

## Minutes

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### London Thames Gateway Development Corporation

#### Planning Committee Meeting

Thursday, 8 November 2007, 6.30pm

The Old Town Hall, 29 The Broadway, Stratford, E15 2BQ

**Present:** Conor McAuley (Chair)  
John Biggs  
Alan Clark  
Sid Kallar  
Richard Turner  
John Worthington

**In Attendance:** John Allen (Director of Planning)  
Peter Minoletti (Planning Development Manager)  
Adele Williamson (Planning Development Officer)  
Alice Leach (Planning Development Officer)  
Amanda Peck (Planning Development Officer)  
Sarah Egan (Committee Clerk)  
Howard Bassford (DLA Piper)

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#### 1. Apologies, Announcements and Declarations of Interest

- 1.1 Apologies were received from Atul Patel, Dru Vesty and Lorraine Baldry.
- 1.2 Howard Bassford declared that DLA Piper acts for the owners of the land in item 5, Peruvian Wharf (part), North Woolwich Road, Silvertown. DLA Piper does not act for them on planning issues in relation to this site, or this application.

#### 2. Minutes of the Previous Meeting

LTGDC/07/PC54

- 2.1 Members **AGREED** the minutes of the Planning Committee meeting of 11 October 2007. There were no matters arising.

#### 3. Fresh Wharf Estate, Barking

LTGDC/07/PC58

- 3.1 Alan Cherry, Chairman of Countryside Properties PLC, spoke in support of the application. He summarised the company's background and its involvement in regeneration in various London locations. He made the following comments regarding the reasons the report gives for refusing the application in summary:

- 3.1.1 Level of affordable accommodation: this is dictated by the financial viability of the scheme. There are exceptional costs associated with this project and there is a need to balance planning obligations and affordability.
  - 3.1.2 Planning Obligations Community Benefit Strategy: again, the amount of tariff could affect the financial viability of the development.
  - 3.1.3 Noise climate information deficient: this is still being discussed and can be mitigated through design.
  - 3.1.4 Failure to provide a detailed application for Blocks N1 and N2, incorporating the Environment Agency land: have not extended proposals to land outside the applicant's ownership.
- 3.2 Alan Cherry advised that these issues are covered in his letter to Planning Committee members. He stated that this application would deliver a high quality scheme that meets the regeneration aspirations for the area, and that the outstanding issues can be resolved with further discussion.
- 3.3 John Allen introduced the report on the duplicate applications for a residential-led, mixed-use development at Fresh Wharf Estate. He also introduced the addendum report which recommended that one of the applications be refused on the basis of the Reasons for Refusal set out in the main report, and the other be deferred to allow the applicant to negotiate further on it with a view to providing an acceptable scheme.
- 3.4 John Allen addressed some of the comments from Alan Cherry:
- 3.4.1 Noise: a report from the noise consultant has just been received that predicts that the noise at the most exposed locations would be high enough to justify refusal on this ground. As yet there has been no evidence that the development will be designed to mitigate this.
  - 3.4.2 Affordable accommodation and Community Benefit: this issue is still being discussed with the applicant. There are still outstanding items, eg the scale of the LDA subsidy to be repaid and the influence this has on the appropriate S106 payment level.
  - 3.4.3 Environment Agency land: proposed blocks N1 and N2 will shade the proposed public square and water area for a large part of the day. The layout of those blocks could be improved significantly if that land was included in the development proposals.
  - 3.4.4 CABI has concerns that it is an outline application and this is not appropriate for the proposed development on the northern part of the site.
  - 3.4.5 There are still outstanding concerns regarding the development's relationship to conservation areas.

- 3.5 John Allen advised that there should be an amendment to two of the reasons for refusal as set out on page 60 of the committee report, so that they read:
- 3.5.1 Failure to provide a detailed application for Blocks N1 and N2, incorporating the Environment Agency land. The lack of a sufficient and comprehensive scheme for this northern end of the site is considered to result in a poor quality design and environment;
  - 3.5.2 The applicant has failed to provide a sufficient and comprehensive scheme in relation to the treatment of the A406 boundary of the site.
- 3.6 Sid Kallar stated his agreement with the recommendations in the addendum report.
- 3.7 John Worthington acknowledged that it is a balance between quality and moving things on, but that time should be given to this. He considers that it would benefit from having a design team involved with the project long term, that it is an opportunity for innovation. Sid Kallar agreed with this.
- 3.8 The Committee, by an unanimous vote:
- 3.8.1 **REFUSED** the application LTGDC-07-053-OUT on the basis of the Reasons for Refusal set out in the committee report LTGDC/07/PC58 and as amended in paragraph 3.5 above; and
  - 3.8.2 **DEFERRED** the application LTGDC-07-123-OUT to allow the applicant to negotiate further on it with a view to providing an acceptable scheme.

#### 4. **150 High Street, Stratford**

LTGDC/07/PC57

- 4.1 Peter Minoletti introduced the report recommending approval of the application for a major mixed used development at 150 High Street, Stratford subject to certain matters. He also introduced the addendum report which corrected a number of matters in the main report, and provided an update on Planning Obligations, financial contributions and offsets in respect of those contributions.
- 4.2 Peter Minoletti advised that the scheme would provide 35% affordable housing units with mixed tenure, landscaped space and a public park. It has been extensively consulted with general support from the GLA, subject to a number of issues. The GLA and CABE have concerns about the size of the tower. These concerns can be addressed at the detail stages. The application accords with the Planning Obligations Community Benefit Strategy.
- 4.3 John Biggs stated that he has a problem in principle with some of the infrastructure costs the developer has to meet, being off-set against its Planning Obligations financial contribution.

- 4.4 Peter Minoletti advised that the 35% affordable housing on site with a 60:40 split between social rented and shared ownership is achievable if a Housing Corporation grant is successfully secured. Should this not be secured the mix of tenure can be amended, in agreement with the LTGDC.
- 4.5 John Biggs noted that according to the addendum report a minimum of 7% affordable housing would be allowed. Peter Minoletti advised that this is a worst case scenario figure, and that any change to the 35% would have to be negotiated.
- 4.6 John Biggs questioned whether if the offsetting of strategic infrastructure costs against the planning obligations tariff was not agreed to, the developers would therefore not provide that infrastructure. Peter Minoletti advised that it is a matter of judgement which costs should and should not be offset, and a matter of individual assessment. A full financial appraisal has been done.
- 4.7 Richard Turner asked whether the proposed off-set was for the whole cost of providing the infrastructure or part. Peter Minoletti advised they are seeking to offset the whole cost.
- 4.8 Alan Clark noted that the environmental statement shows that some of the units would be darker than would be ideal, and asked how many units this is referring to. Peter Minoletti advised that it was a low number.
- 4.9 Sid Kallar moved the recommendations in the committee report and in the addendum report, and this was agreed by the Committee.
- 4.10 The Committee **AGREED** to delegate to the Director of Planning approval of application LTGDC-07-134-FUL subject to:
- 4.10.1 the completion of a S106 Agreement in accordance with the Corporation's Planning Obligations Community Benefit Strategy and securing provision of affordable housing at the level set out in the committee report LTGDC/07/PC57 as amended by the addendum to the committee report;
  - 4.10.2 any outcomes from the Mayor of London's Stage 2 report; and
  - 4.10.3 the conditions listed in the committee report LTGDC/07/PC57.
- 4.11 The Committee **AGREED**:
- 4.11.1 that the planning obligations proposed in the addendum report address the impacts of the development and generally accord with the LTGDC Planning Obligations Community Benefit Strategy;
  - 4.11.2 that the financial contribution when received will be put into the 'Lower Lea Valley Pooled Fund' as set out in the Planning Obligations Community Benefit Strategy, and will be managed as set out in the strategy;

4.11.3 to delegate to the Director of Planning the agreement of the final details of the 'recapturing the discount'.

## 5. Peruvian Wharf (part), North Woolwich Road, Silvertown

LTGDC/07/PC56

- 5.1 Peter Minoletti introduced the committee report recommending approval of the application for tranship and distribute of aggregates using sea-going vessels, and the addendum report providing an update on consultations.
- 5.2 Peter Minoletti advised that the Environment Agency has objected on the basis of an inadequate Flood Risk Assessment. It is recommended that any approval be subject to the resolution of the concerns the agency has expressed. The London City Airport are still carrying out their hazard assessment of the application so have asked for more time to comment on the application. They did not object to the previous application but wanted a condition regarding the use of cranes during construction. It is recommended that this be added as a condition.
- 5.3 This application covers the entire safeguarded wharf, and officers advise that the impact on local residential amenity of this application will be less than that of the other applications previously considered by the Committee. Peter Minoletti advised that local residents still have concerns on lorry movement, but this area is reserved for heavy industry so there will be an impact, but not enough to recommend refusal.
- 5.4 The Committee, by an unanimous vote, **AGREED** to delegate to the Director of Planning authority to approve the application LTGDC-07-171-FUL subject to:
- 5.4.1 the resolution of the concerns expressed by the Environment Agency with regard to the Flood Risk Assessment
- 5.4.2 referral to the GLA;
- 5.4.3 a S106 Agreement (Heads of Terms as outlined in the report LTGDC/07/PC56 and the addendum report)
- 5.4.4 conditions as set out in the report LTGDC/07/PC56 and addendum report.

## 6. Planning Scheme of Delegation: November 2007 Review

LTGDC/07/PC55

- 6.1 Peter Minoletti introduced the report reviewing the Corporation's scheme of delegation on planning matters. There was a discussion about the speed at which applicants are advised that their scheme will not be approved. Peter Minoletti advised that more effort and resources are going in at the pre-application stage.
- 6.2 The Committee **AGREED**:

6.2.1 to continue with the Scheme of Delegation as attached at Appendix 1 of the committee report LTGDC/07/PC55;

6.2.2 that the scheme be reviewed annually.

## **7. Planning Performance Monitoring**

LTGDC/07/PC59

- 7.1 John Allen introduced the quarterly report advising the committee of the performance of the Corporation's development control function. He advised that on 5 November the Corporation's Board agreed to him developing an implementation plan to take over full responsibility for the Corporation's development control function through dedicated teams based in the Boroughs but reporting to the Corporation. This will speed up the Corporation's planning decision making processes.
- 7.2 John Biggs asked how developments that had previously been approved by a Borough, but then had an amendment to that application approved by the Corporation, were recorded in the statistics.
- 7.3 John Allen advised that this is not differentiated in the statistics. He also stated that the statistics are not broken down to shared equity versus affordable housing but it is possible to do so.
- 7.4 The Committee **NOTED** the quarterly planning performance report LTGDC/07/PC59.

**The meeting concluded at 7.15pm.**

### **Date of next meeting:**

13 December, 6.30pm

The Old Town Hall, 29 The Broadway, Stratford, E15 2BQ