



Minutes of the Meeting of the London Legacy Development Corporation Planning Decisions Committee

Date: Tuesday 24 July 2018
Time: 6.00 pm
Venue: Rooms 1, 2 & 3, LLDC, Level 10, 1 Stratford Place, Montfichet Road, London E20 1EJ

PRESENT:

Philip Lewis (Chair)
Pam Alexander OBE
Sukhvinder Kaur-Stubbs
Councillor Terry Wheeler
Councillor James Beckles
Emma Davies MRICS
James Fennell MRTPI MRICS
Piers Gough CBE RA
Councillor Nick Sharman
Councillor Rachel Tripp

IN ATTENDANCE:

Anthony Hollingsworth, Director of Planning Policy and Decisions, LLDC
Catherine Smyth, Head of Development Management, LLDC
Zena Hassan, Assistant Committee Secretary, LLDC
Anne Ogundiya, Senior Planning Decisions Manager, LLDC
Josh Hackner, Planning Development Manager
Russell Butchers, Senior Planning Development Manager
Susanne Andreasen, Legal Advisor, Pinsent Masons
Jamie Mordue, Committee Secretary, GLA

1 Updates, Order of Business and Requests to Speak (Item 1)

- 1.1 The Chair stated that there was an update report for Item 8 – IQL Pavilion 18/00252/REM.
- 1.2 The Chair stated that Item 6 – Marshgate 17/00669/VAR had been withdrawn from the agenda. The item would be heard at a future Committee meeting.
- 1.3 The Chair stated that the following requests to speak had been received:
 - Item 9 – 11 Burford Road 18/00293/REM

In support of Officers' recommendation:
Oliver Coleman (Rolf Judd Architects)

Objecting to Officers' recommendation:
Janet Sullivan (local resident)

2 Apologies for Absence (Item 2)

- 2.2 Apologies for absence were received from Councillor Rachel Blake, Councillor Jenny Gray, Councillor Dan Tomlinson and Louise Wyman MRICS MLA.

3 Declarations of Interest (Item 3)

- 3.1 The Committee received the report of the Director of Planning Policy and Decisions which set out, for the purposes of transparency, where a Member of the Committee was an elected Member of a Host Borough to which a planning application and/or other related matters were to be dealt with at the meeting.
- 3.2 **Resolved (unanimously):**
 - 3.2.1 **That the following declarations of interest be noted:**

Councillor James Beckles, London Borough of Newham, Elected Member (item 7 – Meridian Steps advert – 18/00225/ADV, item 8 – IQL Pavilion – 18/00252/REM and item 9 – 11 Burford Road – 18/00293/FUL)

Councillor Rachel Tripp, London Borough of Newham, Elected Member (item 7 – Meridian Steps advert – 18/00225/ADV, item 8 – IQL Pavilion – 18/00252/REM and item 9 – 11 Burford Road – 18/00293/FUL)

4 Minutes of the Previous Meeting held on 22 May 2018 (Item 4)

4.1 The Committee received the minutes of the Planning Decisions Committee meeting held on 22 May 2018.

4.2 Resolved:

4.2.1 That the minutes of the Committee meeting held on 22 May 2018 be signed as a correct record.

5 Clarnico Quay 18/00171/FUL (Item 5)

5.1 The Committee received the report of the Principal Planning Development Manager. A presentation was also provided.

5.2 The Committee was told that the applicant sought planning permission for the construction of five buildings between two and three storeys. It was envisaged that the buildings would be in place for seven years. The plans would provide: 776sqm of class B1 floor space; 131sqm of class B1/A1 floorspace; 417sqm of class A1/A3/A4 floor space; 37sqm of class D1 floorspace. An area for pop-up shops, food hall and market stalls would also provide 490sqm of class A1/A3/A4 floorspace. The proposals also included a mobile garden and associated landscape, cycle parking, five accessible parking bays and parking. The permission would cease on 25 September 2025 and the site would be reinstated within three months.

5.3 The Committee noted that the application was submitted by Make Shift East Wick & Sweetwater Projects and LLDC. The proposals did not adversely affect delivery of the Legacy Communities Scheme (LCS) development at the site.

5.4 The buildings on site would contain:

- a) A bar, community hall and restaurant;
- b) A pop up food-hall;
- c) Flexible event space and a bar;
- d) Workshops and a yard for spill out maker spaces; and
- e) Further maker/retail space, a café and offices.

The workshop would be finished in charred timber board. All other buildings would be finished in corrugated metal.

- 5.5 Officers told the Committee that a Thames Water service road had meant there was a limited build area.
- 5.6 The Committee heard that 337 neighbour notification letters were sent to surrounding residents, businesses and local interest groups and the application was advertised in the Hackney Today newspaper in April 2018. Four site notices were placed around the site on 13 April. No objections had been received and the scheme had received support from a local business and a local resident.
- 5.7 Members stated that the public consultation in the local community was exemplary and asked how the applicant intended to ensure that tenants give back to the community. The applicants told the Committee that they typically had a social contract with tenants that required tenants to give one hour per week to a local initiative and gave an example of teaching school children how to cook pizza. LLDC would include within the condition relating to the requirement for the submission of a commercial unit and affordable rent strategy a requirement to set out the allocation of hours for community benefits. Officers explained that the reason this was recommended to be via condition and not to have a s.106 legal agreement, was that the permission would be temporary, and LLDC as joint applicant and landowner would have, via the lease, a management agreement in place between the applicant (Make Shift) and LLDC, which also includes the requirement to provide community benefits.
- 5.8 The Committee was told that the mobile garden would be moved from its current site at Chobham and it would be managed as it has been previously. The remainder of the site would be used to provide staircasing for local businesses.
- 5.9 To ensure local resident, schools and businesses were not adversely affected, dust created in the construction of the site would be managed through the application of the LCS code of conduct, which contained dust reduction measures. This would be secured in condition four.
- 5.10 The Committee noted that the proposal included platform lifts, which would ensure that the site was fully accessible.
- 5.11 Officers told the Committee that Makeshift was a hands-on operator and a site management plan, including stewardship of the site, was to be drawn up. The application had the added benefit of LLDC being a joint applicant and this would ensure strong site management.

5.12 One member commented that with the publication of a new National Planning Policy Framework earlier that day, that for each application, if agreed as per the recommendation, that powers should be delegated to the Director of PPDT to consider any implications from this new policy framework for each proposal prior to the issue of decision notices. The Director of PPDT acknowledged that it was unlikely that there would be any material change in policy which would affect the recommendations, but agreed that this should be undertaken for each application on the agenda.

5.13 **Resolved (unanimously):**

5.12.1 To APPROVE the application 18/00171/FUL for the reasons given in the report and grant full planning permission subject to the conditions set out in this report.

5.12.2 To DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to approve the application subject to the conditions and informatives set out in section 13 of the report including refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.

6 Land at Marshgate Lane 17/00669/VAR (Item 6)

6.1 The Committee noted that the item was withdrawn from this agenda and would come before the Committee on a future date.

7 Meridian Square 18/000225/ADV (Item 7)

7.1 The Committee received the report of the Principal Planning Development Manager. A presentation was also provided.

7.2 The Committee was told that the applicant sought planning permission for an internally illuminated digital media screen, which would be affixed to the south-western elevation of the proposed 18 storey Westfield office block. The media screen would replace the existing, standalone media screen and would be of largely the same dimensions. The existing screen would remain in place until the new office development is completed.

7.3 Members were shown the site location and CGI drawings of what the media screen would look like, which contained comparisons to the existing media screen. The screen would emit light at 300cd/sqm luminance levels and would include moving images. The media screen would be used for general commercial advertising and it would emit no sound.

- 7.4 The Committee noted that four site notices were placed in various locations within the vicinity of the site in May 2018. No responses had been received.
- 7.5 Members were told that the content of the advertisements could not be controlled by LLDC as it was not a planning matter, but that relevant legislation would apply to control what could be advertised.
- 7.6 **Resolved (unanimously)**
- 7.6.1 **To GRANT advertisement consent for the application ref 18/00225/ADV for the reasons given in the report subject to the conditions set out at section 13 of this report.**
- 7.6.2 **To DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.**

8 The Pavilion, Endeavour Square 18/00252/REM (Item 8)

- 8.1 The Committee received the updated report of the Planning Development Executive. A presentation was also provided. The Committee noted the updates to conditions 1,3,4,5 and 6, and to the recommendation.
- 8.2 The Committee was told that the applicant had submitted a reserved matters application, which sought approval for a 1,343sqm, part two, part three storey building for complementary retail with basement plant room and accessible roof. The ground floor would also incorporate a visitor centre. The proposals were in conformity with the parameters described in the Outline Consent, s.106 agreement and Zonal Masterplan for Zone 2.
- 8.3 Members noted that four site notices were placed around the application site and that a public notice was placed in the Newham Recorder in May 2018. No objections had been received. The scheme was presented to the Quality Review Panel in July 2017 and February 2018.
- 8.4 Members welcomed that the building would encourage entry and the use of the rooftop but stated that it was essential that the finish was of a high quality, particularly where glass panels met wood. The wood would be specially treated so that it had durability but the applicants acknowledged that the building would naturally wear over time and that life

cycle works would be necessary. It was agreed with members that the details submitted pursuant to condition 4 (Detailed Drawings) would be checked either by the LLDC design team or by the Quality Review Panel as appropriate.

8.5 The Committee asked how the applicant would ensure that the Pavilion was continually in use. Members were told that the building was central to place creation in the International Quarter (IQL) and being in use throughout the day was essential. It was envisaged that there would be spill out furniture and the roof top facilities could change throughout the year. Partnerships with organisations on the East Bank were also being explored.

8.6 The visitor centre would take on the function of the existing welcome centre and operate during the same hours. The restaurants would likely open between 8am and midnight, and the shops would likely operate within usual retail hours. Public toilets would be located on the roof top, which was accessed by stairs or by a lift, and the ground and first floor would have toilets within the outlets. An accessible toilet was also on the ground floor.

8.7 Members stated that it was essential to work with partners and Park management to effectively manage the building on football game days.

8.8 Resolved (unanimously):

8.8.1 To APPROVE the application for the approval of reserved matters pursuant to conditions B1, B8 and B9 attached to the Outline Consent comprising details of layout, scale, appearance, access and landscaping of the IQL Pavilion, comprising a part two, part three storey building for complementary retail (Use Classes A1-A5) with associated works.

8.8.2 To DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to finalise the recommended conditions as set out in the committee and update report including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers reasonably necessary.

9 11 Burford Road 18/00293/FUL (Item 9)

9.1 The Committee received the report of the Senior Planning Development Executive. A presentation was also provided.

9.2 The Committee noted that the application sought permission for alterations and extensions to an existing commercial building, including the demolition of the existing

fourth floor, the erection of a two-storey extension, and the installation of plant equipment and an acoustic screen. Officers told the Committee that an application for the erection of a three-storey extension at roof level was refused by Committee in March 2018.

- 9.3 On the ground floor it was proposed that 12 car parking spaces be removed and a cycle parking area would be incorporated. The floorspace would change from class A1 and A2 to B1. The alterations on the ground floor had previously been approved under planning application 17/00368/FUL.
- 9.4 Members were told that consultation letters were sent to statutory and non-statutory consultees, and that 196 neighbouring properties in the immediate vicinity were notified of the application by letter. In addition, a site notice was placed at the site in June 2018, to further advertise receipt of the planning application to the local community. A notice was also placed in the Newham Recorder in June 2018. 13 letters of objection were received from neighbouring properties within the residential development at 10 Burford Road, on the grounds of:
- a) Loss of daylight and sunlight;
 - b) Loss of privacy;
 - c) Loss of outlook and overbearing impact;
 - d) Concerns over security;
 - e) Fumes and odour from proposed ventilation ducts;
 - f) Noise nuisance from proposed plant equipment;
 - g) Nuisance during construction phase;
 - h) The development would harm the appearance of the Stratford Workshops;
 - i) Concerns over design quality and that the development would have a detrimental impact upon the streetscene and character of the neighbourhood;
 - j) Nuisance from proposed café, including litter, noise and odour; and
 - k) Increased traffic and car parking stress.
- 9.5 Officers detailed the reasons why the previous application had been refused and gave an update on the issues. The negative impact identified previously upon the setting and significance of the Stratford Workshops was considered to have been addressed in officers' view with a smaller proposed bulk and height such that, on balance, the public benefit of the scheme in providing additional employment floorspace would now outweigh any less than substantial harm in this matter. A revised design had addressed the previously excessive bulk, scale, massing, unacceptable appearance and impact upon the host building and streetscene. The revised scheme was now a similar height to 10 Burford Road and there would be no unacceptable impact on amenity and outlook to neighbouring residential occupiers; and the revised scheme would not result in an unacceptable reduction of daylight and sunlight to Stratford Workshops.

- 9.6 The proposed scheme would be subject to a £4,953 carbon off-set contribution; inclusion of blue badge parking space provision; provision of eight short-stay cycle parking spaces within the public realm; and a highways agreement to reinstate the footway and remove the crossover and dropped kerb. This would be secured by s.106 legal agreement.
- 9.7 The Committee heard from the applicant, Mr Oliver Coleman. Mr Coleman told the Committee that the business model for the proposal would be to offer small spaces to start-up companies and individuals, who would rent as much space as they needed. The applicant had had success with the model in the City of London. The proposal would increase the quality, flexibility and sustainability of office floorspace in the area. The plant equipment would generate noise at 32db at one metre away, and the Newham Council limit was 35db. No sunlight issues had been raised by studies.
- 9.8 The Committee heard from Janet Sullivan, who objected to the application. Mrs Sullivan provided a document for Members to refer to. Mrs Sullivan told the Committee that she spoke on behalf of residents at 10 Burford Road (where she lives), and it was felt that the reasons for refusal of the previous planning application still applied to the revised proposal. The proposed fifth floor would result in a loss of outlook and would only result in 22 people being employed. The proposals showed that 23 plant equipment units would be installed, compared to the current 10. The noise from these units would cease at night but would continue into the evening. Mrs Sullivan stated that the height of the proposal would impact negatively upon the amount of sunlight and daylight her home received, and that she had bought it on assurances that nothing could be built in front of her terrace. A proposed door on the fifth floor would be directly opposite Mrs Sullivan's terrace, and it was felt this could create security issues. Mrs Sullivan told the Committee that she felt the previous reasons for refusal, relating to heritage and design had not been addressed.
- 9.9 Officers told the Committee that a condition required that the maintenance door would only be accessible by building management and maintenance staff. The acoustic reports had identified no issues with the plant equipment. The units were proposed to be 40-50m away from the objector's property and may be visible but would not block out the view above and around them. Members queried what the impact on daylight and sunlight on the residential properties would be. The impact was found to be negligible. Similarly, there would be no adverse impact on the levels of sunlight and daylight at Stratford Workshops on the opposite side of Burford Road.
- 9.10 Officers told the Committee that the demand for short term rental space was not a planning matter but that there was a lot of large scale office space coming forward in Stratford, but not many options for short term, more flexible space. The Committee noted that the internal remodelling had already been given consent. Members heard that the proposal would provide public benefits in terms of increased office floorspace, which was suited to small and medium enterprises, and could generate the equivalent of 90 full time jobs.

9.11 Members discussed the height of the proposed building and its relationship with the residential properties at 10 Burford Road and in particular Mrs Sullivan's dwelling. Members sought clarification from officers on the distance to the proposed new plant and equipment and on the proximity of the proposed development and its likely impact upon the amenity, including outlook, of Mrs Sullivan's property.

9.12 Following careful consideration of the details of the proposal, its likely impact and the planning merits of the development, Members **Resolved (nine votes in favour; one abstention):**

9.12.1 **To APPROVE the application for the reasons given in the report and grant planning permission subject to:**

- a) **The conditions set out in the report; and**
- b) **The satisfactory completion of a legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers to secure the planning obligations set out in the recommended heads of terms which are set out in this report.**

9.12.2 **To DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:**

- a) **Finalise the recommended conditions as set out in the report, including such refinements, amendments, additions and/or deletions as the Director of Planning Policy and Decisions considers necessary;**
- b) **Finalise the recommended legal agreement under section 106 of the Town and Country Planning Act 1990 and other enabling powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report as the Director of Planning Policy and Decisions considers reasonably necessary; and**
- c) **Complete the section 106 agreement and issue the decision notice.**

10 Annual review of Planning Decisions Committee's Terms of Reference (Item 10)

10.1 The Committee received the report of the Director of Planning Policy & Decisions. The Committee noted that the only amendment to the Committee's Terms of Reference was the inclusion of the authority to oversee the Corporation's work on Diversity and Inclusion, within the remit of the Committee's activities. Officers would continue to consider these matters in their planning application reports.

10.2 Members requested information on how the Corporation intended the oversight of Diversity and Inclusion to come into effect and how it would be measured. Officers confirmed that they would bring a further report to the Committee which would set this out in detail.

10.4 Resolved:

10.4.1 To note the proposed changes to the terms of reference which will be submitted to the Board for approval.

11 Decisions Made Under Delegated Authority (Item 11)

11.1 The Committee received the report of the Director of Planning Policy and Decisions and its appendices, which listed all the decisions taken by officers between 1 and 31 May 2018 and 1-30 June 2018.

11.2 Officers highlighted that, in May 2018, 50 decisions had been taken, 88 per cent of applications were dealt with within target time and only one refusal had been issued. In June 2018, 48 decisions had been taken, 96 per cent of applications were dealt with within target time and only one refusal had been issued.

11.3 Resolved:

11.3.1 That the report and attached appendix be noted.

12 Any Urgent Business (Item 12)

12.1 The Chair thanked Councillor Terry Wheeler on behalf of the Committee for this work on the Committee and wished him well for the future.

13 Close of Meeting (Item 13)

13.1 The meeting ended at 8.20pm

Chair

Date

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