

**OLYMPIC DELIVERY AUTHORITY**

**ODA PLANNING COMMITTEE**

**SUBJECT: MINUTES OF 79<sup>th</sup> COMMITTEE MEETING**  
Held on 22 March 2011 at 18.00

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

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**Present:**

Lorraine Baldry	Chairman
David Taylor	Deputy Chairman

**Local Authority Members:**

Cllr Terry Wheeler,	LB Waltham Forest
Cllr Geoffrey Taylor,	LB Hackney
Cllr Conor McAuley,	LB Newham

**Independent Members:**

Mike Appleton  
William Hodgson  
Janice Morphet  
Dru Vesty

**Officers in attendance:**

Vivienne Ramsey	ODA, Head of Development Control
Anthony Hollingsworth	ODA, Chief Planner Development Control, Planning Decisions Team
Richard Ford	ODA Legal Adviser, Planning Decisions Team (Pinsent Masons)
Saba Master	ODA Board Secretary

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

1.1. There were apologies from Celia Carrington and Judith Gardiner (LB Tower Hamlets).

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

- 2.1 There were Updates for Item 5 and Item 6.
- 2.2 The order of business was unchanged.
- 2.3 There were requests to speak from Patrick Grincell, Savills, for Item 6.

## **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.

'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 and 8.

'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 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?'

Members 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 78<sup>th</sup> Planning Committee Meeting.

## **5. Basketball Lighting 11/90034/AODODA**

*Submission of details pursuant to condition BAOD.18- details of Basketball lighting of planning permission reference 08/90346/FULODA.*

- 5.1 A PDT Officer gave a presentation and explained that the proposal was for functional lighting at the base of the portal frame, and architectural lighting of all four facades, with luminaires proposed inside the Basketball arena building. The possible effects that can be achieved through the use of

different colour and brightness across the facades was shown. The functional lighting would be in place for test events and the architectural lighting would be installed immediately prior to the Games, as it would be hired.

- 5.2 The PDT officer explained that the curved articulation of the building had been previously approved by Planning Committee in November 2009.
- 5.3 The PDT Officer reported that extensive consultation had taken place with mostly positive responses. CABE were encouraged by the care that had been taken to test various solutions for the venue but had suggested that lighting of the roof and the possibility of projecting the national flags of the winning teams on the facades be investigated. The applicant has considered both proposals, with roof lighting not possible due to Olympic Broadcast Services' blackout requirements and image projection on the façade not proposed. No objection was received from London City Airport, the Environment Agency and LB Newham. The Officer drew members attention to the update report, the comments of the Metropolitan Police and the recommended additional informative which encourages further dialogue between the applicant and the Police on final lighting levels at the building. .
- 5.4 The PDT Officer explained that the report considered that on design, sustainability, biodiversity and amenity grounds there would be no adverse impacts from the proposed lighting scheme. Indeed the proposal would enhance the venues design, and to accord with the design policies and sustainability policies of the London Plan, draft replacement London Plan, and London Borough of Newham UDP. Security issues had been addressed as set out in the Update report and the recommended informative.
- 5.5 In response to a question from a committee member, the PDT officer clarified that the application was for the approval of the lighting system and equipment and not a particular colour scheme.
- 5.6 There being no further questions:

The Committee:

**APPROVED** the application for the reasons given in the report to allow the discharge of condition BAOD.18 (Details of Basketball Lighting) subject to the condition as stated in the report and the informative as included in the Update report.

**6. IBC/MPC Catering Village 10/90640/FULODA:**

*Full "slot-in" planning application for erection of a temporary three storey catering village building, including: roof plant enclosure and ground floor plant zone sited on the eastern side of the building; services gantry sited on the east elevation of the building; outdoor seating area sited on the northern side of the building; service yard/cleaning and waste compound sited on the southern side of the building; and associated hard and soft landscaping. The catering village building is to serve the International Broadcast Centre and Media Press centre during the Olympic Games in 2012.*

- 6.1 Patrick Grincell, Savills, gave a presentation in support of the application. He explained that the proposal was a full application given that this is a new separate, temporary element for the Games phase only. At the reserved matters stage for IBC and MPC buildings the ODA had decided against provision of the required catering floorspace for the Games within the retained permanent buildings and that the catering village would be instead provided in a separate temporary building. This ensured that the permanent buildings would be sized for Legacy use, as a more sustainable design approach...
- 6.2 The applicant presented diagrams of the North, East, South and West elevations and photographs of how the building would be installed and dismantled. In terms of sustainability, the modular construction would ensure that the buildings can be removed and reused elsewhere post Games; grey water harvesting would be undertaken; there would be natural ventilation in the lobby area; and low flush WCs and taps would ensure water conservation.
- 6.3 The applicant reported that the key dates for the catering village were:
- Start on site – March 2011
  - Handover to LOCOG – January 2012
  - Operational Use – mid June 2012 to end of Games
  - Dismantled and removed from site – January 2013.
- 6.4 A PDT Officer gave a presentation. The PDT officer explained that the planning considerations included the appearance of the buildings; potential noise and disturbance, including odour and fumes to local residents from the operation of the development, lighting and landscaping, sustainability and the servicing of the development.
- 6.5 The Officer concluded that the scheme would not be detrimental to residents opposite the site in Hackney Wick or the wider setting of the Olympic Park, subject to the imposition of conditions with respect to enhancing the west façade of the building and the eastern plant gantry, further detailed assessment of plant noise (initial assessment work undertaken by the applicant on likely noise impact concluded that this would not be detrimental and PDT's environmental consultant had verified this conclusion) and the operation of the venue (including serving).
- 6.6 The Officer drew members attention to the Update Report which contained clarifications to paragraph 7.19, (indicative details of servicing arrangements). Amendments to conditions 5 and 6 (external appearance) were proposed as set out in the Update; condition 8 was recommended to be removed with 34 (Operational Use Plan) amended as a consequence. Minor drafting amendments were proposed to Conditions 1, 25 and 26. Conditions 16, 31 and 33 were deleted as these duplicated other recommended conditions..
- 6.7 A member asked whether the condition which seeks enhancement to the west façade of the building allowed for nothing to be done if that was reasonable given constraints.. A PDT Officer explained that the west façade was a substantial feature and options for its enhancement should be investigated. The applicant has begun to do this but not all options had been reviewed. The Officer acknowledged that the condition as drafted did not allow for a 'do nothing' option if that was reasonable, but it could be amended accordingly.

- 6.8 A member asked if the colour could be projected onto the surface of the building (external lighting). The Officer commented that there would be two drawbacks with this, potential impact on residential properties and that this would only enhance during the evenings/night at Games times, with limited visual benefits as a result.
- 6.9 A member stressed the importance of finding out what preference local residents had to what would be visible on the façade. The member supported officers attempts to secure an enhanced appearance for this façade.
- 6.10 A member reported that LB Hackney had put forward a solution to have trees and shrubs in the area. A PDT Officer explained that the applicant had considered this option but that there were constraints which precluded this, included topography changes, proximity to the perimeter security fence and Thames Water access requirements to its water main.
- 6.11 A member asked whether in legacy mode what works would be required to reinstate the site, in particular whether the piles and pile caps would be removed. . The applicant explained there would be a suspended concrete slab foundation and the concrete slabs would be removed post Games. Foundation design was not over-engineered but was necessary to support the building. A PDT officer reported that, post Games, the area would be a school playing field, (this had been secured in the 2007 planning condition).
- 6.12 A member asked whether the details and appearance of the cladding to the entrance lobby was sufficiently secured by condition as condition 2 only required samples of the cladding to be used. Officers agreed that this condition should be enhanced to require detailed drawings of fixings, edges and joints. .
- 6.13 There being no further questions the Committee took a vote and:
- i) **AGREED** to grant approval for the full "slot-in" planning application
- and
- ii) **AGREED** to the, conditions and informatives in the report, including the amendments and additions to conditions set out in the Update Report and the amendments to conditions 2, 5 and 6 (as updated) to reflect the member requests in paragraphs 6.7 and 6.12 above .

**7. 80-92 High Street, Stratford Edge, Stratford, E15**

*Recommendation for issue of a Section 215 Notice to remedy the detrimental appearance in respect of 80-92 High Street, Stratford Edge, Stratford, E15 and recommendation for enforcement action under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.*

- 7.1 A PDT Officer explained that this area was situated immediately adjacent to the Greenway at a point which will be the main southern entrance into the Olympic Park, for spectators, during the Games and referred the Committee to the photographs at Appendix 1. The PDT Officer explained that the site's

dereliction was detrimental to the visual amenity of the area and in particular the setting for the Olympic Games.

- 7.2 In addition, the PDT Officer reported that the site was occupied by four (not three as stated in the report) large advertisement hoardings which are considered to contribute to and accentuate the poor appearance of the plot. Further information regarding whether these hoardings benefit from express or deemed advertisement consent was still being established by PDT.
- 7.3 The PDT Officer referred the Committee to paragraph 5.9, of the report, which outlined PDT's position of issuing a section 215 notice to ensure any adverse impact is remedied. This could include demolition of the derelict building, clearance, tidying and enclosure to an appropriate standard.
- 7.4 The PDT Officer informed the Committee that the site owner was currently in receivership and that the site was in the control of the appointed receiver. PDT's solicitors are currently undertaking a land registry search.
- 7.5 A member asked that due to the site being in receivership would the ODA be able to purchase it at a low cost. A PDT Officer said it would be very costly to purchase this site given that it has the benefit of planning permission for a residential tower.
- 7.6 A member asked if the land could be acquired later e.g. in 5 years time. A PDT officer pointed out that the ODA wanted to undertake the work prior to the Games.
- 7.7 A member pointed out that if the Committee decided to appeal via a Magistrates Court then it would be very helpful to PDT's case if it had a design (drawings or images) of the scheme of improvement which would be sought under the s,215 notice.. This would provide clarity.
- 7.8 There being no further questions the Committee voted and:

**1. AGREED** to authorise the Head of Development Control to:

- i) issue a s330 notice requiring the recipient to provide information about the ownership of the property and of any other person who may have an interest in it;
- ii) determine the precise nature of the actions and timescales to be required by the notice; and
- iii) issue a section 215 notice in respect of 80-92 Stratford High Street, Stratford, to specify the steps for remedying the condition of the land to remedy the adverse impact of the site on local amenity.

**2. AGREED** to authorise the Head of Development Control to:

- i) take action under the appropriate provisions of the;
  - a) Town and Country Planning Act 1990 and

- b) Town and Country Planning (Control of Advertisements) (England) Regulations 2007

To secure removal of the hoardings on the site following investigations to establish their status; and

- c) Take appropriate prosecution action.

## 8. MDC Consultation

- 8.1 The Head of Development Control gave a presentation on this report. The report suggests a response to be considered by the ODA Board, for sending to the GLA, to respond to the questions in the Mayor of London's consultation on the proposal to designate a Mayoral Development Corporation centred on the Olympic Park.
- 8.2 The Head of Development Control referred the Committee to the Consultation Document, (Appendix 1 of the report), the suggested area of the MDC (page 21 of the document) and the Purpose of the MDC.
- 8.3 The Head of Development Control explained the main characteristics of the MDC, highlighting in particular;
- MDC being a functional body of the GLA,
  - Full range of Planning Powers from 1 October 2012,
  - Planning Committee – a mix of Board Members and Councillors from Host Boroughs,
  - OPLC Board members become MDC Board,
  - Implications for the ODA include the transfer of function, staff and assets.
- 8.4 A member commented that there were possible changes being proposed to the Localism Bill which may have a bearing on the set up and function of an MDC. If this were the case, then the ODA response should request reconsultation on the Mayor's proposals.
- 8.5 The member requested that the ODA response sought clarification on the relationship of the OPLC/MDC in the context of the Local Enterprise Partnership (LEP). In particular, how the OPLC would sit alongside a LEP applying in the OPLC area, and in particular any LEP funding arrangements/eligibility of the LEP for funding arrangements. A key issue would be to ensure that funding streams are not inadvertently lost for the OPLC area, as well as the focus of LEP members and/or stakeholders being diverted away from the OPLC area if it is seen as being dealt with completely separately.
- 8.6 The member questioned whether the OPLC would be eligible for any part of any local business rate retention scheme brought forward by Government as announced in the review of the local government resources (as well as business rate relief power in Clause 36 of the Localism Bill). In addition, the

member requested further clarification over whether the OPLC will be able to take advantage of any Tax Increment Finance (TIF) mechanism would be useful.

8.7 The member commented on whether further clarification would be required on the OPLC's relationship with the host Boroughs and how it would ensure that service provision within the MDC is agreed with the host Boroughs.

8.8 On plan making powers, the member commented that lessons learned from similar arrangements (eg within National Parks areas) should be applied to the OPLC/host Boroughs relationship. The link between plan making and infrastructure and service delivery should not be lost. .

8.9 A discussion took place and members requested further clarification over the extent to which the following (set out in the Localism Bill) apply to the OPLC:

- i) Neighbourhood Plans,
- ii) Neighbourhood Development Orders,
- iii) Community Right to Build Orders,
- iv) Community Right to Buy,
- v) Appointment of Board members – consideration of local and young people's membership, as appropriate, to ensure increased wider participation and community buy-in. The PDT legal advisor pointed out that this would have to be related to Paragraph 1 of Schedule 21, of the Localism Bill, which refers to the desirability of appointing a person who has an experience of, and has shown some capacity, in a matter relevant to the carrying out of the MDC's functions.
- vi) Was there any way there a commitment to design quality could be strengthened within the purposes of the MDC?
- vii) Is OPLC subject to any emerging duty on public sector authorities to bring forward surplus public sector assets for sale or redevelopment?
- viii) It should be absolutely clear that the central purpose of the MDC is to deliver on the Games legacy for East London.

8.9 A member requested that the MDC boundary should be extended to include the Riverine Trust land immediately to the north of the District line and west of the Jubilee line (including the JL depot)..

8.10 There being no further questions or observations the Committee voted (one abstention) and:

1. **AGREED** to the suggested response to the consultation document, as set out in the report:

- i) A general expression of support for the proposal establishing an MDC with a full range of planning powers;



- ii) ODA to work with the GLA and OPLC on the detailed arrangements for potential transfer of staff, functions etc;
- iii) Support for the transfer of the PDT to the MDC to form the nucleus of its planning function;
- iv) Detailed comments to consultation paper questions in Appendix 4; and

2. **AGREED** to add any further comments as discussed, including the amendment to the MDC boundary; and to

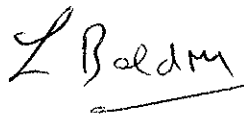
3. **AUTHORISED** the Head of Development Control to forward the response to the ODA Board for inclusion in the overall ODA response.

## 9. Any Other Business

- 9.1 The Head of Development Control provided an update on Future visits to the Olympic Park by the Planning Committee. An updated list would be sent to the Committee post meeting.

*There being no further business the meeting ended at 19.20.*

Signed:



Chair

Date:

13/9/2011

