

OLYMPIC DELIVERY AUTHORITY

ODA PLANNING COMMITTEE

SUBJECT: MINUTES OF 49th COMMITTEE MEETING

Held on 28 July 2009 at 18.00

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

Present:

Lorraine Baldry	Chairman
David Taylor	Deputy Chairman

Local Authority Members:

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

Independent Members:

William Hodgson
Janice Morphet

Officers in attendance:

Vivienne Ramsey	ODA, Head of Development Control
Anthony Hollingsworth	ODA Chief Planner Development Control, Planning Decisions Team
David Horkan	ODA Planning Decisions Team
Liz Fisher	ODA Planning Decisions Team
Catherine Sherwin	ODA Planning Decisions Team
Allison De Marco	ODA Planning Decisions Team
Allan Ledden	ODA Legal adviser, Planning Decisions Team (Pinsent Masons)
Kate Dance	ODA Planning Decisions Team (Pinsent Masons)

1. APOLOGIES (AGENDA ITEM 1)

1.1. Apologies were received from Celia Carrington, Dru Vesty and Mike Appleton who were not able to attend the meeting.

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

2.1. There were Updates for:

Item 6 – Plot N26

- Correction to paragraph 8.3; and
- Consultation response.

Item 8 – Old Ford Pumping Station

- Additional noise condition from Tower Hamlets Environmental Health Officer; and
- Amendment to condition 10.

Item 9 – Outer Perimeter Security Fence

- Reason for original incorrect alignment; and
- Changes/additions to the remediation conditions.

2.2. The order of business was unchanged.

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 Items 5, 6, 8 and 9.

'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 personal interests recorded were correct. None of the personal interests were considered prejudicial.

4. MINUTES AND MATTERS ARISING (AGENDA ITEM 4)

AGREED the Minutes of the 48th Planning Committee Meeting

PLANNING APPLICATIONS

5. London Borough of Hackney Core Strategy Pre-Submission Consultation (AGENDA ITEM 5)

- 5.1. The Head of Development Control gave a presentation to the Committee seeking their comments on the London Borough of Hackney Core Strategy and Proposals Map, pre-submission consultation. Planning Committee considered a report of comments for the Preferred Options consultation in May 2008, this resulted in an objection by the ODA in its role as local planning authority to the extent of the Strategic Industrial Land designation proposed at Hackney Wick, within the Olympic Park, seeking a realignment of this and a suitable designation of the Olympic Park Parklands that are being delivered in this location.
- 5.2. The Head of Development Control reported that the Strategic Industrial Land area had been modified to exclude the park and that potential park areas were now included. Officers now considered that the previous objection could be withdrawn but that the report outlined some area of detailed comment which should be forwarded to London Borough of Hackney.
- 5.3. Members welcomed the report, however Janice Morphet stated that although she was generally supportive she wished to make several comments for inclusion in the final written comments to be submitted to the London Borough of Hackney.
- 5.4. Janice expressed concerns that the Core Strategy did not provide comfort of the actual mechanisms and arrangements for delivery. Janice noted that independent examination would consider the Core Strategy in terms of legal compliance and soundness and commented that the "Test of Soundness" and the notion of deliverability, as a sub-test, needed to be clarified and that evidence be provided to illustrate such arrangements have been set up or in the process of being set up.
- 5.5. In addition she noted the test of consistency and coherency with neighbouring authorities did not seem to be met and that there was a need to safeguard current arrangements and provide more evidence of a commitment to continue relationships in future.
- 5.6. Janice noted that the primary issue was that the Core Strategy was unclear in setting out a delivery strategy for achieving identified strategic objectives, as per the guidance set out at Section 4 of PPS 12. She stated that the document did not provide comfort of the mechanisms and means of delivery and sought reassurance as to the arrangements through which infrastructure would be delivered. Janice requested that a list be produced to identify each project, including classification of which infrastructure had secured and unsecured

funding. She stated that the inclusion of infrastructure planning supporting evidence within the Core Strategy would assist in safeguarding the legacy of the Olympic Park.

- 5.7. Janice further noted that there was a need to show the joined-up way in which infrastructure is being planned, delivered and funded. This would be tested through the Development Plan Document examination process. Janice also explained that a new system was emerging where it is likely that unless schemes were included in the LDF delivery plan, there would be a reduced likelihood of them being funded.
- 5.8. The Head of Development Control read from an email from London Borough of Hackney which set out that the London Borough of Hackney planning policy team are currently surveying infrastructure suppliers to compile evidence in support of the Core Strategy comprising:

- ” 1. a schedule of all the known infrastructure plans set out according to PAS recommendations. This will provide for each PAS defined category (e.g. green, social, public realm, energy utilities etc) the PAS recommended information items: type, what, where when, why, lead delivery, cost, sources of funding and any dependencies. The aim is to produce a factual schedule about infrastructure proposals, it is not intended to enumerate known infrastructure.
2. With the schedule there will be a supporting narrative regarding the alignment on infrastructure delivery plans with the Core Strategy proposals.

Following submission and examination by an independent person it is proposed to undertake further in depth work regarding current infrastructure capacities and proposals, but this work cannot be completed in full for the examination by an independent person, and it is felt that the approach in 1 & 2 will provide adequate evidence to demonstrate alignment of the core Strategy and infrastructure plans.”

- 5.9. Janice stated that there should still be a possibility to include an element of the delivery plan within the Core Strategy before examination.
- 5.10. Members sought clarification on the meaning of "infrastructure". Janice explained that "infrastructure" means a capital facility, usually a building or piece of land and noted that the "infrastructure" includes physical, green, social and community infrastructure categories.
- 5.11. Members queried the compatibility of the industrial category with the handball and public realm elements contained within the industrial area identified on the Proposal Map, there was concern that the industrial category was too broad. Janice noted that it was possible to include a spatial narrative with the land use category and that this could encompass sport and leisure.
- 5.12. The Head of Development Control noted that the report included comments requesting elaboration of uses which could fall within the proposed Industrial Land area.

5.13. Members sought confirmation that the categories within the Core Strategies would not be too vague and to reinforce to the authority that the area should have a sports-related designation. Members also agreed that the matters raised by Janice should be included in the written response to London Borough of Hackney.

5.14. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED by a majority that

the Committee

- a) Agreed with the comments set out in the pre-submission consultation Core Strategy report; and
- b) **AUTHORISED** the Head of Development Control to provide final written comments to the London Borough of Hackney as set out in this report and incorporating the additional views that the Committee wished to make as discussed at the committee.

6. APPLICATION NO: 09/90065/REMODA – Stratford City Plot N26 (AGENDA ITEM 6)

Application for the approval of reserved matters for 242 residential units and 454sqm of complementary retail floorspace (A1-A5) with associated car parking and on plot landscaping pursuant to conditions B1 and B8 of outline planning permission 07/90023/VARODA being details of layout, scale, appearance, access and landscaping together with: i) Approval in writing pursuant to condition O9 to erect residential dwelling that will experience levels of ground borne noise from railway tracks in excess of the maximum level cited in condition O8 of the outline planning permission. ii) Approval in writing pursuant to condition O6 to erect residential dwellings that will experience noise levels exceeding Noise Exposure Category B as cited in condition O5 of the outline planning permission.

Plot N26, Zone 4, Stratford City Development, Stratford, London

- 6.1. The Architects gave a presentation on behalf of the applicant illustrating the approach and principles of design and the proposal drawings and details.
- 6.2. A Planning Officer gave a presentation to the Committee who considered the report. The proposals were for the approval of reserved matters for 242 residential units and 454sqm of complementary retail floorspace (A1-A5) with associated car parking and on plot landscaping pursuant to conditions B1 and B8 of outline planning permission 07/90023/VARODA being details of layout, scale, appearance, access and landscaping together with: i) Approval in writing pursuant to condition O9 to erect residential dwelling that will experience levels of ground borne noise from railway tracks in excess of the maximum level cited in condition O8 of the outline planning permission. ii) Approval in writing pursuant to condition O6 to erect residential dwellings that will experience noise levels exceeding Noise Exposure Category B as cited in condition O5 of the outline planning permission.
- 6.3. The Planning Officer noted that prior to making a decision on the reserved matters submission, members were asked to consider requests for changes to the distribution of floorspace permitted by Condition D2 of the outline planning permission and minor adjustments to the Site Wide Housing Strategy (SWHS)

as set out at sections 7, 8 and 9 of the report. The Planning Officer indicated that Plot N06 would require future consideration by either a free-standing 'slot-in' application or further adjustments to the distribution of floorspace. It was noted that the minor adjustments and changes to the distribution of floorspace do not propose to increase the number of dwellings permitted by the SWHS nor change the densities permitted by Condition U1.

- 6.4. Members welcomed the report but expressed concern about the likely ventilation and cooling required by the units and the power demands and energy take-up of the units. The Architect explained the "Whole House" ventilation system and that the design met the required standard of the Code for Sustainable Homes Level 4.
- 6.5. Members questioned the provision of services within the units, in particular waste and deliveries. Officers explained that the service bays and waste collection areas take place on-street and not in internal areas. Officers also explained that the servicing was very similar to other Plots that have come forward and that more detail would be given in the Stratford City Streetscape application that is coming forward at the next Planning Committee. The Architect explained that the flats were designed to provide adequate storage for separated waste and that this complied with the Lifetime Homes Guidance.
- 6.6. Members were concerned about corridor width for wheelchairs passing, wheelchair access to the courtyard and the lack of consultation comments from an ODA Access Consultant. Officers explained that there was no difference in corridor widths between this application and Plots that have already come forward. The Architect explained that the longest distance between a lift shaft and a unit door is 8 metres and that the main access to the courtyard is from the lift shaft core for disabled access and all access from within the flats. In addition there are gated access stairs to the courtyard from the external streets.
- 6.7. Members asked for clarification that Carpark Management (including accessible parking spaces for disabled residents) would receive sign off at a later date.
- 6.8. Members wanted confirmation that a separate application for landscaping would be submitted. Officers confirmed that a separate landscaping application would come forward at a later date.
- 6.9. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED by a majority that:

the Committee

- a) **AGREE** the recommendations set out at paragraphs 7.12 (Distribution of residential floorspace), 8.6 (Minor amendments to the Site Wide Housing Strategy) and 9.6 (distribution of 3 bedroom social rented units in accordance with paragraph 4.19.6 of the Zones 2-7 s106 agreement) of the report; and
- b) **APPROVED** the application for the reasons given in the report.

7. REQUEST FOR DELEGATED AUTHORITY FOR PLOT N10, ATHLETES' VILLAGE

(AGENDA ITEM 7)

Request for delegated authority to determine the re-submission of reserved matters application for Plot N10

Plot N10, Zone 9, Stratford City Development, Stratford, London

- 7.1. A Planning Officer gave a presentation to the Committee who considered the report. The Committee has previously approved a reserved matters application (RMA) pursuant to the above outline permission for Block N10 within Zones 4 and 5 in April 2009. Due to further design development on this plot and tenure re-distribution across Zones 4 & 5 there is a need to secure a new approval as it has been confirmed by Officers that the proposed revisions are sufficiently different to the approved scheme such that the submission of a new RMA is required. Under the terms of the Scheme of Delegation, any RMAs are required to be determined by the Committee. However, given that the principle of this block has been established by the previous approval, this report seeks the authorisation of the Members to grant delegated powers to the Head of Development Control to determine these applications.
- 7.2. Members welcomed the report.
- 7.3. There being no questions the Chairman moved to a vote and the Planning Committee RESOLVED by a majority that:
- the Committee
- a) **AGREED** that the resubmitted Reserved Matters application for Plot N10 be determined under delegated authority at the discretion of the Head of Development Control.
- 8. APPLICATION NO: 09/90099/FULODA – THAMES WATER OLD FORD PUMPING STATION**
(AGENDA ITEM 8)
Erection of buildings for a new water pumping station including control building, transformer building, sample room and conservation room together with enclosure around well head.
Olympic Park PDZ3, Old Ford Nature Reserve
North of the Greenway and East of the River Lea
- 8.1. The Architect gave a presentation on behalf of the applicant illustrating the delivery of the scheme by Thames Water and a detailed description of the design details of the site, the pumping station and the collection of buildings.
- 8.2. A Planning Officer then gave a presentation to the Committee who considered the report and took into account the Update which had been circulated. The application was for full planning permission for the erection of buildings for a new water pumping station including control building, transformer building, sample room and conservation room together with enclosure around well head.
- 8.3. Members welcomed the report although there was some concern expressed about the depth of the green roof and therefore, the ability to support the growth of plant covering. The Architect explained that it was of a standard

higher than the usual sedum roof, it was of a reasonable depth and contained a bio-diverse mix of seasonal plants.

- 8.4. Members wanted confirmation that the track into the site from the Greenway would be improved and would integrate with the Greenway upgrade proposals.
- 8.5. Members wanted confirmation that the history of this Victorian Pumping station site and therefore, the links to its current use, be clearly and tastefully displayed on a sign within the fenced area of the site.
- 8.6. Janice Morphet raised an objection to the proposal on the grounds of the impact on visual amenity.
- 8.7. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED by a majority that:

the Committee

- b) **APPROVED** the application for the reasons given in the report and with the addition of conditions as outlined above if required.

**9. 09/90109/FULODA – OUTER PERIMETER SECURITY FENCE
(AGENDA ITEM 9)**

**Construction of 150 metres of the Outer Perimeter Security Fence consisting of a 3.6m welded mesh fence with a 1.2m power topping.
*North East Side Of Pudding Mill Lane Along The South West Edge Of The South Plaza And Adjoining The Railway Viaduct To The North.***

- 9.1. A Planning Officer gave a presentation to the Committee who considered the report and took into account the Update which had been circulated. The application was for full planning permission for the construction of 150 metres of the Outer Perimeter Security Fence (OPSF) near Pudding Mill Lane. This application seeks to replace a 150m section of OPSF in PDZ3 approved last year under planning permission 08/90151/FULODA. A revised section of fence is required in this location because the previous alignment crosses an existing sheet pile and a small section of Pudding Mill Lane and is therefore unfeasible to construct.
- 9.2. Members welcomed the report and noted that the application also seeks approval for a new section of OPSF which will give increased security to the South Plaza.
- 9.3. Members noted the Officer Recommendation that the Olympic section 106 agreement be amended to allow for the situation where a new planning application sought to supersede development previously permitted as part of a "slot-in permission". It was also noted that the amendment be drafted so that these provisions apply to new reserved matters approvals as well as full applications for planning permission in order to avoid the need for a further modification to the Olympic section 106 agreement should these circumstances occur.

9.4. There being no questions the Chairman moved to a vote and the Planning Committee RESOLVED by a majority that:

the Committee

- c) **AGREED** that the resubmitted Reserved Matters application for the Outer Perimeter Security Fence be determined under delegated authority by the Head of Development Control following satisfactory completion of a legal agreement under s.106 of the Town and Country Planning Act 1990, as required in order to allow for the submission of a new planning application which has superseded development previously permitted as part of a "slot-in permission"; and
- d) **AGREED** that the section 106 agreement be drafted so that these provisions apply to new reserved matters approvals as well as full applications for planning permission.

**10. ANY OTHER BUSINESS
(AGENDA ITEM 10)**

10.1. The Head of Development Control confirmed that the next briefing session would include a presentation on the IBC/MPC Temporary Buildings and the Planning Committee would include applications for Stratford City Streetscape and Stratford Box Pumping Station.

There being no other business the meeting closed at 7.30 pm

Signature 
Chair

Date 25/8/2009

