

Minutes

London Thames Gateway Development Corporation

Planning Committee Meeting

Thursday 12 November 2009, 6pm

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

Present: Cllr Conor McAuley (Chair)
Malcolm Chumbley
Alan Clark
Neil Deely
Cllr Mick McCarthy
Sylvie Pierce
Richard Turner
Dru Vesty

In attendance: John Allen – Director of Planning
Peter Minoletti – Planning Development Manager
Stephen Allen – Planning Development Officer
Amanda Reid – Planning Development Officer
Angela Flanagan – Committee Clerk
Nigel Hewitson – Norton Rose

1. Apologies, Announcement and Declarations of Interest

- 1.1 There were no apologies.
- 1.2 There were no declarations of interest.

2. Minutes of the Planning Committee Meeting 8 October 2009

LTGDC/09/PC47

- 2.1 The Committee **AGREED** the minutes of the Planning Committee Meeting on 8 October 2009. There were no matters arising.

3. Former Carpetright Site, New Road, Rainham

LTGDC/09/PC48

- 3.1 Peter Minoletti introduced the report. The application sought outline planning permission for up to 11,800m² of D1 education use with ancillary sport facilities, new vehicular access arrangements and parking for up to

200 cars, to accommodate a new campus for Havering College on the former Carpetright site on New Road (A1306) in Rainham, approximately 500metres west of Rainham Village.

- 3.2 An Addendum report was tabled at the meeting, updating Members' on changes to conditions 1, 5 and 15, as well as further information on the specifications of the Mardyke – Fords Dagenham high pressure gas pipeline running along New Road, which overlaps the sports hall element of the scheme.
- 3.3 Peter Minoletti added that Havering College were looking at this site to bring all their campuses together to provide a coherent further and higher education service. The London Borough of Havering were supportive of this development and it was thought it would fit in well with the proposed Dovers Corner scheme on the adjacent site which would help deliver the residential requirement for the area. Should the application be approved it was noted that the health and safety risks surrounding the high pressure gas pipeline running across the northern part of the site would need to be mitigated before commencement of development and the amendment to condition 5 reflected that.
- 3.4 Malcolm Chumbley referred to paragraph 2.11 of the main report, noting that an area of 0.92ha had been excluded from the application area in the north eastern corner of the site for a separate residential led planning application by the Corporation at a later date. He had concerns that the scale and massing of the proposal could limit the use of the reserved 0.92ha. Peter Minoletti responded that the corner had been kept to connect with the future Dovers Corner development which would be residential.
- 3.5 Malcolm Chumbley asked if the Corporation would be reserving rights of light, and who would have ownership of the land. Peter Minoletti confirmed the Corporation would be reserving rights of light as well as leasing the land to Havering College while retaining full ownership.
- 3.6 Sylvie Pierce asked about the rationale for an outline application. Peter Minoletti advised that Havering College needed outline planning permission to enable them to obtain the funding for the proposal.
- 3.7 Neil Deely queried the relationship of the proposed building to New Road. Peter Minoletti explained that the building would be the main entrance to the proposed College. It would also be where the café and sports hall would be situated to facilitate integration with the local community by allowing some public use of the facilities. He drew Members' attention to the indicative layout in the appendices attached to the main report.
- 3.8 Neil Deely asked if there would be an opportunity during the reserved matters application to look at layout again with the architects. Peter Minoletti confirmed yes and this was a key reason for the reservation of details.

- 3.9 Mick McCarthy indicated that he thought New Road was not well served by public transport. Peter Minoletti advised that transport had improved and there were now four bus routes serving the area. He added that the College would not have chosen the site unless it was accessible for their students.
- 3.10 Richard Turner referred to Appendices 2 and 3 attached to the main report, noting that Appendix 2 depicted generous access for deliveries whilst Appendix 3 had not. He asked if Officers were confident that large vehicles would be able to turn around within the site and exit onto the highway in forward gear. Peter Minoletti pointed out that there would be a service yard half way along the delivery entrance route and that swept path diagrams would be required as part of the layout details at reserved matters stage.
- 3.11 The Committee by unanimous vote, **AGREED** to APPROVE subject to:
- 1) The conditions listed at section 11 of the main report (LTGDC/09/PC47), including the changes to conditions 1, 5 and 15 as set out in the Addendum report, to secure the detailed design reserved matters; and
 - 2) The Health and Safety Executive being given notice of the intention to grant outline planning permission and 21 days being allowed from the date of notice to consider whether they wish to request that the Secretary of State call in this application for his determination.

4. Beam Reach 8, Ferry Lane, Rainham

LTGDC/09/PC48

- 4.1 Peter Minoletti introduced the report recommending approval for the reserved matters application by Hamilton Architects Limited in relation to the phased development of one large industrial/warehouse unit within Beam Ream 8. This reserved matters application sought approval of a development proposal within a sub-zone in Zone C called C3A, which forms part of the site covered by an extant outline permission.
- 4.2 An Addendum report was tabled at the meeting providing details of further drawings received from the Applicant. As a consequence the conclusion of Officers was that the proposed 8 cycle parking spaces would be insufficient, and it was suggested a condition be added to increase the number of cycle parking spaces to a minimum of 12. It was also noted that there was an error in the main report which stated that the application was referable to the Mayor of London. Buildings over 25m are referable to the Mayor of London, however the height of this development is 22.07m high and would therefore not be referred.
- 4.3 Malcolm Chumbley indicated he had visited the site and queried if there was sufficient parking as he had noted that vehicles were parking on the road. He thought that there could be parking problems on the proposed new access road. Amanda Reid responded that the new road is currently incomplete, and that the London Borough of Havering would be

responsible for yellow lines and enforcement as highway authority. In addition, the site is to be operated in accordance with the approved Travel Plan as required by the S106.

- 4.4 Richard Turner asked if Officers were confident about the servicing arrangements for the units and that HGV's could safely manoeuvre and exit in forward gear. Peter Minoletti answered that Easter Properties were the main developers and would ensure the correct arrangements were in place to ensure they are able to let the units.
- 4.5 The Committee by unanimous vote, **AGREED** to delegate authority to the Director of Planning to APPROVE the subject reserved matters application, including the updated ES chapters, subject to conditions (and informatives) as set out in section 9 of the main report (LTGDC/09/PC48) and the additional condition as set out in the Addendum report, together with any amendments or additions that he considers necessary.

5. **Former Site of the Lintons, Linton Road, Barking**

LTGDC/09/PC49

- 5.1 Peter Minoletti introduced the report. The application had been submitted by the London Borough of Barking and Dagenham on behalf of the embryonic Barking and Dagenham Local Housing Company (LHC). The proposal sought planning permission for the redevelopment of the eastern part of the former Lintons Estate, also known as "William Street Quarter", to provide 31x 3 and 4 bedroom family houses with private gardens. The application also included public realm and access routes, and a service building accommodation, an electricity sub station and a communal boiler. This would be the first phase of the redevelopment of the former Estate. Later phases would be subject to separate applications.
- 5.2 Peter Minoletti drew attention to the Addendum report informing Members the Applicant had recently submitted a viability assessment report indicating they could not afford the £186,000 tariff payment. Officers were not convinced by the argument on the basis of the report. Discussions with the Applicant would continue and if it were concluded that the Applicant cannot afford the tariff payment then the application would be referred back to the Planning Committee.
- 5.3 Peter Minoletti added that the site had been cleared for sometime and funding from the Homes and Community Agency had been secured. The redevelopment helps address the need for family housing in the area and would link in well to the existing population and primary school.
- 5.4 Malcolm Chumbley queried the size of the gardens as he thought they were small. He also asked if the design could show some imagination rather than all the doors and windows being the same. Peter Minoletti responded that the Housing Association who will take on the project were satisfied with the garden provision. He pointed out that as part of the masterplan for the area there would also be a large central play area for children. With regard to the doors and windows, Peter Minoletti, indicated

that as it was a short terrace that a uniform design was most likely thought most appropriate.

- 5.5 Neil Deely added that he thought if there were different designs for the houses it could break up the street too much and therefore not be representative of a street. He said he was aware of the architects' good reputation and that he thought they were trying to achieve a 'Georgian town house' feel and he had confidence that the design could look good.
- 5.6 Malcolm Chumbley questioned the parking provision being outside of the houses. Peter Minoletti said that the parking spaces would be on the street, but that 1 to 1 parking would not be provided. There would be 15% parking with some blue badge spaces.
- 5.7 Malcolm Chumbley queried why the third disabled parking space was situated towards the end of the street and not near any of the houses. Peter Minoletti noted the point raised and said he would go back to the Applicant and ask for the parking spaces to be rearranged.
- 5.8 Neil Deely asked about the interior layout of the terraced houses as he thought the ground floor was small with a narrow frontage. Peter Minoletti responded that the 3 bed, 5 person house interiors would be a minimum of 87.5sqm, with the kitchen, diner, living room as well as a shower room downstairs and 3 bedrooms upstairs. The 4 bed houses which would be a minimum of 118sqm had a similar arrangement.
- 5.9 Neil Deely asked if the housing association were happy with the layouts. Peter Minoletti advised that the layouts had been amended twice and confirmed the housing association were now satisfied.
- 5.10 Neil Deely thought the through kitchen/living room areas could potentially be socially problematic, and in particular there would be a lack of facilities for separate activities away from other occupants such as children doing homework. Peter Minoletti advised that there had been discussions with the Borough Officers and reiterated that the housing association were satisfied with the layouts.
- 5.11 The Committee by unanimous vote, **AGREED** to delegate to the Director of Planning to APPROVE subject to;
 - 1) The conditions listed in section 11 of the main report (LTGDC/09/PC49) with any amendment that might be necessary up to the issue of the decision; and
 - 2) The completion of a S106 Agreement securing compliance with the requirements of the Community Benefit Strategy; affordable housing; play space provision; securing the establishment of local labour and business agreements; a connection to the Barking Power Scheme; all as outlined in paragraph 8.10 in the main report (LTGDC/09/PC49).

6. S106 Planning Obligations Monitoring Quarterly Report

LTGDC/09/PC50

6.1 John Allen introduced the regular quarterly update report. He advised that the Corporation was currently carrying out a consultation of their S106 Planning Obligations Strategy with developers and partners with a view to implementing some slight revisions. The revisions would not affect the cost per unit in the Lower Lea Valley (£10,000) and London Riverside (£6,000) areas, but was aimed at variations for recapturing the discount. It was anticipated that the outcome of the consultation would be reported to the Corporation's Board meeting around February or March 2010.

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

7. Planning Performance Monitoring Quarterly Report

LTGDC/09/PC51

7.1 John Allen introduced the regular quarterly update report. He drew Members' attention to page 6 of the report in particular the graph which depicted the Corporation had determined 37% of its planning applications within the 13 week deadline. It was noted that if CLG included Planning Performance Agreements under their current method of measurement then the realised figure for the Corporation would be 48%.

7.2 Dru Vesty indicated her dissatisfaction with the Corporation's performance and how it had been set up i.e. relying on the Boroughs' Planning Officers to carry out the work. She recalled that John Allen had previously negotiated new arrangements with the Boroughs but did not think that it had helped to improve performance. John Allen reminded Members that he had indicated that the new arrangements would help the Corporation to achieve a performance rating of around 50%, which he felt was broadly being achieved.

7.3 John Allen added that there were some issues surrounding the delay in S106 Agreements being signed within a reasonable timeframe. The Corporation cannot compel parties to sign. For example, the Corporation had completed the S106 Agreement relating to Beckton STW some time ago which had now been with Thames Water for several weeks waiting to be signed.

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

8. Report on 'Panels Plus' Appeal Decision

LTGDC/09/PC52

8.1 John Allen introduced the report which updated Members' on an Appeal outcome which demonstrated that the Corporation had successfully defended its use of planning conditions.

8.2 Stephen Allen reported that following granting planning permission in April of 2009, subject to conditions for the change of use to Recycling of Lead-Acid Cased batteries and Spent Catalysts at the former 'Panels Plus' site

in the Mudlands Industrial Estate in Rainham, the Applicant subsequently lodged an Appeal in June 2009. The Appeal related to four of the conditions, namely the time limitation of 5 years on the permission and the requirement for details of drainage, noise insulation and contamination mitigation.

- 8.3 The Corporation had provided the argument that despite the application being contrary to the policy context of the area, the application should be approved subject to a condition limiting the life of the permission, among other conditions, so that the implications of the use could be reassessed in five years time. The appellant's argument centred on the financial implications of the conditions and the lack of any assurance that the permission would be renewed in five years time. The Inspector found in favour of the Corporation and dismissed the Appeal.
- 8.4 Malcolm Chumbley asked if the Applicant was on site when they appealed. Stephen Allen advised they were not; they were prospective buyers.
- 8.5 The Committee **NOTED** the contents of the report.

The meeting concluded at 6.36pm.

Date of next meeting:

Thursday 10 December 2009, 6pm

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