OLYMPIC DELIVERY AUTHORITY
Planning Decisions Team

OLYMPIC DELIVERY AUTHORITY

ODA PLANNING COMMITTEE

SUBJECT: **MINUTES OF 44th COMMITTEE MEETING**
Held on 12 May 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 Conor McAuley	LB Newham
Cllr Geoffrey Taylor	LB Hackney
Cllr Terry Wheeler	LB Waltham Forest

Independent Members:

Mike Appleton
Celia Carrington
William Hodgson
Janice Morphet
Dru Vesty

Officers in attendance:

Vivienne Ramsey	ODA, Head of Development Control
Anthony Hollingsworth	ODA Chief Planner Development Control, Planning Decisions Team
Catherine Sherwin	ODA Planning Decisions Team
David Horkan	ODA Planning Decisions Team
Tamara Orlov	ODA Planning Decisions Team
Joanne Pacey	ODA Planning Decisions Team
Allan Ledden	ODA, Legal adviser, Planning Decisions Team, (Pinsent Masons)
Vanessa Brand	ODA, Committee Secretary

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

1.1. All Members were present

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

2.1. There were Updates for:

Item 6 - UDLF Appendices
- Consideration & Assessment (attached letter dated 8 May 2009 from Ove Arup & Partners Ltd)
- Streetscape Components
- Recommendation

Item 7 – Command and Perimeter Security Systems
- Introduction
- Consultation Responses
- Delete Informative
- Plan Substitution
- Recommendation

Item 8 – Village Plot N09
- Representations from the Applicants

Item 10 – Retail M8 Floorspace
- Corrections

2.2. The order of business was unchanged.

2.3. Representatives of the applicants had requested to speak in favour of Items 6 to 10

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 to 10.

'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)**

4.1. Subject to the following amendment to Para 3.1 the Committee

AGREED the Minutes of the 43rd Planning Committee Meeting

Para 3.1 should read '...Conor McAuley declared an interest as a member of the Primary care Trust for Newham'

PLANNING APPLICATIONS

5. **DELEGATED DECISIONS UPDATE REPORT (AGENDA ITEM 5)**

5.1. The Head of Development Control apologised for not having reported previously on delegated decisions taken. A column recording the decision taken had not been included but almost all of the cases had been approved.

5.2. Members welcomed the report and agreed that in future such reports should be submitted every six months.

The Planning Committee

a) **NOTED** the report listing decisions taken by officers on applications during 2008-09

b) **AGREED** that reports on the same basis should be submitted every 6 months

6. **APPLICATON NO: 08/90196/AODODA (AGENDA ITEM 6)**
UDLF Appendices Report
Submission of Urban Design & Landscape Framework Appendices pursuant to condition OD.0.9 of planning permission 07/90010/OUMODA dated 28/09/07.
London Olympic Site, Land North of Stratford Town Centre, East of the Lea Valley Navigation, South of Eastway and the A12 and West of the Lea Valley Railway

6.1. Simon Fraser, Allies and Morrison, gave a presentation on behalf of the applicant illustrating the new and revised detailed information about Streetscape and Parapet transition documents.

6.2. The Chief Planner Development Control then gave a presentation to the Committee who considered the report and took into account the Update which had been circulated. The proposals were for approval of the revised Urban Design and Landscape Framework (UDLF) Streetscape Components Appendix and the Parapet Transition Details supplementary document. Both documents had been submitted pursuant to condition OD.0.9 of the Olympic and Legacy Facilities planning permission granted in September 2007. The Committee had previously considered UDLF appendices but had deferred a decision on the Streetscape Appendix and had requested details about the Parapet Transitions. The required information had now been submitted with the exception of information relating to the Legacy Transformation Streetscape document which could not be prepared until later in the year. An additional condition was included in the Update report to cover this.

6.3. Members distinguished between the parapet transition designed for pedestrian and highway routes. They considered that the design illustrating the change between a solid highway parapet and the standard highway parapet (p.19) showed a transition which was sensitively handled over a reasonable distance. They commented that in relation to the pedestrian routes the transition was not well handled. Indeed the proposed transition between the solid over-rail parapet and the standard pedestrian parapet was abrupt (parapet Transition Details supplement, pp.22 & 25). However, they noted that in the context of the pedestrian routes, given the required height of the solid over-rail parapet, it was preferable to make the reduction down to the more reasonable height parapet for pedestrians as quickly as possible so that the large-scale change was less obtrusive.

6.4. Members were also concerned that the Streetscape Components document included Vehicular Barrier Systems (pp.65 & 66) which had not previously been submitted. They noted the statement that: 'The design aspiration is to reduce the provision of these components to a minimum within the safety constraints of the OITAA statutory regulations' and that the images represented design intent rather than final detail. Nevertheless Members considered that the barriers illustrated were unattractive. It was unnecessary to include them in the UDLF document since other designs could be used where an individual case was submitted and accepted as essential. They therefore agreed that the barrier systems illustrated on pp.65 & 66 should not be accepted as part of the document and should be deleted from the approved appendix.

6.5. Members noted

6.5.1. that the use of bound gravel (report para 4.3) was limited to the bridges H06, H07, and H17 on the South Loop Road where there was insufficient depth for flagstone paving.

6.5.2. that the isues about Sustainable Urban Drainage Systems (report p.13) had been raised by the London Borough of Hackney and resolved previously.

6.6. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously that:

the Committee

a) **AGREED** that the Vehicular Barrier Systems listed as Miscellaneous Elements at pp.65 and 66 of the Streetscape Components UDLF Appendix should not be approved and should be deleted from the document

b) Subject to the omission of the Streetscape Components Appendix pages 65 & 66 as detailed in (a) above, they **APPROVED** the April 2009 Streetscape Components UDLF Appendix and the Parapet Transition details document submitted pursuant to OD.0.9 of 07/90010/OUMODA subject to the condition included in the report and the additional condition in the Update report:

Additional condition 2
Unless otherwise agreed in writing by the Local Planning Authority, before 31 December 2009 a Legacy Transformation Streetscape Appendix to the Urban Design and Landscape Framework shall be submitted to the Local Planning Authority for its approval. The document shall include details of the design intent and typical materials and streetscape features to be used in the Legacy Transformation streetscape within the Olympic Park and the document shall provide the context for relevant reserved matters or conditional submissions for Legacy Transformation development.
Reason: To ensure a high quality of design and appearance for the streetscape in the Olympic Park as transformed in the Legacy Transformation phase.

New informative
The design intent of all vehicle barriers, both temporary and permanent, has been specifically excluded from this document. The Local Planning Authority considers that the provision of these features should be minimised within the constraints of statutory safety requirements. The merits of the design and appearance of vehicle barriers which are demonstrably required for safety purposes, will be considered by the Local Planning Authority in its assessment of subsequent detailed applications for streetscape components within the Olympic Park.

7. APPLICATION NO: 09/90058/AODODA
(AGENDA ITEM 7)
Command and Perimeter Security Systems (CPSS)
Partial discharge of Condition OG.1 Security Arrangements of the Olympic, Paralympic and Legacy Transformation planning permission (07/90010/OUMODA) and partial discharge of Condition 43 Security Arrangements of the Outer Perimeter Security Fence (OPSF) planning permission (08/90151/FULODA) for the construction of the Command and Perimeter Security Systems (CPSS) attached to the OPSF in planning delivery zones 1 to 8 of the Olympic Park.
London Olympic Site - Land North off Stratford Town Centre, East of the Lea Valley Navigation, South of Eastway and the A12 and West of the Lea Valley Railway

7.1. Rob Lord, ODA Deputy Head of Security, gave a presentation on behalf of the applicant.

7.2. 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 proposals were for temporary agreement to install the Command and Perimeter Security Systems. Approval was sought for partial discharge of condition 43 Security Arrangements of the Outer Perimeter Security Fence planning permission (08/90151/FULODA) and condition OG.1 Security Arrangements of the Olympic, Paralympic and Legacy Transformation planning permission (07/90010/OUMODA).

7.3. The Update report set out that the first informative relating to signage was unnecessary and should be deleted, and that a second additional condition should be included relating to the Statutory Undertakers' equipment.

7.4. Members noted that a variety of equipment was to be installed on the fence and that differences in colouring would detract from the appearance. In particular they considered that the black infra-red equipment should be made to match the other pale-coloured lighting equipment. They also considered that the cable tray installed along the fence was undesirably prominent. They suggested that it should be reduced in height and placed closer to the base. The applicant's representative stated that they had endeavoured to improve both proposals but would investigate further changes. Members agreed that the proposals should be revised if technically possible and approved by officers.

7.5. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously that:

the Committee

a) **AGREED** to partially discharge condition OG.1 of planning permission 07/90010/OUMODA and partially discharge condition 43 of planning permission 08/90151/FULODA subject to the following conditions and informatives

b) **DELEGATED** authority to the Head of Development Control to agree the details submitted under condition 3

Conditions:

Condition 1: Removal of CPSS
Unless otherwise agreed in writing by the Local Planning Authority the CPSS equipment permitted by this application must be removed by 31 December 2013 and the land reinstated in accordance with details previously submitted to and approved by the Local Planning Authority.
Reason: In the interest of the visual amenities of the area and to ensure that land is restored ready for further development.

Condition 2: Statutory Undertakers' Equipment
No works shall be undertaken in the areas affected unless the consultations with, notifications to or requirements of the statutory undertakers set out in Annex 2 of planning permission 07/90010/OUMODA, have been observed and

any necessary protective measures agreed with the relevant statutory undertakers.
Reason: To ensure that statutory undertakers' equipment is safeguarded.

Condition 3: Prior to the installation of the infra-red lighting equipment and the cable tray on the perimeter security fence, the applicant shall submit details of the final colour finish to the infra-red light and the height of the cable tray for the Local Planning Authority's approval.
Reason: To ensure that the colour of the light fitting is, if possible, consistent with that of the other cameras and light fittings approved for the fence and that the cable tray is positioned at a height which causes the least possible visual prominence.

Informatives:

Informative 1
The CPSS equipment is subject to Network Rail's Technical Approval Process secured through condition OD.0.26 Statutory Undertakers' Equipment and Annex 2 of planning permission 07/90010/OUMODA.

Informative 2
The white lights installed adjacent to trees, as listed in Appendix 2, will be inspected by an ecologist to check for any unexpected light spill and adjust the shields/baffles accordingly as per the recommendation in Appendix 2 (page 1) of the submitted Planning Statement.

Members stated that amendments to previous security fence permission could be dealt with by officers under delegated powers if not considered significant.

8. **APPLICATION NO: 08/90361/REMODA**
(AGENDA ITEM 7)
Plot N09
Application for the approval of reserved matters for 120 residential units and 478 sq m of complementary retail (A1-A5 Uses) 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 to permit development that exceeds the development height parameter plan (7) pursuant to conditions A4 D9 of the outline planning permission;**
   ii. **approval in writing pursuant to condition O9 to erect residential dwellings 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.**
Plot N09, Zone 5, Stratford City Development, Stratford, London

8.1. Tim Urqhart, LendLease, introduced a short 'fly through' to show the Olympic village as developed in 2012, as context for the presentation of the proposals for N09. Deborah Saunt, DSDHA Architects, gave a presentation on behalf of the applicant. She illustrated the proposed block N09 in the Olympic Village.

Amongst other details she explained that daylighting within the residential units had been increased from 60% to 90% by combining the living and kitchen rooms.

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 Officer confirmed that an additional condition requiring the details of the external appearance of the roof of the atrium and the roof plant was also necessary. The proposals were for approval of reserved matters for residential and complementary retail developments at plot N09 pursuant to the outline planning permission granted on 13 November 2007 (07/90023/VARODA).

8.3. Members generally welcomed the proposals. They discussed the design and amenity issues noting that the residential accommodation was intended for a particular mix of smaller residential units of one or two bedrooms. In particular they noted that balconies were provided for almost all residential units and that a study had shown that the generous depth of the balconies, in addition to giving external space, would help provide shade and so limit over-heating in Summer. The Environmental Review Panel had accepted this proposal agreeing that there was only a slight risk of over-heating occurring.

8.4. However, Members were concerned that there were no balconies for the seven units on the 1st floor which were omitted from the proposals on privacy, amenity, and design grounds.. After discussion Members considered that the proposed access to the courtyard in block N10 across the street was not an appropriate substitute for balcony provision at these units. Instead they agreed that a roof garden on N09, discussed at the pre-application stage, but excluded from the application,, should be provided, in accordance with condition 9 as included in the original report.. Members also requested that a management strategy for access and use of the roof should also be required in an amended condition 9.

8.5. Members noted that there had been adverse comments by the Design Review Panel about the treatment of the base of block N09, but they considered that the overall simple design was appropriate and changes should not be imposed. The relevant proposed condition and informative should therefore not be imposed, but details of the detailed design treatment of the retail units should be subject to approval.

8.6. Members were somewhat concerned about potential acoustic noise within the atrium and agreed that a condition should be imposed requiring this to be properly protected. Officers confirmed that site-wide acoustic thresholds had been imposed for noise at the external facades of properties.

8.7. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED that:

the Committee

subject to the conditions and informatives as set out in the report except as amended below

a) **granted APPROVAL** of Reserved Matters for the development on plot N09, including the necessary approval for development that exceeds the development height set out on Parameter Plan 7, pursuant to conditions A4 and D9 of the outline planning permission

b) **granted APPROVAL** pursuant to condition O9 to erect residential dwellings 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.

Conditions as set out in the original report
Nos 2, 3, 7, 8, 9 (subject to inclusion of a management strategy for the roof garden), 10, 12, 13

Conditions as amended in the Update report
Nos 1, 5, 6

Amend condition 4 to relate to the details of the shopfronts

Delete condition 14 entirely

Revise condition 11 to read only 1 sentence:
Prior to first occupation of any unit as a habitable dwelling full details of a management strategy shall be submitted to and approved in writing by the local planning authority.

Revise condition 15 (add reference to treatment of roof plant and atrium roof external appearance)

Informatives
As proposed in the original report 1-3
Delete informative 3 listed in the Update report

9. APPLICANT NO: 08/90254/REMODA
M1 Retail, Stratford City
Reserved Matters application pursuant to conditions B1 and B8 of outline planning permission 07/90023/VARODA for the construction of Building M1 (retail) comprising 5943 retail floorspace and 100m2 community use floorspace.
Building M1 (Retail), Zone 1, Stratford City

9.1. Byron Davies, Westfield, gave a presentation on behalf of the applicant. The submitted proposals were only for the M1 podium building. However, Members noted that there were current discussions with a potential developer about the construction of an hotel above the retail building in accordance with the approved outline permission.

9.2. A Planning Officer then gave a presentation to the Committee who considered the report. The proposals were for approval of reserved matters for the development of Building M1 for retail development pursuant to outline planning permission granted on 13 November 2007 (07/90023/VARODA). The

application had been delegated to the London Borough of Newham and the Committee's views were sought.

9.3. Members noted that all the elevations of the M1 building fronted onto significant spaces. They welcomed the proposed use of media screens/art installations to articulate and enliven the north elevation fronting onto the Station Square and considered that this approach should be encouraged, and secured by condition.

9.4. They also noted that all links at ground floor level, which had been considered contentious, had been removed from the current proposals.

9.5. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously that:

> the London Borough of Newham **BE ADVISED** that the ODA Planning Committee has no objections to the grant of permission, but asks that the London Borough of Newham consider the conditions and informatives as set out in the report.

10. APPLICATION NO: 08/90252/REMODA
M8 Retail, Stratford City
Reserved matters application pursuant to conditions B1, B8 & B10 of Outline Planning Permission 07/90023/VARODA for the construction of Building M8 (Retail) comprising 4,555sqm of retail floorspace & service yard of Block 14 & Block 8.
Building M8 (Retail), Zone 1, Stratford City

10.1. Byron Davies, Westfiled, gave a presentation on behalf of the applicant.

10.2. 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 proposals were for approval of reserved matters for the development of Building M1 for retail development pursuant to outline planning permission granted on 13 November 2007 (07/90023/VARODA). The application had been delegated to the London Borough of Newham and the Committee's views were sought.

10.3. Members commented that the treatment of the glazed shopfronts, which they considered to be somewhat flat and plain, needed to be carefully designed and should not be approved only to the treatment by individual shopkeepers. They wished that the details of the glazing and materials of the developer's shopfront designs should be agreed in advance to the satisfaction of officers.

10.4. There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED unanimously that:

> the London Borough of Newham **BE ADVISED** that the ODA Planning Committee has concerns regarding the M8 Retail development with regard to the lack of clarity regarding retail floorspace within Zone 1 and compliance with Condition D2 of the Outline Permission, particularly as the applicant has applied for substantially less floorspace within M8 Retail and

is therefore not in accordance with the limit of deviation set out within the Zone 1 Masterplan as approved. The applicant also needs to resolve minor outstanding transportation concerns to ensure that the loading bay facilities are able to operate in a satisfactory manner. Subject to these matters being addressed prior to consideration by the London Borough of Newham, the ODA Planning Committee otherwise has no objections to the grant of permission, but ask that the London Borough of Newham consider the conditions and informatives as set out in the report and agree a specific condition relating to the approval of the glazing and materials of the shopfronts to be erected by the applicant.

11. ANY OTHER BUSINESS (AGENDA ITEM 11)

There being no other business the meeting closed at 8.35 pm

Signature J Baldry Date 25/8/2009

Chair