

## Amber Heat Health Alert

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## Agenda item - Bow Goods Yard Marshgate Lane Stratford London E15 2PJ

# Agenda item

## Bow Goods Yard Marshgate Lane Stratford London E15 2PJ

- [Meeting of Strategic Development Committee, Tuesday 20th May 2025 6.00 p.m. \(Item 9.\)](#)

Outline Application (all matters reserved except for points of access) for the comprehensive redevelopment of the site, including demolition to provide a total maximum overall built floorspace of 190,000m<sup>2</sup> (GEA), comprising Employment and Industrial Uses with up to a maximum floorspace of 5,000m<sup>2</sup> Concrete and Aggregate plants (use class B2), up to 61,000m<sup>2</sup> storage and distribution (use class B8), up to 5,000m<sup>2</sup> commercial space (use class E(a)/(b)), up to 21,000m<sup>2</sup> Office space (use class E(g)(i)), Up to 46,000m<sup>2</sup> of workspace (use class E(g)(ii)/(iii)), up to 47,000m<sup>2</sup> Van parking (use class Sui Generis), up to 18,000m<sup>2</sup> of Freight Aggregate and Storage (use class Sui Generis), up to 36,000m<sup>2</sup> Leisure uses (use classes (E)(d), F2 and Sui Generis), vehicle parking, creation of new landscaping, public realm, Infrastructure and associated works. This application is accompanied by an Environmental Statement.

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This is an application which has previously been considered by the London Legacy Development Corporation (LLDC) at its Planning Decisions Committee meeting of 22nd October 2023.

The LLDC Committee Report is attached as Appendix 1, an LLDC Update Report is attached as Appendix 2, and draft s106 Heads of Terms agreed by LLDC are attached as Appendix 3.

LBN have made some minor changes to the planning conditions and s106 Heads of Terms previously drafted by LLDC, these are provided in Appendix 4. The Committee resolved to grant outline planning subject to planning conditions. GLA Stage 2 referral and the satisfactory completion of a s106 legal agreement.

LLDC's planning powers were transferred back to the relevant London Boroughs on 1st December 2024. LLDC did not issue a decision notice for this application prior to that date. The "decision" in legal terms is the issuing of the decision notice and not the resolution to grant.

It therefore falls to Strategic Development Committee to consider this application and to issue a decision.

In making a decision on an application where there is an LLDC resolution in place, the successor Local Planning Authority (in this case, the London Borough of Newham) is required to take certain considerations into account the planning history of the site including any decisions made by LLDC on that site previously.

The LLDC resolution will in itself be a very strong material consideration. Recent case law confirmed the established principle that a previous decision is a material consideration for a planning inspector and the new LPA will be in broadly the same position.

There is a separate common law requirement for a local authority to be consistent in its decision making. While the new LPA has full decision-making discretion, it would also be required to justify taking a different approach to the LLDC on the same planning proposition.

Recommendation: APPROVAL

Report of the Director of Planning and Development (Chief Planning Officer).

**Minutes:**

Due to the declaration outlined in Item 3; The Chair; Councillor Rachel Tripp and Councillor James Beckles, did not participate on the discussion or vote on this application.

The Deputy Chair – Councillor Susan Masters took the Chair for this application.

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The application was accompanied by an Environmental Statement. This is an application which has previously been considered by the London Legacy Development Corporation (LLDC) at its Planning Decisions Committee meeting of 22nd October 2023.

The LLDC Committee Report is attached as Appendix 1, an LLDC Update Report is attached as Appendix 2, and draft s106 Heads of Terms agreed by LLDC are attached as Appendix 3 of the report.

LBN have made some minor changes to the planning conditions and s106 Heads of Terms previously drafted by LLDC, these are provided in Appendix 4.

The Committee resolved to grant outline planning subject to planning conditions. GLA Stage 2 referral and the satisfactory completion of a s106 legal agreement. LLDC's planning powers were transferred back to the relevant London Boroughs on 1st December 2024. LLDC did not issue a decision notice for this application prior to that date.

The “decision” in legal terms is the issuing of the decision notice and not the resolution to grant. It therefore falls to Strategic Development Committee to consider this application and to issue a decision.

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In exercise of delegated authority, the Committee considered a report of the Council's Director 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 Officer Update Report.

In response to questions from the Committee, Officers and the Applicant advised:

- Noting that part of the application sits within the London Borough of Tower Hamlets (LBTH), the Committee's Legal Advisor informed in the event that LBTH made a decision contrary to the LLDC resolution, the application would be resubmitted back to the Strategic Development Committee
- Private bridge, with weight restrictions applied. Applicant liaises with operational team during event days. LBN Highways team keen to see the junction improvements come forward due to the level of traffic in the area and have proposed robust conditions
- Application will achieve 10% biodiversity net gain. When considering the reserved matters application, officers would have the opportunity look at landscaping and ecological enhancement in greater detail
- No risk to the Greenway; application proposes to work off the greenway, to extend into their site
- No comments/objections received from Lee Valley Regional and East London Waste Authority
- Financial contribution to Canal River Trust to enhanced the canal towpaths

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

**The Strategic Development Committee RESOLVED to:**

1. Agree the reasons for approval as set out in the report;
2. Refer the application to the Mayor of London (the GLA) as a Stage 2 referral; and
3. Subject to the Mayor of London (or delegated authorised officer) advising that he is content to allow the Council to determine the application itself; delegate authority to the Director 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), based on the Heads of Terms identified at Appendices 3 and 4 of the report and the Conditions listed in Appendices 2 and 4 of the report, including such refinements, amendments, additions and/or deletions as the Director of Planning and Development considers to be reasonably necessary; and
4. Should the London Borough of Tower Hamlet make a contrary decision; the application be remitted back to the Strategic Development Committee for consideration.

**Supporting documents:**

- [Bow Goods Yard COMPLETE, item 9.](#)  PDF 4 MB

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