

**Subject:** Report of the meeting of the Planning Decisions Committee held on 28 May 2013

**Agenda item:** Public item 5

**Report No:** 2

**Meeting date:** 25 June 2013

**Report to:** Board

**Report of/by:** Philip Lewis, Chair of Planning Decisions Committee

**FOR INFORMATION**

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**This report will be considered in public**

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**1. SUMMARY**

- 1.1. This paper provides an update to the Board on the meeting of the Planning Decisions Committee held on 28<sup>th</sup> May 2013.

**2. RECOMMENDATIONS**

- 2.1 The Board is invited to **NOTE** this report.

**3. ISSUES DISCUSSED**

- 3.1. The committee received reports on *Allocation of S106 and CIL Funds and the Development of the Legacy Corporation's Community Infrastructure Levy (CIL): Consulting on the Preliminary Draft Charging Schedule and Infrastructure Delivery Plan* which members considered jointly. In-depth discussion ensued and members resolved that:
- the current position with regard to S106 funds received and expected to be received within the next 12 months as set out in Appendix 1 of the Committee report be noted;
  - that the proposed monitoring and reporting of S106 and CIL spending as set out at section 4.5 of the report be noted;
  - that the Committee's comments set out in the minutes be reflected in the report to the LLDC Board on 25<sup>th</sup> June 2013;
- 3.2. A report and update report was presented concerning a proposal by Brandnow Limited to redevelop land at *Wingate House, 51 Warton Road, E15 2JY* with 44 residential units and associated car parking and landscaping. The Planning Development Manager's recommendation to committee was to refuse the application by reason of its height, massing and density.

By way of background the application had originally been considered by the London Thames Gateway Development Corporation (LTGDC) who had resolved to grant planning permission on 14<sup>th</sup> June 2012 subject to planning conditions and the completion of a section 106 agreement. The applicant informed the committee that the company had been willing to sign the agreement but that there had not been a legal officer present in the LTGDC's offices to sign by the time of the transfer of planning powers to the LLDC. Since that date a number of new material considerations had come to the notice of the LLDC which officers considered justified the reconsideration of the application.

The members discussed and commented on the application. The Chairman proposed that consideration of the application be deferred until the Committee had had an opportunity to visit the site and had received further information in respect of:

- the views of the LLDC's Quality Review Panel on the sunlight and daylight issues and other design issues;
- the appropriateness of the commuted sums contained in the proposed section 106 agreement;

The members unanimously resolved that consideration of the application be deferred pending a site visit by the Committee to 51 Warton Road and receipt of the LLDC's Quality Review Panel's views.

- 3.3. The members considered a report and update report on the North Park Railings (Queen Elizabeth Olympic Park). The application for the installation of 1.6m high railings, gates and associated infrastructure enclosing the North Park, which lies within the Queen Elizabeth Olympic Park (QEOP) was discussed by members. There was a clear split of views between the local authority and other committee members and the Planning Decisions Committee Chairman expressed his disappointment.

It was resolved by 5 to 4 votes to approve the application for the reasons set out in the report and that planning permission be granted, subject to the conditions, informatives and reasons to grant as set out in the reports.

- 3.4. The members considered a report and update report on the *Olympic Stadium Transformation*. The reports concerned an application for planning permission for the transformation of the Olympic Stadium to provide a multi-purpose venue with the capability of hosting sports, principally athletics and pitch sports with a 60,000 seat capacity, and concerts and other events with a seat capacity of up to 80,000.

It was unanimously resolved to approve the application and grant planning permission subject to:

- referring the Application to the Mayor of London and any direction of the Mayor of London;
- the satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in the report to the Committee;
- the conditions and informatives set out in the reports to the Committee; and that
- the Committee's decision considered the environmental information submitted as required by Regulation 3(4) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and that following the issue of the decision a statement be placed on the Statutory Register confirming the details as required by Regulation 24(1)(c) of the Town and Country Planning (EIA) Regulations 2011

including the main reasons and considerations the decision was based on as set out in the Planning Officer's reports;

- the committee agreed to delegate authority to the Director of Planning Policy and Decisions to:
  - consider any direction from the Mayor of London and to make any consequential or necessary changes to the recommended conditions and/or informatives and/or recommended section 106 heads of terms, as set out in the report to Committee;
  - finalise the recommended conditions and informatives (including relevant definitions and annexures) as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;
  - finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in the Committee report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonable and necessary;
  - complete the section 106 legal agreement referred to above and issue the planning permission;

3.5. The Committee noted a report which listed all the applications which had been decided by officers under delegated authority between 1<sup>st</sup> April 2013 and 30<sup>th</sup> April 2013.

#### **4. LEGAL IMPLICATIONS**

4.1. Legal advice for matters considered by the Committee is addressed in the individual committee reports.

#### **5. LIST OF APPENDICES TO THIS REPORT**

5.1. None

##### **List of Background Papers**

- Papers for the meetings of the Planning Decisions Committee on 28<sup>th</sup> May 2013.

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