

Addendum Planning Committee Report

London Thames Gateway Development Corporation Planning Application for Determination by the LTGDC Report of the Director of Planning

1. Summary

- 1.1 This is an Officer's addendum to Agenda Item 3. It seeks to advise Members of matters that have arisen in relation to the application since the date the report was completed.

2. Objection by Barking Power Station

- 2.1 At 5.2 of the main report, Members were advised of an objection to the proposal by Nabarro Solicitors on behalf of Barking Power Station (BPS). Barking Power Limited (BPL) owns a 24 inch high pressure natural gas pipeline which runs across the application site.
- 2.2 Since completion of LTGDC's officer report, BPL and the applicant have agreed to enter into a legal agreement that requires EWS to submit details of a scheme for the protection of the pipeline to BPL before starting development; and that the development will then be carried out in accordance with the scheme. In consideration of the applicant's obligations and undertakings in that legal agreement, BPL has agreed to withdraw its objection to the planning application. The agreement has been signed on behalf of the applicant and is currently with BPL for signature.
- 2.3 Nabarro Solicitors have advised LTGDC (by email on the 6th May) that once they receive the signed document back from BPL, Nabarro Solicitors will write to LTGDC to formally withdraw BPL's objection, but obviously the objection still stands at this stage.
- 2.4 Nabarro Solicitors have requested that the condition, as previously suggested be retained in any case. The condition, as suggested by Nabarro Solicitors has been included in the list of draft conditions that are included in the main report, to the satisfaction of BPL (see condition number 6).

3. Conditions

- 3.1 Condition 3 EWS has raised concerns regarding the proposed wording of condition number 3 as drafted in the main report and have stated that there will be a limited number of instances where some material will have to go out by road; for example;
- If the rail network were to be closed then in order to ensure continuity of supply the materials would have to go straight onto HGVs;

- If there were a problem with the rolling stock/signals etc. then the same would have to apply; and finally,
- there will be some components of steel reinforcement components which will be too large or dangerous to go on rail: these will have to be transported by road.

3.2 EWS have stated that the condition as currently worded would not satisfy the ODA.

3.3 LTGDC officers would like the opportunity to consider appropriate re-wording of condition number 3. In order to address this issue, Members are requested to delegate approval of the wording of condition 3 to the Director of Planning, if they agree the recommendation in the report.

Deleted: defer

3.4 Additional Condition LTGDC Officers recommend that the following additional condition be inserted between drafted condition numbers 9 and 10, as follows:

The building located to the North of the Site and annotated "Existing Building to be Retained" on the approved drawings shall not be demolished nor shall its external dimensions be altered prior to or at any time whilst the development authorised by this planning permission is in operation except with the prior written approval of the local planning authority and subject to such conditions/requirements as they may impose.

Reason: To prevent noise nuisance to the nearest noise sensitive receptors as identified in the noise assessment report submitted in support of the application prepared by Spectrum Acoustic Consultants, reference ARC5790/27393 and with regard to policies 4A.20 and 4A.3 of the London Plan (2008); and DC55 of the London Borough of Havering's emerging Core Strategy and Development Control Policies Submission Development Plan Document dated November 2006.

CASE OFFICER: Amanda Reid

Date: 8th May 2008
