STRATEGIC DEVELOPMENT COMMITTEE

Meeting held on 16th July 2019
in Main Hall, Old Town Stratford, E15

Present: Councillor Daniel Blaney (Chair)
Councillors Carleene Lee-Phakoe,
Mumtaz Khan, Mas Patel, Rachel Tripp,
Harvinder Singh Virdee, John Whitworth and
Joshua Garfield

Also Present: Amanda Reid – Director of Planning and Development (Chief Planning Officer)
James Bolt – Senior Development Manager
James Coulstock – Development Manager
James Woods - Legal Advisor
Narinder Ubhi – Transportation

Planning Officers Harriet Beattie, Rajvinder Kaur
Lindsey Blecher, Rajvinder Kaur, Santokh Kaulder, Sarah Odu, Adam Silverwood and Nathaniel Thomas

The meeting commenced at 6.07 p.m. and closed at 9.38 p.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gen Kitchen and James Beckles (substituted by Joshua Garfield).

Apologies for lateness were received from Councillors Carleen Lee-Phakoe and Mas Patel.

2. INFORMATION FOR VISITORS

The Chair referred visitors to the Information for Visitors, on page 1 of the published Agenda.

3. MINUTES

The minutes of the meeting held on 18 June 2019, was confirmed as a correct record.

4. DECLARATIONS OF INTEREST
Councillors Daniel Blaney and Rachel Tripp declared an interest for Item 7, Chobham Farm South Chobham Farm Development Site, Leyton Road, Stratford, London E15 1AA, by virtue of being the Council’s representative and substitute Member, respectively, on the London Legacy Development Corporation (LLDC), Planning Decision Committee.

Both members left the room during the discussion of the application.

5. DETERMINING PLANNING APPLICATIONS

The Committee noted the advice from the Head of Legal Services, with regard to determining planning applications.

6. ANNOUNCEMENTS BY THE CHAIR

Order of Business

The Newham Recorder, in publicising the MSG Sphere application, incorrectly stated the start time as 19:00. The Committee agreed to vary the order of business as set out on the agenda, to deal with Item 7 at 19:00.

The order of business was as follows:

Items 9, 10, 12, 8, 11 and 7

Officer Update Report (attached as Appendix 1)

- Item 7 - Chobham Farm South Chobham Farm Development Site, Leyton Road, Stratford, London E15 1AA
- Item 8 - 1 Claps Gate Lane, Beckton, London, E6 6JF
- Item 9 - Standard Industrial Estate, Units 6 To 6A Factory Road, North Woolwich, London E16 2EJ
- Item 12 Little Ilford School, Rectory Road, Manor Park, E12 6JB

Requests to address the Committee

- Item 7 - Chobham Farm South Chobham Farm Development Site, Leyton Road, Stratford, London E15 1AA

Applicants Team

- Jayne McGiven, Madison Square Garden Company
- Andy Young, The Madison Square Garden Company
- Garry Reeves, Populous Architects
- Chris Goddard, DP9 Planning Consultants
- Chris Gascoigne, DP9 Planning Consultants
- Michael Rivers, Momentum Transport Consultants

Objectors

- Stop MSG Sphere team
Supporters
- Julia Bollam - Director of Apprenticeships, Partnerships and Innovation, Newham College
- Dean Curtis (Deputy Vice Chancellor at the University of East London)
- Lloyd Johnson - Chairman Newham Chamber of Commerce

- Item 8 - 1 Claps Gate Lane, Beckton, London, E6 6JF
  - Oliver Barrett - Regional Head of Property

- Item 11 - Ibis Styles London ExCel Custom House Hotel, 272 - 283 Victoria Dock Road, Canning Town, E16 3BY
  - Charles Dunn – on behalf of the Applicant

7. STANDARD INDUSTRIAL ESTATE, UNITS 6 TO 6A FACTORY ROAD, NORTH WOOLWICH, LONDON E16 2EJ

Change of use of areas A & B (as delineated in image 2 of the DAS ref: CD/J428W2/DASrev b) to recycling facility to be used in conjunction with the wider scrap metal merchants yard. Erection of boundary fencing, gates and signage.

The Committee had no questions of the Presenting Officer, and the application was agreed without debate, noting the Officer Update Report, concerning typographical errors in the report.

Decision

The Strategic Development Committee RESOLVED to AGREE:

1. the reasons for approval as set out in the report; and

2. granted planning permission based on the Conditions listed in Appendix 1 of the report and the Officer Update Report.

8. ROYAL VICTORIA DOCK, WESTERN GATEWAY, CANNING TOWN, LONDON E16 1XL

Temporary planning permission for the change of use of the existing dock to lido along with children's paddling pool along with the erection of the following temporary support structures:

- A pontoon structure adjacent to the existing beach with children's pool. The structure will contain an area of dock water on all sides to form a lido
- A temporary prefabricated toilet block connected to mains water and drainage
- Canvas stretch tent
- Beach kiosk serving light snacks and drinks
- Changing rooms situated on the pontoon
The application affected the setting of Grade II listed structures.

The Committee, noting the resident objection outlined on page 219 of the published agenda, questioned whether the location was suitable for the activity.

The Presenting Officer advised that the location, adjacent to the beach, was appropriate, as it would be used by very young children. He added that all issues raised by the objector were considered in the assessment. In terms of noise and disturbance, the majority of the activities would be held when residents were at work.

The Presenting Officer acknowledged that the events held last year raised concerns relating to noise and disturbance, which the applicant had taken on board, by reducing the hours of operation and detailed in the Management Plan.

There being no there questions, the Chair move to the vote.

Decision

The Strategic Development Committee RESOLVED to AGREE:

1. the reasons for approval as set out in the report; and

2. granted planning permission based on the Conditions listed in Appendix 1 of the report.

9. LITTLE ILFORD SCHOOL, RECTORY ROAD, MANOR PARK, LONDON E12 6JB

Proposed synthetic outdoor floodlit sports facilities including cricket practice bays, long/triple jump, football pitch & jogging track.

The application affected the setting of a Grade I Listed Building - Church of St Mary The Virgin Church Road Little Ilford.

In exercise of delegated authority, the Committee considered a report of the Council’s Head of Planning and Development, which outlined the application for the above site.

The Presenting Officer gave a detailed presentation of the application before the Committee summarising the assessment contained in the Committee report and the Officer Update report, concerning a replacement Conditions.

The Presenting Officer confirmed that the application proposed an additional cycle parking spaces, and a Condition for a Transport Management Plan, to assist in achieving greater use of sustainable transport modes and relieve congestion in the area, with less reliance on the private car.
There being no further discussion, the Chair moved the recommendation to approve.

Decision

The Strategic Development Committee RESOLVED to AGREE:

1. the reasons for approval as set out in the report; and

2. granted planning permission based on the Conditions listed in Appendix 1 of the report and the Officer Update Report.

10. 1 CLAPS GATE LANE, BECKTON, LONDON, E6 6JF

Construction of Lidl food store with green roof, associated car parking, cycle stands and advertisement signage.

The application was a Departure from the Development Plan.

Oliver Barrett, Regional Head of Property for Lidl, addressed the meeting. Mr Barrett highlighted the amendments made to the application, since presented at the meeting held on 18 June 2019, when the Committee voted to refuse the application due to concerns around sustainable transport movements.

Mr Barrett advised that the revised application included an increased number of cycle spaces, including 6 cargo spaces, with a mechanism in the travel plan that cycle parking be reviewed in 5 years with a view to increasing on-site cycle parking provision to 66 spaces at the applicant’s cost, where demand is proven.

Mr Barrett spoke about the significant employment benefits, career opportunities and financial contributions.

Mr Barrett, recalling that Members previously questioned whether non-English speakers could be considered for employment, confirmed that English speaking was not a prerequisite to employment.

Mr Barrett repeated a statement made at the special Strategic Development Committee on 5 July 2019, stating he was surprised at the Committee’s indication to refuse on 18 June 2019. As a result, the applicant sought legal advice from Counsel, who concluded that the applicant would have an excellent prospect of success at appeal, with costs being awarded from the local authority. He added, that should the application be refused, the Applicant would pursue the appeal, as they considered there were no sound reason for refusal.

Councillor Garfield welcomed the amendments to the application and commented that the application had come a long way since the June meeting.
In exercise of delegated authority, the Committee considered a report of the Council’s Head of Planning and Development, which outlined the application for the above site.

The Presenting Officer gave a detailed presentation of the application before the Committee summarising the assessment contained in the Committee report and the Officer Update report, concerning:

- a letter of support for the application
- typographical errors in the report
- replacement conditions

The Presenting Officer advised of a Condition relating to the management of the green roof, to ensure a satisfactory standard of external appearance and in the interests of neighbouring amenity.

The Presenting Officer confirmed that the sequential site assessment applied, was compatible with the current policy and the emerging London Plan.

There being no further discussion, the Chair moved the recommendation to approve.

Decision

The Strategic Development Committee RESOLVED to Agree

1. the reasons for approval as set out in the report; and

2. delegated authority to the Council’s Head of Planning and Development to grant planning permission subject to the completion of a legal agreement under s106 of the Town and Country Planning Act 1990 (as amended) by 16 January 2020 (6 months from the date of the Committee) based on the Heads of Terms identified at Appendix 2 of the report and the Conditions listed in Appendix 1 of the report and the Officer Update Report. If the legal agreement is not completed by such date, the Council’s Head of Planning and Development is delegated authority to refuse planning permission or extend this timeframe to grant approval.

11. IBIS STYLES LONDON EXCEL CUSTOM HOUSE HOTEL, 272 - 283 VICTORIA DOCK ROAD, CANNING TOWN, LONDON, E16 3BY

Alterations and extension to existing hotel adding new 6-storey northern wing comprising 60no new serviced apartments, amended parking/service yard layout and minor 'tidying' to front elevation.

Charles Dunn, on behalf of the applicant, addressed the Committee in support of the applicant. Speaking from a prepared statement, he acknowledged that the application in its current form should be refused, and requested that the application be deferred, to allow the applicant to overcome Officer concerns.
His comments included:

- Disappointment at Officer refusal to work with the Applicant
- Site continues to operate as a hotel
- Application in line with policy, if a little premature, hence request for deferment

In response to a question as to whether the applicant took advantage of any pre-application discussions with Officers, the Development Manager explained that full and extensive discussions had taken place with the Applicant on the re-submitted application, however assessment of the application produced 6 reasons for refusal, as outlined in the Committee report.

The Director of Planning and Development (Chief Planning Officer), responding to a question as to any detriment of deferring the application, advised that the Council had an excellent record in processing applications within the prescribed time limits. She considered that any delay would be unacceptable to Committee in its duty to the Council.

In exercise of delegated authority, the Committee considered a report of the Council’s Head of Planning and Development, which outlined the application for the above site.

The Presenting Officer gave a detailed presentation of the application before the Committee summarising the assessment contained in the Committee report.

There being no further questions to the Presenting Officer, the Chair moved the recommendation to refuse.

**Decision**

The Strategic Development Committee RESOLVED to REFUSE planning permission for the reasons set out below.

**Reasons**

1. The proposed development has failed to address the principles of masterplanning with particular attention to the successful integration of the scheme with the wider public area and the transition between, and neighbourliness of different uses both within the site and in relation to adjacent areas. This would likely fail to build and reinforce communities and places that work and to ensure that growth contributes to achieving convergence and personal and community resilience. This is contrary to:

   - the National Planning Policy Framework (MHCLG, February 2019);
   - Policies S1, S4 and SP3 of the Newham Local Plan (December
2. The proposed height, scale and massing would appear overbearing, bulky and incongruous and so would negatively impact the character, appearance and townscape of the surrounding area. The proposal is therefore contrary to:

- the National Planning Policy Framework (MHCLG, February 2019);
- Policies 7.1, 7.4, 7.5 and 7.6 of The London Plan - The Spatial Development Strategy for London (GLA, consolidated with alterations since 2011 and published March 2016);
- Policies, D1, D2, and D7 of the Draft London Plan: The Spatial Development Strategy for Greater London (Draft for Consultation December 2017 with minor suggested changes July 2018); and,
- Policies S1, S4, SP1, SP3, SP4, SP6, SP7 and SP8 of the Newham Local Plan (December 2018)

3. The proposed exterior design of the building by reason of its discordant and poor quality appearance would fail to sufficiently enhance the character and appearance of the area. The proposed development would therefore be contrary to:

- The National Planning Policy Framework (MHCLG, February 2019)
- Policies 7.1, 7.4, 7.5, 7.6, and 7.8 of The London Plan - The Spatial Development Strategy for London (GLA, consolidated with alterations since 2011 and published March 2016)
- Policies GG1, D1, D7, and HC1 of the Draft London Plan: The Spatial Development Strategy for Greater London (Draft for public consultation December 2017 with minor suggested changes July 2018); and
- Policies S1, S4, SP1, SP3, SP5, SP6, SP7 and SP8 of the Newham Local Plan (December 2018)

4. The proposed development would unacceptably reduce the level of daylight and sunlight to neighbouring residential properties. This would be detrimental to the living conditions of existing residents and would represent an unneighbourly form of development. The proposal is therefore contrary to:

- the National Planning Policy Framework (MHCLG, February 2019)
- Policies 7.1, 7.4, 7.6 and 7.15 of The London Plan - The Spatial Development Strategy for London (GLA, consolidated with alterations since 2011 and published March 2016)
- Policies S1, SP1, SP2, SP3 and SP8 of the Newham Local Plan (December 2018)
5. The location of the short and long stay cycle parking spaces within the rear yard of the building would create a convoluted route for patrons and staff and as a result the proposed development would fail to encourage sustainable modes of transport by virtue of its poorly accessible location away from main entrances. The proposal is therefore contrary to:

- the National Planning Policy Framework (MHCLG, February 2019)
- Policies S1, S4, INF2 and SP8 of the Newham Local Plan (December 2018)

6. The proposed development has failed to demonstrate that it will achieve a BREEAM rating of ‘Excellent’ as required by Policy SC1. The development’s failure to achieve sufficient Building Performance Standards would conflict with the clear objectives of the Development Plan Framework seeking to respond to climate change within developments. The proposal is therefore contrary to:

- the National Planning Policy Framework (MHCLG, February 2019)
- Policies 5.2 and 5.3 of The London Plan - The Spatial Development Strategy for London (GLA, consolidated with alterations since 2011 and published March 2016)
- Policies SC1 and SC2 of the Newham Local Plan (December 2018)

12. CHOBHAM FARM SOUTH CHOBHAM FARM DEVELOPMENT SITE, LEYTON ROAD, STRATFORD, LONDON E15 1AA

Councillors Blaney, Mas Patel and Tripp, withdrew from the meeting during discussion of this application.

The Vice-Chair, Councillor Carleen Lee-Phakoe took this Chair for this item.

The report to set out the Officer consultation response on behalf of the Strategic Development Committee, regarding the following applications for planning permission and associated advertisement consent to the London Legacy Development Corporation (LLDC) relating to the following proposals:

“Development of a multi-use entertainment and leisure building with an illuminated external display (96.5 metres AOD) and external podium and terraces with landscaping (sui generis use including: entertainment, assembly and leisure venue; music venue/nightclub; restaurant / members’
lounge/nightclub; bars, restaurants, cafés and retail; storage, vehicle parking, servicing and loading; external podium and terraces for entertainment, assembly and leisure use, café, bar and retail facilities; together with all supporting and complementary uses) and the construction of new pedestrian and vehicular bridges, highway and access works, servicing, open space, hard and soft landscaping, demolition of existing structures, associated infrastructure, plant, utilities and other works incidental to such development.

The application was accompanied by an Environmental Statement (ES) submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. It was also accompanied by an application for advertisement consent (planning reference: 19/00098/ADV).

and;

Application for advertisement consent comprising the illuminated display of Sphere building and LED displays located on the podium, lift cores and bridge links.

The proposal was accompanied by a detailed application seeking full planning permission.

As proposed by the Vice-Chair, and agreed by the Committee, the Applicant and their supporters were allocated 30 minutes to make their representation; the objectors were allocated the same amount of time.

The Committee heard from Julia Bollam - Director of Apprenticeships, Partnerships and Innovation, Newham College, Dean Curtis (Deputy Vice Chancellor at the University of East London) and Lloyd Johnson - Chairman Newham Chamber of Commerce; all in support of the application.

Their comments included:

- Newham College for Further Education (NCFE)
- Over 30 years, delivered education circa 12,000 students; 70% Newham residents. Operating from 2 sites within the borough and a number of satellites venues. Mission to help local people towards local jobs
- Worked with Workplace jointly when Westfield was developed to provide local residents access to jobs
- The application would provide more than 3000 jobs, in a range of disciplines plus 4000 construction
- The applicant engaged extensively with NCFE
- NCFE hosted the MSG tour bus and heard about career opportunities in music, fashion and life skills
- If approved, NCFE would benefit from significant direct and indirect employment, ensuring opportunities for local people

University of East London (UEL)
- Application a major boost to creative industry in East London, providing
a fantastic opportunity for the local population, not just for creative industries, but for the spin offs

- Application identifies opportunities to aspire of the community; the development would a major attraction
- No hesitation giving full support to the application, as it considers it a fantastic opportunity for the university and the local area

Newham Chamber of Commerce (NCC)

- NCC represents 300 business in the borough
- Application offers significant construction jobs and added value to the area, in terms of local business growth up to £50m.
- MSG financial offer to link Stratford station, show commitment
- NCC highly recommend the proposal

The application team, led by Jayne McGiven, of the Madison Square Garden Company gave a detailed presentation, which included:

- Public consultation and community engagement. Engaged on a daily basis, over 3000 people in person, and events in the four LLDC boroughs. Listened and addressed the areas of concern, and continue to do so
- MSG is committed to becoming a key long term partner in Newham and wider East London; contributing to community wealth building
- Last 12 months met with the Council, schools and community groups, including the College and UEL
- Vacant landlocked site, last used a temporary coach park during the Olympic games, will create a ground breaking global icon
- Stratford chosen to show confidence in its young creative population
- Visuals descriptions of the sphere. Limitless possibilities; number of difference uses
- Proposal to build 4 new bridges; full access to all
- High quality design, with open spaces/multi-functional, open to community
- Public realm - large scale trees, quality space size
- Land use in accordance with Local Plan
- Social economic benefits - 35 % to jobs to local resident - range of jobs
- Transport strategy – encouraging E-travel. Expecting visitors to use Stratford station; very few people to travel via Maryland. Assessment used TFL modelling/ tested capacity
- Will produce a detailed management plan
- Providing 100 cycle spaces and MSG shuttle to connect to the station
- Crowd management safety plans, tested against event
- Illuminance, controlled to ensure conditions. When illuminated 50% of content will be dedicated to creative uses without any advertising
- Detailed and extensive s106 contributions

Jayne McGiven concluded that they understood the wishes of the current Administration’s Community Wealth building aspirations, and keeping ‘people in the heart of everything we do’. She added that their door is open.
In the subsequent discussion and in response to a number of questions, the following points were raised:

- £25m proposed to refit Stratford station was modelled on ‘worst case’. Ongoing consultation with TFL to understand the requirements of their programme of works; figure of £25m, not final
- Consultation included a truck exhibition held over 8 days, in the 4 LLDC boroughs; units in Westfield for 7 days. Heard the views of members of the community. Overall people welcomed the new jobs and looked forward to other opportunities. Main concerns related to light pollution, noise and assurance of jobs
- No noise would leak out; Marshalls would be employed to direct visitors
- Luminance level will be controlled, dimmed or turned off. No nuisance to people who live in residential area
- The Senior Development Manager referred the Committee to the Officer Update Report, which outlined the full list of Head of Terms
- Shape of building considered a ‘lovely bit of architecture’; more than just building and the future of entertainment. Many new buildings cited next to heritage assets
- Majority of visitors would be ‘first time visitors’; unlikely to choose Windmill Lane/Maryland route, unlike football supporters. Applicant would not be promoting Maryland station on tickets and publicity. The Applicant noted the concerns and agreed to provide more information at future meetings
- Emerging Stratford Waterfront application, taken into account in all modelling
- Evacuation process included as part of the management plan

The Vice Chair invited members to view the model of the application.

The Committee heard from a number of objectors, including the Stop MSG Group whose concerns included:

- Newham response does not go far enough
- Application unnecessary, as it would be surrounded by housing and residents
- Impact outweighs benefits
- Advertising on Sphere likened to Las Vegas
- Unable to mitigate disturbance caused during event days; 25,000 people, plus evening events, with clubs open to 3am
- Cumulative effect reason for refusal
- Light pollution/Solar glare – effect on mental health and wellbeing
- Stratford at breaking point – homes needed
- Likely to produce more antisocial behaviour
- Financial contribution insufficient to upgrade Stratford Station
- Job offer; in reality would be low skilled; no shortage of construction jobs in the borough
- Mitigation measures insufficient to protect residents
Consultation inadequate; not all local residents shop at Westfield’s
Noise massive impact on quality of life
LED lights would be seen from thousands of bedrooms facing the sphere
Blogs promoting the sound system ‘most powerful bass’
Residents outside of Stratford would be effected, but not consulted

In response to a number of questions to the objectors, the Committee were advised that:

- The only mitigation acceptable to prevent impact would be a refusal, and possibly no advertising
- LBN response to LLDC not strong enough
- Application proposed to make money for the owners via commercialism and advertising on to the light displays
- Newham residents still paying for London venues
- Scientific evidence suggested light effected physical and mental health
- Advertising has suggestive effects used to influence children

The Director of Planning and Development (Chief Planning Officer) explained that the representation made by the London Borough of Newham to the LLCD, would be given in the context of local planning provision.

The Vice-Chair invited the objectors to view the model of the application, with the applicant.

The Vice-Chair thanked the objectors for their representation.

In exercise of delegated authority, the Committee considered a report of the Council’s Head of Planning and Development, which outlined the application for the above site.

The Presenting Officer gave a detailed presentation of the application before the Committee summarising the assessment contained in the Committee report and the Officer Update report, concerning list of the Head of Terms.

The Director of Planning and Development (Chief Planning Officer) explained the authority’s role as a consultee, to agree the Council response to the application, explaining that the LLDC would continue its assessment; residents and interested parties would be invited to response to any amendments made.

The Committee commented that they did not consider it possible to mitigate the effects on residents.

There being no further discussion, the Vice-Chair moved to the vote.

**Decision**
The Strategic Development Committee RESOLVED to AGREE the consultation response to the London Legacy Development Corporation as drafted within Section 5 of the report.

13. **SUSPENSION OF RULE 9 PART 4.1 OF THE COUNCIL'S CONSTITUTION**

During consideration of item 13, Chobham Farm South Chobham Farm Development Site, Leyton Road, Stratford, London E15 1AA, a motion being put and duly seconded, the Committee agreed to suspend Rule 9 of Part 4.1 of the Council’s Constitution in order to extend the meeting beyond 9.30pm to 10.00pm to consider and dispose of the remaining business on the agenda.

14. **DATE OF NEXT MEETING**

10 September 2019