

## Minutes

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### London Thames Gateway Development Corporation

#### Planning Committee Meeting

Thursday 11 November 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  
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)  
Nigel Hewitson (Norton Rose)  
Angela Flanagan (Committee Clerk)

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

- 1.1 There were no apologies or declarations of interest.
- 1.2 As one of the speakers for Item 3 (24 Salamons Way, Rainham) had been delayed in traffic the Committee agreed to defer the item until later in the meeting.

#### 2. Minutes of the Planning Committee Meetings

*LTGDC/10/PC45 & LTGDC/10/PC46*

- 2.1 The Committee **AGREED** the minutes of the Planning Committee Meeting on 09 September 2010. There were no matters arising.
- 2.2 The Committee **AGREED** the minutes of the Extraordinary Planning Committee Meeting on 28 September 2010. There were no matters arising.

**3. Units 1-6 and 8-12 Beam Reach Business Park, Consul Avenue,  
Rainham**

*LTGDC/10/PC48*

- 3.1 Glenn Underwood spoke, on behalf of Freight on Rail, against the application. Whilst not opposed to the principle of the development, Freight on Rail's objection related to the lack of provision for a rail link through the site to a possible future rail freight interchange accessible from High Speed One (HS1) on the nearby Ford Site. Mr Underwood outlined the benefits of rail freight and stressed that a small corridor for HS1 access needed to be protected. He appealed to the Committee to add a condition to the planning permission to ensure Tesco reserve land for HS1.
- 3.2 In response to questions from the Committee, Mr Underwood said that HS1 had not made any objections or representations against this application. When asked if any rail freight operators were interested in the site, Mr Underwood responded that DWS had previously expressed some interest but this had not come to fruition. He added that this site was the only site in the area which would be suitable for HS1 and should have strong commercial consideration.
- 3.3 Roger McFarland, Head of Regeneration, Policy and Planning at the London Borough of Havering spoke in favour of the application. He pointed out that the London Plan and the Borough's Local Development Framework allocate the Beam Reach site for employment use. Beam Reach is, he said, the best strategic employment opportunity in the area. Mr McFarland drew attention to the benefits the Tesco scheme would have locally – training and 1200 jobs – if the application were granted permission.
- 3.4 Tina Khakee, Associate Director, Savills (agent for the applicant), also spoke in favour of the application, specifically addressing the rail freight issue raised by Mr Underwood. Ms Khakee stated there were currently no specific development plans, proposals or funding allocated for a HS1 rail freight interchange in this location. However Spen Hill (the applicant) would commit to continuing discussion with TfL. She added that if plans for a rail link became clearer, and access via the Beam Reach site was required then Spen Hill would consider relocating its maintenance building and parking facilities. Ms Khakee requested that the Committee grant planning permission as the application stands.
- 3.5 In response to a question about whether the applicant, if granted planning permission, would continue discussions with TfL, Ms Khakee assured the Committee that the applicant would. She stressed that there is no reason to delay the Tesco proposal for a tentative suggestion of a rail freight interchange which has no funding, operator or policy support, when the proposal before the Committee is a viable scheme.
- 3.6 Peter Minoletti introduced the hybrid application (part outline planning permission – for four buildings to be used for either B1c, B2 or B8 and parking/servicing – and part full planning permission for the proposed

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Regional Distribution Centre (RDC) for Tesco with an associated processing facility, parking, vehicle maintenance unit and landscaping) for the redevelopment of plots at Beam Reach 5 Business Park, Rainham. An Addendum Report was tabled at the meeting, which provided an update on a representation from the local BID, outstanding comments from the Environment Agency and the inclusion of an additional condition for both the detailed and outline aspects of the scheme regarding the replacement within 5 years of any landscaping if necessary.

- 3.7 The Committee sought clarification of where the rail freight link would possibly be allocated on the site. Peter Minoletti explained that Ford has a link on its site, but that a direct route into the Ford site would be problematic. Therefore TfL has suggested a link be created along the western boundary of the site. TfL had suggested that an 8m wide strip would be sufficient, but, the precise amount of land required was unknown because no firm proposals had been worked up. As such the proposal was, at this stage, merely aspirational as there were currently no firm proposals, funding or operator. It is also unknown whether Ford would be interested and make land available. He also advised that legal advice had been sought on the use of a condition to safeguard land for a freight link but that such a condition was considered to be inappropriate.
- 3.8 The Committee discussed the application and questions were posed to the officer whose responses included:
- Confirmation that HS1 were included in the consultation process.
  - Confirmation that the number of car parking spaces was due to the proposed large employment for the site. It would be a 24 hour operation with 3 shifts, some of which would start/end when public transport would not be running.
  - A proposal that Spen Hill be asked to accommodate house martins in its proposals to enhance the local wildlife.
- 3.9 In response to a query as to whether the Committee could disregard TfL's comments on reserving land for a rail freight link, Nigel Hewitson advised that it was a matter for the Committee how much weight they place on each consideration. As there was no policy, proposal or funding for a rail freight interchange it was entirely proper for the Committee to attach little or no weight to it.
- 3.10 The Committee **AGREED** to give delegated authority to the Director of Planning to grant part full and part outline planning permission subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and other relevant legislation securing the matters set out in paragraph 10 of the main report (LTGDC/10/PC48) and the conditions (including the additional condition as detailed in the Addendum Report) and informatives listed in paragraph 11 and 12 of the main report, together with any amendments or additional that he considers

necessary after the proposals have been considered by the Mayor of London.

**4. 24 Salamons Way, Off Ferry Lane South, Rainham** *LTGDC/10/PC47*

- 4.1 Cllr David Durant, LB Havering, spoke against the application. He requested that the application for a permanent license (permission) be refused for the following reasons: the transfer station has successfully operated its business with a temporary license; a permanent license would attract similar industries and undermine the regeneration plans for the area; the LB Havering did not consult the Havering Council Rainham Compass regeneration team; and at the LB Havering's Regulatory Services Committee on 9 September planning officers said the grant of a further temporary license would be acceptable but a decision for LTGDC. Cllr Durant concluded that it would be a gracious gesture for the Committee to reject the application before the outcome of the Dovers Corner Public Inquiry.
- 4.2 Cllr Jeffrey Tucker, LB Havering, also spoke against the application. He said that a temporary license would not stop the transfer station trading. Cllr Tucker said that high grade quality industries are wanted for Rainham, and he pleaded on behalf of the Rainham residents that a permanent license not be granted.
- 4.3 In response to a question from the Committee as to whether the Councillors were aware of any breaches of the temporary permission, Cllrs Durant and Tucker confirmed they were not aware of any and that the transfer station was operating successfully. They reiterated their belief that the granting of a permanent permission would attract low grade industries which they felt would have a negative impact on the area.
- 4.4 A representative from Adler and Allan (the applicant) spoke in favour of the application. He said the transfer station has operated successfully on a temporary permission. However a permanent permission is required to allow for investment and improvements to be made to the business. The transfer station provides employment for 27 people, and is fully endorsed by the Environment Agency who, along with Thames Water, carries out regular checks. He appealed to the Committee to grant permission for a permanent license.
- 4.5 The Committee asked the representative from Adler and Allan questions and the responses included:
- It was advised that the investment to the business would be for new equipment to test the waste as well as general tidying up of the site, including moving some fencing.
  - It was confirmed that the transfer station separates waste, treats it, repackages and then sends it on. The waste comes from London, Kent and Sussex. The Adler and Allan representative added that the

Environment Agency uses their 24hour emergency call out service to safely remove any fly tipping.

- 4.6 Peter Minoletti introduced the application for permanent planning permission for a licensed hazardous waste transfer station at Salamons Way. The applicants seek permanent permission to enable them to significantly upgrade the laboratory facilities and storage arrangements within the site. The proposal is in line with GLA policies and the general policy within the draft Joint Waste DPD prepare by the LB Havering. The Borough's Regulatory Services Committee had raised no objections to the scheme subject to various conditions. In response to Cllrs Durant and Tucker's objection, Peter Minoletti said that a number of objections had been received from Rainham residents, which mainly suggested that, if permanent permission is granted, other similar activities would be attracted to the area to the detriment of high grade uses and riverside leisure activities. Members were reminded that any proposals before them had to be assessed on their merits and it was not considered that granting planning permission would create a precedent for similar activities which might be proposed.
- 4.7 The Committee discussed the application. Reference was made to paragraph 10.2 in the main report, which says that a 5 year temporary permission was granted so as not to jeopardise the regeneration of the area and it was asked what had changed. The officer responded that no definite regeneration proposals for the site have come forward and, given the isolation of the site and how the applicants operate, refusal of permanent permission would not be justified. The officer also confirmed that the LTGDC is a consultee for the Borough's Joint Waste DPD (paragraph 9.5 refers) adding that policy W5 was a reasonable policy by which to judge the site's standards.
- 4.8 The Committee **AGREED** to grant planning permission subject to the draft conditions listed in paragraph 11 of the main report (LTGDC/10/PC47).
- 5. Land at Salway Road and Great Eastern Road, Stratford LTGDC/10/PC49**
- 5.1 Peter Minoletti introduced the joint application from Birkbeck University and the University of East London for full planning permission for the erection of a five storey building to provide 8,596m<sup>2</sup> of new academic floorspace to be used for higher education purpose. Attention was drawn to paragraph 9.131 in the main report and an update provided on the figures required in the heads of terms - £8,000 would be required for the implementation of loading and unloading restrictions along Salway Road and Salway Place, £3,500 required for the Section 247 agreement and £4,000 required for the traffic regulation order.
- 5.2 The Committee discussed the application. Concern was expressed at the complexity of the servicing arrangements for the site and it was requested that condition 10 be amended so that the service plan is agreed prior to the commencement of any building work. Nick Small, GL Hearn (the

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agent) was invited to respond to this request. He advised that there had been lots of discussion with LB Newham's Highway Officers on the servicing arrangements and a workable solution had been found, but said they were agreeable to the amendment to condition 10. A question was asked about how the building and its frontages would operate in the evening given its location near to night time activities such as the cinema and theatre. The officer responded that there would be a cafeteria on the south elevation which would also be opened to the public. The frontage on Salway Road would be solid, but there would be a large lighted area at the corner of Salway Road, and the building would be open until 10pm for evening classes.

- 5.3 The Committee **AGREED** to delegate authority to the Director of Planning to grant full planning permission subject to the conditions (including the amendment to condition 10) and informatives listed in the main report (LTGDC/10/PC49), together with any amendments or additions that he considers necessary and subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) and other relevant legislation securing the matters set out in paragraph 9.131 of the report.

**6. Planning Performance Monitoring Quarterly Report** *LTGDC/10/PC50*

6.1 John Allen introduced the quarterly report of the Corporation performance of its development control function.

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

**7. S106 Monitoring Quarterly Report** *LTGDC/10/PC51*

7.1 John Allen introduced the quarterly update on the Section 106 agreements the Corporation has agreed and signed in the second quarter of 2010/11.

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

The meeting concluded at 7.22pm.

**Date of next meeting:**

Thursday 09 December 2010, 6pm  
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