

OLYMPIC DELIVERY AUTHORITY

ODA PLANNING COMMITTEE

SUBJECT: FINAL MINUTES OF 70th COMMITTEE MEETING
Held on 14 September 2010 at 18.00

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
Cllr Judith Gardiner, LB Tower Hamlets

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
Matthew Foy ODA Legal Adviser, Planning Decisions
Team (Pinsent Masons)
Saba Master Committee Secretary

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

1.1. There were apologies from David Taylor.

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

- 2.1. There were updates for Item 5 and a brochure was circulated by the applicant in connection with Item 6.
- 2.2. The order of business was unchanged.
- 2.3. Nick Finney (Arup on behalf of the ODA) requested to speak for Item 5. John Wagner (Cycas Hospitality) and Des Twomey (HKR Architects) requested to speak for Item 6.

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 Item 5 and 6.

'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 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. Outstanding action: The Head of Developmental Control agreed to send an email, to the Committee members to clarify details of the land in the Olympic Park being retained by the LDA (6.3 of the 68th meeting minutes).
- 4.2. The Committee

AGREED the Minutes of the 69th Planning Committee Meeting.

5. APPLICATION NUMBER 10/90331/OUTODA – Warm-Up Track Enabling Works & Bridge F14 (AGENDA ITEM 5)

Full Planning Permission for:

- *Warm-up Track and throwing field, including fill, topography, surface water drainage, soft and hard landscaping and inner fence;*
- *Warm-up Track Access Road from Pudding Mill Lane, including alignment, Surface water drainage (SWD); surfacing, signage and lighting;*
- *Western Entrance Road from the Accreditation Checking Area in PDZ14, including alignment, SWD, surfacing, signage and lighting;*
- *Bridge F14 southern ramp earthworks;*
- *Outer perimeter security fence on Greenway adjacent to F14 Bridge;*
- *Post Games completion of Greenway landscaping within the footprint of F14 bridge.*

Outline planning permission for:

- *Bridge F14 (indicative alignment and height parameters provided).*

- 5.1 A presentation was given by Nick Finney, (Arup on behalf of the ODA). He explained to members that the application was for temporary development to support the Games. He explained that outline permission was only sought for Bridge F14 at this stage as the detailed design work was not complete and there was a programme imperative to allow site preparation and ground works to commence prior to the design of the LOCOG overlay.
- 5.2 Nick Finney explained that the Scheme Objectives met the operational requirements of LOCOG for a serviced Warm-Up Track and Throwing field platform; access to the Stadium Back of House and provision of a road link to the Bow West Accreditation Area.
- 5.3 Nick Finney reported that possession of the site would commence in phases from early 2011. The LOCOG elements would be removed immediately after the Paralympic Games (Sept-Dec 2012). The removal of ODA works and handing back of site to DB Schenker (rail operators)) would take place in June 2013.
- 5.4 In conclusion, Nick Finney reported that the application achieved the Olympic and Paralympic Games objectives; provided a design based on the operational requirements of LOCOG; as well as ensuring the reinstatement of the railway facilities as early as possible in 2013. Future submissions would include the F14 Temporary Athletes Bridge (Dec 2010) and the Bow West Accreditation Area (Dec 2010). LOCOG would also be making a separate submission in relation to the overlay (to include track surface, netting and lighting, temporary buildings and facilities).
- 5.5 A PDT Officer gave a presentation on the application. The Officer explained that the 2007 OLF permission has also granted consent for a warm up track area and Bridge 14 but that design development had since occurred which had resulted in the proposed scheme falling outside the previously approved parameters. The PDT Officer also explained to members that the application was a hybrid. He explained that full details had been submitted in relation to the warm up track but that only the alignment of Bridge 14 was submitted for approval at this stage with all other matters (including design) being reserved.

5.6 A PDT Officer also summarised the following key points from the committee report:

5.6.1 Principles of development:

- Repositioning, realignment and the altered design to bridge F14: At the point where the bridge crosses the Greenway it is now proposed approximately 150m west of the position approved in the OLF consent. The southern ramp and the more direct alignment of the bridge north of the Greenway gives a more compact structure with a considerably shortened length compared to that approved. The ramp up from the WUT as now proposed meets the level of the Greenway flush, as opposed to the approved development which bridges over the Greenway.
- The Western Entrance Road from Pudding Mill Lane (approved under the 2007 OLF consent crossed the River Lea into PDZ14 north of the existing railway spur crossing via a substantial new Games phase bridge (bridge H18). Bridge H18 would not now be implemented. Bridge E50 will be lifted out of place and stored for the duration of the Games and replaced post Games. This removes the need to lower the road and alter the bridge abutments.

5.6.2 Design and Appearance: The application seeks to provide the base detail of the Games phase warm-up track area, pending the forthcoming LOCOG overlay application which will include the track surfacing, ancillary temporary buildings and floodlighting, It was noted that the F14 Bridge is a very prominent feature sitting across the Greenway, Loop Road and landing at the Stadium's Western drop off area. An informative was therefore recommended to inform the applicant that a high quality design solution for Bridge 14 will be required at the reserved matters stage. The PDT Officer also drew comparisons with other warm up facilities at previous Games which had been similarly designed and showed the Beijing warm up track as a visual example).

5.6.3 Sustainability: The large quantities of fill required for topography and ground protection is to be sourced locally from within the Park and Stratford City development sites. The fill can be re-used on removal to support future site development and post Games Transformation. Bridge F14 as now proposed would be a more compact structure of considerably less height and bulk in comparison to the structure approved in the 2007 OLF consent.

5.6.4 Remediation: No remediation works are considered necessary for the short term occupation of the site during the Games phase apart from a suitable separation layer which would provide a 600mm protective cover system, and deal with the protection of indoor airspace against gas and vapour ingress.

5.6.5 Flood risk: The proposal is considered from a flood risk perspective with a Flood Risk Assessment (FRA) submitted in the context of the Oct. 2008 FRA.

5.7 The PDT Officer also explained that the detailed LOCOG overlay is due to be submitted later this year and that granting permission for this application will enable works to commence and programme maintained while detailed design work on the overlay continues. The scheme will comply with section 5 (5)(a) of the 2006 Olympics Act in enabling proper preparation for the Games, and will generally be in accordance with relevant development plan policies.

- 5.8 The PDT Officer concluded that the proposal was considered acceptable given the programme imperative and that although the application site is designated for employment use in the relevant Borough Unitary Development Plans, the economic and regeneration benefits of the Games and its legacy facilities were considered to outweigh the loss of such areas. With respect to this “slot-in” application, the rationale for the loss of employment land, and hence the principle of the development, remains the same as that given back in 2007.
- 5.9 The PDT Officer stated that the loss of the rail freight facility and related employment activity was intended to be only for a limited period. Condition LTD.32 of the OLF permission secured the reinstatement of the Bow Goods yard by the end of 2013. In order to be consistent with the 2007 OLF permission and compliant with relevant policies on the loss of rail freight facilities, the PDT officer recommended that this condition was re-imposed.
- 5.10 The Update report contained an additional Consultation Response Update from the Environment Agency (EA) which supplemented the analysis at paragraph 6.2 of the committee report. In respect of PDZ4 an additional condition is also imposed to dovetail appropriately with condition OD.14.4 of the 2007 OLF consent. The conditions include some duplication of conditions related to remediation: conditions 30, 31 and 32 are duplicated by conditions 46, 48 and 49. The latter are therefore deleted. Amendments were also suggested to conditions 7, 9 and 10.
- 5.11 A member asked if a warm-up track would not be required for the Stadium, post Games. A PDT officer explained that the Olympic Park Legacy Company were currently preparing proposals for the Legacy Masterplan Framework, which includes the relocation of the warm-up track. A PDT Officer explained that LB Newham was in discussions regarding the location of the warm-up track, and that Stadium Island in the north of the Greenway was being considered as an alternative for this.
- 5.12 A member asked how Bridge F14 would interface with the Greenway and whether the Greenway would be closed. A PDT Officer referred the Committee to condition 7, of the update report which would require the applicant to ensure suitable interim arrangements, including public access to the Greenway, were maintained prior to the Games.
- 5.13 A member asked for clarification regarding the actual need to reinstate the railhead post Games and LB Newham’s agenda for this. A PDT officer explained that the railhead was still operational and delivering aggregates to the Olympic Park. The railhead would not be removed and would remain in operation until the last possible moment,
- 5.14 A PDT Officer also reported that DB Schenker (the rail operator) required that site back as soon as possible after the Games and that both London Plan and Borough policy supported the retention of the railhead. The condition requiring the re-instatement of the railhead was also in line with what had been agreed back in 2007. The PDT Officer also explained that the railhead has historically been well used. He did however note that the GLA were reviewing the railhead as part of the preparation of the forthcoming SPG.

- 5.15 A member commented that the retention of the rail head would mean that there would be the potential for its use to support the sustainable transport of construction materials used in future developments on the Olympic Park.
- 5.16 A member asked for clarification regarding the financial penalties the ODA would be subject to if the site is not returned. A PDT Officer confirmed that the ODA are liable to financial penalties but that at present no details had been provided. The applicant reiterated that financial penalties would be incurred by the ODA the longer they retained and also pointed out that the site was of much value to DB Schenker. A PDT officer pointed out that this issue could be raised when applications for the LOCOG overlay and OPLC LMF were submitted at future Planning Committee meetings.
- 5.17 A member asked if the site was that used by London Concrete. A PDT Officer confirmed that it was.
- 5.18 A member also commented on the benefits of the railhead brought in reducing the number of lorries using the road network. A PDT Officer agreed with this comment and noted that the use of the rail network to deliver goods to the site had been encouraged in the Olympic s106 agreement.
- 5.19 A member stated support for comments in the Committee report and the recommended informative which requires the final design for bridge F14 to be of a suitably high quality. The member wanted the applicant to be aware of this for future discussions on the design of the bridge.
- 5.20 There being no further questions the Chairman moved to a vote and the Planning Committee RESOLVED that:

The Committee:

AGREED that full planning permission should be granted subject to the conditions and informatives listed in the committee report as amended by the Update Report.

6. APPLICATION NUMBER 10/90290/FULODA – M8 Hotel (AGENDA ITEM 6)

Erection of 11 storey Hotel (on top of existing retail podium, which would provide entrance lobby) (Building M8/Development Block 14 as referred to in ZMP1 of the outline planning permission 07/90023/VARODA) comprising 17,904sqm of Class C1 floorspace (350 bedrooms) and two hotel operators.

- 6.1 John Wagner (Cycas Hospitality) and Des Twomey (HKR Architects) gave a presentation. John Wagner explained that the application evolved from the development brief which was to provide two hotels, with a combined total of 350 bedrooms, in a single building on the existing M8 Retail Podium. The two Hotel Brands are part of the Intercontinental Hotel Group (IHG) family of brands- A Holiday Inn Hotel and a Staybridge Suites (Aparthotel). Diagrams and plans of the different levels to the Hotel, including the types of room, were shown to the Committee.
- 6.2 Des Twomey reported that the energy performance of the Hotel included a low carbon rating which was 23% better than Building Regulations, (13% above the

Site Wide Target). He added that a demonstration solar panel installation was proposed for the hotel roof.

- 6.3 Des Twomey explained that the design was resource efficient, used sustainable construction methods and that both the manufacture and construction of the hotel would be carbon efficient. There would also be 100% rainwater harvesting.
- 6.4 Des Twomey explained that the designs met all applicable access standards and regulations; including the design recommendations described in the draft London Plan Hotel Best practice Guide. The application had also been considered by the Stratford City Consultative Access Group.
- 6.5 Des Twomey reported that accessibility issues were a key consideration in the proposal, Accessible car parking spaces would be provided in the Westfield basement car park, within 65 metres of the entrance. Assistance would be available for those who require it and all leisure facilities would be fully accessible (IFI level to be confirmed) with an access management plan to be developed. A minimum of 5% of hotel rooms would be accessible (Part M) and an additional 5% would be easily adaptable to full access standards. Of the 188 rooms in the Holiday Inn, ten rooms would be totally accessible (Part M) and there would be nine adaptable rooms. Of the 162 rooms in the Staybridge suites, nine would be fully accessible (Part M) and eight would be adaptable
- 6.6 A PDT Officer gave a presentation on the application and summarised the key points from the committee report. The officer explained that the application had been submitted as a full planning application, as the developer was no longer able to submit Reserved Matter applications pursuant to the outline planning consent. With the exception of Reserved Matters applications in respect of B1 office uses, Reserved Matters applications had to be submitted no later than 17th February 2010. Although it had been submitted as a new planning application, the proposals had been submitted having had regard to the requirements of the existing outline planning permission, parameter plans and zonal masterplan.
- 6.7 The detailed proposals had been subject to extensive consultation with the Stratford City Design Review Panel. The design of the building was considered to be well resolved, robust, and would complement the M8 Retail podium with its appearance, scale and form relating well to surrounding development. A number of detailed matters were raised from a review by the Stratford City Consultative Access Group during the consultation process, and it was considered that these could be addressed by way of suitable planning conditions. Overall, the proposed development would make provision for accessible rooms within both hotels, accessible WCs within the public area of the hotel, lift access to all floors and step free access.
- 6.8 A PDT Officer explained that taking into account the location and constraints of the site, no dedicated parking or drop off areas would be provided within the development block. Parking would be available within the main M2-M6 car park. The basement level of the M2-M6 car park is the closest parking area to the M8 Hotel and includes 18 blue badge spaces. This area would be within 65metres of the hotel lobby area. While these issues are acknowledged, the principle of a hotel in this location has been established. Similar issues were also raised in respect of Reserved Matters application for the M1 Hotel, and the lack of dedicated parking and drop off was accepted. Conditions to mitigate the above issues, such as way finding and luggage assistance would be recommended.

- 6.9 A PDT officer reported that with regard to sustainability, the development will achieve a minimum BREEAM rating of 'Very Good'. The proposed modular design and prefabricated room pods provided high levels of structural integrity with efficient use of materials and minimum waste during construction. The pods also performed well in terms of energy performance and have low embodied carbon and are low carbon in operation. The inability to provide a brown roof has been assessed and suitable mitigation measures have been identified within the application submission which shall be secured by way of condition.
- 6.10 A PDT Officer explained that as a full planning application it was essential that their consent was tied into the existing s106 Agreement. The consent therefore required to be accompanied by a short s106 Agreement to this effect, which will need to be signed by the ODA with the resolution seeking agreement from Members to enter into such a legal agreement and to give delegated authority to the Head of Development Control to finalise and complete the s106 and then to issue the decision.
- 6.11 A member asked for further details on the DRP's view of the scheme. A PDT officer explained that the design had clear endorsement from the DRP and that it was considered a very good design.
- 6.12 A member asked if the accessible connecting rooms would be secured by condition.. A PDT officer explained that a condition was recommended to ensure further details are submitted in relation to the number and location of connecting rooms.
- 6.13 A member asked if the application would include 100% rainwater harvesting, and if it was part of the design. The applicant explained that the rainwater would be collected in the shadow gap between the retail podium and the hotel. The actual design of the pipes and the pumps for the harvesting had yet to be finalised, as the proposal was currently only at the design stage. The member queried the use of the rainwater collected and the applicant confirmed that it was likely to be used for toilet flushing. A PDT Officer confirmed that full details of the water efficiency measures would be submitted by condition.
- 6.14 A member asked for further information about the "green walls" in the application. The applicant explained there would be planting on the retail roof which, once developed, would allow plants to climb up the wall.
- 6.15 A member asked for further information on the accessibility issues. Stuart Robinson (David Bonnett Associates, on behalf of the applicant) reported that blue badge parking would be located at the closest proximity to the lift cores. There would also be call points to allow guests to wait for assistance as well as seating both next to the lifts also along Southern Boulevard. A PDT Officer noted that the Zone 1 public realm had yet to be approved and this would need to be considered in the context of the application.
- 6.16 A member asked a question about the fire evacuation provision for hotel guests with mobility impairments. The applicant reported that the accessible rooms would be as close as possible to the core of the Hotel. There would be two fire fighting shafts (lift and stairs) with a disabled refuge within each shaft. The Hotel would be a fully sprinkled facility.
- 6.17 A member asked a question about the signage in relation to it being a hotel. A

PDT officer reported that the application for signage would be considered by the committee at a future meeting. Westfield had been encouraged to look at the signage strategy as a whole. PDT would then evaluate the number of signs proposed and incorporate the signage proposals from the Hotel.

6.18 There being no further comment the Chairman moved to a vote (with one abstention) and the Planning Committee **RESOLVED** that:

- i) That the London Borough of Newham be advised that the ODA Planning Committee has no objections to the grant of permission, subject to the imposition of conditions and informatives as listed in the report and the completion of a Section 106 Agreement to tie the application to the extant Stratford City Section 106 Agreement; and
- ii) To grant delegated authority to the Head of Development Control to complete the Section 106 agreement referred to above and issue a consent if the application is approved by the London Borough of Newham.

7. Review of PDT Scheme of Delegation (Agenda Item 7)

7.1 The Committee was provided with a report, on the Review of PDT Scheme of Delegation. The report explained that as the ODA PDT was currently investigating a number of potential breaches of planning control. A PDT Officer explained that although the Scheme of Delegation gave officers the power to “process and make decisions on any town and country planning matter within the powers of the ODA”, this delegation was inconsistent with the heading of the relevant paragraph on the basis that it refers to “Planning Applications”.

7.2 The Head of Development Control explained the reasons for the proposed amendments (as set out in the committee report) and explained that, in accordance with the Standing Orders of the ODA Board, any changes or amendments to the Scheme of Delegation agreed by the Planning Committee would be required to be reported to, and approved by, the ODA Board.

7.3 There being no further comment the Chairman moved to a vote and the Planning Committee **RESOLVED** that:

The Committee:

- i) **AGREED** to the changes to the Scheme of Delegation as set out at Annex 2 of the report and authorise the Head of Development Control to report the amended Scheme of Delegation to the ODA Board for its approval; and
- ii) **AGREED** that Appendix D of the Development Control Manual should be updated to reflect the amended Scheme of Delegation following approval from the ODA Board.

8. Any Other Business (AGENDA ITEM 8)

There being no other business the meeting closed at 18.55.

Signed: L Beldam

Chair

Date: 25/1/2011