

OLYMPIC DELIVERY AUTHORITY

ODA PLANNING COMMITTEE

18 March 2008

SUBJECT: MINUTES OF 19th COMMITTEE MEETING
Held on 26 February 2008 at 18.00

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

Present: Lorraine Baldry Chairman

Local Authority Members:

| | |
|--------------------|-------------------|
| Cllr Rofique Ahmed | LB Tower Hamlets |
| Cllr Conor McAuley | LB Newham |
| Cllr Geoff Taylor | LB Hackney |
| Cllr Terry Wheeler | LB Waltham Forest |

Independent Members:

Mike Appleton
Celia Carrington
Janice Morphet
Dru Vesty

Officers in attendance:

| | |
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| Vivienne Ramsey | ODA, Head of Development Control |
| Liz Fisher | ODA, Planning Decisions Team |
| Richard Griffiths | ODA, Legal adviser, Planning Decisions Team, (Pinsent Masons) |
| Vanessa Brand | ODA, Committee Secretary |

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

- 1.1. Apologies were received from William Hodgson and David Taylor.
- 1.2. The Committee sent their condolences to David Taylor on the death of his mother.

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

- 2.1. The Chairman drew attention to the updates in respect of Items 5 and 6

Item 5

- Proposed amendment to figure 1

Item 6

- Additional consultation response
- Additional condition

2.2. The order of business was unchanged.

2.3. There were 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 which has been circulated lists interests which they have declared which appear to be personal interests relating to Items 6 and 7

'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 read out were correct. None of these personal interests were considered prejudicial.

4. MINUTES AND MATTERS ARISING (AGENDA ITEM 4)

4.1. The Committee

AGREED the Minutes of the 18th Planning Committee Meeting subject to the following correction

That the final sentence of para 6.7 be amended to read: 'They also considered that maintenance should be included as a critical design factor in relation to Sustainability, Foundation Stone 5.'

5. DISCHARGE OF PLANNING CONDITIONS AND RESERVED MATTERS PROTOCOL (AGENDA ITEM 5)

- 5.1. The Head of Development Control introduced the item and the Update. She explained that the draft protocol about the discharge of planning conditions had been a commitment made at the time the Olympic applications were approved and it had been embodied in an informative. The aim was to provide clarity for applicants about the process for discharging conditions and the submission of reserved matters. The proposals built on existing practice and those involved in submitting information had been consulted on earlier drafts. The final document would be launched to stakeholders and published in association with the Development Control Manual.
- 5.2. Members welcomed the document, noting its particular remit, but considered that nonetheless a number of additional points and amendments should be included to ensure that the process was as clear as possible:
- 5.2.1. A brief paragraph should be added outlining the role of the Committee. In particular applicants should be aware that they might be asked to provide managed pre-application briefings where appropriate in accordance with best practice, and that they should not seek to lobby or influence the Committee in other ways.
- 5.2.2. An informative paragraph should be added cross-referencing requirements that would be satisfied in other ways eg under separate conditions as for treatment of ground condition and contamination.
- 5.2.3. The heading to Appendix A should be amended to make clear that not all those listed were statutory consultees.
- 5.2.4. In Appendix B, reference should be also be made to maintenance of facilities and treatment of ground conditions and contamination.
- 5.3. Members also welcomed the revised version of figure 1 illustrating the pre-submission consultation process which had been included in the Update following comments from a Member. They commented, however, that the box relating to the statement of participation should be referred to at an earlier stage of the process.
- 5.4. There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** unanimously that:

The Committee:

- a) **AGREED** the draft Discharge of Planning Conditions and Reserved Matters Protocol subject to the amendments discussed at paragraphs 5.2 and 5.3 above
- b) **AUTHORISED** the Head of Development Control to issue to the stakeholders identified in the report the amended Protocol, and make reference to it in the Development Control Manual.

PLANNING APPLICATIONS

Items 6 and 7 were closely related planning applications and were discussed together.

6. PLANNING APPLICATION 07/90186/FULODA (AGENDA ITEM 6)

Proposed temporary concrete batching plant with associated aggregate storage area, 88 storage containers, temporary office space and the creation of an access to Temple Mills Lane on vacant land bounded by Temple Mills Lane to the West and South

- 6.1. A planning officer gave a presentation to the Committee who considered the report and took into account the Update which had been circulated including Waltham Forest's comments and the revised recommendation. The concrete batching plant would be located on the north side of Temple Mills Lane and would provide concrete for the construction of the Village which was sited just to the south of Temple Mills Lane. The rail sidings were on the adjacent land to the east and there would be a common access to both sites.
- 6.2. Both sites (for the batching plants, the subject of this application, and the rail sidings, the subject of a separate application at Item 7) were designated Metropolitan Open Land (MOL) and, although in practice neither had been accessible as open space for some time, development could only be acceptable if there were very special circumstances. In both these cases it was considered that there were very special circumstances which justified the development:
 - 6.2.1. both proposals were for temporary uses and the Stratford City S106 Agreement provided a guarantee that the land would be laid out as playing fields after the Games to service the Academy (the S106 Agreement contains a residential occupation restriction preventing full occupation until the playing fields have been provided).
 - 6.2.2. both proposals were brought forward to facilitate the preparation for the Olympics and the lasting regeneration legacy of the area.
- 6.3. Provided applications 07/90186/FULODA and 07/90187/FULODA were implemented together they would also provide a substantial reduction in the number of traffic movements which would otherwise be generated by the Village development, though Members noted that this represented a mitigation of the impact of the development rather than a benefit.
- 6.4. The nearest residential accommodation was to the north east of the site in Waltham Forest. Environmental issues including noise had been taken into account and it was considered that the existing situation would not be exacerbated by the proposals. However, a further condition about controlling dust was recommended following the comments received from Waltham Forest. Members also noted that the proposals delayed the restoration of MOL and that the land should be fully remediated as necessary after the temporary use.

6.5. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously in accordance with the revised recommendation and the points made during discussion that:

The Committee

AGREED that they were minded to APPROVE the application for the reasons given in the report and to grant temporary planning permission, subject to:

- (i) referring the application to the Secretary of State (Government Office for London) in accordance with the provisions of the Town and Country Planning (Development Plans and Consultation) (Departures) directions 1999, because the application sites are owned by the ODA and the proposed developments constitute a departure from the provisions of the development plan.
- (ii) any direction by the Secretary of State
- (iii) the points made during discussion and the conditions and informatives set out in the report as amended below and to the additional condition set out below:

Condition 2 amended to read:

The construction of the concrete batching plant hereby permitted shall not be commenced until evidence has been provided, to the satisfaction of the local planning authority, that a contract has been entered into for the construction of the railway siding on adjoining land, and for its use for the delivery of aggregates and other bulk materials used in the manufacture of concrete being secured.

Additional condition

Prior to the operation of the concrete batching plant a Dust Management Plan shall be submitted to the Local Planning Authority for approval that details the mitigation measures and operational procedures that will be adopted to minimise dust emissions from the site. The scheme of mitigation must include, but not necessarily be limited to, the following:

- a) comment on all significant dust sources, use of water as a dust suppressant on haul routes and stockpiles and detail all procedures to be implemented involving the covering / shielding of stockpiles
- b) detail methods for contractor training and supervision
- c) detail methods for community liaison and outline the system for dealing with complaints; and all contractors working on the site shall be made aware of the contents of the approved dust management plan

Reason: to ensure that the development does not prejudice the enjoyment of neighbouring occupiers of their properties and with regard to policy WPM10 of the Waltham Forest Unitary Development Plan (First Review) 2006

**7. PLANNING APPLICATION 07/90187/FULODA
(AGENDA ITEM 7)**

Proposed temporary rail sidings, logistics centre and the creation of a new access to Temple Mills Lane on vacant land bounded by Temple Mills Lane to the South, the A12 to the North and to the East by the existing rail line.

7.1. A planning officer gave a presentation to the Committee who considered the report. The rail sidings were on the adjacent land to the east of the concrete batching plant and there would be a common access to both sites.

7.2. Both sites (for the rail sidings the subject of this application and the batching plants the subject of the previous application at Item 6) were designated Metropolitan Open Land (MOL) and, although in practice neither had been accessible as open space for some time, development could only be acceptable if there were very special circumstances. In both these cases it was considered that there were very special circumstances which justified the development:

7.2.1. both proposals were for temporary uses and the Stratford City S106 Agreement provided a guarantee that the land would be laid out as playing fields after the Games to service the Academy (the S106 Agreement contains a residential occupation restriction preventing full occupation until the playing fields have been provided).

7.2.2. both proposals were brought forward to facilitate the preparation for the Olympics and the lasting regeneration legacy of the area.

7.3. Provided the proposals applications 07/90187/FULODA and 07/90186/FULODA were implemented together they would also provide a substantial reduction in the number of traffic movements which would otherwise be generated by the Village development, though Members noted that this represented a mitigation of the impact of the development rather than a benefit.

7.4. Members also noted that the proposals delayed the restoration of MOL and that the land should be fully remediated as necessary after the temporary use.

7.5. There being no further questions the Chairman moved to a vote and the Planning Committee **RESOLVED** unanimously in accordance with the revised recommendation and the points made during discussion that:

The Committee

AGREED that they were minded to **APPROVE** the application for the reasons given in the report and to grant temporary planning permission, subject to:

- i. referring the application to the Secretary of State (Government Office for London) in accordance with the provisions of the Town and Country Planning (Development Plans and Consultation) (Departures) directions 1999, because the application sites are

owned by the ODA and the proposed developments constitute a departure from the provisions of the development plan.

- ii. any direction by the Secretary of State
- iii. the points made during discussion and the conditions and informatives set out in the report.

**8. ANY OTHER BUSINESS
(AGENDA ITEM 8)**

8.1. Members noted that in relation to the application 07/90198/REMODA, Reserved matters application for Stratford International Station Eastern Egress Bridge which the Committee had considered on 8 January 2008 the Border and Immigration Agency had stated that they had no objection to the proposal because immigration controls were carried out before entry to the United Kingdom.

There being no other business the meeting closed at 6.50 pm

Singed:

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Date: *8/4/2008*

Chairman

