

**OLYMPIC DELIVERY AUTHORITY**

**ODA PLANNING COMMITTEE**

**SUBJECT: MINUTES OF 92<sup>nd</sup> COMMITTEE MEETING  
Held on 28 February 2012 at 18.00**

**Old Town Hall, Stratford, 29 Broadway, London E15 4BQ**

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Present:

Lorraine Baldry	Chairman
David Taylor	Deputy Chairman (Items 1-7 only)

Local Authority Members:

Cllr Terry Wheeler,	LB Waltham Forest (Items 1-6 only)
Cllr Conor McAuley,	LB Newham (Items 1-7 only)
Cllr Judith Gardiner	LB Tower Hamlets (Items 1-7 and Items 9-10 only)
Cllr Geoffrey Taylor	LB Hackney (Items 1-7 only)

Independent Members:

Mike Appleton Celia Carrington William Hodgson Janice Morphet Dru Vesty	(Items 1-7 only)
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Officers in attendance:

Vivienne Ramsey	ODA, Director of Planning Decisions
Anthony Hollingsworth	ODA, Chief Planner Development Control, Planning Decisions Team (Item 1-7 only)
Richard Griffiths	ODA Legal Adviser, Planning Decisions Team (Pinsent Masons)
Saba Master	ODA Board Secretary

**1. APOLOGIES**  
(AGENDA ITEM 1)

1.1 There were no apologies.

**2. UPDATES, ORDER OF BUSINESS, AND REQUESTS TO SPEAK**  
(AGENDA ITEM 2)

2.1 There were Updates for Item 6 and Item 7.

2.2 The order of business was unchanged.

2.3 There were requests to speak from Pete Vaughn and Pernilla Ohrstedt, (Pernilla & Asif) for Item 5, Michael Humphreys and Ray Blackwell (Eastway Users group), Jessica Gavaghan, OPLC, Andrew Harland (LDA Hargreaves), Mike Taylor (LVRPA) for Item 6, Tim Gaskell (CMA Planning), Lyndon Lewis (Jestico and Whiles) and Mike North (Northland, for item 7).

**3. DECLARATIONS OF INTEREST**  
(AGENDA ITEM 3)

The Secretary read the following statement:

'Members of this Planning Committee need to declare personal interests relevant to the agenda at the beginning of each meeting of the Planning Committee.

'Members will see that the paper for Item 3 which has been circulated lists interests which they have declared which appear to be personal interests relating to Item 5, 6, 7, 8, 9 and 10.

'Would Members please confirm that the declarations of personal interests listed in the paper for Item 3 are correct; and state if there are any other interests you wish to declare?

'Personal interests are prejudicial if a reasonable member of the public with knowledge of the relevant facts would conclude that the nature of your personal interest is such that your judgment of the public interest is likely to be affected. If, by virtue of your personal interest you have been involved in decisions about these proposals, you may have a prejudicial interest. In that circumstance you would need to leave the meeting during the consideration of that item. In light of the agenda before you this evening, please state whether or not any of the interests declared are prejudicial interests?'

William Hodgson declared a personal interest, in relation to Item 5, as he had previously taught two of the applicants.

Judith Gardiner declared a personal interest, in relation to Item 5 as her son has undertaken an internship at LOCOG. Judith Gardiner declared a prejudicial interest, in relation to Item 8, as a member of the LB Tower Hamlets Strategic Development Committee and agreed to leave the meeting for the consideration of this Item.

David Taylor declared a prejudicial interest in relation to Item 8 as he is Chairman of a company that will be affected by the Fish Island AAP and agreed to leave the meeting for the consideration of this item.

The remaining Members of the Planning Committee confirmed that the declarations of personal interests recorded on the paper for Item 3 were correct and that none were considered prejudicial.

#### **4. MINUTES AND MATTERS ARISING (AGENDA ITEM 4)**

##### 4.1 The Committee

**AGREED** the Minutes of the 91<sup>st</sup> Planning Committee Meeting.

#### **5. Coca Cola Sponsor Showcase – 11/90777/AODODA**

*Application for Approval of Details (partial discharge) pursuant to Conditions OG.1 (Security arrangements) and OG.3 (Temporary buildings) attached to permission 11/90313/VARODA subject to Informatives 3, 10 and 11 attached to permission 11/90450/AODODA comprising: Erection of a temporary Coca-Cola 2012 Olympic and Paralympic Showcase pavilion comprising; a circular structure with maximum height of (11.500m above ground level) and maximum diameter of 32m accommodating ramped circulation/queuing space, roof terrace, exhibition space, VIP Area, staff area accommodated within a façade of ETFE cushions (with embedded interlayers including fluorescent lighting, LEDs or speakers) and ancillary external queuing area of 160m<sup>2</sup> and back of house area.*

5.1 Pernilla & Asif gave a presentation on behalf of the applicant and explained that Coca-Cola had appointed them as the designers to design the pavilion, referred to as the "Coca-Cola Beatbox" following an invited competitive process administered by The Architecture Foundation. . The Beatbox pavilion is proposed to remain open to visitors throughout the Olympic Games, from 27 July to 12 August 2012, and the Paralympic Games, from 29 August to 9 September 2012. Deconstruction is programmed to start on 10 September 2012 and it is anticipated that the site will be handed back to LOCOG on 19 October 2012.

5.2 The applicant explained that the Beatbox pavilion 'uses sound as an architectural element' and allows visitors to interact with the pavilion's envelope in order to create an 'evolving soundscape'. Coca Cola's "Move to the beat of 2012 anthem", produced by Mark Ronson, would be the theme of the 25 minute journey through the pavilion.

5.3 The applicant referred the Committee to the model of the exterior view of the Beatbox pavilion and pointed out the two tone red and white colour which reflected the Coca Cola brand colours. Images of the view from the external ramp of the interactive ETFE "garland" and a 360 degrees view from the roof looking south were shown to the Committee.

5.4 The applicant explained that they had used a sustainable design which included the use of FSC approved timber, a reduction of energy use through

low energy light fittings, an innovative thermal labyrinth cooling system, a high level of recycled content to structure and cladding panels, reuse of components post games, recycling building materials and zero waste to landfill. In addition, the applicant reported that the Beatbox legacy canopy had been identified as having a potential use as a cover for a multi-use sports area in LB Newham, although the applicant noted that this was just one of a number of options being explored.

5.5 A PDT officer gave a presentation and explained that the proposal considers an Approval of Details application in respect of a temporary pavilion in connection with the 2012 Olympic Games and Paralympics. The structure is a showcase for Coca-Cola. This submission seeks approval for details pursuant to the following conditions OG.1 (Security arrangements) of permission 11/90313/VARODA and OG.3 (Temporary buildings) of permission 11/90313/VARODA in addition to informative 3 (Noise and Plant Details) of permission 11/90450/AODODA, Informative 10 (OG.3 – Further works and soft landscaping) of permission 11/90450/AODODA and Informative 11 (Further Details) of permission 11/90450/AODODA. The application site is a relatively flat area to the west of the new parklands and wetlands around the River Lea between Bridges F02 and F03. A number of permanent and temporary structures have been approved in PDZ5. The International Broadcast Centre (IBC) and Main Press Centre (MPC) are located to the north-west of the site and the Handball Arena is located to the south-west.

5.6 The PDT Officer explained the key considerations of the proposed scheme included the:

**5.6.1 Principle of development** - The 2007 Olympic planning permissions established the principle of the provision of Spectator Support Areas (SSA), Front of House (FoH) and Back of House (BoH) facilities during Games phase within the Olympic Park. Approval was given under the 2007 OLF planning permission within PDZ 5 for a combination of FoH, BfH and SSA. The application site was also the subject of the suite of Common Domain submissions including application 11/90450/AODODA which sought approval for the parameters (location, footprint and height) of three sponsor showcase zones within PDZ 5. The applications were approved on 8th November 2011.

**5.6.2 Design and visual impact – Scale and Height:** The inner drum of the Beatbox pavilion has a circular footprint of 350m<sup>2</sup> and parapet height 9.3m above concourse level. The platform lift housing is 10.5m above concourse level. The external garland of ETFE cushions projects above this datum in some places by approximately 1m. The garland notionally increases the pavilion's site coverage by a further 500m<sup>2</sup> to a total of approximately 850m<sup>2</sup>. However, as the garland is largely suspended above concourse level and is permeable enough to allow concourse spectators to walk through and around the garland it is not considered to constitute additional footprint but rather creates a 'colonnade' around the structure. The total diameter of the Beatbox pavilion is 32m. It is noted that the maximum height currently proposed minimally exceeds the maximum height parameters approved for this sponsor showcase pavilion under 11/90450/AODODA by 500mm. The extent of this deviation is limited to some of the upper layer of ETFE cushions which marginally exceed the threshold. The small proposed increase in height is assessed at Section 7 of the Committee Report, but in summary the increase is considered to be minor when considered within the context of the overall scale and nature of the scheme. The cumulative impact of the proposed

changes is not considered to result in a visually detrimental or significant material change to the appearance of the pavilion and is considered to be non-material.

- 5.6.3 Accessibility** - The footprint and dimensions of the Beatbox pavilion are determined by the requirement to accommodate ramps which can maintain fully compliant disabled access. The proposed diameter of the pavilion is the minimum required to generate fully inclusive ramped access to the rooftop. The floor finishes are proposed to be non-slip with the landings demarcated to ensure they are easily identifiable. Handrails are proposed to be set out in accordance with the design principles noted in Part M of the Building Regulations. Both tactility and contrast has been considered.
- 5.6.4 Lighting** - Lighting proposals for the pavilion appear to have been developed in tandem with the overall design development of the scheme and are considered to be well considered and satisfactorily integrated with the architectural expression and materiality of the proposed pavilion.
- 5.6.5 Access, crowd management, servicing and waste** - The Beatbox pavilion is one of a number of approved temporary elements within PDZ 5 and the crowd modelling impact of these structures has been previously assessed and considered to be acceptable.
- 5.6.6 Noise and Disturbance** - The applicant has submitted details of the overall acoustic concept but not provided technical data of the anticipated noise levels including any upper dB limits. It is in the assessment of the OG.4 application that mitigation measures, if necessary, can be suitably imposed to protect amenity at that stage in respect of any particular issues. To that end, an informative is recommended advising the applicant that further details of the noise generating elements of the pavilion including Holosonic speakers, the garland, plant, machinery and compressor equipment be submitted to discharge Condition OG.4 in respect of the Beatbox pavilion. Officers consider that there is sufficient planning control available within the existing planning permission to ensure submission of robust Noise Management Plans.
- 5.6.7 Legacy** - The design team is currently discussing potential legacy partners to re-use the pavilion's architectural elements on a number of future projects. The current proposals are described as working with a local London charitable organisation to develop a modular canopy to cover multipurpose sports venues.
- 5.6.8 Post Games Transformation** - All proposed LOCOG overlay structures are required to be removed in the post-Games Transformation phase, by December 2013 in accordance with condition LTD.2 of the OLF consent and equivalent planning conditions across the PPR planning permissions. The subsequent tidying up of the site is to be completed by December 2014 as required by Schedule 19 of the 2007 section 106 agreement.
- 5.6.9** The proposal is considered not to raise issues in terms of flooding and drainage, accessibility, remediation or neighbour amenity, subject to the various conditions proposed in the Committee Report. Further details on sustainable design and construction are recommended to be secured by the proposed conditions regarding materials, waste, and water use.

- 5.7 The PDT Officer reported that no objections from consultees have been raised in relation to the approval of details application. Consultee comments have informed suggested conditions and informatives as set out in the Committee Report.
- 5.8 In conclusion, the PDT Officer reported that PDT considers that the overall form, scale and massing of the structure and the scheme's architectural treatment and material section are well handled. The architectural expression and form of the structure, including the subtle integration of brand identity, are a sophisticated response for a temporary structure. The proposed Beatbox pavilion is assessed as providing a high quality architectural insertion into the northern extent of the PDZ 5 Common Domain area which will enhance the visual quality of this part of the Olympic Park during Games phase. The pavilion is considered to comply with the Urban Design and Landscape Framework Design Guidance in relation to Olympic overlay, by enhancing the appearance of the Olympic Park and creating a sense of arrival and distinctive sense of place. Where additional detailed information is required it is recommended that conditions should be partially discharged subject to the conditions and informatives set out in the Committee Report. Subject to the suggested conditions and informatives, the proposal for this temporary pavilion is considered to constitute development which supports the proper preparation of the Games in accordance with section 5(5) of the London Olympic Games and Paralympic Games Act 2006 and would comply with policies in the London Borough of Hackney's Core Strategy and London Plan.
- 5.9 A member queried whether the thermal labyrinth cooling system would work adequately. The applicant referred the Committee to the plan and explained that coca-cola cans would be used as the structural mass for the labyrinth. The labyrinth would be low so as to cool the ambient air. Cool air would be transferred to the main spaces within the pavilion through diffusers, with the system reducing temperatures by approximately 2-4 degrees. However, the applicant confirmed that the labyrinth would need to be supplemented by cooling units on exceptionally hot days.
- 5.10 A member asked if a Management Plan had been devised. The applicant reported that there was a Management Plan.
- 5.11 A member asked for clarification on the transformation of the site post Games. A PDT officer reported that the concourse would be removed and Waterden Road would be installed with landscaping on the eastern side.
- 5.12 A member expressed concern regarding the lack of legacy use for the structure and expressed the view that further thought should be given to the structure's legacy use, rather than just part of the structure providing a canopy. The applicant explained that the structure for the canopy had only been designed in principle. Street Games were approached about their requirements which were primarily to promote sport, and they recommended that a cover for multi-use sports areas would be beneficial. The applicant confirmed that they were exploring other options as well.
- 5.13 A member requested reassurance that there be an informative in regards to the crowd modelling rationale of queuing space. A PDT Officer pointed out that an informative had been attached relating to Condition OG.2 (Event Management Plans) of the OLF permission and that accordingly crowd monitoring was adequately covered.

- 5.14 A member requested reassurance that the noise from the pavilion would be kept within their own footfall and that consideration had been given to local residents and the impact on wildlife/biodiversity, especially at close proximity to the live site. A PDT officer explained that the pavilion was set on concourse and that the soft landscaping was at 30m to the east of the site. In addition, LOCOG had submitted a Noise Management Plan for the whole of the Olympic Park.
- 5.15 There being no questions the Committee took a vote and unanimously:

**APPROVED** the submitted details for application ref. 11/90777/AODODA subject to the conditions and informatives as set out in the Committee Report to Partially Discharge Conditions OG.1 (Security arrangements) and OG.3 (Temporary buildings) of 11/90313/VARODA (OLF Planning Permission) for the reasons given in the Report with the condition and informatives (as set out in the Report) for a temporary freestanding television Coca-Cola Beatbox Pavilion in connection with the 2012 Olympic and Paralympic Games in PDZ 5.

## **6. Northern Parklands and Alternative Velopark – 11/90766/FUMODA**

*Planning Application for the legacy development of the northern part of the Olympic Park to include public open space and Legacy VeloPark facilities (1-mile road cycle circuit, off-road cycle (MTB) trails, VeloPark bridges and car/cycle parking), highway amendments and associated hard and soft landscaping.*

- 6.1 A PDT Officer gave a presentation and explained that this “slot-in” planning application is effectively a revision to the 2010 approved PGT PPR VeloPark scheme in the north of the Olympic Park, and to the west of the River Lea. This application follows further consultation and design work undertaken by the OPLC.
- 6.2 The PDT Officer reported that the application considers the Legacy proposals of the northern part of the Olympic Park with respect to the provision of public open space and Legacy VeloPark facilities (1-mile road cycle circuit, off-road cycle (MTB) trails, with associated infrastructure in the form of bridges and car/cycle parking) as well as, highway amendments and associated hard and soft landscaping. The application and application area is referred to as the “New Northern Parklands” and is the area to the east and west of the Velodrome. The application site covers an area of approximately 24.50 hectares and falls within Olympic Park Planning Delivery Zones (PDZ) 5, 6 and 10. PDZ 6, PDZ 10 and part of PDZ 5 are located within designated Metropolitan Open Land (MOL) within the London Boroughs of Newham and Hackney.
- 6.3 The PDT Officer explained that the application has three main parts and seeks:
- i) Planning permission for a public parkland in the north west part of the Park,

- ii) Planning permission for a VeloPark comprising 1-mile road cycle circuit, mountain bike trails, earthworks, and associated hard and soft landscaping, which will be constructed to the east and west of the River Lea and around the retained Olympic Velodrome and BMX venues which they are to compliment, although it should be noted that the current submitted proposals do not include details of the BMX circuit, which will be submitted at a later date and;
  - iii) Two Interim Landscape Zones (ILZs), located between the proposed “north-west parklands” events lawn and Waterden Road and immediately to the south of the mountain bike trail area in the north-eastern parkland with a pedestrian pavement adjacent to the future development platform providing a lit route connecting Temple Mills Lane to the Park. One ILZ is located between the proposed “north-west parklands” events lawn and Waterden Road. The other is proposed immediately to the south of the mountain bike trail area in the north-eastern parkland with a pedestrian pavement adjacent to the future development platform providing a lit route connecting Leyton to the Park.
- 6.4 The PDT Officer explained that the development is within designated Metropolitan Open Land (MOL), and a primary consideration in the determination of this application is whether the development is appropriate within MOL, and, if not, whether there are very special considerations that would warrant a departure to established planning policy being made in this case. Other issues considered by PDT officers relate to the, design, layout and appearance of the development; relationship with previous and current planning proposals; transport and connectivity; flood risk; biodiversity; sustainability; inclusive access and delivery. The proposal has been subject to extensive consultation as reported in section 6 of the Committee Report. The major issues arising from the consultation process relates to connectivity, design and functionality of the Park and management and maintenance. which are all addressed within the main body of the Committee Report.
- 6.5 PDT Officers are satisfied that the submission and accompanying details are sufficient to enable a full assessment of the proposals. The revised application would provide an improved, more accessible and useable parkland environment, whilst at the same time providing a cycling facility consistent with the requirements of the previous outline and detailed planning permissions for this part of the Olympic Park. The applicant has confirmed that as with the 2010 approved PGT PPR scheme this revised proposal will be delivered within the timetable already established by those existing planning permissions. The proposal constitutes the necessary very special circumstances that would allow planning permission to be granted for the proposed development within MOL.
- 6.6 The PDT Officer reported that the application was advertised by publication of press notices in the four host borough newspapers and by the posting of site notices at the View Tube, Stratford Station, Temple Mills Lane and Ruckholt Road. The application was advertised on the front page of the PDT website to make it easier for the public to find the information and comment on the applications. Consultation responses were received from CABE who requested care on the material finish of the bridges and from the Environmental Agency who initially objected to the flood risk.



- 6.7 The Officer referred to the Update Report and the further consultation responses from the Environment Agency,. The Environment Agency has removed its objection and requested that a condition and planning informative be imposed on any planning permission (all set out in the Update Report). While the majority of conditions remain unchanged as set out in the Committee Report, there are minor rewording on the following 10 conditions; NNP.57, NNP.63, NNP.64, NNP.68 NNP.72, NNP.74, NNP.70, NNP.75, NNP.79, and NNP.80.
- 6.8 In conclusion, the PDT Officer reported that the application is considered to generally comply with the relevant London Plan, the Local Development Framework Core Strategy policies of the London Boroughs of Hackney and Newham as well as the relevant retained LB Newham Unitary Development Plan policies. The proposals would be in accordance with Section 5(5) b) of the Act in that the scheme would maximise the benefits to be derived from the Games.
- 6.9 Mr Michael Humphreys and Mr Ray Blackwell from the Eastway Users Group, (EUG), addressed the Committee stating EUG's objections to the planning application. EUG explained that EUG are a voluntary organisation set up in 2003 to secure cycle sports facilities and open space in inner East London. He further explained that the Eastway acquired MOL status when built for its London-wide importance to cycle sport and later became a Site of Importance to Nature Conservation with diverse ground habitats.
- 6.10 EUG explained that a great volume of research shows that mess and the disruption dogs bring is cited as the major reason why those who do not use parks will not use them, especially amongst certain ethnic and religious groups and those with young children. EUG also said that the research indicates that young people would also like to see more diverse recreational possibilities – such as cycling.
- 6.11 EUG continued that hunting naturally through areas, dogs endanger biodiversity. Given the emphasis on the Biodiversity Action Plan for amphibians, plants and ground habitats it would not be desirable to allow dogs to hunt mammals or amphibians to destroy nests and hibernaculas and to soil in areas that are not accessible to those owners who might clear it up. Signs and bye-laws for dogs to be kept on a lead are widely ignored and do not limit the problem of mess. Dogs, whether loose or on a lead, are not safe for riders to pass in any restricted space. Indeed, some leads – especially the long retracting type – are more dangerous to riders. The Lee Valley Park Authority as operator has advised EUG that it will not vote in favour of a dog ban and may not implement a policy of dogs to be kept on a leash. The authority's committee is characterised as being 'split on dogs' with a majority in favour of complete access. In EUG's opinion, dogs are not appropriate or desirable for the majority who would use this park without them being allowed in. Their presence will degrade the park's amenity value to the majority for whom it is intended to be a safe and bio-diverse local place of open air recreation.
- 6.12 In addition, the EUG object to the application on grounds of safety and racing codes, which require a race course to show how any pathway within the race route can be defined as "permissive only outside the time of racing or training." Unless the "off-road" area can be secured with gates, a perimeter consisting of land-forms, plantings, fencing and other means to define the

area where cycle sport can predominate during the times of racing or training then EUG consider that the route will not conform to race standards.

- 6.13 EUG also raised a concern that it may not be possible to complete the MTB race loop as it may not be classed as safe due to the lack of separation between the public and riders. EUG also mentioned that someone had made a comment that the road circuit will become a "one-mile car park for events at the velodrome." EUG confirmed their preference that any management conditions imposed must presume in favour of cycle sport.
- 6.14 The applicant gave a presentation and confirmed that the application has key stakeholder support. The applicant informed the Committee of the cycling benefits of the revised scheme, such as the mountain bike trail which has more variants and will give a much better mountain bike experience than the previous scheme.
- 6.15 A bridge will be re-used to form part of the loop, which will enable both bridges across the river to look similar. In terms of co-existence, the applicant informed Members that there will be gates at either end of the circuit and signs for both riders and pedestrians at signed crossing points.
- 6.16 There are additional footpath routes that did not exist before, including a direct path that takes you from the concourse level down to the river, thus giving a better connection with the river and also with the Parklands. Furthermore, the applicant informed Members that ecological improvements had been made, such as reduced light spill. Overall, the applicant said that the application improves on the previously approved scheme.
- 6.17 A member asked if a low fence around the perimeter of the mountain bike trail would be easier to control on race day. A PDT Officer reported that this might not be necessarily easier and explained that three swales at crossing points had been incorporated into the scheme. The PDT Officer explained that if the area is to be a public open space used by a wide variety of the public then the use of fences is not appropriate. The PDT Officer also pointed out that it was not appropriate and not the role of the Committee or the planning system to decide on how the public access to the Park or to restrict dog access.
- 6.18 The PDT Officer referred the Committee to condition NNP.57 in the report which discussed the arrangements and methods for closure of the permissive path under the Event Management Plan. The legal advisor stated that the paths would not become rights of way as they were by permission only, which would involve signs being placed informing the public of the times when they can access the paths.
- 6.19 EUG stated that they require a boundary that is easily understood and one that was physical on a race day as race tape is often ripped. TEUG informed Members that it did not believe that the Event Management Plan is sufficient without the use of fencing and gates.
- 6.20 A member expressed the view that fencing in this area should be kept to a minimum and that the management of the facility should remain with Lee Valle and the cycle users. The member expressed concern regarding the permeability and accessibility of the residents based in the North East corner and that improved access was required for them. The member believed that

the permissive path, rather than a right of way, would partially meet requirements.

- 6.21 A member suggested a condition regarding the landscape scheme for the Eastern part of the Park but PDT Officers suggested that condition NNP.77 be supplemented so as to require details of the edges so as to show better separation between riders and the public.
- 6.22 A member raised a question over the relationship of the application with the LCS application. The PDT Officer made it clear that the Committee were not determining the LCS application through this application and noted that in general there were no inconsistencies between the application before Members and the LCS application.
- 6.23 A member expressed concern over management issues regarding the impact of the speed of cyclists on pedestrians, particularly children and the elderly, at all times. The legal adviser and a PDT Officer reminded the Committee that the Committee had to decide on whether there should be co-existence or whether a greater degree of separation between riders and the public is required. Members agreed that there should be coexistence and requested that Condition NNP.77 be strengthened to require greater detail to come forward on the treatment of the edges.
- 6.24 A PDT Officer pointed out that Map 2, Appendix 14 should have the North East area of the Park shaded as part of the Legacy Park Site wide open space (publicly accessible) and MOL potential land.
- 6.25 There being no questions the Committee took a vote and unanimously:
- 1) **GRANTED** planning permission for the New Northern Parkland application subject to the conditions and informatives set out in the Committee Report and Update Report, subject to any consequential or necessary changes and amendments to the recommended conditions;
  - 2) **AGREED** to amend condition NNP.77 ; and
  - 3) **AGREED** the conditions and reasons for approval for the New Northern Parkland application as set out in the Committee Report and the Update Report.

*Terry Wheeler left the meeting for the consideration of Items 7-10.*

## **7. 68-70 High Street - 11/90619/FUMODA**

*Demolition of existing buildings and erection of new development comprising linked buildings of one, five, nine and eighteen storeys to provide 731 sq.m of commercial floorspace (for use within classes A1, A2, A3, B1, D1 and D2) at ground floor and 173 residential units, with 36 car-parking spaces, 213 cycle parking spaces, refuse and recycling facilities, access, landscaping and amenity areas.*

- 7.1 A presentation was given by Tim Gaskell (Planning Agent) and Lyndon Lewis (Architect). It was explained that the application seeks full planning permission for the demolition of all existing buildings on the site and erection of new buildings to provide a mixed residential and commercial scheme, with ancillary landscaping, parking and servicing areas. The existing car showroom and servicing garage occupying the site would be relocated elsewhere within the borough of Newham.
- 7.2 The applicant explained that the application proposes 173 residential units in a mix of 1, 2 3 and 4 bed apartments' and maisonettes together with 731 sq.m of commercial floorspace at ground floor. Vehicular access would be from Marshgate Lane with at grade parking beneath the podium level courtyard garden. 36 parking spaces would be provided, including 20 electric vehicle charging spaces and 13 wheelchair accessible spaces. There would be active frontages around the building at ground floor, including commercial frontage to High Street and residential entrances onto the river frontage. Green roofs would be utilised on the smaller buildings and the roof of the tower would house an array of photovoltaic panels.
- 7.3 The applicant outlined that the final design had evolved over a period of time, and design iteration had continued through the application process. The application was supported by a number of reports covering a range of matters including Sustainability, Ground Investigation, Energy, Wind Microclimate, Noise Impact Assessment, Air Quality Assessment, Landscape Strategy, Ecological Appraisal, and Daylight, Sunlight & Overshadowing. The siting and layout of buildings maximised the daylight and sunlight availability to all residential units. All units had private amenity spaces with inset winter garden balconies along the High Street, projecting balconies to the river and terraces to dwellings at courtyard level. Floor plans were shown to illustrate that units would be built to Lifetime Homes Standards and the space standards of the Lo0ndion Housing Design Guide. There would be 10% provision for wheelchair accessible homes.
- 7.4 The application included landscaping along the river towpath that linked to the first floor courtyard; on the area of land reserved for the future road link an avenue of trees would be planted that could be retained when the road was eventually built; at first floor within the communal courtyard garden play areas would include apparatus for various age groups.
- 7.5 The applicant showed the Committee visuals of the east and west elevations, the landscape layouts including an aerial view from the north west, a section through the podium landscape and a view from Bow Back River.
- 7.6 A PDT Officer gave a presentation and explained that the application seeks full planning permission for the demolition of all existing buildings on the site and erection of new buildings to provide a mixed residential and commercial scheme, with ancillary landscaping, parking and servicing areas. It proposed that the new development would comprise of three buildings of heights between one, five, nine and eighteen storeys to provide 731 sq.m of commercial floor space at ground floor and 173 residential units, (a mix of 1, 2, 3 and 4 bed maisonettes and apartments) 36 car-parking spaces, 221 cycle spaces, refuse and recycling facilities, landscaping and amenity areas.
- 7.7 The PDT Officer referred to the update report that provided additional information with the applicant's response to the Stage 1 comments from the

GLA including issues around Convergence, affordable housing, urban design, access and inclusion, ambient noise/air quality, sustainable development, the Blue Ribbon Network and TfL components. In addition, the Update Report recommended minor amendments to Condition 8, 14, 15, 16, 17 and 33. The Officer also reported that a letter had been received from LB Newham too late to be included in the Update Report. The letter expressed satisfaction with the amended design and appearance of the proposals; the Affordable Housing Programme Manager confirmed satisfaction with the affordable housing provisions contained within the Heads of Terms; the Council was content with the obligation to set aside land identified for the future bridge link; and the letter confirmed the education contribution and requirement for on-going negotiation with respect to the open space contribution.

7.8 The PDT Officer explained the key considerations of the proposed scheme included the:

**7.8.1 Principle of Development** - The application site is located within an area of Newham that falls within the 'Arc of Opportunity' identified in spatial policy S1 of the recently adopted Newham Core Strategy DPD. The aim of the policy is to secure change through major development proposals to integrate the Arc with existing neighbourhoods in the borough and beyond. The principle of providing a high density mixed use residential-led development is consistent with the Development Plan policies. The proposed residential units would contribute towards meeting the Newham housing requirements identified in the London Plan and policy S1 of the Core Strategy. The proposal includes 731m<sup>2</sup> of commercial space suitable for a range of uses, including retail, offices and leisure uses, which would generate employment activities consistent with London Plan policies 4.1 and 4.12. Spatial policy S2 of the Core Strategy proposes that the regeneration of this part of the Stratford and West Ham area will secure a new neighbourhood made up of development parcels at Pudding Mill, Sugar House Lane and Three Mills. The way in which this will be achieved is set out in spatial policy S09 which proposes that Pudding Mill will be de-designated from Strategic Industrial Land and mixed use redevelopment, including residential development will be permitted.

**7.8.2 Housing** - The proposed development will result in a range of dwellings by size and tenure being provided. The dwelling mix has been agreed by the LB Newham Housing Officer.

**7.8.3 Affordable Housing** – The proposal would provide 20% of all habitable rooms as affordable housing (equivalent of 17.4% of residential units). The dwellings would be for affordable rent at a rental level to be determined by the Registered Provider at the time of delivery. The amount of affordable housing was less than the targets contained in the London Plan and LB Newham Core Strategy, but had been agreed with LB Newham following an independent review of the applicants Affordable Housing Viability Assessment. The resultant amount of affordable housing was the maximum that could be secured having regard to the viability assessment and this was in accordance with London Plan policy and emergent policy in the Early Alterations to the London Plan. A Review Mechanism would be secured through the s106 agreement to ensure that any uplift in the value of the development is shared with LB Newham for additional provision of affordable housing.

**7.8.4 Density** - The proposal would result in a residential density of 1217 habitable rooms per hectare. It was considered by Officers that whilst the density

exceeds the specified density ranges for a site within a PTAL 4 location, it was acceptable as the design of the development ensured that residents would not suffer adverse environmental effects.

**7.8.5 Residential Standards** - The proposed dwellings will be built to Lifetime Homes Standards. Drawings of typical flat layouts have been produced to demonstrate compliance with these standards in response to concerns expressed in the GLA Stage 1 response and all dwellings accord with the London Housing Design Guide. 10% of all units would be wheelchair accessible.

**7.8.6 Design** – The proposal has been assessed against CABE and English Heritage’s Guidance on Tall Buildings which sets out 11 main criteria against which to evaluate schemes which propose tall buildings. The use of a tall building to mark the junction of the proposed road with Stratford High Street would improve legibility in the area. The elevations were well thought out and materials to be used were acceptable in principle and conditions would require further details of elements of the facades and of materials. The overall design and massing was the outcome of extensive pre-application negotiations. Earlier objections to design raised by LB Newham and the GLA had been resolved through the amended design. The s106 agreement would contain obligations to ensure on-going design quality in implementation of the development.

**7.8.7 Amenity** - Each apartment would have private amenity space in the form of a balcony, winter garden or terrace garden. The amount of open space had been maximised but was less than the standards required by LB Newham and consequently a contribution was sought in the s106 towards off-site open space provision. A contribution was also to be made to British Waterways towards improvements in the towpath environments locally. Air quality conditions would be mitigated by mechanical ventilation and noise conditions mitigated by glazing specifications. LB Newham Environmental Health Officer raised no objection. There was no loss of amenity to neighbouring residents.

**7.8.8 Transport** - Vehicular access to the car park would be from Marshgate Lane and a loading bay would be created on the highway (outside the five storey building) for servicing vehicles. Communal waste storage rooms would be located in each core and bins would be moved to a central store in close proximity to the Marshgate Lane elevation for collection. Parking is in accordance with London Plan policy; 36 car-parking spaces are provided, of which 13 will be Blue Badge spaces and 20 will have electric vehicle charging points. 221 cycle parking spaces are provided in total, either within secure rooms within the car park or within cores A to D.

**7.8.9 Relationship to transport infrastructure** - The site is located within an area identified as having a PTAL rating of 4 and is within 5 minutes walking distance of the Pudding Mill Lane DLR station in addition to having a bus stop outside which is serviced by 5 bus routes. TfL have raised no objection to the proposed development in this location and consider that it is suitably located having regards to its public transport accessibility level. A Travel Plan would be required by the s106 agreement.

**7.8.10 Sustainability** – Development is designed to meet Code for Sustainable Homes Level 4 and BREEAM Excellent. Energy efficiency measures have been designed into the scheme in accordance with the London Plan hierarchy

of Be Lean; Be Clean; Be Green. The overall reduction in carbon emissions would be 38.8%. The s106 would require a commitment to connect to a future district heating network. A five year time period for implementation was sought and it was recommended that this be granted whilst securing through the s106 agreement a requirement for a re-assessment of the construction sustainability to be carried out to ensure that it was in accordance with the standard that might apply at the time of implementation. Other sustainability measures included an investigation into the feasibility of moving demolition waste and construction materials by Barge. This package of measures was considered to represent a reasonable level of compliance with sustainability policies of the London Plan and LB Newham Core Strategy.

- 7.9 In conclusion, the PDT officer reported that the form that the development will take will signify the junction that will be created and add legibility to the area. Along the High Street the buildings will reflect the prevailing heights of existing and proposed development and the riverside environment will be improved by the addition of active frontage and landscaping. The design and appearance of the development will make a positive contribution to the setting of the nearby Sugar House Lane Conservation Area. The development will contribute to meeting the housing needs of Newham and the provision for affordable housing will contribute to the creation of a mixed and balanced community. Commercial floor space will provide an active frontage to the development and the proposed initial occupation as affordable creative workspace will enliven the street scene until permanent commercial occupation is taken up.
- 7.10 A member requested that the applicant's contribution to education secured in the s106 agreement should be used locally to mitigate the effects of this development. Another member requested that this should also be within the borough of Newham boundary.
- 7.11 A member expressed concern over the viability of the shop units due to the parking restrictions on the High Street. The member requested that an informative be applied to request LB Newham to ensure short term parking is available or else the units would become unviable. The Director of Planning Decisions agreed to formally write to LB Newham to express the Committee's concern. Another member asked for clarification on how the on-site parking would be operated. A PDT officer reported that a condition required a Car Park Management Strategy and this would cover details of the allocation and re-letting of car parking spaces.
- 7.12 A member expressed concern regarding the low number of affordable residential properties available and that the 80% affordable rent level is unacceptable. The member gave the example of anything above 65% in LB Tower Hamlets being unaffordable for residents. A PDT officer reported that LB Newham would determine the rent level at the time the affordable housing is available.
- 7.13 A member requested further information the capacity of the public transport connections and the commuter transport requirements. A PDT officer referred the Committee to section 7.2.5 of the Report which stated that TfL is satisfied that the proposed development would not have a negative impact on the capacity of local public transport services and PDT would be guided by TfL in transport issues.

- 7.14 A member asked, in respect of the Code for Sustainable Homes level to be achieved, if it was possible for each of the three elements to be commenced at different time periods over the five year time limit for implementation. A PDT officer explained that the three elements of the development are linked and therefore once one element is commenced the entire development is implemented.
- 7.15 There being no further questions the Committee took a vote (10 in favour and 1 abstention) and:
- i) GRANTED PERMISSION** for the reasons given in the report, subject to the conditions and informatives set out in the Report and subject to:
    - a) Referral to the Mayor of London; and
    - b) The completion of a S.106 agreement to secure the measures set out in Section 9 of the Report.
  - ii) GRANTED DELEGATED AUTHORITY** to the Director of Planning Decisions to amend any conditions as necessary following receipt of the Mayor of London Stage 2 letter.
  - iii) GRANTED DELEGATED AUTHORITY** to the Director of Planning Decisions to complete the S.106 agreement in the terms as outlined in the report and as may be amended following receipt of the Mayor's Stage 2 letter and to issue the decision notice.

*David Taylor, Geoff Taylor, Conor McAuley and Celia Carrington left the meeting for the consideration of items 8-10 and Judith Gardiner left the meeting for consideration for Item 8 only.*

## **8. Fish Island AAP**

*London Borough of Tower Hamlets – Fish Island Area Action Plan, Proposed Comments for Submission Stage Consultation Response.*

- 8.1 The PDT Officer reported that this item seeks Members views on the London Borough of Tower Hamlets Fish Island Area Action Plan (AAP) which is currently subject to its submission consultation. The AAP sets out a vision for Fish Island as a whole and expands this to address the four character areas: Fish Island North, Fish Island Mid, Fish Island South and Fish Island East. Fish Island East equates to the PDZ4 area within the Olympic Park.
- 8.2 The PDT Officer reported that the creation of the London Legacy Development Corporation by the Mayor of London, for the area within and around the Olympic Park, includes the entirety of Fish Island. As this new body will be vested with full planning powers, including responsibility for plan making and given the timing of the transfer of these responsibilities, the course of progression for this document towards adoption may be affected.
- 8.3 The PDT officer gave a summary of the Fish Island AAP and explained that the AAP subdivides Fish Island into four character areas which are then used as the primary focus for the different policies and proposals that are considered should apply to each.



- 8.3.1 Fish Island North** – this is the area between the Overground railway, the A12, the Hertford Union Canal and the Lea Navigation. Currently a mixture of industry, warehousing and artists’ studios, including Hackney Wick Station. White Post Lane crosses the Lea Navigation here and meets Carpenters Road, within the Olympic Park. This area will be the focus for employment and housing within the Hackney Wick Hub.
- 8.3.2 Fish Island Mid** - this is the area south of the Hertford Union Canal to the Greenway. This area contains a range of industrial buildings and also includes some live/work development. The area includes a cluster of older factory buildings within the Fish Island Conservation Area and will be the focus for heritage led mixed se regeneration.
- 8.3.3 Fish Island South** – this is the mainly industrial area to the south of the Greenway and between the A12 to the west and the River Lea to the east and will be the focus for employment and industry.
- 8.3.4 Fish Island East** – this is the area PDZ4 within the Olympic Park, comprising the Olympic Park Energy Centre at Kings Yard at its northern most end and which, post Games becomes a development platform. This location is part of the area that is within the redline boundary of the Olympic Park Legacy Company’s Legacy Communities Scheme planning application (ref:11/90621/OUTODA) which is due to be determined by Committee in summer 2012. Within Fish Island East/PDZ4, that application seeks planning permission for a quantum of floor space which would equate to approximately 760 new dwellings and also includes a primary school and associated playing fields and without indicating the acceptability of otherwise of this element of the planning application proposal, does give an indication of what might be achievable here in this context.
- 8.5 The PDT Officer explained that the main issues raised in the proposed response, as set out in Appendix 2 includes a general welcome and support for the content of the AAP, the “Vision” and the consolidation of Strategic Industrial Land. There is concern expressed regarding the risk of timetable for preparation, the approach taken to policy addressing affordable rented housing and the need for this approach to reflect national policy and the emerging changes in the early alterations to the London Plan 2011 that deal with this matter. Ensuring a cross boundary consistency between Hackney and Tower Hamlets for the Hackney Wick Hub was considered necessary, where this AAP seeks to designate a Neighbourhood Centre. In particular to Fish Island East, concern has been expressed regarding the levels of housing proposed and the effect on the family housing character.
- 8.6 The PDT Officer reported that the two matters that are considered to be potentially unsound are the approach to affordable rented housing and the total amount of housing proposed for Fish Island East given the residential family housing character proposed in the APP alongside the provision of a school.
- 8.7 A member asked if the 900 new homes on Fish Island East included a realistic number of family housing. The PDT Officer reported that the cap should be lower, using the Legacy Communities Scheme number as an approximate example of what could be achieved in a scheme for this location.

8.8 A member asked if Fish Island South Strategic Industrial Land (SIL) designation would be adequately protected by the London Plan Policy. A PDT Officer reported this should be sufficient and that the draft OSPG identifies SIL for the same area. The member then suggested that LB Tower Hamlets be requested to reinforce the importance of this designation.

8.9 There being no further questions the Committee voted and unanimously:

1. **AGREED** the comments set out in the Report, subject to the additional comments made at the meeting and;

2. **AUTHORISED** the Director of Planning Decisions to provide final written comments to the London Borough of Tower Hamlets as set out in the Report and incorporating any additional views or amendments that the Committee wishes to make and to make any further minor amendments considered necessary.

## 9. **Hackney Wick AAP**

*London Borough of Hackney – Hackney Wick Area Action Plan, Proposed Comments for Submission Stage Consultation Response.*

9.1 The PDT Officer reported that this item seeks Members views on the London Borough of Hackney, Hackney Wick Area Action Plan (AAP) which is the subject of its pre-submission consultation. Following this consultation the Council is likely to submit the document to the Secretary of State for independent examination into its soundness. Following receipt of the Inspector's binding report, the Council may then adopt the document as a Development Plan Document within its Local Development Framework.

9.2 The PDT Officer reported that the document sets out its approach to Hackney Wick by identifying three character areas:

9.2.1 **The Hub** - this is seen as a main focus for a range of new mixed use development with a significant emphasis on providing a gateway for its surroundings through improved connectivity and the provision of a new Hackney Wick Station with a new north-south link under the railway.

9.2.2 **Creative Media City** – this is the focus of the future use and development of land around and including the Olympic Park International Broadcast Centre (IBC), Main Press Centre (MPC) and the Copper Box (Handball Arena). Significant creative and media employment uses are envisaged within and around the IBC/MPC with a broader mix of employment and leisure uses to the south and a potential for flexibility around the employment land designations to the east to allow for the potential of a residential focused development to the Olympic Park edge.

9.2.3 **Hackney Wick North** – this is seen as an established residential area, primarily requiring improved connections to the Hub and its immediately surrounding areas and a focus of community uses in the Community Use Area along the Eastway.

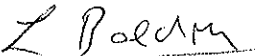
9.3 The PDT Officer explained that the main issues raised in the proposed response includes a general welcome for the AAP (with minor amendments

only being suggested) and the vision for Hackney Wick, the approach to Hackney Wick Hub, the Creative Media City and the Implementation Plan. There is concern expressed with the need to highlight access across Lea Navigation and Hackney Wick Station improvements, to include sustainable development reference within the vision and minor changes in parking policy to allow limited flexibility. In addition, it seeks minor revision to the Conservation Area boundary as shown in the report, clarity for land use proposals in relation to the Creative Media City and seeks early funding for Hackney Wick Station improvements.

- 9.4 A member suggested that a TIF or a bond be raised in relation to early funding for the Hackney Wick Station improvements and gave the example at Nine Elms. The legal advisor agreed that this would be helpful.
- 9.5 There being no further questions the Committee voted and unanimously:
1. **AGREED** the comments set out in the Report, subject to the comment that the Committee have made,
  2. **AUTHORISED** the Director of Planning Decisions to provide final written comments to the London Borough of Hackney as set out in the Report and incorporate the additional views or amendments that the Committee have made and to make any further minor amendments considered necessary.

## 10. Any Other Business

*There being no other business the meeting ended at 21.15.*

Signed:  Chair

Date: 13/3/2012

