

**OLYMPIC DELIVERY AUTHORITY**

**ODA PLANNING COMMITTEE**

**14 August 2007**

**SUBJECT: MINUTES OF 10<sup>th</sup> COMMITTEE MEETING**  
Held on 24 July 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 Geoff Taylor	LB Hackney
Cllr Terry Wheeler	LB Waltham Forest

**Independent Members:**

Michael Appleton  
William Hodgson  
Janice Morphet  
Dru Vesty

**Officers in attendance:**

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

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

Apologies were received from Celia Carrington and Councillor Conor McAuley who were unable to attend the meeting. David Taylor was not present because he 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

- Amended plan and clarifying information from the applicant included in a letter dated 23 July 2007
- Note of further consultation responses received from Thames Water and London Borough of Newham (Environmental Health)
- Amended / additional conditions and informatives

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.

'Members will see that the paper for Item 3 lists interests which they have declared which appear to be personal interests some of which relate to Item 5.

'In addition to the listed interests David Taylor has sent a statement declaring that until mid June 2007 he instructed Anthony Curnow of Ashurst, Solicitors, on a matter entirely unrelated to the Stratford City application. 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. Previously, at relevant Committee meetings, and as a precautionary measure only, David Taylor has therefore withdrawn from commenting on the application. However, given the expiry of the business relationship in mid June 2007, it is not envisaged that this precautionary measure will now need to continue beyond the end of this Committee, on the basis that at subsequent Committees an appropriate time will have elapsed since the expiry of the relationship to avoid any perception of a conflict of interest. In the interim, David Taylor has withdrawn from commenting on the application for this Committee.

'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?'

- 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 of the 9<sup>th</sup> Planning Committee Meeting subject to the following amendment:

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

##### **4.2. There were no matters arising.**

#### *PLANNING APPLICATIONS*

#### **5. PLANNING APPLICATION 07/90120/FULODA GROUND REMODELLING AND ASSOCIATED REGRADING WORKS**

- 5.1. The Committee considered the report and took into account the Updates which had been circulated. A planning officer gave a presentation to the Committee describing the application and explaining the Updates and the officers' recommendations. The officer highlighted a typographical error in the report to the Committee, being that the consultation period ends on 2 August 2007 (as stated at paragraph 1.7 of the report) and not on 31 July 2007 (as stated at paragraph 1.9 of the report). None of the consultation responses received to date objected to permission being granted but suggestions had been made for the imposition of conditions and informatives, including the additional conditions suggested by London Borough of Newham. All suggestions received were recommended and were listed on the Update sheet.
- 5.2. Outline Planning Permission had been granted on 17 February 2005 by London Borough of Newham 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 application before the Committee related to the approval of works for ground remodelling and regrading within zones 1 and 2 of the site as described in the Committee report and the Update. Most of the work formed part of the original 2005 planning permission and the resolved S73 permission but the applicants had clarified that three of the temporary stockpiles would exceed the agreed parameter plans by approximately 2-5 metres in height. Since the

works constituted development they could not be implemented until the S73 permission was issued. The applicants now sought permission to undertake the works during the better weather of the Summer months and, on this basis, it had been determined that no Environmental Assessment was necessary.

- 5.4. The Committee noted the recommendation that any permission be time limited and that the proposed condition would prohibit the carrying out of the development after 31 October 2007 unless otherwise agreed in writing by the local planning authority. This would ensure that the cumulative impact of these and any other works commencing on adjoining sites around that time, could be assessed if the work was not completed by the end of the Summer.
- 5.5. The Committee noted that the remaining residents at Clays Lane had vacated the site the previous day, 23 July, as stated in the report<sup>1</sup>. However, they were concerned about the lorry movements taking material off-site with consequential noise, vibration, and dust impact adversely affecting local people. The Head of Development Control confirmed that the applicants would be required by condition to submit an agreed routing plan for the vehicles concerned and that this would include the means for managing compliance. In that context the Committee also noted:
  - 5.5.1. the applicant's oral confirmation that the cement used to stabilise the re-profiled surface would form part of the permanent works and would not have to be removed subsequently;
  - 5.5.2. that the applicants were seeking to reuse surplus material elsewhere on the Stratford City or Olympic sites and that commercial discussions were taking place about this. It would be appropriate for an informative to be added in relation to minimising the amount of material taken off-site.
  - 5.5.3. that the submitted Construction Management and Method Statement should be amended by condition to address mitigation measures proposed to limit the effects of noise and vibration from body noise from commercial vehicles as specified by the Department for Transport
  - 5.5.4. the use of sheeting covering lorries to help reduce nuisance from dust should be included as an informative
- 5.6. The Committee were also concerned about the possible impact of the works on drainage of the site and considered that the location of any surplus material on site should be controlled by condition.
- 5.7. The Committee noted that the consultation period would not end until 2 August 2007 (not 31 July as stated in the report) and that the application would be referred back to the Committee if any further consultation responses were received which were material in nature and had not already been considered.

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<sup>1</sup> The Committee were informed that residents had vacated Clays Lane the previous day. In this context residents did not refer to the travellers who will be vacating at a later date (footnote inserted for clarification on 30 July 2007)

5.8. 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 points recorded above being taken into account, they

- a) AGREED the reasons for APPROVAL
- b) DELEGATED authority to the Head of Development Control to grant approval for the application upon completion of the consultation period, subject to the conditions as set out in the report as amended in the Update report and to the additional conditions and informatives listed in the Update report and resulting from the Committee's discussion
- c) DELEGATED authority to the Head of Development Control to consider and resolve any issues or add any proposed conditions received as a result of any additional consultation responses, subject to the Head of Development control returning the application back to Committee in the event that consultation responses received are material in nature and have not been taken into account by the Committee.

Amended/additional conditions and informatives

Condition 1 to read

Unless otherwise agreed in writing by the Local Planning Authority, the carrying out of the development hereby permitted shall cease by 31<sup>st</sup> October 2007.

Reason: By limiting the amount of time during which the permitted development may occur, the potential effects of the development on the surrounding area is minimised in accordance with Policy EQ45 of Newham's Unitary Development Plan.

Condition 3 to read (as required by LB Newham (Environmental Health)):

No demolition, construction or maintenance activities audible at the site boundary of any residential dwelling shall be undertaken outside the hours of 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 Saturday or at any time on bank or public holidays without the prior written approval of the Local Planning Authority, unless the works have been otherwise approved in advance under section 61 of the Control of Pollution Act 1974.

Reason: To ensure that the approved works do not result in a significant loss of amenity, in accordance with Policy 4A.14 of the London Plan and Policies EQ45 and S9 of Newham's Unitary Development Plan 2001.

Condition 9 to read (as required by LB Newham (Environmental Health)):

Condition 9 to read: All non-road mobile vehicles with compression ignition engines used in connection with the construction of the development shall comply with the GLA's Best Practice Guide for the Emission of Dust from Construction Sites, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising the impacts of construction on air quality in accordance with Policy EQ46 of Newham's Unitary Development Plan.

Additional conditions (as suggested by LB Newham (Environmental Health)):

- i. No impact piling shall take place without the prior written approval of the Local Planning Authority and shall only take place in accordance with the terms of any such approval

Reason: To ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties in accordance with Policy EQ45 of Newham's Unitary Development Plan.

- ii. Deliveries of construction and demolition materials to and from the site by road shall take place between 08:00 – 18:00 Monday to Friday & 08:00 - 13:00 on Saturday and at no other time except with the prior written approval of the Local Planning Authority.

Reason: In the interests of minimising disruption and disturbance in accordance with Policy EQ45 of Newham's Unitary Development Plan.

- iii. Save for works which have first been agreed by the Local Planning Authority in writing, the development shall not be commenced until a public telephone inquiry line has been installed to answer questions and log complaints relating to construction activities on the site. The inquiry line shall be staffed during the operating hours of the works on the site and the telephone number shall be prominently displayed at every entrance to the site and publicised in the surrounding area in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of minimising disruption and disturbance and keeping the public informed in accordance with Policy EQ45 of Newham's Unitary Development Plan.

- iv. No soils, or infill materials, are to be imported onto the site until they have been satisfactorily proven to be uncontaminated and present no risks to human health, planting and the environment. A declaration to this effect, together with acceptable documentary evidence to confirm the origin of all imported soils and infill materials, supported by appropriate chemical analysis test results, must be submitted to and be approved by the Local Planning Authority prior to occupation.

Reason: To ensure that the site does not become further contaminated through the works hereby approved, in accordance with Policy EQ49 of Newham's Unitary Development Plan.

- v. Noise from construction activities shall not exceed 65dB Laeq 1 hour & 70dB Laeq 1 minute at any educational premises measured at 1 metre from the façade of the educational building in question during term time, unless otherwise agreed in writing by the Local Planning Authority.



Reason: In the interests of amenity and educational well being in accordance with Policy EQ45 of Newham's Unitary Development Plan.

- vi. Noise from construction activities shall not exceed 75dB Laeq 10 hour between 8.00 and 18.00 Monday to Friday and shall not exceed 75dB Laeq 5 hour between 8.00 and 13.00 on Saturdays unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity in accordance with Policy EQ45 of Newham's Unitary Development Plan.

- vii. Note: The imposition of further conditions relating to dust and noise monitoring are being discussed between PDT officers and LB Newham Environmental Health as to the wording of the condition(s) and the level of further information (if any) that is required to be submitted.

Informative (suggested by Docklands Light Railway Limited):

The Developer should continue to liaise with Docklands Light Railway Limited (DLRL) and its contractors to ensure that the earthworks hereby approved do not adversely affect the continuation of works by DLRL on its Stratford International Station extension.

Informative (suggested by Thames Water):

There are public sewers crossing this site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over/diversion application for, or any other information relating to Thames Water's assets be required, the Applicant is advised to contact Thames Water Developer Services on 0845-850-2777.

Informative (suggested by LB Newham (Environmental Health)):

The contaminated land that is known to exist on site shall be dealt with under the conditions set out in the main planning consent.

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

6.1. There was no other business.

*There being no other business the meeting closed at 6.45 pm*

Signed: J. Beaman

Date: 11/12/2007

Chairman

