

**OLYMPIC DELIVERY AUTHORITY**

**ODA PLANNING COMMITTEE**

**24 July 2007**

**SUBJECT: MINUTES OF 9<sup>th</sup> COMMITTEE MEETING**  
Held on 26 June 2007 at 18.00

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

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**Present:** Lorraine Baldry Chairman

**Local Authority Members:**

Cllr Rofique Ahmed	LB Tower Hamlets
Cllr Conor McAuley	LB Newham
Cllr Geoff Taylor	LB Hackney
Cllr Terry Wheeler	LB Waltham Forest

**Independent Members:**

Michael Appleton  
Celia Carrington  
William Hodgson  
Janice Morphet  
Dru Vesty

**Officers in attendance:**

Vivienne Ramsey	ODA, Head of Development Control
Anthony Hollingsworth	ODA, Chief Planner, Development Control
Richard Ford	ODA, Legal adviser, Planning Decisions Team, (Pinsent Masons)
Vanessa Brand	ODA, Committee Secretary

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

1.1. David Taylor had been advised that he should not participate in the decision on Item 5 which constituted the main part of the agenda.

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

2.1. In respect of Item 5 the Chairman drew attention to updates to the report as circulated:

## Item 5

- Table of mitigation attached (as referred to at para 9.3 of the report)
- Corrections to para 6.3 of the report on renewable energy with a revised informative

2.2. The order of business was unchanged.

2.3. There had been no requests to speak.

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

3.1. 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.

'Item 5 relates to 3 applications made to ODA by Stratford City Developments Ltd and London and Continental Railways to discharge a condition of the outline planning permission requiring the submission of site wide strategies for Stratford City. ODA is the successor planning authority and this Committee has to determine the applications. Comments have been made by a number of London boroughs and other organisations as listed in the paper.

'The following personal interests are declared:

#### Conor McAuley

- Elected member of LB Newham
- Vice Chair of Stratford Renaissance partnership
- Vice Chair, Thames Gateway London Partnership

#### Janice Morphet

has declared a personal interest relating to her daughter who is employed by Ashursts, the firm of solicitors acting for Stratford City Developments Ltd on work not connected with that contract or any other planning issues.

#### David Taylor

- Board Member of ODA
- David Taylor has sent a statement declaring a personal interest in relation to his instructing Anthony Curnow of Ashursts, Solicitors. Mr Curnow is instructed by Stratford City Developments Limited, one of the joint applicants on the planning application to be considered under Item 5 of the agenda. David Taylor instructs Mr Curnow on a matter entirely unrelated to the Stratford City application and he has been advised that this connection may potentially be perceived as giving rise to a prejudicial interest. Consequently, as a precautionary measure, he has decided to withdraw from commenting on the application.

#### Geoff Taylor

- Elected member of LB Hackney

Terry Wheeler

- Elected member of LB Waltham Forest
- Director, North London Ltd

'Would Members please confirm that the declarations of personal interests 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 judgement 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?'

- 3.2. Members confirmed that the personal interests read out were correct and that there were no additional interests to be declared. Except as stated, these were not prejudicial interests.

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

##### 4.1. The Committee

AGREED the Minutes subject to the following amendment:

Para 4.2 to read:

'The Committee  
AGREED the Minutes of the 7<sup>th</sup> Committee Meeting held on 27 March  
2007 subject to the amendment at para 4.1 above'

- 4.2. In relation to para 5.3 the Head of Development Control confirmed that she would circulate a summary of the S106 Agreement once it had been signed, and would brief Members as necessary.
- 4.3. In relation to para 5.10 an outline Programme had been tabled showing the phasing of further applications including details and reserved matters for the Olympic Park and Stratford City and when they were likely to be received over the next 2 years to July 2009.

## PLANNING APPLICATIONS

### 5. PLANNING APPLICATIONS

07/90001/AODODA

07/90006/AODODA

07/90024/AODODA

#### **APPROVAL OF SITE WIDE STRATEGIES TO DISCHARGE CONDITION C1 OF PLANNING PERMISSION 06/90017/VARODA IN RELATION TO STRATFORD CITY DEVELOPMENT**

- 5.1. The Committee considered the report and took into account the Updates which had been circulated including the corrections to the report at paragraph 6.3 and the amended informative. A planning officer gave a presentation to the Committee describing the applications and explaining the Updates and the officers' recommendations, including the information below:
- 5.2. Outline Planning Permission had been granted on 17 February 2005 by Newham Borough Council for the Stratford City development. The site now fell within the ODA Planning Authority area. Following the S73 application to vary the original permission, which the ODA Planning Committee had approved in November 2006, a new S106 Agreement was being negotiated: it would include all those matters previously covered in the original S106 Agreement save as varied and added to by the ODA's resolution to grant approval to the S73 application.
- 5.3. The three applications before the Committee related to the approval of four Site Wide Strategies submitted to satisfy Condition C1 of the proposed S73 consent. The strategies were high level documents establishing principles for the development and management of the whole site. In many cases these principles would be developed further through the submission of zonal documents and reserved matters. Each of the strategies was explained to the Committee in turn.
- 5.4. The Environmental Sustainability Manual was a technical document and had been considered by the independent Environmental Review Panel which met monthly. Officers were largely reliant on the Panel's technical expertise. The Panel were broadly satisfied with the document and considered that outstanding issues could be addressed through the submission of further information (e.g. approval of the environmental compliance statement to be submitted with each Zonal Masterplan) as outlined in the proposed informatives. The Committee noted that under the original Outline Planning Permission the developer was required to design residential units to use a minimum of 2% renewable energy, whereas the additional residential units which they had approved in November 2006 were to be designed to use a minimum of 10% renewable energy. However, the Committee also noted that these represented minimum standards and that the developer had stated an aspiration to meet higher standards.
- 5.5. The Committee expressed concern about the following issues:

- 5.5.1. the developers' commitments and aspirations to meet environmental standards of excellence should be subject to regular monitoring and review of proposals across all aspects by the Environmental Review Panel as further information was submitted, taking into account current technical advances and higher standards, and these should be showcased in the 'exemplar buildings'. A precise definition of 'exemplar' was needed.
- 5.5.2. whole life costing should be applied to ensure that long-term management and maintenance was not compromised by the use of poorer quality materials
- 5.6. The Estate Management Framework had been revised following comments received from officers of ODA, Newham, the Metropolitan Police and TfL. Officers considered that the document was broadly acceptable recognising that there remained areas where further information would become available about how the estate would be managed (e.g. formation of one or more permanent estate management companies) and discussions were continuing (e.g. about the possible adoption by Newham of certain roads and open space within the site). The Table of Mitigation submitted by the applicants set out what further information was required and the timescale for submission.
- 5.7. The Committee noted that security (e.g. against terrorism) was being discussed with the appropriate authorities but that potential measures should not be detailed in public documents at this time.
- 5.8. The Committee expressed concern about the following issues:
  - 5.8.1. principles in relation to long-term ownership and the implications for the management of, and access to and continuing use of, open space
  - 5.8.2. how estate management would be funded to ensure continuing long-term, high quality management and maintenance and the potential impact of the sale of freehold and other property interests
  - 5.8.3. how residents and others would be involved in the long-term stewardship of the estate
  - 5.8.4. potential impact of 'buy to let' ownership on the success of the residential area
  - 5.8.5. development and long-term management of character and local distinctiveness (these had been included in the open space and design strategies approved under the original consent, but were not cross-referenced in the Estate Management Framework)
  - 5.8.6. off-site impact of parking and traffic management
- 5.9. Officers explained that the S106 agreement and planning conditions regulated the above - save for the "buy to let" ownership question which was felt to be a market driven issue.

- 5.10. The Construction Method Statement had been revised following comments received from officers of ODA, Newham, and TfL. Officers considered that the document was broadly acceptable recognising that at this stage not all the information was available about how the site would be integrated with adjacent developments
- 5.11. The Committee considered that an informative should be added to the consent encouraging the use of modern methods of construction.
- 5.12. The Committee also expressed concern about the following issues:
- 5.12.1. enforcement of the condition restricting working hours to protect local residents from noise and nuisance (officers pointed to the planning condition regulating this to a satisfactory extent in officers' view)
  - 5.12.2. ensuring obligations to local employment, which were referred to only as intentions or aspirations in the strategy, were met (officers referred to the S106 agreement regulating this)
  - 5.12.3. in view of the number of construction workers who would be employed on the Stratford City site and adjacent sites including the Olympic Park, an integrated approach to logistics was essential identifying appropriate access routes and providing facilities to deter the use of private cars (officers noted the need for a co-ordinated approach which was being negotiated in the S73 permission and S106 agreement, as with the Olympic project permissions and S106 agreement)
- 5.13. The Site Wide Housing Strategy had been revised as the result of discussion and complied with the revised S106 as drafted. The Committee noted that it could be revised as the development progressed.
- 5.14. The Committee expressed concern about the following issues:
- 5.14.1. provision of community facilities to match the scale and timescale of residential development e.g. health and education (officers referred to the S106 agreement regulating this)
  - 5.14.2. careful consideration of the distribution of affordable housing across the site, whether or not clustered/'pepper-potted', taking into account local housing in the adjacent areas and the need to establish balanced communities (officers referred to this as a matter for the detailed layout plans)
- 5.15. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously in accordance with the recommendation as amended that, subject to the comments made during the discussion being taken into account, they

AGREED the reasons for approval as detailed at 8.1 to 8.3 of the report

DELEGATED authority to the Head of Development Control to grant approval for the Site Wide Strategies once the s73 application and associated s106 agreement had been finalised and the revised outline planning permission had been issued

(including any consequential changes necessary to such Site Wide Strategies) subject to the following conditions:

1. The details shown in the Table of Mitigation appended to this planning permission shall be submitted to and approved by the Local Planning Authority prior to the commencement of development in the Zones to which they relate.

Reason: To ensure that the further information outlined in the Site Wide Strategies as being forthcoming are submitted to the Local Planning Authority in a timely manner for its consideration and approval, thereby ensuring the development of this site in a sustainable and integrated manner.

2. Prior to the submission of any Zonal Construction Management and Method Statement, further information is required to be submitted in the form of an Addendum outlining what environmental monitoring will be undertaken regarding the cumulative effect of works across the site in terms of dust and noise and any other impacts.

Reason: To ensure that the cumulative effect of construction works on site will be monitored so as not to cause a significant impact on the amenity of the surrounding area, in accordance with EQ46 of Newham's Unitary Development Plan and Policy 4A.6 of the London Plan.

and subject to the following informatives:

- a) Any construction works should comply with the working hours established by Condition G5 of the Outline Planning Permission, unless other agreed in writing by the Local Planning Authority or under Section 61 of the Pollution Control Act. Any exception to the working hours specified in Condition G5 will only be approved in exceptional circumstances.
- b) Any future Zonal Masterplan or Reserved Matters application will need to consider providing the following information as part of its submission
  - i. The contribution that the public realm can make to air quality.
  - ii. The potential for mechanical heat recovery within the development of zones/buildings.
  - iii. The exploitation of extensive roof areas to support wildlife.
  - iv. All zones and buildings across the site must be designed for the use of (minimum) 2% renewable energy, with the exception of the additional 58,326 square metres of residential floorspace approved in Zone 1 which must be designed for the use of (minimum) 10% renewable energy
  - v. The inclusion of detailed studies showing how the shading potential of large and tall buildings have been maximised, while maintaining good sunlight penetration to the public realm and

residential units, including studies on the effects of wind tunnel(s) and downdraughts.

*(Items (i) to (v) are a requirement of the Stratford City Environmental Review Panel)*

- vi. Detail how environmental crime has been designed out of the layout for zones and buildings.
- c) Any Zonal Construction Management and Method Statements submitted to the Local Planning Authority for approval must include the following information:
- i. Detailed information as to how each Zone of the Stratford City development will connect with other developments in the area, particularly the delivery of the Olympic Park.
  - ii. How the construction of each zone within Stratford City demonstrates consistency with the Code of Construction Practice for the Olympics and other developments in the area, such as the DLR extension and works to Stratford Regional Station.
  - iii. Clarify what environmental monitoring is to take place for each Zone in terms of dust and noise, and how this relates to the monitoring of other Zones within the site. Each Zonal Construction Management and Method Statement should also make reference to any cumulative environmental monitoring that is taking place across the site.
  - iv. Detailed information as to how construction workers will be brought to and from the site, and transferred within the site, and a commitment that such movement will not cause a significant loss of amenity to residents/businesses in the area.
  - v. TfL have made a series of comments in respect to the movement of construction workers (as detailed in this report) and recommend that the Developers liaise with TfL's Travel Demand Management Team prior to the submission of any future Zonal Construction Management and Method Statement.
  - vi. Clarification as to how the public helpline will be used and advertised during the construction of each zone. Detail should also be provided as to strategically, who will operate/coordinate the phone line.
  - vii. Evidence that modern methods of construction have been investigated and are to be used so far as is practicable (see para 5.11 above)
- d) The submitted Site Wide Housing Strategy (version 3, dated 15<sup>th</sup> June 2007) indicates that this Strategy may be revised as the development evolves. The Local Planning Authority expects any proposed amendments



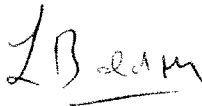
to this Strategy to comply with the Outline Planning Permission and the s106 agreement in providing a reasonable balance of affordable housing across the site.

**6. ANY OTHER BUSINESS  
(AGENDA ITEM 6)**

- 6.1. An explanation was given to the Committee about the timing of the applications before them and the relationship to the Zonal Masterplan for Zone 1, on which they had commented at the previous meeting on 12 June. The decision on the Zonal Masterplan had been delegated to the London Borough of Newham to determine on behalf of the ODA and Newham's Planning Committee had considered the application on 13 June. However, Newham were unable to grant approval of the Zonal Masterplan until the ODA Planning Committee had considered and approved the Site Wide Strategies. Newham would now be informed that the strategies had been approved and the officer to whom Newham had delegated authority would determine the Zonal Masterplan for Zone 1 in the light of that information and the Newham Committee's discussions.

*There being no other business the meeting closed at 7.40 pm*

Signed:



Date: 28/7/2007

Chairman

