



Minutes

London Thames Gateway Development Corporation

Planning Committee Meeting

Thursday 14 May 2009, 6pm

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

Present: Cllr Conor McAuley (Chair)
Alan Clark
Cllr Mick McCarthy
Richard Turner
Dru Vesty

In Attendance: John Allen (Director of Planning)
Peter Minoletti (Planning Development Manager)
Will Steadman (Planning Development Officer)
Stephen Allen (Planning Development Officer)
Amanda Peck (Planning Development Officer)
Nigel Hewitson (Norton Rose)
Angela Flanagan (Committee Clerk)

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

1.1 Apologies were received from Sylvie Pierce.

1.2 There were no declarations of interest.

2. **Minutes of Planning Committee Meeting 9 April 2009**

LTGDC/09/PC17

2.1 The Committee **AGREED** the minutes of the Planning Committee Meeting of 9 April 2009. There were no matters arising.

3. **Creative Industries Quarter, 62-96 Abbey Road, Barking**

LTGDC/09/PC18

3.1 Dolores Altaris spoke on behalf of Arc Theatre's Board of Management and Studio 3 Arts, against the application. The organisations had concerns about the proposed development as they felt it would dwarf the

present buildings. Dolores Altaris went on to say that the Malthouse (of which Arc Theatre and Studio 3 Arts are tenants) had taken 7 to 8 years to develop and the proposed development would mean a loss of rehearsal space for them. She added they also had concerns about some of the proposed materials being 'cold' which would present an office image rather than creative and went on to comment that they were not convinced the proposed Malthouse Square would work and that more thought and background was needed.

- 3.2 Peter Elliott spoke in favour of the application on behalf of the applicants, London Thames Gateway Development Corporation (the Corporation) and Roof Holdings Ltd. He said that the area had been identified by the London Borough of Barking and Dagenham (LBBB) as a suitable location for the proposed Creative Industries Quarter (CIQ) and would help regenerate the immediate area as well as Barking Town Centre. He added that the Corporation had aspirations to use the CIQ as a tool to help regenerate the nearby Gascoigne Estate. He said that the scheme was designed to a high standard and that the development includes two existing buildings of architectural interest. Furthermore, the development proposals had received the support of CABE and English Heritage. He said that the Corporation had let the Malthouse to organisations which are good at interacting with the local community and the CIQ would add to that by being a vibrant and creative environment for local businesses and homes.
- 3.3 Conor McAuley asked about the possible loss of rehearsal space that Dolores Altaris had referred to. Peter Elliott replied that this was inaccurate as there is not a proposal to change the space from B1 to D1. He added that the aim of the Corporation is to support the arts and theatre as well as to help Arc Theatre to engage with the local community.
- 3.4 Conor McAuley enquired about a Management Plan for the workspace element. Peter Elliott advised that there was a condition for a Management Plan to be provided, with the intention of it being procured by a Management Consultancy in agreement with the Planning Authority.
- 3.5 Mick McCarthy referred to the LBBB Development Control Board and enquired about their response to the proposal. Peter Elliott responded that they had granted Conservation Area Consent, but had had some concerns surrounding the provision of affordable housing. He added that the 70% intermediate allocation had been a conscious decision due to the high percentage of social rented accommodation on the Gascoigne Estate.
- 3.6 Peter Minoletti introduced the report and tabled addendum report recommending approval of the application for a mixed use development including 218 residential units, bridge over River Roding, creation of new public square, conversion of Granary building, retail, business premises, crèche, restaurant/café/bar, associated landscaping.
- 3.7 The addendum report provided an update to Members of the LBBB Development Control Board's determination of the application for

Conservation Area Consent, and comments on the planning application, as well as further comments received from Transport for London that were not available at the time of writing the main report.

- 3.8 Peter Minoletti advised that the scheme had been amended to allow better access via Abbey Road to the new Square. A condition relating to the use of the river for the delivery of materials has been included. He indicated that there are conditions relating to details of the materials being agreed to ensure they will be appropriate to the creative image, and also details as to how the units would be managed. It was anticipated that Arc Theatre and Studio 3 Arts would be involved in the consultation process on these conditions.
- 3.9 Dru Vesty had concerns relating to the articulations and colour of the elevations of the proposed new Icehouse North and South buildings in relation to the existing brick ones as well as the lack of a 100% provision of balconies especially on Blocks A & B, and asked if conditions could be added relating to the provision of revised materials to the Icehouse building and balcony provision.
- 3.10 Richard Turner added that he thought it was important for the Corporation to set an example in the area, and asked if there was any reason why there was not 100% balcony provision. Peter Minoletti replied there was not.
- 3.11 Alan Clark asked if the area allocated for the provision of a crèche included or excluded space for associated toilet and kitchen facilities. He was concerned that if the area quoted included these facilities, the space left for actual crèche use may be inadequate. He asked if this had been addressed. Peter Minoletti advised the applicants were in discussions with LBBD but a condition relating to the layout could be included if Members wished.
- 3.12 Mick McCarthy indicated his support for the balconies and materials to be conditioned, and added that he thought that this development helped the Borough to meet the objectives of its economic development plans. He added that he thought it was a good addition to the Barking landscape.
- 3.13 The Committee, by unanimous vote, **AGREED** to give delegated authority to the Planning Development Manager to grant planning permission subject to:
 - 3.13.1 any direction from the Mayor of London to refuse planning permission;
 - 3.13.2 the planning conditions as set out in section 12 of the main report (LTGDC/09/PC18) and two additional conditions and a requirement to ensure balconies are provided on all flats -

Conditions

- a) detailed drawings should be submitted to show the articulation and colour of all elevations of the new Icehouse North and South buildings in relation to the other buildings on the site and the adjoining site so as to create an overall attractive townscape in relation to the historic character of the Conservation Area.
- b) details of the internal layout and operation of the crèche to be submitted to demonstrate accordance with the Borough's standard for such a facility.

Requirement

notwithstanding the proposed provision of balconies on the residential building within the development, balconies should be provided on all units. The approval of new drawings to reflect this requirement, showing both elevations and internal layouts, is therefore delegated to the Planning Development Manager.

3.13.3 the submission of a S106 Unilateral Undertaking that is required to secure the heads of terms as set out in section 11 of the main report (LTGDC/09/PC18).

4. Barking Riverside, Barking Reach, Renwick Road, Barking

LTGDC/09/PC19

- 4.1 Peter Minoletti introduced this report relating to a Section 73 application to vary conditions attached to Outline Planning Permission granted on 7 August 2007. Four other applications have also been submitted for this site and are expected to go before the Committee next month.
- 4.2 Peter Minoletti advised that the conditions relate to the height of buildings and building locations being moved, including a secondary school and retail floor space. An all weather pitch is planned for the City Farm's old site; and it was thought given its proximity to Thames View Estate this would add to local cohesion. The City Farm has been allocated another location on the site and it was thought that it would sit well within the development.
- 4.3 He added that the density of the development does not breach standards, and recommended the Committee grant planning permission.
- 4.4 Mick McCarthy indicated he was supportive of this development. He added that he was aware there had been a lot of consultation and he thought the residents from Thames View were supportive of these changes.

- 4.5 The Committee, by unanimous vote, **AGREED** planning permission be granted and that the Director of Planning be given delegated authority to approve any minor modifications to the final wording of the planning conditions and the associated S106 variation.

5. Devon Wharf, Leven Road, Tower Hamlets, E14

LTGDC/09/PC20

- 5.1 Peter Minoletti introduced this report relating to a residential-led mixed use scheme at Devon's Wharf. The proposal sought planning permission for a 66 unit scheme and seven affordable business space units as well as an open public square and public access to the River Lea, and was recommended for approval. It was noted that this was a revised scheme following refusal previously.
- 5.2 An addendum report which set out the London Borough of Tower Hamlets' reasons for recommending refusal, the findings of the full Quantitative Risk Assessment carried out by Atkins Ltd on behalf of the Corporation due to the site's location near to the Leven Road gas works, and progress on the Financial Appraisal was tabled at the meeting.
- 5.3 Mick McCarthy asked if Officers had notified the London Borough of Tower Hamlets (LBTH) that their recommended reasons for refusal were not considered justified. Peter Minoletti advised that the Corporation had only received LBTH's recommendations recently; but the Corporation tries to accommodate the Boroughs' views as much as possible.
- 5.4 John Allen added that as the Borough acts as the Corporation's agent working closely with the Corporation's planning officers it would receive all details relating to the application and would have been aware the Corporation was minded to recommend approval.
- 5.5 Richard Turner referred to Page 7, paragraph 5.19 in the main report, the Greater London Authority's criticism of the ramped access to the riverside open space and asked if this had been dealt with. Stephen Allen replied that following discussions a revised ramp access has been agreed.
- 5.6 Dru Vesty had concerns that the section of riverside walkway to be provided as part of the development would, in all probability, be fenced off pending the provision of the remaining sections to make the walkway a through route and asked if there was any way the Corporation could ensure that any barriers to the walkway are removed when the remaining sections of walkway are provided. She also enquired if it was known when a decision would be announced on The Oval planning inquiry.
- 5.7 Nigel Hewitson said that the S106 agreement required in connection with the development would be so drafted as to ensure that any gates, walls or hoardings are removed on notice from the LPA upon provision of the remaining sections of the walkway.

- 5.8 John Allen responded in relation to The Oval planning inquiry, advising that it is expected the Secretary of State's decision will be announced in 2 to 3 months. He added that as the Health and Safety Executive had recommended refusal and could request that the Secretary of State call-in this application for their determination, the Corporation had engaged consultants to carry out a Quantitative Risk Assessment, the findings of which are detailed in the addendum report. He referred to the Quantitative Risk Assessment report quoting the risk of death or serious injury as 1 in 1,428,571 compared with a 1 in 16,800 for a road traffic accident. This together with the overall findings of the report indicated that refusal of the application was not justified.
- 5.9 Nigel Hewitson added that the requirement in Government guidance was that planning permission within a safety zone around a gas holder should only be granted after very careful consideration of the safety issues. His advice was that in considering the Quantitative Risk Assessment, the Corporation had given very careful consideration to the safety issues.
- 5.10 The Committee, by unanimous vote, **AGREED** to delegate authority to the Director of Planning to approve the application subject to:
- 5.10.1 the completion of a Section 106 Agreement in accordance with the Corporation's Planning Obligations Community Benefit Strategy as outlined in section 10 of the report (LTGDC/09/PC20)
 - 5.10.2 referral to the Health and Safety Executive to allow 21 days for their consideration on whether to request the Secretary of State call-in the application for determination
 - 5.10.3 referral to the Greater London Authority for their Stage 2 consultation response
 - 5.10.4 the conditions listed in section 11 of the report (LTGC/09/PC20).

6. **Planning Performance Monitoring**

- 6.1 John Allen introduced the quarterly report advising Members on the performance of the Corporation's Development Control Function. He advised that the number of applications determined within 13 weeks had dropped slightly in the last quarter to 43%.
- 6.2 He added that this figure could drop further in the near future because at the end of the next quarter when annual performance was measured, there would be the loss of a particularly good quarter from the year before. Furthermore, in implementing more Planning Performance Agreements (PPAs) in accordance with Government guidance, there would be fewer applications being measured under the Government's current method of measuring since applications with PPAs that were complied with were not counted positively.

6.3 Dru Vesty asked if a schedule of PPAs including the timescales agreed and whether these are being achieved could be provided. John Allen agreed to provide this information in the next quarterly report.

6.4 The Committee **NOTED** the contents of the report.

7. S106 Planning Obligations Monitoring 2008/2009

7.1 John Allen introduced the annual report advising Members of the S106 agreements that the Corporation has agreed and signed. He drew Members attention to the table in the report which provided details on the contributions received and where the monies have been allocated for spend.

7.2 The Committee **NOTED** the contents of the report.

The meeting concluded at 6.47pm.

Date of next meeting:

Thursday 11 June 2009, 6pm

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

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