants have submitted a delivery and servicing management plan. The plan includes a survey of delivery numbers to the Rich Mix. (Carried out from 1st August to 5th August 2022). The average number of deliveries or servicing/contractor arrivals a day was 7. Of those arrivals the average number that used the servicing yard (longer staying rather than ‘drop-off deliveries’) was 3. The majority of the arrivals was with a van or pick-up truck.
- 7.49 The proposed works are premised on a significant change to the existing delivery and servicing yard. The proposals would remove the yard and would include an area for two dedicated parking bays. The applicants are looking to optimise the space they have to make a more successful offer to visitors at the Rich Mix. The Rich Mix has been operating since 2006 and so the applicants have been using the yard for many years. The applicants’ position is that the yard is bigger than is necessary.

- 7.50 In general terms, the servicing and delivery strategy for the Rich Mix will continue to comprise of the same 3 elements as the existing situation – Bethnal Green Road, Off-street parking, and Redchurch Street. The existing delivery numbers indicates that it is a relatively modest number of arrivals, an average of 3 a day, to be accommodated in the new servicing bays. As with the existing situation this will be used for scheduled arrivals, such as a contractor. At present there is no requirement for the Rich Mix to manage use of the servicing yard with timed bookings. This will be required through the proposed scheme with a condition securing the implementation of the delivery and servicing management plan.
- 7.51 For the two parking bays, one would be dedicated to servicing and delivery. The other will be for blue-badge (disabled) parking for staff or visitors to the site. The Rich Mix has an existing electronic booking system for all its rooms and facilities on site. This will be used for the two spaces. Contractors using the servicing space will be booked in by staff. Blue badge holders can book this space for use. If there is no booking to use the blue-badge space by midday the day before, this space can then be booked for servicing and delivery.
- 7.52 The main location for drop-off deliveries is on Bethnal Green Road. This is the main arterial road through the area and is the quickest way for a delivery driver to drop-off and leave. There are double-yellow lines on Bethnal Green Road that allow for loading at any time. The proposals include an amended planning condition to state that deliveries within the new servicing bays (not including blue badge parking) and on Redchurch Street shall only be carried out until 6pm on Mondays to Fridays, and to 1pm on Saturdays and Sundays. This would protect residential amenity on Redchurch Street in the evenings.
- 7.53 The Council's Highways officer has reviewed the submission, including the submitted Transport Statement and Delivery and Servicing Management Plan. The Council's Highways officer does not object to the proposals. However, they have commented that Tower Hamlets reserves the right to introduce loading restrictions on Redchurch Street if the proposals create significant additional pressure on this street. To that end, the Highways officer has requested a sum of £10,000 from the applicants to be held by the Council for a period of 3 years. This will cover the costs of new loading restrictions if they are necessary. The applicant has agreed to this and this will be secured in a Section 106 legal agreement.
- 7.54 In addition, the Highway's officer has requested a S278 agreement for the applicants to meet the costs of highway works to the Bethnal Green Road and Redchurch Street frontages.
- 7.55 In conclusion, the proposals involve a significant change to the existing servicing yard and changing that into a smaller set of parking bays. However, the overall strategy of 3 elements (Bethnal Green Road, off-street parking and Redchurch Street) remains as existing. In the context of the numbers of arrivals for the new servicing bays this will be a more efficient solution that is expected to reasonably manage the servicing and delivery requirements, along with the use of Bethnal Green Road and Redchurch Street.

Material amendment to conditions

7.56 The Rich Mix operates under planning permission PA/02/00876 dated 25th March 2004. This permission is for the redevelopment of the former leather factory into the Rich Mix we have today. This planning permission includes a number of planning conditions that control the operations on the site. Therefore, in addition to the planning application for the new extension and entrance on Redchurch Street, there is an application to amend the existing conditions.

7.57 The proposed conditions are as follows (additional wording in italics):

Condition 7 – Servicing and Loading Area

7.58 “The whole of the servicing and loading area shown on the approved drawings shall be provided before the commencement of the uses hereby permitted and the area shall be retained thereafter only for loading and unloading purposes or *operated in conjunction with plans provided as part of planning application ref: PA/23/00719*”.

7.59 The proposed wording retains the existing protections if the proposed scheme is not implemented. The additional wording ensures the condition is consistent if the proposed scheme is implemented.

Condition 9 – Access doors

7.60 “None of the access doors leading out to Redchurch Street shall be used for the entrance or exit of members of the public except in the case of emergencies, *or in conjunction with the arrangements set out in planning application ref: PA/23/00719*.”

7.61 As with condition 7, this covers both scenarios of the existing situation and the proposal implemented.

Condition 10 – Deliveries and Servicing

7.62 All deliveries, loading and unloading of vehicles, and all other servicing carried out in connection with the permitted development from *within the servicing yard and Redchurch Street* shall only be carried out between the hours of 8.00am to 6.00pm Mondays to Fridays, and 10.00am to 1pm on Saturdays, and shall not be carried out on Sundays or Public Holidays.

7.63 The additional wording controls the delivery and servicing hours from Redchurch Street.

7.64 The above conditions are updated on the original planning permission for the Rich Mix. The planning application for the extension and new entrance will include a number of new conditions to control matters related to this new element. Those conditions are set out below.

Conclusion

7.65 The Rich Mix is a long-standing venue and is located in a busy and vibrant part of the borough. The site is within the Bethnal Green district centre and the Tower Hamlets City Fringe Activity Area. The site is a short distance from London’s Central Activities Zone. This is an appropriate location for an arts, cinema and cultural centre.

- 7.66 Officers agree that the proposals would improve the ground floor arrangement of the Rich Mix and is expected to contribute to a more successful operation and 'offer' to visitors.
- 7.67 Redchurch street is characterised by a mix of commercial and residential uses side by side to one another. There are a number of residential neighbours immediately opposite the Rich Mix on Redchurch Street. The proposed operating hours for the Redchurch entrance are reasonable. Subject to appropriate conditions the proposals would prevent an undue noise impact on residents from the Rich Mix's operations.
- 7.68 The application submission demonstrates to a reasonable extent that the proposed delivery and servicing strategy, including the new servicing bay, would appropriately meet the servicing needs of the use.

8. RECOMMENDATION

Application for Planning Permission 1

Reference: PA/23/00719

Development Description: Provision of a new pedestrian entrance to the Rich Mix from Redchurch Street, with construction of a new single-storey entrance pavilion in the rear yard, provision of outdoor seating, parking bays and relocation of existing plant.

- 8.1 That **conditional planning permission is GRANTED** subject to the prior completion of a legal agreement to secure the following planning obligations:
- 8.2 **Financial obligations:**
- a. £10,000 commuted sum to be held for 3 years towards a Transport Management Order (TMO)
- 8.3 **Non-financial obligations:**
- a. Section 278 Highways improvement works
- 8.4 That the Corporate Director of Housing and Regeneration is delegated the power to negotiate and complete the legal agreement. If within three months of the resolution the legal agreement has not been completed, the Corporate Director for Housing and Regeneration is delegated power to refuse planning permission.
- 8.5 That the Corporate Director of Housing and Regeneration is delegated the power to impose conditions and informatives to address the following matters:
- 8.6 Planning Conditions

Compliance

1. 3 years deadline for commencement of development.
2. Development in accordance with approved plans
3. Compliance with the noise management plan and the following sound levels (*LAeq, 5min*) 1m from residential habitable rooms:

- a. Music or amplified sound shall not exceed 45dB from 1m of residential habitable room.
 - b. Noise from patrons (outside seating) shall not exceed 55dB from 1m of residential habitable room.
 - c. Mechanical plant and equipment shall not exceed 34db from 1m from the nearest residential receptor.
4. The outside seating shall have a maximum of 30 covers.
 5. Hours of usage:
 - a. Redchurch Street entrance: 09:00 to 21:00, Mondays to Sundays.
 - b. Outside seating: 09:00 to 20:00, Sundays to Thursdays, 10:00 to 21:00, Fridays, Saturdays and Bank Holidays. The outside seating shall not be used outside of these times.
 6. Implementation in accordance with the Delivery and Servicing Management Plan

Pre-Commencement Conditions

7. Submission of a Construction Environmental Management Plan and Construction Logistics Plan, to include the following:
 - a. Site manager's contact details and complain procedure;
 - b. Dust and dirt control measures
 - c. Measures to maintain the site in tidy condition, disposal of waste
 - d. Recycling/disposition of waste from demolition and excavation
 - e. Safe ingress and egress for construction vehicles
 - f. Numbers and timings of vehicle movements and access routes;
 - g. Parking of vehicles for site operatives and visitors;
 - h. Location and size of site offices, welfare, and toilet facilities;
 - i. Erection and maintenance of security hoardings;
 - j. Measures to ensure that pedestrian and cycle access past the site is safe and not unduly obstructed; and
 - k. Measures to minimise risks to pedestrians and cyclists, including but not restricted to accreditation of the Fleet Operator Recognition Scheme (FORS) and use of banksmen for supervision of vehicular ingress and egress.

Prior to relevant works commencing

8. Submission of samples and details of external facing materials, architectural detailing, boundary treatment and hard landscaping.
9. Submission of details of planting.

8.7 Informatives

1. Permission subject to legal agreement

Application for Planning Permission 2

Application Reference: PA/23/00720

Development Description: Refurbishment of existing building to provide an arts centre (for the improvement of inter-cultural understanding) including provision of music, IT education, performing and visual arts, a new 3 screen cinema together with the erection of a rear five storey building and roof level enclosures.

Material Amendment sought to vary conditions no.7 (Servicing and loading area), 9 (Access Doors) and 10 (All Deliveries) of Planning Permission Ref: PA/02/00876, Dated 25/03/2004.

- 8.8 That **conditional planning permission is GRANTED.**
- 8.9 That the Corporate Director of Housing and Regeneration is delegated the power to restate conditions that continue to have effect, and subject to modification where details have already been approved, and to vary conditions to address the following matters:

Compliance conditions:

1. Condition 7 – Servicing and Loading Area
2. Condition 9 – Access Doors
3. Condition 10 – Deliveries and Servicing

APPENDIX 1

LIST OF APPLICATION PLANS AND DRAWINGS FOR APPROVAL

Schedule of Drawings

AKA-074-L001-P02	SITE LOCATION PLAN
AKA-074-L005-P02	SITE PLAN
AKA-074-L050-P00	EXISTING AND DEMOLITION GROUND FLOOR PLAN
AKA-074-L051-P00	EXISTING AND DEMOLITION FIRST FLOOR PLAN
AKA-074-L071-P00	EXISTING AND DEMOLITION SECTION BB
AKA-074-L074-P00	EXISTING AND DEMOLITION SECTION EE
AKA-074-L080-P00	EXISTING AND DEMOLITION NORTH ELEVATION
AKA-074-L081-P00	EXISTING AND DEMOLITION NORTH ELEVATION
AKA-074-L085-P00	EXISTING AND DEMOLITION SOUTH ELEVATION
AKA-074-L100-P00	GROUND FLOOR PLAN
AKA-074-L101-P01	FIRST FLOOR PLAN
AKA-074-L210-P00	SECTION AA
AKA-074-L211-P01	SECTION BB
AKA-074-L214-P00	SECTION EE
AKA-074-L310-P00	NORTH ELEVATION 01 - REDCHURCH STREET
AKA-074-L311-P01	NORTH ELEVATION 02 – YARD
AKA-074-L315-P00	SOUTH ELEVATION 01 - BETHNAL GREEN ROAD
AKA-074-L400	GROUND FLOOR AREAS
AKA-074-L501-P00	ACCESS AND SERVICING STRATEGY
AKA-074-L505-P00	SECURE BY DESIGN STRATEGY
AKA-074-L510-P00	BASEMENT FIRE STRATEGY
AKA-074-L511-P00	GROUND FLOOR FIRE STRATEGY
AKA-074-L520-P00	REFUSE STRATEGY
AKA-074-L530-P00	BASEMENT TRANSPORT STRATEGY
AKA-074-L531-P00	GROUND FLOOR TRANSPORT STRATEGY1202567.

Other application documents

- Design and Access Statement dated April 2023
- Transport Statement April 2023
- Planning Statement 2023
- Delivery and Servicing Management Plan April 2023
- Rich Mix Phase 1B – Yard Management Plan
- Noise Management Plan Version 1.1 dated 20th July 2023
- Noise Impact Assessment J529_R03A
- Noise Impact Assessment Addendum J529_R04A Rev A
- Statement of Community Involvement 1 March 2023



DEVELOPMENT COMMITTEE

Report of the Corporate Director of Place

Classification: Unrestricted

Other Planning Matters

Ref No: See reports attached for each item

Ward(s): See reports attached for each item

1. INTRODUCTION

- 1.1 In this part of the agenda are reports on planning matters other than planning applications for determination by the Committee. The following information and advice applies to all those reports.

2. FURTHER INFORMATION

- 2.1 Members are informed that all letters of representation and petitions received in relation to the items on this part of the agenda are available for inspection at the meeting.
- 2.2 Members are informed that any further letters of representation, petitions or other matters received since the publication of this part of the agenda, concerning items on it, will be reported to the Committee in an Addendum Update Report.

3. PUBLIC SPEAKING

- 3.1 The Council's Constitution only provides for public speaking rights for those applications being reported to Committee in the "Planning Applications for Decision" part of the agenda. Therefore reports that deal with planning matters other than applications for determination by the Council do not automatically attract public speaking rights.

4. RECOMMENDATION

- 4.1 That the Committee take any decisions recommended in the attached reports.

**LOCAL GOVERNMENT ACT 2000 (Section 97)
LIST OF BACKGROUND PAPERS USED IN THE DRAFTING OF THE REPORTS UNDER THE ITEM OTHER
PLANNING MATTERS**

Brief Description of background papers:
See individual reports

Tick if copy supplied for register:

✓

Name and telephone no. of holder:
See individual reports

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