
London Thames Gateway Development Corporation

Planning Committee Meeting

Thursday 08 September 2011, 6pm

Old Town Hall Stratford, 29 The Broadway, Stratford E15 4BQ

Present: Cllr Conor McAuley (Chair)
Malcolm Chumbley
Alan Clark
Neil Deely
Cllr Mick McCarthy
Richard Turner
Dru Vesty

In Attendance: John Allen (Director of Planning)
Stephen Allen (Planning Development Officer)
Nigel Hewitson (Norton Rose)
Angela Flanagan (Committee Clerk)

1. Apologies, Announcements and Declarations of Interest

- 1.1 Apologies were received from Sylvie Pierce.
- 1.2 There were no declarations of interest.

2. Minutes of the Planning Committee Meeting 14 July 2011

LTGDC/11/PC25

- 2.1 The Committee **AGREED** the minutes of the Planning Committee Meeting on 11 August 2011.

3. Swan Wharf, Dace Road, London E3

LTGDC/11/PC26

- 3.1 James Wilson, Secretary of the Association of Ironworks Residents, spoke against the application, stating that the residents would be adversely affected by the noise from the proposed nightclub development seven nights a week for a period of two months. The Ironworks consists of 79 residential homes and at its nearest point is only 10 metres from the site boundary. Mr Wilson stressed that residents would be impacted by noise

from the venue including by customers queuing after 2am (when the venue will close) for water taxis to take them home, and by the deliveries which it was proposed would start at 6am. Mr Wilson requested that, if the Committee were minded to approve, they should do so subject to conditions such that the venue be required to stop operating at 1am on Fridays and Saturdays and at 11pm Sunday to Thursday, and that deliveries commence no earlier than 7am.

- 3.2 Cllr Mark Francis from LB Tower Hamlets also spoke against the application. He said that, whilst he was not against the application in principle, his objection related to the 2am closing time seven days a week for a period of two months. He appealed to the Committee to reject the application to allow time for a compromise to be reached on the closing time between the residents and developer. If the Committee were not minded to reject the application, Cllr Francis requested that they consider adding a condition in line with LB Tower Hamlets' recommendation that the venue cease operation by 11pm on weekdays, especially during the period between the Olympic Games and the Paralympics.
- 3.3 Will Edmonds from Montagu Evans (the applicant's agent) spoke in favour of the application. He said the application is a vital proposal which will maximise the benefits of the Olympics, provide employment locally, promote inward investment and help put Fish Island on the map. Mr Edmonds said that the applicants run similar corporate hospitality uses at the Henley Regatta and Cowes week without unduly inconveniencing nearby residents. Whilst the applicant was aware of concerns from the Ironworks residents, some had also been supportive. Nevertheless, measures had been proposed to help address some of these concerns. For example, the hours of operation had been reduced and the closing time would now be 2am (originally 4am), and to help mitigate the noise levels events will be kept inside the venue from 11pm. A door management policy had been submitted with the planning application which would ensure the safe and quiet dispersal of the public when leaving the venue. Tickets for the venue would include a return trip on the water chariots (taxis). Mr Edmonds explained that equipment would be installed to limit amplified sound to levels agreed with the Environmental Health Officer. Regular sound checks would also be carried out, and a 24 hour number would be set up for residents to call if they needed to raise any concerns. Mr Edmonds added that the proposal would provide significant enhancement to the area, improving its attractiveness and act as a catalyst for further improvements. He said the applicant was confident it was an acceptable proposal and he urged the Committee to grant temporary planning permission.
- 3.4 The Committee were invited to pose questions to Mr Edmonds who responded as follows:
- He advised that the Environmental Health Officers (EHO) process would involve readings being taken prior to the venue being opened to set the maximum sound level for the machinery. Once the sound level is set it cannot be increased.

- He confirmed that the delivery time would be changed from 6am to 7am as requested by the residents.
- He confirmed the venue capacity is 3,500 to 3,750 and that the marquee has sophisticated noise retention technology which keeps the acoustic levels down and that they are confident there will not be unacceptable noise levels.
- He advised that the venue needed to operate between the Olympics and Paralympics so as to maximise the potential return on the investment needed.

The architect provided the following responses:

- He advised that provision for smokers had been situated near to Dace Road and it is anticipated that the warehouse will help provide a barrier to mitigate any noise.
- He confirmed the distance between the building and the residential Ironworks as being 10metres. However there is a two storey building between the ironworks and the proposed marquee; the dancing will be restricted to the ground floor with an intermediate floor above which will help mitigate any noise/acoustics.

3.5 Stephen Allen introduced the application by Surrey Vale LLP for the temporary change of use to a sui generis hospitality venue at Swan Wharf for the duration of the Olympic and Paralympic Games. The proposal provides for the refurbishment of the existing buildings on the site, as well as the reinstatement of original features, installation of steel frame balconies facing the Olympic stadium and the erection of a temporary two storey marquee. The area is predominately industrial though there is a residential block, known as the Ironworks, situated to the south of the site. A noise assessment had been submitted by the applicant and reviewed. Noise mitigation measures had been requested and will include, sound control programmes, a sound box (which involves the dance area being enclosed with sound insulation material) and noise transmission barriers at the entrances/exits. A door management policy has also been submitted to alleviate disturbance and the management of taxi pick ups. LB Tower Hamlet's Environmental Health Officer had accepted the proposed conditions relating to noise levels and the closure of the external area at 11pm. Whilst the area is designated as industrial, LB Tower Hamlets Core Strategy releases this designation, which is supported by the Borough's emerging Area Action Plan.

3.6 The Committee posed questions to the officer:

- Cllr Mick McCarthy enquired about the capacity of the water chariots and how long it would take for the public to disperse from the venue.

Stephen Allen advised the Door Management Policy indicates how the flow of customers to the water chariots will be managed. The water chariots have a capacity of 90 passengers per boat. The scheduled timetable is one boat per hour from 0800 to 1100 and then three boats

per hour from 1100 to midnight. For the hours between midnight and the venue closing time, the applicant will privately charter the water chariot service to operate a boat every six minutes.

- Richard Turner asked if a condition had been proposed which would ensure the music/dancing area is restricted to the ground floor of the marquee. He also enquired about the process if the planning conditions are breached

Stephen Allen said the plans submitted by the applicant show the music/dancing area on the ground floor of the marquee. Condition 2 provides for noise mitigation concentrated on the ground floor. Should the noise conditions be breached then, if appropriate, the Borough would be able to use their enforcement powers to issue a stop notice.

- Alan Clark asked if the Door Management Policy included how the smoking area would be managed.

John Allen confirmed a condition or provision within the door management policy could be added to include the management of the smoking area.

- Malcolm Chumbley asked if it would be possible to differentiate between the noise from music and from people, suggesting that the music stops at 1am which would allow an hour for dispersal so that all noise ceases at 2am.

It was confirmed that in principle the noise between music and people could be differentiated and that this would be discussed with the applicant.

- Malcolm Chumbley also asked if there were any conditions to secure the reinstatement of the windows.

Stephen Allen confirmed Condition 3 covered this.

- Neil Deely referred to Condition 6 which requires testing the noise output prior to operations commencing, pointing out that the accumulated noise of music and people could not be tested until the venue is in use.

Stephen Allen advised that the conditions proposed have been in consultation with the Borough's EHO who has extensive experience in noise mitigation and is able to make a balanced judgement on crowd noise.

- Neil Deely asked to what extent the venue would be held responsible for the public coming and going from the premises and also asked about the possibility of reducing the operating hours mid week.

Stephen Allen agreed the noise from people entering/leaving the premises was a concern; hence a Door Management Policy had been sought to help address this as much as possible. It is difficult to control this type of noise, but there are also Environmental Health regulations which add an additional level of protection.

- Cllr Mick McCarthy sought information on the role of the Borough's Licensing Committee.

Nigel Hewitson advised that the application requires planning permission from the Corporation and an entertainment and liquor licences from the LB Tower Hamlets' Licensing Committee.

- 3.7 Richard Turner asked if the applicant would be prepared to reduce the operating hours on certain days during the week. Mr Edmonds responded that they had already reduced the operating hours and were closing at 2am instead of 4am as originally proposed. Malcolm Chumbley asked if they would be prepared to turn the music off earlier than 2am. Mr Edmonds replied that the operating time had already been reduced and he felt that they had sufficiently demonstrated how the noise levels would be mitigated.
- 3.8 The Committee **AGREED** to **GRANT** temporary planning permission subject to the conditions set out in section 11 of the committee report; including the amendment of Condition 8 that deliveries/servicing occur after 7am and an additional condition or provision within the Door Management Policy for the management of the smoking area.

4. **LB Tower Hamlets Planning Obligations SPD Engagement document** *LTGDC/11/PC27*

- 4.1 John Allen introduced the report which sets out the Corporation's proposed response to the London Borough of Tower Hamlets Planning Obligations SPD Engagement Document.
- 4.2 The Committee **NOTED** the contents of the report and **AGREED** the comments in the report as forming the Corporation's formal response to the document.

The meeting concluded at 6.55pm

Date of next meeting:

Thursday 13 October 2011, 6pm

Old Town Hall Stratford, 29 The Broadway, Stratford E15 4BQ