



## Minutes

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### London Thames Gateway Development Corporation

#### Planning Committee Meeting

Thursday 09 September 2010, 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  
Dru Vesty

**In Attendance:** John Allen (Director of Planning)  
Amanda Reid (Planning Development Officer)  
Nigel Hewitson (Norton Rose)  
Angela Flanagan (Committee Clerk)

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

- 1.1 Apologies were received from Sylvie Pierce and Richard Turner.
- 1.2 There were no declarations of interest.

#### 2. **Minutes of the Planning Committee Meeting on 12 August 2010**

*LTGDC/10/PC41*

- 2.1 The Committee **AGREED** the minutes of the Planning Committee Meeting on 12 August 2010. There were no matters arising.

#### 3. **Land adjacent to Jenkins Lane, Barking IG11**

*LTGDC/10/PC42*

- 3.1 Amanda Reid introduced the application which sought outline permission (with all matters reserved) for the development of no more than 15,000m<sup>2</sup> of floorspace comprising Use Class B2 and B8 accommodation with ancillary office (Use Class B1(a) and a car showroom (Sui Generis Use Class), with associated vehicle parking, access and works in a landscaped setting.

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- 3.2 An Addendum Report outlining a number of representations received was tabled at the meeting. The officer summarised the report, advising of additions, amendments and deletions to the draft conditions to reflect the representations.
- 3.3 The Committee posed questions to the officer:-
- 3.3.1 It was questioned if it was feasible to impose a condition that requires the development to achieve a BREEAM rating of 'excellent' (para 3.6 and 3.7 in the Addendum Report). The officer responded that the applicant's own submission documents had specified the BREEAM rating. Nigel Hewitson added that a similar condition had been imposed for the Newsfax, Beam Reach 5 application.
- 3.3.2 More details were requested in relation to the proposed amendments to Condition 3. The officer responded that the applicant had requested that the wording be amended to make clearer which documents would be principles and which parameters. It was noted that the Design Code and Design and Access Code would be used as principle documents (i.e. aspirational) and the Development Specification and Parameters Plan would be prescriptive.
- 3.4 The Committee resolved to **GRANT** outline planning permission in respect of the site subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and other relevant legislation, subject to the recommendations (outlined in section 10 of the main report) and conditions (outlined in section 11 of the main report and the addendum report).
- 3.5 The Committee confirmed that they had taken into account the environmental information as required by Regulation 3 (2) of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and that they were satisfied that the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 were met in relation to the agreed S106 contributions.
- 4. Update Report: Planning Obligations and Community Infrastructure Levy (CIL)** *LTGDC/10/PC43*
- 4.1 John Allen introduced the report which provided the Committee with an update on the Corporation's recent consultation of the Planning Obligations Community Benefit Strategy Review and an overview of the CIL and its impact on the Corporation's tariff.
- 4.2 The Committee **NOTED** the contents of the report.

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The meeting concluded at 6.18pm.

**Date of next meeting:**

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### London Thames Gateway Development Corporation

#### Extraordinary Planning Committee Meeting

Tuesday 28 September 2010, 5pm

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

**Present:** Cllr Conor McAuley – Chair  
Alan Clark  
Neil Deely  
Sylvie Pierce (arrived 5.03pm)  
Richard Turner  
Dru Vesty

**In Attendance:** Peter Minoletti (Planning Development Manager)  
Will Steadman (Planning Development Officer)  
Nigel Hewitson (Norton Rose)  
Angela Flanagan (Committee Clerk)

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

- 1.1 Apologies were received from Malcolm Chumbley and Cllr Mick McCarthy. Apologies for lateness were received from Sylvie Pierce.
- 1.2 There were no declarations of interest.

#### 2. Land West of Hindmans Way including part of Hindmans Way

LTGDC/10/PC44

- 2.1 David Harley, Economic Development Manager at the London Borough of Barking and Dagenham, spoke against the application. The Borough's objection related to the proposed use for B8 open storage on land reserved primarily for B1/B2 uses associated with the creation of the London Sustainable Industries Park (LSIP) at Dagenham Dock. The proposed use of the site as a scaffolding yard occupied by Trad Scaffolding, is not a green industry, does not deliver the Borough's vision to create an LSIP in Dagenham Dock and is contrary to LDF policies encouraging B1/B2 use and restricting B8 uses at the LSIP. The LSIP is a

regeneration priority of the Borough and it is working with the Corporation to deliver its objectives. Mr Harley stated that storage uses should be located on other designated industrial land within the Borough and that the highway improvements to Hindmans Way could be funded by the use of the site by a green industry. Mr Harley concluded that the Borough did not consider there to be any justification to depart from its adopted LDF Core Strategy.

2.2 The Committee was invited to ask Mr Harley questions:

2.2.1 In response to whether there was any prospective green industry tenants for the application site, Mr Harley said that as the land is not owned by the Borough, he was unaware of developer interest in the site. He also commented that LTGDC, as landowner, could influence the phasing of land identified for LSIP uses

2.2.2 When asked if the Borough could suggest alternative sites for Trad Scaffolding, Mr Harley responded that whilst he had had a 45min discussion with the agent, the Borough does not own any industrial land. He stressed that while the Borough is not opposed to the principle of the storage use relocating to the Borough; it opposed the relocation of the scaffolding yard to a site within the LSIP.

2.2.3 Mr Harley confirmed that the site to the north of the application site was used for liquid storage; however, he reiterated that LTGDC had purchased land in the Dagenham Dock area to stop B8 use and to enable a focus on green industry.

2.3 Cathy Hall from GL Hearn (agents acting on behalf of Tesco) spoke in favour of the application. Ms Hall said that if the Committee was minded to grant permission for this application it would not prejudice the Borough's policy. The application would bring significant benefits to the area: a thriving business which would bring into immediate beneficial use which is currently occupied by low grade industrial uses or vacant; provide high levels of employment (300 jobs), as well as provide early improvements to the surrounding roads. Ms Hall added that the site is remote from the core LSIP, and the proposed road improvements would help improve access.

2.4 The Committee was invited to ask Ms Hall questions, and in response to whether Tesco had suggested any other alternative sites to Trad Scaffolding Ms Hall confirmed 15 other sites had been considered.

2.5 Peter Minoletti introduced the application, by Tesco Stores Ltd, for open storage use with ancillary offices and parking provision on a site owned by the London Thames Gateway Development Corporation (LTGDC) and forming part of the London Sustainable Industries Park. An Addendum Report that updated the Committee on comments received from the Environment Agency and English Heritage, recommended additional conditions to address those responses, an assessment of compliance with the relevant policy of the Borough's LDF Core Strategy and the proposed

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S106 heads of terms, was tabled at the meeting. Drawing attention to condition 4.4.b in the addendum report the officer proposed to amend the wording.

- 2.6 The potential occupier of the site would be Trad Scaffolding Ltd, whose current site at Bromley by Bow is subject to a CPO being pursued by LTGDC. The application site is currently vacant, and the proposals include the upgrading of 130m of Hindmans Way to adoptable standards to the benefit of other businesses as well as the site itself. The application reserves appearance, landscaping, layout and scale for later determination whilst permission for land use, means of access and height and footprint parameters for the office accommodation is sought. Attention was drawn to the consultation responses detailed in the main report and addendum report. It was noted that, apart from LBBD's objection, other consultation responses had either raised no objection or their comments had been dealt with via the proposed conditions. It was also noted that two significant local businesses – OYO and TDG – were supportive of the application. Addressing the Borough's concerns, the officer pointed out that whilst the application site is within the LSIP, it lies within the final phases of the park and is quite separate and not visible from the main parts of the park. Whilst it was acknowledged that the relevant LDF policy provided that B8 storage uses would normally be refused within the LSIP, officers felt that there were sufficient planning benefits associated with relocating Trad to this site, as set out in the report, to outweigh the policy objection.
- 2.7 The Committee discussed the proposed amendment to condition 4.4.b in the addendum report and were of the view that the proposed amendment could potentially lead to the occupation of the site being prevented if improvements to local bus services had not been implemented before the site was ready for use.
- 2.8 In response to questions from the Committee, the officer confirmed that if the Committee was minded to approve this particular application it would be personal to Trad Scaffolding. The officer was of the opinion that granting permission would not set a precedent, as any other proposals would be subject to a new application which would then be judged on its individual merits. The officer was also asked about the appropriateness of this site given the earlier comments from both Ms Hall and Mr Harley as to consideration being given to other sites in the area. The officer responded that the application site was deliverable given that most of it was owned by the Corporation and the Corporation had funding to deliver it.
- 2.9 As the business of Trad Scaffolding is not inherently sustainable, the Committee requested that condition 14 be amended to include a requirement for the design of any buildings to achieve a minimum 'very good' BREEAM rating.
- 2.10 The Committee by unanimous vote **AGREED** to give delegated authority to the Planning Development Manager to **GRANT** planning permission,

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subject to the above amendment to condition 14 and the retention of the original wording of condition 4.4.b (in the addendum report), including any such changes that fall within the scheme of delegation, subject to:

1. Advising the Planning Committee of any objections received before the 11 October 2010 which raise new material considerations not assessed within the Committee Report; and
2. The planning conditions set out at section 12 of the Committee Report as well as any amendments/additions set out in the addendum report.

The meeting concluded at 5.37pm.

**Date of next meeting:**

Thursday 11 November 2010, 6pm  
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