

OLYMPIC DELIVERY AUTHORITY

**SUBJECT: ODA PLANNING COMMITTEE
MINUTES OF 78th COMMITTEE MEETING**

Held on 8 March 2011 at 18.00pm

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

Present:

Lorraine Baldry Chairman

Local Authority Members:

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

Independent Members:

Celia Carrington
William Hodgson
Janice Morphet
Dru Vesty
Mike Appleton

Officers in attendance:

Vivienne Ramsey ODA, Head of Development Control
Anthony Hollingsworth ODA, Chief Planner Development
Control, Planning Decisions Team
Richard Griffiths ODA Legal Adviser, Planning Decisions
Team (Pinsent Masons LLP)
Sarah Merritt ODA Legal Adviser, Planning Decisions
Team (Pinsent Masons LLP)

1. APOLOGIES (AGENDA ITEM 1)

1.1 There were apologies from Saba Master, Judith Gardiner and David Taylor.

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

2.1 An update to Items 5, 6 and 7 were provided by a PDT Officer.

- 2.2 Requests to speak were received from Jon Watson on behalf of the applicant for Item 5, Heinz Richard and Peter Bogle on behalf of the applicant for Item 6 and Sarah Wier on behalf of the applicant for Item 7.

3. DECLARATIONS OF INTEREST (AGENDA ITEM 3)

- 3.1 The Head of Development Control 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, 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?'

- 3.2 Janice Morphet declared a personal and prejudicial interest in respect of item 8 and confirmed that she would leave the Committee meeting prior to consideration of that item.
- 3.3 Cllr Conor McAuley declared a personal and prejudicial interest in respect of item 8 and confirmed that he would leave the Committee meeting prior to consideration of that item.
- 3.4 William Hodgson declared a personal interest in respect of item 6, which the legal advisor confirmed was not a prejudicial interest.
- 3.5 Members confirmed that, other than those referred to in paragraphs 3.2 to 3.4, 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 78th Planning Committee Meeting.

5. APPLICATION NUMBER 10/90061/OUTODA - RESIDENTIAL R1 (AGENDA ITEM 5)

Outline application (with access, appearance, landscaping, layout and scale reserved) for 99,870sqm of residential floorspace (approximately 1,224 dwelling

units) to be located within the areas known as Cherry Park and Angel Lane; 3,158sqm of (B1) business space within Cherry Park (Development Block 7); 6,311sqm of (C1) hotel floorspace within Cherry Park (Development Block 6); and 865sqm of (D2) leisure floorspace within building Plot M8 (Development Block 1) Zone 1, Stratford City Development, Stratford, London

- 5.1 A presentation was given by Jon Watson on behalf of the applicant. The presentation explored the reasons for the application, the location of the three sites covered by the application, the application's planning history and set out the parameter plans in support of the application. It was noted that a refreshed and updated s106 Agreement would be offered by the applicant and that the reason for the application was that the ability to submit reserved matters for approval under the extant permission had expired. It was also noted that the application simply reflected the development that had been approved under the original outline permission governing the application site.
- 5.2 A PDT Officer gave a presentation which focussed on the principle of development, the Masterplan, environmental compliance, affordable housing and sustainability. The Officer drew Members' attention to an Update to the Committee Report and the suggested additional s106 Agreement obligation and conditions set out in that Update. The Officer concluded that the application was acceptable and requested that the Committee approve the Recommendation contained in the Committee Report, as updated.
- 5.3 A Member noted that it would be helpful for a stock and flow analysis and plan to be produced going forward to aid the Committee in understanding the level and type of housing uptake. The Head of Development Control noted the comment and confirmed that it ought to be possible in relation to the Olympic Park and the wider Stratford City site.
- 5.4 There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** that:

The Committee:

- i) **AGREED** that the London Borough of Newham be advised that the ODA Planning Committee has no objections to the grant of permission, subject to the Heads of Terms for the Section 106 Agreement as summarised in the Committee Report, as updated, and subject to the imposition of conditions and informatives as set out in the Committee Report as updated;
- ii) **AGREED** that the ODA Planning Committee enter into a Section 106 Agreement in accordance with the Heads of Terms summarised in the Committee Report as updated; and
- iii) **AGREED** to grant delegated authority to the Head of Development Control to negotiate the detail and complete the Section 106 agreement on the terms as summarised in the Committee Report as updated and to issue the consent with the conditions as set out in the Committee Report as updated (subject to such refinement as the Head of Development Control considers appropriate during the negotiation of the Section 106 Agreement).

6. APPLICATION NUMBER 10/90519/FUMODA - 2- 12 HIGH STREET (AGENDA ITEM 6)

*Development comprising 15 and 35 storey building to provide 765 sqm of commercial floor space and 191 residential units with 41 car parking spaces, 307 cycle parking spaces, gym, creche, landscaping and riverside walkway
2 - 12 High Street, Stratford, London, E15 2PW*

- 6.1 A presentation was given by Heinz Richard and Peter Bogle for the applicant. The presentation identified the location of the application site, which the applicant stated was a "gateway" thereby enabling a significant building to be constructed. The applicant also outlined the challenging nature of the site.
- 6.2 The presentation went on to explain that the scheme was residential led, with all units meeting GLA standards and 90% having dual aspect (the remaining 10% being single aspect but with west facing windows). The car park has been designed so that it is at the same level as the flyover, thereby enabling no residential units at that level. The importance of amenity space was referred to, with reference made to the winter gardens, the community space on the roof and access to the river.
- 6.3 A PDT Officer gave a presentation which focussed on the assessments that had been made of the scheme. Officers approve of the height and scale of the building, which are also supported by the GLA. However, the Officer informed Members that there were still on-going discussions in respect of the topics listed in section 10 of the Committee Report.
- 6.4 The consultee responses on the design of the building were explained, and although there are concerns, there are enough acceptable elements for Officers to consider that the outstanding issues can be resolved satisfactorily. The Officer drew Members' attention to an Update to the Committee Report and noted that as the London Borough of Newham had moved the Committee date back for determining the application, the Officer would appreciate being able to use the additional time to continue negotiating and working through the outstanding issues. These issues included the massing of the building, ceiling heights, the use of meshing around the carpark, the adaptability of certain apartments for those with disabilities and an energy assessment. The Officer referred the Committee to the recommendation set out in the Update to the Committee Report.
- 6.5 A Member queried the difference in the emphasis between the recommendation in the original Committee Report and the Update to that Report. The Officer explained that the differences resulted from having additional time to negotiate issues due to the London Borough of Newham determining the application at a later date than was originally envisaged.
- 6.6 The Legal Advisor to the Committee then suggested a slightly altered recommendation in order to take the Committee's discussions into account. The insertion of the words "subject to the outstanding issues being resolved to Officers' satisfaction" at the end of the recommendation at paragraph 2.5(i) of the Update.
- 6.7 A Member then queried the height of the application building, noting that it seemed to be very tall. The Member was concerned that it detracted from the arrangement

of tall buildings at other parts of Stratford High Street to draw attention to the centre of Stratford. The Officer noted that the height was as a result of the challenging constraints at the site and that the height had a positive impact in terms of noise and air quality for those residents who would live higher up in the development. The need to locate the carpark on a level with the flyover to ensure that residential elements of the development were located away from the flyover was a further reason for the height of the development. Heinz Richard commented that significant time had been spent on ensuring that the form of the building was elegant and that reducing the height would detract from this elegance.

- 6.8 A Member then queried the suitability of the indoor play areas provided for residents under 15 years of age at the development. Heinz Richard confirmed that the space was secure and protected and could be used all year round, with the management of the space sitting with the management company for the development. The Head of Development Control drew Members' attention to a proposed section 106 obligation dealing with the management of the space. A Member requested that the obligation be expanded to include residents in the management of the space.
- 6.9 A Member then queried the amount of affordable housing to be provided. The Head of Development Control confirmed that this was an issue that would be discussed with the applicant further. The Member confirmed support for the Head of Development Control's negotiations to secure more certainty on the affordable housing offer.
- 6.10 There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** that:

The Committee:

- i) **AGREED** that the ODA Planning Committee provide their views and general support that the scheme is acceptable in principle subject to the outstanding issues being resolved to Officers' satisfaction;
- ii) **AGREED** that the ODA Planning Committee enter into a Section 106 Agreement in accordance with the Heads of Terms summarised in the Committee Report as updated;
- iii) **AGREED** that the London Borough of Newham be advised that they should not reach a final view or resolve to grant planning permission until all the outstanding concerns set out at Section 10 of the Committee Report as updated have been fully assessed and addressed;
- iv) **AGREED** that the London Borough of Newham be advised that the grant of permission be subject to the Heads of Terms for the Section 106 Agreement and subject to the imposition of conditions set out at Section 10 of the Committee Report as updated; and
- v) **AGREED** that the ODA Committee grant delegated authority to the Head of Development Control to negotiate the detail and complete the Section 106 agreement on the terms as summarised in the Committee Report as updated and issue the permission with the conditions as set out in Committee Report as updated (subject to such refinement as the

Head of Development Control considers appropriate during the negotiation of the Section 106 Agreement).

Cllr Wheeler then left the Committee meeting.

7. APPLICATION NUMBER 10/90614/FULODA - HANDBALL RUN INSTALLATION (AGENDA ITEM 7)

Full 'slot-in' planning application for installation of an installation of an art sculpture comprising three internally illuminated individual letters (RUN), which are 9m height x 5m width x 1.2m depth in size.

PDZ 5, Concourse To The East Of The Handball Arena.

- 7.1 A presentation was given by Sarah Weir on behalf of the applicant. The presentation explored the nature of the piece that was the subject of the application, gave information on the artist (Monica Bonvicini), provided detail on the interactive nature of the piece, the location of the art (which was chosen with a view to legacy) and also discussed the maintenance and management of the installation.
- 7.2 A PDT Officer gave a presentation which focussed on the location of the installation, the relationship of the piece with the Handball Arena, the sustainability of the installation and its maintenance and management. The Officer drew Members' attention to an Update to the Committee Report setting out additional conditions.
- 7.3 A Member then raised a query regarding the Statement of Superseded Development for the application. The Officer and Chief Planner confirmed that all that would be superseded would be the relevant elements of the previously approved handball PPR planning permission within the red line boundary.,,
- 7.4 A Member then queried whether a maintenance and management strategy ought to be submitted prior to commencement of the development, rather than prior to completion. The Chief Planner noted that the condition needed to be sufficiently certain and that in any event submission of the strategy before commencement would be too early and would not allow the applicant to undertake preparatory works; the right time would be prior to completion. The applicant also confirmed that the design of the art had incorporated many elements that would reduce the need for maintenance. The same Member went on to say that his main concern was who would be responsible for the management and maintenance and that this should be known up front before commencement. The Legal Advisor noted that the condition would run with the land and therefore whoever owned the land would be responsible for the maintenance and management.
- 7.5 There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** that:

The Committee:

AGREED to grant approval for the full 'slot in' planning application for the reasons given in the Committee Report as updated and subject to the conditions and informatives set out in the Committee Report as updated.

Cllr Conor McAuley and Janice Morphet then left the Committee meeting.

The Chair sought confirmation that the Committee meeting was quorate and the Legal Advisor confirmed that it was.

8. THE LONDON BOROUGH OF NEWHAM CORE STRATEGY (AGENDA ITEM 8)

- 8.1 A presentation was given by a PDT Officer. The Officer summarised the consultation history of the Core Strategy and the comments issued to date by the Committee. The Officer then set out the comments in relation to the document that the London Borough of Newham was currently consulting on and drew Members' attention to Core policies SP4, SP6, SC1, INF9 and AP3.
- 8.2 The Officer then recited the recommendation set out in the Committee Report and noted that part of the recommendation was repetitious.
- 8.3 A Member asked for clarification as to what the North/South parallels set out in dotted lines at figure 1 (p7) of the Committee Report represented. The Officer confirmed that he would clarify this to the Committee once he had liaised with the London Borough of Newham. The Head of Development Control and Chief Planner noted that they believed the lines represented walking and cycling routes.
- 8.4 There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** that:

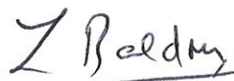
The Committee:

- i) **AGREED** the comments set out in the Committee Report
- ii) **AUTHORISED** the Head of Development Control to provide final written comments to the London Borough of Newham as set out in Committee Report and to make any further minor amendments considered necessary.

9. ANY OTHER BUSINESS (AGENDA ITEM 9)

There being no other business the meeting closed at 19:35pm.

Signed:



Chair

Date:

13/9/2011

