



LONDON BOROUGH OF NEWHAM

STRATEGIC DEVELOPMENT COMMITTEE

20th May 2025

Application Number:	24/00122/OUT
Validation Date:	10th May 2024
Location:	Bow Goods Yard Marshgate Lane Stratford London E15 2PJ
Ward:	Stratford Olympic Park
Applicants:	Network Rail
Agent:	Montagu Evans

Purpose of Report / Proposal

The purpose of this report is to set out the Officer recommendations to Strategic Development Committee regarding an application for planning permission relating to the following proposal.

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 190,000m² (GEA), comprising Employment and Industrial Uses with up to a maximum floorspace of 5,000m² Concrete and Aggregate plants (use class B2), up to 61,000m² storage and distribution (use class B8), up to 5,000m² commercial space (use class E(a)/(b)), up to 21,000m² Office space (use class E(g)(i)), Up to 46,000m² of workspace (use class E(g)(ii)/(iii)), up to 47,000m² Van parking (use class Sui Generis), up to 18,000m² of Freight Aggregate and Storage (use class Sui Generis), up to 36,000m² 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.

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.

Recommendations

The Strategic Development Committee is asked to resolve to:

1. Agree the reasons for approval as set out in this report;
2. Refer this 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 this report and the Conditions listed in Appendices 2 and 4 of this report and summarised below. including such refinements, amendments, additions and/or deletions as the Director of Planning and Development considers to be reasonably necessary.

Conditions – Summary

A summary of the proposed condition is set out below. Please refer to Appendix 1 for the proposed conditions in full.

1. Time Period for Outline
2. Commencement Limit
3. Rail Freight Use
4. Reserved Matters Specification
5. Development Thresholds and Delivery of Floorspace Types
6. Non-Road Mobile Machinery (NRMM)
7. Noise – Residential
8. SuDs Infiltration
9. Construction Noise – Education
10. Cumulative Noise Impacts – Education
11. Phasing
12. Green Infrastructure
13. Site Waste Management Plan
14. Site Infrastructure
15. Flood Defence Strategy
16. Waterway Wall Survey and Repairs
17. Water Course Buffer Zone
18. Acoustic Barrier
19. CEMP
20. Construction Transport Management Plan
21. TfL Infrastructure Protection (Requirement 1)
22. TfL Infrastructure Protection (Requirement 2)
23. Contamination and Site Characterisation
24. Remediation Implementation and Verification Method Statement
25. Contamination Monitoring
26. Ground Water Contamination
27. Foundation Works Risk Assessment
28. Dust Management Plan
29. Emergency Generators
30. Bird Hazard Management Plan
31. Source Protection Strategy
32. Piling Method Statement
33. Works Near Mains
34. Waterborne Transport Feasibility
35. Drainage Strategy
36. Surface Water Management
37. Flood Resilience Measures
38. Archaeology
39. Operational Waste Management Plan
40. TfL Infrastructure Protection (Requirement 3)
41. Infiltration Drainage
42. Instrument Flight Procedures (IFPs) Assessment
43. Circular Economy
44. Landscape Management
45. Electric Vehicle Charging Provision
46. Living Roofs
47. Overheating
48. Ecological Enhancements
49. Fire Strategy

50. Materials and Detailed Design
51. Landscape Design
52. Wayfinding/Signage
53. Means of Enclosure
54. Secured by Design Certification
55. Unexpected Contamination
56. Verification Report
57. River Wall Survey
58. Water Network Capacity
59. Service and Delivery Management Plan
60. Car Parking Design and Management Plan
61. Waste and Recycling Storage
62. Long-Stay Cycle Parking Provision
63. BREEAM
64. Lighting Strategy
65. Whole Life Carbon
66. Hours of Operation

S106 – Heads of Terms

The Section 106 Legal Agreement Heads of Terms agreed between the Council and the Applicant are set out within Appendices 3 and 4 of this report.

NAME OF LEAD OFFICER: Jane Custance
POSITION: Director of Planning and Development

Originator of report: Daniel Legg
Tel no: 0203 373 3396
E-mail address: Daniel.Legg@Newham.gov.uk

Human Rights Act

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

Equalities

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

For the purposes of this application the equalities issues have been covered in Section 11 of the committee report.

Environmental Impact Assessment

For the purposes of this application the Environmental Statement accompanying this application outlining the relevant issues have been identified and detailed in Section 7 of the committee report.

Local Government (Access to Information) Act 1985
Background papers used in preparing this report:

- Planning Application
- Statutory Register of Planning Decisions
- Correspondence with Adjoining Occupiers
- Correspondence with Statutory Bodies
- Correspondence with other Council Departments
- National Planning Policy Framework
- London Plan
- LLDC Local Plan
- Other relevant guidance

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APPENDIX 1 – LLDC Committee Report and Location Plan

**APPENDIX 2 – LLDC Update Report Including Planning Conditions and
Reserved Matters Specification**

APPENDIX 3 – Draft S106 Heads of Terms

APPENDIX 4 – LBN Update Report

APPENDIX 1 – LLDC Committee Report and Location Plan



Subject: Bow Goods Yard, London, E15
App. Ref: 24/00122/OUT
Meeting date: 22 October 2024
Report to: Planning Decisions Committee
Report of: Alex Cameron – Team Leader, Planning Policy and Decisions Team, Giselle Ottley - Planning Development Manager, and Patrick Tse - Planning Development Manager.
Applicant: Network Rail
Borough: London Borough of Newham and London Borough of Tower Hamlets

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

- 1.1. The application proposes an Outline planning application for comprehensive masterplan development which would consist of the following:
- 1.2. '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 190,000m² (GEA), comprising Employment and Industrial Uses with up to a maximum floorspace of 5,000m² Concrete and Aggregate plants (use class B2), up to 61,000m² storage and distribution (use class B8), up to 5,000m² commercial space (use class E(a)/(b)), up to 21,000m² Office space (use class E(g)(i)), Up to 46,000m² of workspace (use class E(g)(ii)/(iii)), up to 47,000m² Van parking (use class Sui Generis), up to 18,000m² of Freight Aggregate and Storage (use class Sui Generis), up to 36,000m² 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'.
- 1.3. The proposals involve all matters (layout, scale, appearance, landscaping and access) being reserved for future consideration. As such, detailed consideration on the finalised appearance of the proposed buildings will be developed and reported to the Local Planning Authority under future reserved matters applications.
- 1.4. The outline elements of the application would set the parameters for future reserved matters applications. The application seeks approval of a series of documents that will be secured by condition and inform the design of future reserved matters applications. These include a Planning Parameters Report,

which sets out the details of what the development will comprise, including floorspace quantum. A series of parameter plans would control matters such as land use, the footprint of buildings, heights and open space provision. Some of the parameters are provided with limits of deviation in order to provide the necessary flexibility as the scheme develops.

- 1.5. There is also a submitted Design Code which provides prescriptive design measures and guidance on how to achieve a high standard of design quality. Throughout the determination process, additional details were provided by the applicant in order to respond to consultation comments.
- 1.6. The key issues considered in the report are:
 - Principles of land use, including the consolidation and intensification of rail, industrial, and other employment uses to allow for the release of part of the site for leisure and other employment uses.
 - Design quality
 - Impacts on amenity of surrounding properties including noise and air quality.
 - Environmental impacts.
 - Transport impacts and mitigation of any issues.
 - Energy and sustainability
- 1.7. In relation to the principle of the proposals, the primary focus of the overall masterplan is to deliver new high quality industrial spaces which would provide a much more intensely used site, providing a significant uplift in jobs which would accord with Site Allocation SA.4.5 of the LLDC Local Plan.
- 1.8. The proposal would result in the release of Strategic Industrial Land (SIL) to enable other uses to come forward, which primarily consist of leisure and other workspace uses. The proposals to enable SIL release has followed the GLA Practice Note and the draft Industrial and Land Uses LPG which provides guidance on the approach to industrial intensification and co-location through a two tiered masterplan approach and has demonstrated that the proposals would result in significant intensification of the land for industrial purposes.
- 1.9. The strategic railhead would be retained and enhanced through its extension and lengthening, whilst also providing modernised rail freight facilities which would allow for an increase in overall capacity construction and logistics rail freight activities. The introduction of other non-SIL uses are considered appropriate when considering the masterplan approach to the development of the site and would deliver an appropriate interface with the Greenway, nearby Queen Elizabeth Olympic Park and emerging Pudding Mill Lane neighbourhood.
- 1.10. The increased industrial activity would be delivered through the provisions of warehouse/storage and distribution units on this employment cluster site. The proposed development would positively contribute to the visual amenity of the site and diversify the range of employment spaces and employment opportunities in the area. More generally, the proposal aligns with the Local Plan policy priorities and objectives for the site allocation for Bow Goods Yard in so far as it supports the SIL functions whilst intensifying the strategic rail freight activities and provide a wider range of employment uses.

- 1.11. LLDC's Quality Review Panel (QRP) is generally supportive of the proposal and have expressed that there are a number of benefits that the scheme brings in land use terms, including increased connectivity and leisure opportunities.
- 1.12. The Panel did comment that further detail and refinement of the parameter plans, and design codes was required to be fully satisfied that the proposal would meet policy BN.5, however that they were comfortable that officers could secure these before determination. Some further design development has subsequently been secured by PPDT officers, including the tightening of the parameter plans and updates to the design codes. Officers are satisfied that the planning and design control documents, including the design code and parameter plans, supported by a suite of planning conditions and s.106 legal agreement obligations, provide the necessary assurance that the buildings proposed within the outline application would contribute positively to the townscape, and public realm and would meet the exceptionally good design requirement of policy BN.5
- 1.13. In relation to the potential impacts of the proposed development on the surrounding properties and neighbouring sites, the existing industrial activities on site currently operate unfettered and within open storage environments. The proposals offer the opportunities to improve on existing amenity impacts for surrounding residential and other properties, including nearby schools. Whilst there will be intensified industrial activities within the site, these will be operated within enclosures mitigates noise and air quality impacts. Furthermore, new mitigation would be provided, including the new acoustic wall adjacent to the rail freight activities, alongside additional controls and monitoring proposed through the imposition of conditions and s106 obligations.
- 1.14. In relation to transport impacts from the proposals, the development would result in increased vehicular traffic as a result of the increased industrial activity and introduction of new storage and distribution uses. However, the proposals would also include significant mitigation measures to lessen the impacts on the surrounding highway network, most notably with the delivery of significant improvements to the Wick Lane junction pursuant to a s278 agreement to ensure that the operation of the junction continues to function at peak times.
- 1.15. Further mitigation would also be proposed through the s106 to deliver pedestrian and cycle improvements along Marshgate Lane, the Greenway and the pedestrian underpass towards Pudding Mill Station, in addition to restrictions on the number of heavy goods vehicles accessing the site via Marshgate Lane to help improve the environment within the emerging Pudding Mill neighbourhood. Subject to the delivery of this mitigation prior to development thresholds being met, the proposals would result in a 'nil detriment' impact on the surrounding highway network whilst providing significant improvements to connectivity within the area.
- 1.16. The proposed development has been subject to environmental testing and officers are satisfied that there would be no significant adverse environmental effects and that any residual impacts are capable of being appropriately mitigated as part of the design development of future reserved matters applications, and that this mitigation is appropriately secured through the control documents and recommended planning conditions and planning obligations. The proposal would also provide a number of environmental improvements including delivering a net zero carbon development and delivery of new greening and biodiversity improvements.
- 1.17. It is therefore recommended that, the Planning Decisions Committee should grant permission for the proposals, subject to the conditions and planning obligations

heads of terms set out in the report and subject to referral to the Mayor of London and the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

2. RECOMMENDATIONS

2.1. **The Committee is invited to resolve that:**

2.2. That the Planning Decisions Committee agree the recommendation to:

- a) Approve the application for the reasons given in the report and grant planning permission subject to:
 - 1. referring the application to the Mayor of London and any direction of the Mayor of London
 - 2. the satisfactory completion of a legal agreement under s.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;
 - 3. the conditions set out in this report; and
- b) Agree to delegate authority to the Director of Planning Policy and Decisions to:
 - 1. Consider any direction from the Mayor of London and to make any consequential or necessary changes to the recommended conditions and/or recommend heads of terms as set out in this report;
 - 2. Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the section 106 legal agreement) as the Director of Planning Policy and Decisions considers reasonably necessary;
 - 3. 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 (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and
 - 4. Complete the section 106 legal agreement referred to above and issue the planning permission.

3. FINANCIAL IMPLICATIONS

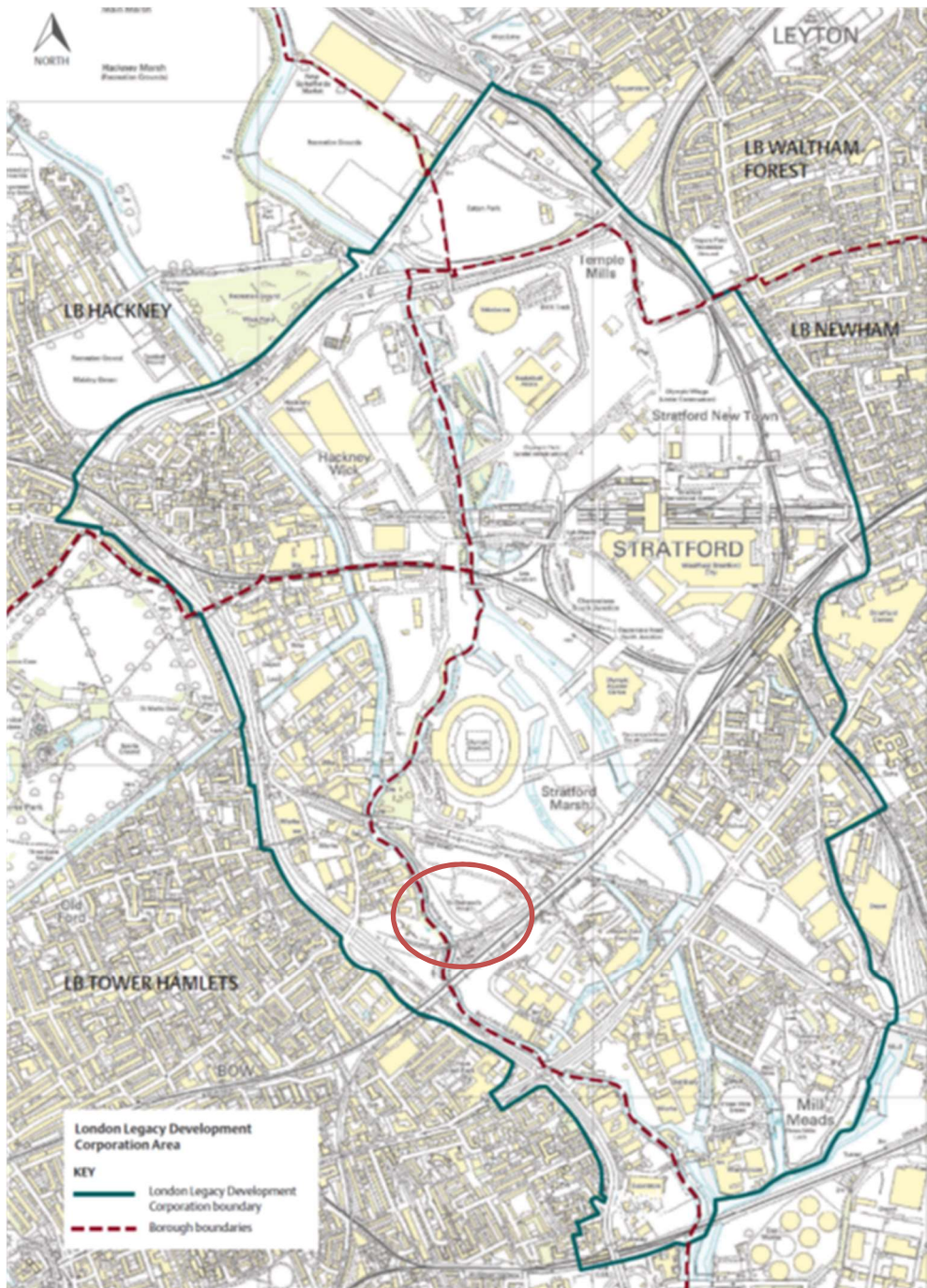
3.1. There are no financial implications as a result of this application.

4. LEGAL IMPLICATIONS

4.1. The recommendation is that planning permission is granted, subject to conditions and the satisfactory completion of a s106 legal agreement to ensure adequate

mitigation of the impacts of the development. The contents of the required s106 agreement are described within this report (Draft Heads of Terms).

- 4.2. From 1st December 2024 all LLDC planning powers will transfer to London Borough of Newham and the London Borough of Tower Hamlets. The resolution to grant or refuse permission is not the formal planning decision – that is not taken until a decision notice is issued.
- 4.3. It is likely that both the London Boroughs of Newham and Tower Hamlets and not LLDC will issue the decision notices pursuant to the land within their Local Authority Areas. The London Boroughs of Newham and Tower Hamlets have full decision-making discretion and are not legally obliged to issue a decision in accordance with this recommendation, however:
- 4.4. There is caselaw establishing that a previous decision is a material consideration in planning decisions so the London Boroughs of Newham and Tower Hamlets will also need to take into account the resolution above (Paragraph 2) and the contents of this report.
- 4.5. All local authorities should be consistent in their decision making. If the London Boroughs of Newham and Tower Hamlets take a different decision then both boroughs will need to justify this formally.
- 4.6. Following the recent *Finch vs Surrey County Council* (2024) Supreme Court decision, it is noted the Local Planning Authorities should demonstrate how the indirect (downstream / upstream) greenhouse gas emissions are taken into account in making a planning decision. In relation to this scheme, the indirect emissions considered in the Environmental Statement assessment relate to:
 - Rail freight/HGV movements; and,
 - Waste arising from site production.
- 4.7. The Environmental Statement sets out that the design has embedded a range of measures to minimise impacts resulting from indirect emissions such as promoting sustainable transport modes, restricting on-site vehicle parking and setting targets for waste management in line with the Mayor's hierarchy. Officers are satisfied that any residual indirect emissions can be appropriately addressed and managed through the implementation of robust, efficient site practices to be set out within Construction / Operational Management Plans and monitoring of waste throughout the construction programme against targets set out in the Circular Economy Statement.



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Location: Bow Goods Yard (Bow East and West), London E15

London Boroughs: London Borough of Newham and London Borough of Tower Hamlets

Proposal: 24/00122/OUT

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 190,000m² (GEA), comprising Employment and Industrial Uses with up to a maximum floorspace of 5,000m² Concrete and Aggregate plants (use class B2), up to 61,000m² storage and distribution (use class B8), up to

5,000m² commercial space (use class E(a)/(b)), up to 21,000m² Office space (use class E(g)(i)), Up to 46,000m² of workspace (use class E(g)(ii)/(iii)), up to 47,000m² Van parking (Sui Generis), up to 18,000m² of Freight Aggregate and Storage (Use Class Sui Generis), Up to 36,000m² 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.

Applicants: Network Rail
Agent: Montague Evans
Design: Maccreeanor Lavington Architects

5. SITE & SURROUNDINGS

- 5.1. The application site is bounded by the A12 to the southwest, commercial and industrial buildings to the west, railway lines (including the freight and Dockland Light Railway (DLR) lines) and Pudding Mill Lane Station to the southeast, with the Greenway pedestrian footpath and Marshgate Lane to the north. Bow East and Bow West are bisected northwest to southeast by the River Lea. This stretch of the River Lea is not included within the site boundary, however the freight bridge over the river is included.
- 5.2. The Site is split into two areas; Bow East covers an area of approximately 8.9ha, and is bounded by the Greenway, Marshgate Lane, the rail line and the River Lea. Bow West covers approximately 3.4ha, is bound by the River Lea, the rail line, the A12, Wick Lane and the industrial properties South of Dye House Lane.
- 5.3. The Application Site covers a total area of approximately 12.3ha of brownfield industrial land, primarily used for rail freight, the storage and processing of aggregates and concrete batching. There is a significant amount of regeneration activity ongoing within the surrounding area.
- 5.4. Bow West currently has a rail head and accommodates Aggregates Industries on the site. Currently, Bow West can be accessed via Wick Lane from the A12 or Marshgate Lane from the A118 High Street. Bow East is predominantly used for the storage of soils and aggregates, served by a rail to the north of the Site. Aggregates are transported to the Site by rail and then further distributed by road. Conversely, soil is transported by road and removed by rail. Access to Bow East can be achieved via Marshgate Lane from the A118 High Street. Access from the A12 can also be achieved via Wick Lane through of road and rail bridge that connects Bow West with Bow East. This is a single width and unadopted, private road.
- 5.5. The developable areas of the site are within the ownership and control of the Applicant; with a small area of the site owned by LLDC. Once the LLDC hands planning powers back to the boroughs, the red line boundary that covers Bow Goods Yard East falls into the London Borough of Newham and Bow Goods Yard West which falls within the London Borough of Tower Hamlets.
- 5.6. The existing businesses on Site are Tarmac aggregate storage, Aggregate Industries aggregate storage, construction spoil storage, Plasmor concrete block storage and London Concrete batching plants.

- 5.7. The surrounding uses within the area at present are predominantly retail, cultural, commercial, with a range of uses of warehouses associated with industrial use and some residential uses. The nearest residential properties are located within approximately 40m to the west of the site within 419 Wick Lane with further residential properties located along Wick Lane. There are a significant number of residential schemes emerging (with permission or planned) in the surrounding area, including Pudding Mill Lane, Bridgewater Triangle and the Sugar House Island to the south-east, and Iceland Wharf site to the west, which is currently being constructed.
- 5.8. Other facilities in the area include Bobby Moore Academy (Secondary school), (approximately 75m to the north of the Site), London Stadium, (approximately 140m to the north of the Site), ABBA Arena, a temporary music and entertainment venue (approximately 120m to the south of the Site), and public garden spaces such as the Olympic Park Splash Fountain (approximately 360m to the northeast of the Proposed Development).
- 5.9. The site is contained within an allocated site as per Site Allocation Policy SA4.5 of the Local Plan (2020). The site allocation aspiration is for Long-term consolidation and intensification of rail, industrial, and other employment uses to liberate land at Bow East for other uses, provide an equivalent amount of SIL function capacity as the current land area, a buffer of employment uses between rail, industrial, and residential uses, and a considerable biodiversity open space buffer along the canal margin.
- 5.10. The southern part of Fish Island, which is most pertinent to the development Site, is designated as a Strategic Industrial Location within the LLDC Local Plan and includes the Network Rail Infrastructure Limited (NRIL) freight facilities on Bow East and Bow West Strategic Freight Sites (SFS), which are safeguarded in the London Plan (2021).
- 5.11. The majority of the Site falls within Flood Zone 1, where a small area of the Site on the southwestern boundary falls within Flood Zones 2 and 3 in the light of the proximity of the River Lea. In addition, a small proportion of the Site in the northeastern corner also falls within Flood Risk Zones 2 and 3.
- 5.12. The site has a PTAL rating ranging between 1b and 2, representing a 'poor' level of accessibility to public transport services. The nearest bus stop to the Bow West Site (Autumn Street) is situated 70-metres to the north of the access. The nearest bus stop to the Bow East Site (Uel & Bobby Moore Academy – School on Siding Street) is approximately 70m to the north and is served by the 339 Bus, with (Marshgate Lane). Further bus services are situated 470m to the south of the existing site access. This bus stop is served by bus route numbers 25, 108, 276, 425, D8 and N205. These bus routes link directly to Stratford Underground Station, which also provides access to the Overground and Docklands Light Rail (DLR) services.
- 5.13. Pudding Mill Lane Station, the nearest station adjacent to the south of the Site, is served by the DLR underground line. There are several Public Rights of Way in the vicinity of the Site, the nearest of which is adjacent to the north of the Site, associated with the Greenway.
- 5.14. Cycleway Superhighway 2 runs along Stratford High Street to the south of the Site, with the eastbound segregated cycle lane accessible via either Cooks Road or Marshgate Lane.

5.15. In addition there is a number of planned connectivity improvements coming forward as part of the consented Pudding Mill Masterplan, which will see safeguarded bus stops as well as a network of pedestrian and cycle routes improving connectivity within the vicinity.

Figure 1: Site Location Plan



6. RELEVANT PLANNING HISTORY

- 6.1. The site has an extensive planning history relating to its recent industrial uses.
- 6.2. As part of the site preparation for the London 2012 Olympic and Paralympic Games the BGYE site was used as a hub for rail-delivered construction aggregates and two rail-served concrete batching plants permitted by the Olympics site preparation consent 07/90011/FUMODA. A further consent granted in 2010 was for the Olympic Warm-up Track and throwing field (reference 10/90331/OUTODA). Condition 6 of that consent states:
 - 6.3. "The use and associated structures permitted shall be for a limited period only until 31 December 2013 on or before which the use in connection with the Olympic and Paralympic Games shall be discontinued and the land reinstated to use as an operational rail facility.
 - 6.4. Reason: To ensure reversion to an operational rail facility in compliance with Development Plan employment policies."
- 6.5. The below table provides an overview of the Site's most recent planning history which relates to Bow East.

Table 1

Site Description	Planning Reference	Description of Development
Land at Bow East Goods Yard, Pudding Mill Lane, Stratford, E15	15/00368/FUL	Construction of a concrete batching plant, associated infrastructure, parking for staff and associated vehicles, weighbridge, ancillary modular office buildings and rail delivered aggregate facility and access road from Pudding Mill Lane.
Land at Bow East Goods Yard, Pudding Mill Lane, Stratford, E15	15/00400/FUL	Application for full planning permission for a concrete block manufacturing plant (incorporating offices), a ready-mix concrete plant and parking and storage areas. With all aggregates delivered by rail and products exported via access to Marshgate Lane.
Land at Bow East Goods Yard, Pudding Mill Lane, Stratford, E15	15/00414/FUL	Application for full planning permission for the erection and use of a concrete batching plant and ancillary facilities with access from Marshgate Lane.
Land at Bow East Goods Yard, Pudding Mill Lane, Stratford, E15	16/00701/FUL	Full Planning application for the erection and operation of rail served asphalt plant with associated storage bays, weighbridges, weighbridge building/ control cabin, mess facilities, car and HGV Parking and other ancillary structures.
Bow Goods Depot, Wick Lane, London E3 2TB	PA/18/03476/NC	Application for certificate of lawfulness in respect of proposed erection of a covered conveyor system to transfer rail delivered material from the rail depot to the ready-mixed concrete plant at Bow Midland West Goods Yard

6.6. Planning permission was refused on 28th September 2017 by the LLDC Planning Decisions Committee following a recommendation for refusal by LLDC officers, of which Members unanimously agreed to refuse for three applications for the following reasons:

1. The operation of the proposed development, cumulatively with the other developments existing and proposed in the Bow East Goods Yard , would be detrimental to the amenity of existing and planned future residents, business occupiers and visitors in the area (including schools and users of the Queen Elizabeth Olympic Park) due to the high number of heavy goods vehicle movements associated with the proposals using Marshgate Lane and the local road network through existing and planned/permitted

new neighbourhoods, resulting in an adverse impact on the safety of sustainable modes of transport (walking and cycling) contrary to policies SP.3, SP.5, T4, T5 and T9 of the Local Plan and policies 6.9, 6.10, 7.5 and 7.15 of The London Plan.

2. The proposed appearance of the development both on its own, and cumulatively with other proposed operations at the Bow East Goods Yard, would be detrimental to the visual amenity and setting of QEOP contrary to policies SP.3, BN.1 and BN10 of the Local Plan and policies 7.4 and 7.6 of The London Plan.
 3. The proposed development, both on its own and cumulatively with other proposed operations at the Bow East site would, as a result of the adverse impacts identified in refusal reasons 1 and 2, be detrimental to the regeneration objectives of the Local Plan and the transformative developments proposed by the Legacy Corporation and others within the Queen Elizabeth Olympic Park as part of delivering a lasting Olympic Legacy. In particular the proposals would be contrary to Objectives 1, 2, 3 and 5 and the Area Priorities for Sub Area 4: Bromley by Bow, Pudding Mill, Sugar House and Mill Meads, London Plan policy 2.4 and Local Plan policy SD1 and would undermine the regeneration and development of Site Allocations SA 4.3 (Pudding Mill), SA3.3 (Stratford Marsh - UCLE).
- 6.7. Appeals were submitted against all three refusals, however the appeals were subsequently withdrawn by the appellants.

Other Relevant Applications

- 6.8. An Outline Planning Application (ref: 21/00574/OUT) was submitted in December 2022 for the development of LLDC sites at Pudding Mill Lane. The application proposes that all matters are reserved for future determination. It comprises residential use (Use Class C3) including private amenity spaces; commercial, business and service uses (Use Class E); and local community use (Use Class F2); means of access; additional areas to provide associated plant, storage, circulation, servicing, car parking and cycle parking; landscaping including laying out of open space with provision for natural habitats and play space and all other supporting infrastructure works, structures and facilities.
- 6.9. Planning permission was granted for part of the Pudding Mill masterplan site for a (19/00592/FUL) Time limited planning permission (5 years) for the construction of a temporary theatre building for the Abba Voyage experience (25.1m AOD) and supporting storage, retail, food stalls and bars. Permission for this use runs until April 2026.
- 6.10. Another part of the masterplan area has also been granted planning permission (19/00104/FUL) for temporary planning permission (5 years) for the erection of a two-storey hotel (Use Class C1) containing 80 bed spaces (Snooze box).
- 6.11. An application (ref: 21/00407/FUL) was submitted in August 2021 for the replacement and realignment of Bridgewater Road Bridge (also known as E48 Bridge), together with the reinstatement of the adjacent towpath (8C Towpath) on the western bank of the Waterworks River, the replacement of sections of the river wall, and associated landscaping works across the site was approved in May 2022, and works are currently underway.

7. ENVIRONMENTAL STATEMENT

- 7.1. An Environmental Statement (ES) has been submitted to accompany the planning application. The Environmental Statement is a document prepared by the applicant containing information reasonably required to reach a reasoned conclusion on the likely significant environmental effects of the proposed development. The ES has been submitted in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations).
- 7.2. The proposed development was subject to an EIA Scoping Opinion issued by the LLDC (Ref: 24/00009/SCOES). The Scoping Opinion focused on the environmental impacts from the development within the site subject to this application. The Scoping Opinion set out that the application should be subject to the submission of an environmental statement covering the following topics:
- Transportation and access
 - Air quality
 - Noise and vibration
 - Ground water conditions and contamination
 - Water resources, flood risk and drainage
 - Built heritage, townscape and visual amenity
 - Ecology and biodiversity
 - Socio-economics and human health
 - Greenhouse gas emissions and climate change
 - Wind microclimate
- 7.3. The Environmental Statement has considered the potential significant environmental effects associated with the development. The ES and subsequent addendum have considered potential cumulative effects including a series of sensitivity tests to ensure that all significant environmental effects and necessary mitigation are identified based on the information available at the time of assessment. As such, the ES is considered to be complete and to have addressed the requirements of EIA Regulations.
- 7.4. Officers are satisfied that the ES including the further details / updates appropriately describe the environmental effects of the development and identify appropriate mitigation measures which have been designed into the proposals and/or which will be secured by way of planning condition or s106 planning obligation.
- 7.5. The principal issues raised under the ES topics are discussed in the Assessment Section. The mitigation measures will be set out in a table which would be annexed to the planning permission. A planning condition is proposed to be imposed to secure these measures.

8. APPLICATION PROPOSALS

- 8.1. The application seeks outline approval for comprehensive masterplan development which would consist of the following:
- 8.2. '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 190,000m² (GEA), comprising Employment

and Industrial Uses with up to a maximum floorspace of 5,000m² Concrete and Aggregate plants (use class B2), up to 61,000m² storage and distribution (use class B8), 5,000m² commercial space (use class E(a)/(b)), 21,000m² Office space (use class E(g)(i)), Up to 46,000m² of workspace (use class E(g)(ii)/(iii)), up to 47,000m² Van parking (Sui Generis), up to 18,000m² of Freight Aggregate and Storage (Use Class Sui Generis), Up to 36,000m² 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’.

- 8.3. The proposals involve all matters (layout, scale, appearance, landscaping and access) being reserved for future consideration. As such, detailed consideration on the finalised appearance of the proposed buildings will be developed and reported to the Local Planning Authority under future reserved matters applications.
- 8.4. The proposal include a total of 16 development parcels, referred to as parcels A1-A3, B1, C1-C3, D1-D5, E1-E2 and F1-F2. An indicative phasing plan has been submitted which would result in the development of plots F and E initially for the heavier industrial uses, including the concrete batching plants and aggregate uses with later plots C and D for other industrial uses alongside the Plot B for uses associated with Network Rail operations, with the final leisure/workspace uses being delivered as the final phases A1-A3.
- 8.5. Plots A1-A3 are proposed as flexible plots in terms of use and would consist of either Use Class E (workspace)/F2 (Leisure) or Sui Generis (Other leisure uses) with Plot B1 consisting of a variety of uses including Use Class E/Sui Generis/B8 used in association with the Network Rail Anglia Route Super Hub, whilst also allowing for potential roof top leisure uses.
- 8.6. Plots C1-C3 would provide flexible industrial uses consisting of Use Class B2/ B8/ Sui Generis which would be served by the rail sidings to enable additional rail freight activities. Plots D1-D5 would also provide a range of flexible uses within Use Class B8/E/F2 and Sui Generis.
- 8.7. The proposed uses within Plots E1 and E2 would be for a Sui Generis Rail Freight Open Storage and Platform and Railway depot area with associated rail-road access point. Plots F1 and F2 would be for the heavier industrial uses including the reprovision of the Concrete Batching Plants as well as other uses within Use Class B2 and Sui Generis, which would include for the provision of the operational vehicle fleet parking.
- 8.8. Upper limits within each of these uses are proposed, with an overall maximum floorspace provision across the entire site of 190,000 sqm of floorspace. These uses are set out in further detail within the Parameter plan section below.
- 8.9. Open space provision is also provided as part of the wider masterplan with key public spaces outlined within the site as ‘Old Ford Gardens’, ‘Red Rose Circus’, ‘Old Ford Woods’, ‘Bazalgette Yards’ and ‘Sighting Island’. Again, these are secured through the public realm and open space parameter plan.
- 8.10. Whilst the detailed design and composition of the outline element of the proposal is not yet fixed, the applicant has submitted a set of documents for approval which would set the controls and parameters for future development on the site. These documents are:
 - Planning Parameters Report

- Parameter Plans
- Design Code

8.11. Any application for reserved matters would be required to demonstrate that it complies with each of these documents. In addition, a reserved matters specification will be attached to any permission to set out what is required to be submitted as part of future reserved matters applications.

Planning Parameters Report

8.12. The Planning Parameters Report document sets out the proposed development which includes the maximum land uses for the outline element and site as a whole which are shown in the table below:

Table 2: Proposed maximum floorspace allowance per Use Class

Proposed Use and Use Class	Total Maximum Parameter (GEA) per Use Class
Storage and Distribution, and Rail-fed Warehouse (Use Class B8)	Up to 61,000m ²
Concrete Plant and Aggregate (Use Class B2)	Up to 5,000m ²
Office Space (Use Class E(g)i)	Up to 21,000m ²
Workspace (Use Class E(g)ii / iii)	Up to 46,000m ²
Commercial Space (Use Class E(a)(b))	Up to 5,000m ²
Leisure (Use Class Sui Generis / E(d)/F (2))	Up to 36,000m ²
Van Parking (Use Class Sui Generis)	Up to 47,000m ²
Freight Aggregate and Open Storage (Use Class Sui Generis)	Up to 18,000m ²
Maximum Overall Floorspace Cap	190,000m ²

8.13. As the above table outlines, the applicants are proposing an outline masterplan which allows for flexibility within the proposed use classes, however there would be an upper overall floorspace cap of 190,000m². This would enable flexible land uses within the development plots to come forward as the masterplan evolves through the Reserved Matters Application process.

8.14. The masterplan also establishes three character areas to establish the development types, uses and building form. The three character areas consist of:

- Bow Works – The industrial core of the scheme that accommodates heavy industrial and freight uses. It will introduce a predominantly enclosed

environment in which the heavier industrial uses can safely operate while minimising impact on their neighbours.

- Red Rose Works - The industrial heart of the project. Red Rose Works will have an industrial quality with efficient industrial and logistic buildings, which remain integrated with the city, forming urban fronts and pleasant green streets. This character area will provide further uses including storage and distribution.
- Bazalgette Yards – This area is set in front of the Greenway and on the doorstep of the Queen Elizabeth Olympic Park. This area is focused on workspace and leisure and will form a prominent edge that balances overlooking and animation whilst protecting the natural assets of the Greenway.

8.15. In relation to Bow Works, this character area proposes the provision of a number of potential industrial uses, including Sui Generis Rail Freight Open Storage and Platform Railway depot area with associated rail-road access point, Use Class B2 / Sui Generis / Concrete Batching Plant and Use Class B8 / Sui Generis storage and industrial uses.

8.16. The masterplan seeks to provide an improved railhead within the Bow Works character area which would optimise the use of this east of the River Lea to maximise the capacity and increase the resilience of the railway, while increasing the size and efficiency of plots available for development. A conveyor system would be proposed to deliver aggregate and spoils to, and from the rail head.

8.17. The parameters allow for two new railway tracks, one parallel to the existing rail track in Bow East and an additional one between Zone E and the River Lea, also within Bow East, to allow for multiple trains to operate within the rail head. Express freight and construction spoil platforms will be located alongside it to maximise the freight distribution on site. The aggregate uses on Bow West will be linked to the sidings on Bow East through a conveyor belt that is anticipated to run across the existing goods bridge.

8.18. The existing 'Goods Road' would be improved and enable access onto Wick Lane for vehicles and pedestrians and would route through the site connecting Bow West with Bow East where it would connect to the industrial roads Freight Lane and Red Rose Lane within Bow East. This access would be limited for operational purposes due to safety and security reasons.

8.19. The Proposed Development also seeks to reduce operational impacts at the site on its neighbours. As part of the embedded mitigation set out within the Environmental Impact Assessment, an acoustic barrier will be constructed adjacent to Zone E, behind the rail siding that is proposed. This acoustic barrier is indicated as a high-density acoustic wall ranging in height from three to five metres, with the northernmost section of the siding contained within an acoustic box to reduce noise and light impact on the neighbouring homes. The exact approach to providing the acoustic barrier will be defined through future detailed Reserved Matters.

8.20. This character area would include the provision of one area of public open spaces which is referred to as 'Sighting Island' and this open space would be situated adjacent to the towpath along the River Lea.

8.21. In relation to Red Rose Works, a new Network Rail Anglia Super Hub is proposed, and this would provide railway maintenance and operations (Use Class Sui Generis and B8) alongside ancillary Class E(g)(i) office employment floorspace

could also be delivered as part of the masterplan. The Network Rail Hub will bring together existing workers on the Anglia Route alongside providing its maintenance delivery unit.

- 8.22. The Masterplan envisages it will sit at the entrance from 'Red Rose Circus', close to the DLR station of Pudding Mill. Red Rose Circus is designated as an area of public open space to the east of the proposed Network Rail Anglia Super Hub.
- 8.23. Several warehouses of different types and sizes will be located on the remaining, central portion of the Bow East industrial Development Zones, to enable flexible industrial, and storage and distribution uses to come forward depending on the market demand over the masterplan delivery period.
- 8.24. In relation to Bazalgette Yards Character Area, this area of the masterplan would sit adjacent to the Greenway with access provided from a new Road referred to as Bazalgette Way.
- 8.25. This character area proposes a workspace and leisure/civic edge to the site to provide increased activity along the Greenway edge and provide links through to the Greenway and QEOP. The masterplan seeks flexible E class/F2/Sui Generis (leisure) uses within this section of the site whilst providing a civic publicly accessible route through along Bazalgette Way. A large open space is also proposed adjacent to the Greenway, referred to as Old Ford Gardens, with the Old Ford Island Nature Reserve being enhanced to the north of the site.

Parameter Plans

- 8.26. The Parameter Plans establish a 3-dimensional envelope which sets out the location and extent of development, including predominant land uses, form, footprint and height of the buildings to be constructed and their relationship to the surrounding sites, including routes through the site. Parameter plans also set out proposed uses for the site.
- 8.27. The applicants have submitted six parameter plans, alongside a site location plan and existing site plan for approval, which are as follows:
- Site Location Plan – (dwg no. BGY-MLU-ZZ-XX-DR-AR-040100)
 - Proposed Demolition Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-041010)
 - Development Plots Parameter Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-048010)
 - Public Realm Open Space Parameter Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-048020)
 - Movement and Access Parameter Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-048030)
 - Land Use Parameter Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-048040)
 - Maximum Development Height Parameter Plan (dwg no. BGY-MLU-ZZ-XX-DR-AR-048050)

Site Location Plan – BGY-MLU-ZZ-XX-DR-AR-040100

- 8.28. This plan shows the planning application boundary based on Ordnance Survey Mapping. This Site currently falls within the administrative boundary of the London Legacy Development Corporation. However, from 1st December 2024, planning

powers will be transferred back to London Borough of Newham in respect of Bow East and London Borough of Tower Hamlets in respect of Bow West.

Proposed Demolition Plan - BGY-MLU-ZZ-XX-DR-AR-041010

8.29. This plan shows the extent of the existing built form within the red line boundary and the buildings proposed to be demolished.

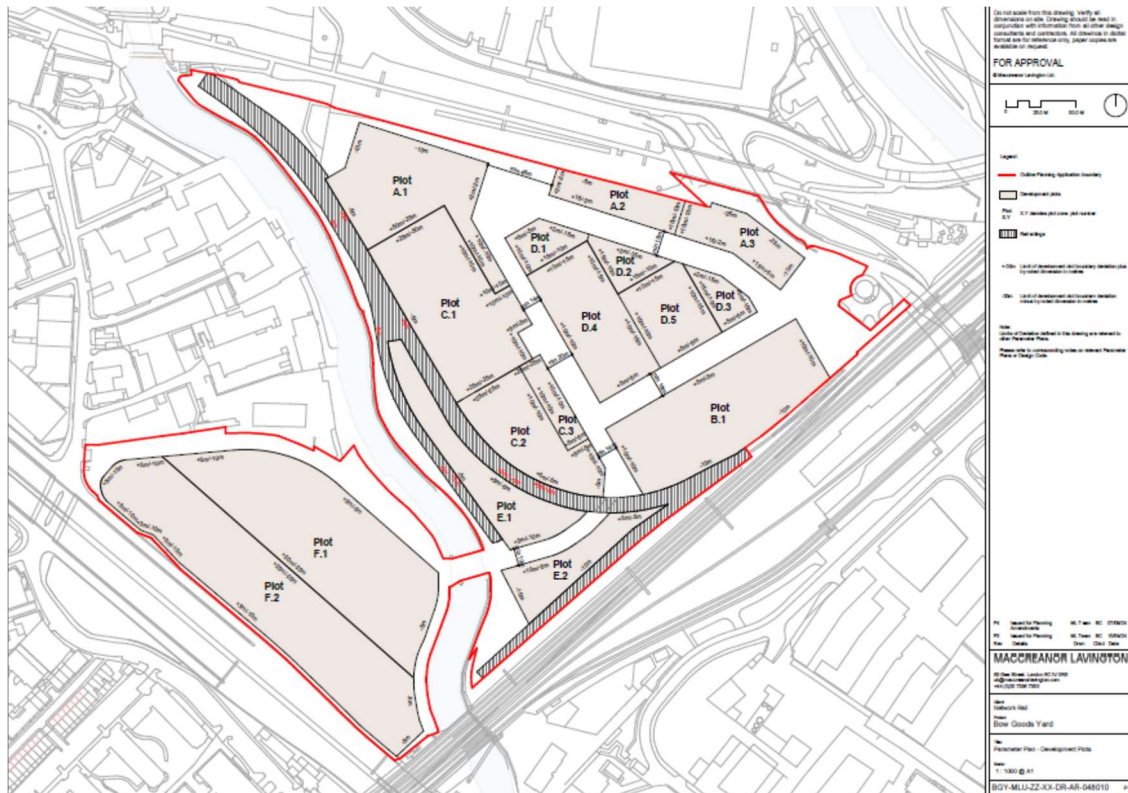
8.30. The existing buildings and structures Bow West include include a concrete batching plant and associated rail infrastructure. All of the built form within Bow West, including the rail infrastructure, is proposed to be demolished and/or relocated. As provided by the Development Plots and Land Use Parameter Plans, the existing rail infrastructure on Bow East will be expanded and intensified.

Development Plots Parameter Plan – BGY-MLU-ZZ-XX-DR-AR-048010

8.31. The Development Plots Parameter Plan provides the limits of deviation for the footprint of the proposed buildings and/or Development Plot. The parameter plan denotes the limit of development plot boundary deviation plus or minus by noted dimension in metres. These limits of deviation allow for the detailed design of the scheme to respond to the evolving design brief and market requirements. The limit of deviation will also provide flexibility for future development to respond to site constraints, such as the Thames Water sewer located within the red line boundary running parallel to the Greenway. The limits of deviations established in this plan apply to all other parameter plans submitted as part of this Outline Planning Application.

8.32. This plan should be read in conjunction with the Maximum Development Building Height Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048050, Land Use Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048040 and Public Realm and Open Space Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048020.

Figure 2 – Development plots parameter plan:



Maximum Building Heights Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048050

- 8.33. This Parameter Plan establishes the maximum building heights within each of the development plots. All levels are shown in metres Above Ordnance Survey Datum Levels (AOD). The parameter plan also defines the proposed site levels of the public realm, landscape and infrastructure and finished floor levels within the Development Plots, these all have a limit of deviation of +/- 0.5m. This Parameter Plan should be read in conjunction with the Development Plots Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048010 as this sets the limits of deviation for the Development Plots.
- 8.34. The building heights defined on the Parameter Plan set the maximum of the built form for each Development Plot which has then been tested through the Environmental Impact Assessment. The detailed design and layout for future buildings and infrastructure will also be informed by the Design Code.
- 8.35. Following revisions to the proposals the maximum building heights range from up to +17m AOD (Plot C.2, E.1 and E2) to up to +66m AOD (Plot B.1). The maximum building height for each plot is as follows:

Table 3

Plot	Maximum Building Height (Metres)
Plot A.1	Up to +35.5 AOD
Plot A.2	Up to +34.5 AOD
Plot A.3	Up to +34.5 AOD
Plot B.1	Up to +44 AOD / Up to + 66 AOD

Plot	Maximum Building Height (Metres)
Plot C.1	Up to +32 AOD / Up to + 17 AOD
Plot C.2	Up to +17 AOD
Plot C.3	Up to +37 AOD
Plot D.1	Up to +41 AOD
Plot D.2	Up to +41 AOD
Plot D.3	Up to +41 AOD
Plot D.4	Up to +41 AOD
Plot D.5	Up to +41 AOD
Plot E.1	Up to +17 AOD
Plot E.2	Up to +17 AOD
Plot F.1	Up to +40 AOD
Plot F.2	Up to +40 AOD

8.36. Figure 3 - Maximum Building Heights Parameter Plan.



Land Use Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048040

- 8.37. The Land Use Parameter Plan sets out the permitted Use Classes for each development plot. The Land Use Parameter Plan defines a proposed range of Use Classes for each Development Plot. Future Reserved Matters Applications will define the use class proposed for the detailed design of each Development Plot.
- 8.38. The Plan also defines where roof space can be used for leisure purposes or urban farming. The uses proposed are set out as follows:

Table 4: Proposed use classes

Plot	Proposed Use Class
Plot A.1	Either Use Class E/ F2/ Sui Generis
Plot A.2	Either Use Class E / F2 / Sui Generis
Plot A.3	Either Use Class E / F2 / Sui Generis
Plot B.1	Predominantly Use Class E / Sui Generis / Predominantly Use Class B8 / Sui Generis with opportunity for Rooftop use.
Plot C.1	Predominantly Use Class B8 / Sui Generis
Plot C.2	Predominantly Use Class B2 / B8 / Sui Generis
Plot C.3	Predominantly Use Class B8 / Sui Generis
Plot D.1	Predominantly Use Class E/ Sui Generis
Plot D.2	Predominantly Use Class B8 / E/ F2 / Sui Generis
Plot D.3	Either Use Class E / F2 / Sui Generis
Plot D.4	Predominantly Use Class B8 / Sui Generis with opportunity for Rooftop use
Plot D.5	Predominantly Use Class B8 / E/ F2 / Sui Generis
Plot E.1	Sui Generis Rail Freight Open Storage and Platform
Plot E.2	Railway depot area with associated rail-road access point
Plot F.1	Predominantly Use Class B2 / Sui Generis / Concrete Batching Plant
Plot F.2	Predominantly Use Class B8 / Sui Generis

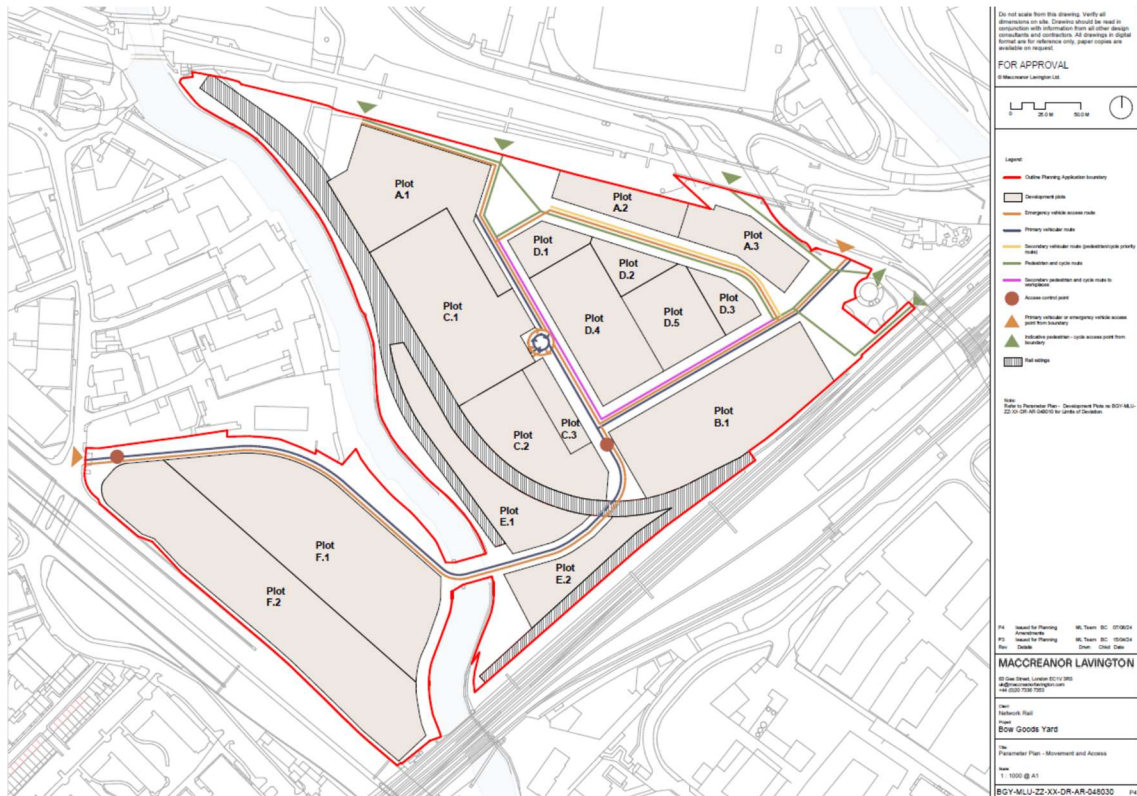
Figure 4 – Land use parameter plan.



Movement and Access Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048030

- 8.39. The Movement and Access Parameter Plan sets out the locations and types of movement routes and points, and types of access.
- 8.40. The primary vehicular or emergency vehicle access point from the boundary will be either through the northeastern corner of the Site, adjacent to Plot A. A primary vehicular or emergency vehicle access points has also been assumed from the southwestern corner of the Site, adjacent to Plot F.2, which provides access onto the Wick Lane/A12 junction. The detailed design of these accesses will be delivered through a Section 278 Agreement.

Figure 5 – Movement and access parameter plan.



Public Realm and Open Space Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048020

- 8.41. This plan sets out the locations and types of key open spaces and key plot interfaces with the public realm.
- 8.42. The Public Realm and Open Space Parameter Plan should also be read in conjunction with the Development Plots Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048010 as this plan sets out the minimum dimensions for public realm and open space across the Site. The Plan should also be read in conjunction with the Land Use Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048040 and the Movement and Access Parameter Plan BGY-MLU-ZZ-XX-DR-AR-048030.

Figure 6: Public Realm and Open Space Parameter Plan



Design Code

8.43. The submitted Design Code sets out detailed design parameters for future development on the site and is used in conjunction with the parameter plans. This is to ensure a high standard of design is maintained and to ensure that there is a consistent approach to character and appearance throughout the various phases of development.

8.44. The design codes contain two different levels of instruction and prescription. Clauses that are phrased with 'must' are mandatory and shall be complied with at Reserved Matters stage. Clauses phrased with 'should' are strongly recommended design solutions. Alternative design solutions may be proposed at Reserved Matters stage, but they must fulfil the code objective (which are clearly explained in each code section).

8.45. The design codes are organised into chapters articulating different areas of control. Whilst all aspects of the design codes seek to secure important outcomes, it covers six main themes, which include:

- Regenerative Design
- Layout and Movement
- Public Realm and Nature
- Built Form
- Uses and Typologies
- Identity and Appearance

Regenerative Design:

8.46. This section sets out Bow Goods Yard's commitments to regenerative design, which includes how it would ensure future developments meet key environmental targets, how it would create positive social benefits and ensure that diversity and inclusion goes to the heart of any future development. It goes on to outline how it would deliver an ambitious vision, informed by regenerative design principles developed in response to site context.

Layout and Movement:

8.47. This section sets out the urban structure of the masterplan, including development plots, key routes through the sites and the location and types of public spaces that are proposed within the site. As part of this it identifies how the limits of deviation between plot sizes parameter plan must be delivered in order to ensure key sightlines through the site. It also sets out how plots could be merged or subdivided to still ensure a coherent masterplan can still be developed.

8.48. It establishes the key pedestrian and cycle routes around Red Rose Square and Marshgate Lane junction, setting out how vehicular, and rail freight movements are managed to ensure that all user's safety will be fostered in Bow Goods Yard.

8.49. It goes on to set out street characters and demonstrate how the routes and spaces link into the surroundings and respond to the site constraints around the edges and demonstrate how the wider masterplan will achieve safe and inclusive movement opportunities across the site, but also how it will link into the surrounding context through enhanced routes onto the Greenway.

Public Realm and Nature

8.50. This section describes how Bow Goods Yard will sit alongside the green and blue infrastructure and enhance the ecologies of the River Lea, the Greenway and the Woodlands. The section also details how the masterplan will form a 'charm bracelet' of public spaces around the site edges and ensure that biodiversity and urban greening are maximised.

8.51. It also sets out how natural habitats can be enhanced within the site and how new public realm, spaces and gardens should be delivered to cater for the variety of uses proposed within the site.

Built Form

8.52. This section sets out how buildings in Bow Goods Yard will respond to the context and relate to each other in terms of building lines, height, massing, hierarchy of fronts and orientation. It also establishes how different uses and typologies will meet the ground to ensure active frontages where appropriate and how tall buildings will demonstrate exceptional design quality at detailed design stages.

8.53. It sets out how the design of the 'landmark building' and taller elements should relate to the Pudding Mill Centre respond to key views from around the site. It also sets out how a variety of building heights should be delivered across the site whilst delivering different roof typologies for the industrial buildings to achieve varied roofscapes and provide high quality designs to these industrial uses.

Uses and Typologies

8.54. This section sets out the critical features of different building typologies within Bow Goods Yard and establishes how different uses will relate to each other to be good neighbours and ensure that it delivers positive relationship between the industrial, logistic uses and civic uses.

- 8.55. It goes on to note that the masterplans key objective is to optimise and maximise the rail freight uses and protect the existing industrial uses on site and retain flexibility for a variety of uses to work alongside them, whilst creating an active civic edge to the site adjacent to the Greenway.
- 8.56. It sets out how this section of the site should support food and beverage uses in conjunction with any leisure uses to help provide activity at street levels. It also sets out how the warehouse typologies should come forward with internal yards that minimise their presence on street, giving both single storey and multi-storey options for storage uses.
- 8.57. It goes onto look at how the heavy industrial uses should be designed to minimise how they would impact on the surroundings, including the use enclosures for spoil and aggregate uses and noise barriers to reduce amenity impacts on nearby sensitive receptors. Finally, it sets out how flexible workspace typologies should provide a range of smaller workspaces, which can accommodate workshops, light industrial and maker space as well as setting out the location of the Network Rail Super Hub and how the typology of this building should ensure active frontages, internal loading bays and ensure that robust materials are used within it's construction.

Identity and Appearance

- 8.58. This section illustrates the architectural approach that will define the urban character of Bow Goods Yard, focusing on facade treatment and materiality. The section goes on to provide details on how the appearance of the three character areas, known as Bazalgette Yards (civic character area), Red Rose Works (industrial, logistics and distribution character area) and Bow Works (heavy freight character area), established by the masterplan will manifest responding to the context. The design codes identify how distinct characters would be developed for each of these spaces.
- 8.59. In relation to Bazalgette Yards, the codes outline that there is a key interface with the Greenway within this area and how buildings should respond to the open character and ensure that there are high degrees of transparency and overlooking of the edge, identifying where active edges can be introduced. It goes onto note this area of the site would also provide a key function to provide an interface between the civic edge and industrial heart of the site.
- 8.60. This section of the codes goes on to note that Red Rose Works is the industrious belly of Bow Goods Yard and would cater for large and small industrial, logistics, and distribution warehouses. It notes that the buildings within this section of the site must provide functional industrial buildings whilst proving high quality materials.
- 8.61. Finally, it identifies that Bow Works is the heavy industrial Core of the Bow Goods Yard site which includes the providing an enhanced rail freight area within the inner part of the site and sets out how buildings could be designed to celebrate the industrial nature of the site, whilst ensuring green buffers along key routes including the River Lea. It sets out how key design principles for the landmark tallest building and sets out how exceptional design quality would be achieved through the proposals.
- 8.62. Overall, the Design Codes note that they will ensure high quality design and the development of sustainable communities, demonstrating compliance with Policy BN.5, whilst also defining the public realm spaces and structure of the development plots for the commercial buildings in the masterplan.

8.63. The Design Codes also note how they will define the character of the physical environment, and the requirements placed on proposed buildings to support that character and provide a level of consistency, so the site as a whole is developed in a coherent manner in line with the masterplan vision.

Illustrative scheme

8.64. As part of the submitted details, the applicants have provided an illustrative masterplan scheme. This represents an example of a scheme created to comply with the Design Code, the Parameter Plans and the Development Specification and Framework. This is intended to demonstrate the type of development which may come forward and to represent the quality of design that can be achieved using the proposed Design Code. It is not for formal assessment.

8.65. As outlined within the design codes section, the Illustrative scheme sets out three character areas known as Bazalgette Yards (civic character area), Red Rose Works (industrial, logistics and distribution character area) and Bow Works (heavy freight character area).

8.66. Bazalgette Yards sets out the core publicly accessible areas of the proposed masterplan with a key piece of public realm proposed adjacent to the Greenway known as Old Ford Gardens with cyclist and pedestrian links onto the Greenway. Leisure uses are proposed along the boundary with the Greenway which include a multi-purpose venue alongside large leisure spaces which propose a climbing centre and indoor skatepark within

8.67. The Red Rose Works character area provides a more logistics and distribution led character with large plots to provide storage and distribution uses within the centre of the site and the tallest building element for the Network Rail Anglie Hub provided adjacent to the railway line to the south of the site, with a public square (Red Rose Circus) proposed adjacent to the entrance of the site off Red Rose Lane.

8.68. The Bow Works character area is set around the railway sidings to allow for increased rail freight activities as well as aggregate storage and provision of concrete batching plants within Bow West. The illustrative scheme also includes a large operational vehicle car park for vehicles associated with Network Rail and the on-site industrial operations.

8.69. The illustrative scheme has helped to demonstrate that inclusive design can be achieved within the design of the entire site, ensuring significant pedestrian and cyclist connections through the site whilst providing improvements along Marshgate Lane and provide wider connections to the surrounding area. The illustrative scheme would include a significant amount of soft landscaping, open space and potential for playspace within the public facing elements of the site. This would include street furniture and cycle parking for visitors.

Figure 7 – Illustrative masterplan



8. POLICIES & GUIDANCE

- 8.1. The revised National Planning Policy Framework was published in 2023. This document sets out the Government's planning policies for England including the presumption in favour of sustainable development. It is a material consideration in the determination of all applications. The policies in the NPPF are therefore material considerations in the determination of this application.
- 8.2. The following NPPF sections are relevant to this planning application:
- 4. Decision making
 - 6. Building a strong, competitive economy
 - 7. Ensuring the vitality of town centres
 - 8. Promoting healthy and safe communities
 - 9. Promoting sustainable transport
 - 11. Making effective use of land
 - 12. Achieving well-designed places
 - 14. Meeting the challenge of climate change, flooding and coastal change
 - 15. Conserving and enhancing the natural environment
 - 16. Conserving and enhancing the historic environment
- 8.3. It is noted that consultation is currently ongoing with respect to future amendments to the NPPF. Given these changes remain at consultation stage only, they therefore carry limited weight in the assessment of this application. Nonetheless, the proposed scheme is considered to respond positively noting that it would support the development of economic activity, including diversifying the range of employment spaces and employment opportunities in the area.
- 8.4. For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the adopted 'Development Plan' for this site is The London Legacy Development Corporation's Local Plan 2020-2036 (July 2020) and the London Plan (2021).

- 8.5. The proposals have been considered against all relevant national, regional and local planning policies as well as any relevant guidance. Set out below are those policies/guidance documents considered most relevant to the application, however, consideration is made against the development plan as a whole.

The London Plan 2021

- 8.6. The London Plan 2021 was formally adopted in March 2021, and this sets out the framework for how London will develop over the next 20-25 years and the Mayor’s vision for Good Growth. The following policies are considered relevant to the application:

Policy Number	Policy Name
GG1	Building strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG5	Growing a healthy economy
GG6	Increasing efficiency and resilience
SD1	Opportunity areas
SD6	Town centres and high streets
SD7	Town centres: development principles and Development Plan Documents
SD8	Town centre network
SD9	Town centres: Local partnerships and implementation
SD10	Strategic and local regeneration
D1	London’s form and characteristics
D2	Infrastructure requirements for sustainable densities
D3	Optimising site capacity through a design-led approach
D4	Delivering good design
D5	Inclusive design
D8	Public realm
D9	Tall buildings
D11	Safety, security and resilience to emergency
D12	Fire safety
D13	Agent of change
D14	Noise
S1	Developing London’s social infrastructure
S2	Health and social care facilities
S4	Play and recreation facilities
S5	Sports and recreation facilities
E1	Offices
E2	Providing suitable business space
E3	Affordable workspace
E4	Land for industry, logistics, and services to support London’s economic function
E5	Strategic Industrial Locations (SIL)
E6	Locally Significant Industrial Sites
E7	Industrial intensification, co-location and substitution
E8	Sector growth opportunities and clusters
E9	Retail, markets and hot food takeaways
E11	Skills and opportunities for all
HC1	Heritage conservation and growth

Policy Number	Policy Name
HC3	Strategic and local views
HC5	Supporting London's culture and creative industries
HC6	Supporting the night-time economy
G1	Green infrastructure
G4	Open space
G3	Metropolitan Open Land
G5	Urban greening
G6	Biodiversity and access to nature
SI 1	Improving air quality
SI 2	Minimising greenhouse gas emissions
SI 3	Energy infrastructure
SI 4	Managing heat risk
SI 5	Water infrastructure
SI 6	Digital connectivity infrastructure
SI 7	Reducing waste and supporting the circular economy
SI 8	Waste capacity and net waste self-sufficiency
SI 9	Safeguarded waste sites
SI 10	Aggregates
SI 12	Flood Risk Management
SI 13	Sustainable drainage
SI 16	Waterways – use and enjoyment
SI 17	Protecting and enhancing London's waterways
T1	Strategic approach to transport
T2	Healthy streets
T3	Transport capacity, connectivity and safeguarding
T4	Assessing and mitigating transport impacts
T5	Cycling
T6	Car parking
T6.2	Office parking
T6.3	Retail parking
T6.4	Hotel and leisure uses parking
T6.5	Non-residential disabled persons parking
T.7	Deliveries, servicing and construction
T9	Funding transport infrastructure through planning
DF1	Delivery of the Plan and Planning obligations

The Legacy Corporation Local Plan (adopted July 2020)

- 8.7. The Legacy Corporation Local Plan (adopted July 2020) is the relevant Local Plan for the Legacy Corporation area. The most relevant policies of the existing Local Plan are listed below:

Policy Number	Policy Name
SD.1	Sustainable development
SP.1	A strong and diverse economy
B.1	Location and maintenance of employment uses
B.2	Thriving town, neighbourhood and local centres
B.3	Creating vitality through interim uses

Policy Number	Policy Name
B.5	Increasing local access to jobs, skills and employment training
SP.3	Integrating the built and natural environment
BN.1	Responding to place
BN.2	Creating distinctive waterway environments
BN.3	Maximising biodiversity
BN.4	Designing development
BN.5	Proposals for tall buildings
BN.6	Requiring inclusive design
BN.7	Protecting Metropolitan Open Land
BN.8	Improving Local Open Space
BN.9	Maximising opportunities for play
BN.10	Protecting key views
BN.11	Air quality
BN.12	Noise
BN.13	Protecting archaeological interest
BN.14	Improving the quality of land
BN.17	Conserving or enhancing heritage assets
SP.4	Planning for and securing transport infrastructure to support growth and convergence
T.2	Transport improvements
T.4	Managing development and its transport impacts
T.5	Street network
T.6	Facilitating local connectivity
T.7	Transport assessments and travel plans
T.8	Parking and parking standards in new development
T.9	Providing for pedestrians and cyclists
SP.5	A sustainable and healthy place to live and work
S.1	Health and wellbeing
S.2	Energy in new development
S.3	Energy infrastructure and heat networks
S.4	Sustainable design and construction
S.6	Increasing digital connectivity, safeguarding existing communications provision and enabling future infrastructure
S.7	Planning for waste
S.8	Waste reduction
S.9	Overheating and urban greening
S.10	Flood risk
S.11	Sustainable drainage measures and flood protections
S.12	Resilience, safety and security

8.8. Other relevant material considerations

Mayor of London – Accessible London SPG (2014)

Mayor of London – Planning for Equality and Diversity in London (2007)

Mayor of London – Characterisation and Growth Strategy LPG

Mayor of London – Optimising Site Capacity: A Design-led Approach LPG (2023)
Mayor of London – Fire Safety LPG (2022)
Mayor of London – Social Infrastructure SPG (2017)
Mayor of London – Play and Informal Recreation (2014)
Mayor of London – Industrial Land and Uses LPG (draft – 2023)
Mayor of London – Urban Greening Factor LPG (2023)
Mayor of London - Be Seen Energy Monitoring LPG (2021)
Mayor of London - Circular Economy Statements LPG (2022)
Mayor of London - Whole Life Carbon Assessments LPG (2022)
Mayor of London - Air Quality Positive LPG (2023)
Mayor of London - Air Quality Neutral LPG (2023)
Mayor of London – Energy Planning Guidance
Mayor of London - The control of dust and emissions in construction SPG (2014)
Mayor of London - Sustainable Transport, Walking and Cycling guidance (2022)
LLDC Planning Obligations SPD (2022)
LLDC Getting to Net Zero SPD (2022)
LLDC Evening and Night-time Economy (2021)

- 8.9. LB Newham and Tower Hamlets are both in the process of preparing new Local Plans which will include the relevant parts of the current LLDC area falling within the respective boroughs once they have been adopted. The emerging policies in the draft Local Plans may be given some material weight where the tests in Paragraph 48 of the NPPF are met. However, the policies in the LLDC Local Plan and the guidance in relevant adopted SPD's will remain as the relevant local decision-making framework until such time as these have been withdrawn by the Councils after the date at which planning powers have been returned to them and they have adopted their new borough Local Plan. Where an emerging Local Plan policy and an existing LLDC Local Plan policy are inconsistent, the LLDC Local Plan policy would take precedence until that point in time.
- 8.10. A new Local Plan may be given weight according to the stage of preparation of the emerging local plan, the extent to which there are unresolved objections to the relevant policies, and the degree of consistency between the relevant policies in the draft plan and the policies in the NPPF.

9. CONSULTATIONS

Statement of Community Involvement

- 9.1. Statements of Community Involvement (SoCI) have been submitted in support of the Bow Goods Yard application. Within it, the applicant describes the pre-application involvement process by outlining the methodology used, presenting the information collected throughout the consultation process, and explaining how the findings were considered during the development of the respective proposals.
- 9.2. The SoCI submitted alongside the Bow Goods Yard application states that the applicant undertook consultation with a range of stakeholders at pre-application stage. The document explains that several rounds of consultation took place between June 2023 and March 2024. This included consultation with the following community and public stakeholders:
 - Local residents and members of the public living and/or working around the local vicinity;
 - Local amenity/interest groups including the Greenway Action Group and the Otter Close Residents & Wick Lane Businesses.
 - Staff, pupils and parents from local schools;
 - Young people from the local area including Elevate;
 - Other stakeholders including faith groups and local businesses etc.
- 9.3. The submitted Statements of Community Involvement explains the approach to consultation which included community and public stakeholder consultation via a dedicated website, public meetings, workshops, flyers, email and an online public exhibition.
- 9.4. A wide range of technical stakeholders were also consulted at pre-application stage in order to inform the proposals. These included:
 - LLDC Planning Policy & Decisions Team;
 - LLDC Built Environment Access Panel;
 - LLDC Quality Review Panel;
 - LLDC Community Review Panel
 - London Borough of Newham;
 - London Borough of Tower Hamlets
 - Greater London Authority;
 - Environment Agency;
 - Canal & Rivers Trust;
 - Transport for London;
 - Thames Water;

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- 9.5. A total of 2,911 letters were sent to nearby businesses and the occupiers of nearby residential buildings, including those along Wick Lane and Fairfield Road. Press Notices were also placed in the Newham Recorder and East End life newspapers on 22nd May 2024. Following the provision of further Environmental information by

the applicants, re-consultation was undertaken on 16th August 2024 in accordance with Regulation 25 of the EIA Regulations to all of these residents.

- 9.6. 10 site notices were placed around the site along Marshgate Lane, the Greenway, Wick Lane, The river Lea Towpath, Sidings Street and at Pudding Mill DLR station on 30th May 2024. Following the revisions to the scheme an additional advert was placed in the Newham Recorder and East End Life on 21st August 2024 and a further 10 site notices were placed around the site on 20th August 2024 in similar locations as noted above.

Neighbour Responses

- 9.7. At the time of writing, 13 comments had been received from occupiers of nearby residential developments. 11 of the responses were in objection to the proposed development and two in support. A summary of the neighbour response, together with an officer comment/response, are listed in the table below:

Table 5: Summary of neighbour consultation responses.

Neighbour Comment	Officer Response/Comment
<p>Great opportunity for the area and welcome all the public benefits such as open landscape space, events space, sports facilities etc. the co-existence of the with industrial will be challenging but achievable.</p>	<p>These comments are noted.</p>
<p>The proposals represent a significant enhancement over the current use of the site and solve the dust problems created by the site for neighbours.</p>	<p>These comments are noted.</p>
<p>The proposals do not provide for affordable workspace for local businesses.</p>	<p>The proposals would not meet the LLDC policy on affordable workspace as there is no existing affordable workspace within the site. However, the applicants have committed to providing s106 obligations to enable community access to the suite of leisure facilities provided which will be secured through the agreement of a community access strategy as part of the s106 agreement.</p>
<p>Concerns over whether the proposals would result in a risk of an increase in crime.</p>	<p>The applications have been reviewed by the Met Police who have not raised any objections to the proposals. A condition is also attached to ensure that the proposals would achieve the designing out requirements and these details will be reviewed further by the Met Police. This will ensure that the developments will be designed in the future to ensure they would be resilient to crime.</p>
<p>Concerns raised over the impact that the works will have on dust, noise levels and air quality as well as wildlife and ecology in the area. The proposals would represent a loss of privacy to occupants of</p>	<p>The proposals offer an opportunity to significantly improve the existing impacts of the site on noise and air quality, through the enclosing of the operational activities and provision of further mitigation and monitoring measures to be secured via condition and s106 obligations. In</p>

<p>nearby existing properties including Bow Quarter Estate.</p>	<p>relation to privacy, the site is situated some distance from nearby properties and PPDT officers are of the view that privacy impacts would not be significant. These matters are explored further within section 10 of this report.</p>
<p>Concerns on the operational environmental and traffic effects and the impact on the amenity of existing and planned future residents and occupiers of the surrounding area. Specifically with reference to the proposal for primary vehicular access to the site via the boundary entrance on Wick Lane, between the Shell service station and the traffic lights at the A12 flyover intersection.</p>	<p>As noted above the proposals offer the opportunity to mitigate many of the noise impacts through enclosing of operations and the provision of mitigation measures including the proposed acoustic barrier adjacent to the rail sidings. In relation to traffic impact, it is noted that additional vehicular trips would be generated from the proposals, however significant mitigation measures are proposed through the s106 to upgrade the A12/Wick Lane junction amongst other obligations to help mitigate any future transport impacts</p>
<p>Concerns raised surrounding pedestrian safety and direct traffic (particularly HGVs) away from the Wick Lane junction.</p>	<p>As noted, junction improvements are proposed the A12 junction, albeit a detailed scheme for these improvements has not yet been finalised. Any improvements would need to consider highway safety impacts for pedestrians and cyclists and these improvements will be secured via the s106. Highway improvements would also be secured to improve pedestrian and cycle safety at the Marshgate Lane junction and surrounding area, these will also be secured through the s106 agreement.</p>

9.8. Two further responses have been received from representatives of two of the existing businesses within the site, these comments are summarised as follows:

Table 6:

Occupiers comments:	Officer response:
<p>There is no issue in principle with what the application seeks to achieve in terms of consolidation of SIL and introduction of new/intensified uses at Bow East. However, the proposals for Bow West are of concern. Concerns are</p>	<p>The 5,000 m2 Concrete and Aggregate Plat only accounts for the area of the two concrete batching plants to be located within plot F.1. For completeness, the maximum parameters outlined within the submitted Parameter Report are</p>

Occupiers comments:	Officer response:
<p>raised in relation to the proposed maximum floorspace caps outlined by the applicants as this would be insufficient to meet policy to maximise rail freight activities for concrete batching and aggregate activities. The proposals are for significant aggregate and concrete batching operations on a very limited area which will not work operationally and does not provide for sufficient aggregate storage to support the proposed operations.</p>	<p>calculated in GEA and therefore the maximum areas are in respect of the physical buildings, and not yard space.</p> <p>The illustrative scheme demonstrates how up to 30,000t of aggregate storage could be accommodated on Bow West.</p>
<p>It is acknowledged that this is an outline planning application with all matters reserved with exception of points of access but there are key concerns with the practicalities of the potential layouts suggested for Bow West within the application submission documents and in particular in the parameters plan, and illustrative material both in the DAS and Masterplan documents.</p>	<p>The applicants have noted that the proposed layout has been developed with swept-path analysis and vehicle tracking provided to demonstrate the feasibility access and egress for all required vehicle type across the site. As part of any future detailed design and Reserved Matters Planning Applications (RMA's), further detailed and updated plot-specific swept-path analysis will continue to be provided to demonstrate the feasibility of maneuverability for both parking and access.</p>
<p>As a result of the configuration of non-rail related uses the Bow West site will be less rail intensive than it currently is. It is assumed that it cannot be the intention of the applicant to prejudice the on-going operation of an existing and highly successful rail freight site, nor to fetter the prospect of further/intensified rail/minerals related development (in the form of an additional CBP) at Bow West. However, as currently proposed that is the clear prospect.</p>	<p>The applicants have submitted a Rail Freight Capacity Study which demonstrates that c.2,660,000 tonnes of material per year could be put through the existing site and that the proposals would be able to achieve a throughput of 3,540,000 tonnes of material per year. Demonstrating that the proposals would maximise the efficiency of the railhead infrastructure on the site, with optimised and modernised sidings. The railhead improvements in Bow Goods Yard follow the recommendations of the London Rail Freight Strategy, including achieving the target of accommodating 26 wagons trains</p>

Occupiers comments:	Officer response:
	on the new set of sidings, improving on the previous 22 wagons sidings.
The redevelopment of Bow East as proposed is supported. This is a significantly underutilised safeguarded railhead and long-term beneficial use should be made of this site.	This point is noted.
Bow West is a safeguarded railhead with a highly successful aggregates importation facility and ready-mix concrete operation. The NPPF and London Plan safeguarding are specifically directed to supporting rail-based minerals operations including bulk transport of minerals by rail and concrete batching plants.	The proposals would ensure overall that the railhead is safeguarded across the site as noted above, the conveyor belt will be located connecting aggregates to Bow West ensuring that the uses within Bow West are still safeguarded.
The Bow West site should continue to be used for these operations and whilst there are opportunities for intensification and co-location this should be limited to those activities currently active on Bow West (i.e. aggregates railhead, ready mix concrete manufacture and blending operations) in order to ensure a sustainable source of supply of construction materials to satisfy London's demand. In short, the van parking and warehouse proposals on Bow West should be removed and all of Bow West retained for rail/minerals-based operations.	The proposed land uses for Bow West would still allow for flexibility of the land use and plot boundaries within the parameter plans for plots C, E and F. given this flexibility, floorspace can also be drawn down from the other industrial uses such as B8 Storage and Distribution and Rail Fed Warehouses (Up to 61,000sqm)) to ensure the operations within Bow West are intensified.

9.9. An extensive consultation process was also undertaken with respect to a range of external stakeholders. A summary of the responses received from external consultees are set out below:

Table 7: Summary of statutory consultee responses

Consultee	Response
Greater London Authority	Within their Stage 1 comments for the initially submitted application, the GLA confirmed that, at the time of their response, the scheme was not yet considered to be compliant with the London Plan. Following the revised proposal being submitted, further discussions have been ongoing with the GLA in relation to a number of matters, including the land use principles, alterations to

	<p>the parameter plans and design codes and sustainability. The issues are summarised as follows:</p> <p><u>Principle of development:</u> The redevelopment of the site to provide intensified industrial uses and non-industrial uses including office and leisure uses is supported in principle. However, further information is required on the masterplan framework to support SIL release, as well as justification for the office uses on the site.</p> <p><u>Urban design and heritage:</u> Further refinements to the design code, development layout, scale and massing, and landscaping and public realm should be considered. The appropriateness of the site and visual, environmental, and functional impacts of the tall buildings should be addressed. Further details are required to assess impacts to nearby heritage assets. Any harm identified must be outweighed by the public benefits of the scheme.</p> <p><u>Transport:</u> See comments from TfL below.</p> <p><u>Sustainable development:</u> Further information is required on the energy strategy, whole-life cycle carbon, circular economy, green infrastructure, water, and air quality.</p> <p><u>Officer comment:</u> Further engagement has been sought between the applicants and the GLA, with additional information provided which has sought to address the above issues. The GLA have subsequently confirmed that the principles of the land use issues have been addressed by the revisions to the scale and massing, as well as the updated design codes, raising no strategic concerns. The proposal will be reported back to the GLA for consideration at Stage 2 prior to the issuing of any decision.</p> <p>The suggested obligations and conditions are included within the recommendation (see HoT's and conditions within section 13 of this report).</p>
Transport for London	<p><u>Walking Cycling and public realm</u> The design code includes illustrations of level / shared surfaces, without the traditional kerb delineation between carriageway and footway, which would appear to be inappropriate in this location. Provision for cycling within the site is mixed, with segregated cycle tracks at the entrance and a shared walking / cycling route on one side of one of the routes but not for another.</p>

Given the high proportion of goods vehicles forecast to use these roads and, on the proposed Bazalgette Way, a likely high proportion of visitor cyclists for the sports, leisure and events spaces, the provision for cycling should be segregated to secure the highest standards of safety.

The Active Travel Zone (ATZ) assessment submitted as part of the Transport Assessment proposes several potential enhancements to improve the environment for walking and cycling, but further work is necessary to support active travel for workers at and visitors to this largely car-free site.

The Transport Assessment also contains a particular focus on the Greenway and on the walking / cycling route under the railway viaduct between the site and Pudding Mill Lane station. This includes reporting on some work carried out by LLDC to design improvements.

The relevant highway authorities should be consulted over the measures proposed and whether any omissions or further improvements that could be made, and an appropriate contribution should be secured towards these improvements.

The site is currently a barrier to movement between the east and west sides of the River Lea. The existing vehicle and rail bridge lies roughly equidistant between the walking, wheeling, and cycling crossing of the Lea on the Greenway, and the next bridge approximately 900 metres downstream close to the High Street. At pre-application stage, the applicant was advised to address this severance or, if it can be proven to be unfeasible, contribute toward off-site improvements to achieve the objectives of Policy T2 of the London Plan.

Parking.

The proposed development would be car-free except for parking for disabled drivers and for night-shift workers. The applicant should provide justification for the latter exemption as it is still general needs parking which is contrary to Policy T6.2 of the London Plan.

The proposal also includes a multi-storey facility with around 300 operational van parking spaces. Robust justification of operational need must be provided and safeguards should be put in place to prevent commuter and general parking. Given the stated intention to support sustainable freight, and the justification that

parking is for operational purposes, 100% of spaces should have active electric vehicle charging to meet Policy T6.2, rather than the 20% proposed.

An outline delivery and servicing plan has been submitted but fails to provide commitments to promote sustainable freight movements. Given that freight movement will be the primary function of much of the development, it would be appropriate to secure an overarching site-wide operational logistics plan, with individual tenants adhering to principles of the highest standards of fleet operation and contributing to minimising the network impact.

Safeguarding Rail Freight activities

Policies T7 and SI10 of the London Plan indicate a necessity to secure the maximum potential use of the railhead for carrying freight, and within that, securing the maximum potential use of the site and railhead for the handling of rail-borne aggregates and other building materials. The applicant must therefore demonstrate that the capacity of the whole system is maximised, for example that the maximum continuous delivery of aggregates by rail is matched by the maximum throughput of the concrete batching plant together with any anticipated export of unprocessed aggregates. Further information should be supplied to satisfy these policy objectives.

Trip generation and network impacts

The key issue is that the maximum floorspace parameters allow for considerable flexibility in the specific land use implemented. A range of scenarios must be considered such that a worst case for each mode is assessed, to allow for consideration of capacity constraints and necessary mitigation.

Given the potential uses and forecast vehicle flows, the treatment of those trips is equally important and raises a number of concerns. The east side of the site is accessed from Marshgate Lane, while the west side has a vehicle connection to Wick Lane. The emerging high-density, car-free residential quarter in and around Marshgate Lane expects to minimise through traffic, particularly by goods vehicles, whilst enhancing walking and cycling links.

A vehicular link is proposed across the River Lea between the east and west sides of the site. The applicant indicates that some of the east side traffic will be directed to use that link, which is supported, but no

	<p>details are provided about how that would be arranged, managed and enforced.</p> <p><u>Officer comment:</u> Detailed discussions between PPDT officers, TfL and the applicants have been ongoing since the initial comments as outlined above which has included a number of meetings to seek to resolve the above raised concerns.</p> <p>The applicants have demonstrated that the worst case scenarios that would be allowed under the max parameters have been assessed through the Transport Assessment and ES with further clarification provided by the applicants to satisfy TfL's initial concerns.</p> <p>Further information has also been provided within the ES and updated Transport Assessment, alongside additional documents submitted in the form of the Outline Operational Management Plan.</p> <p>A detailed mitigation package has now been prepared and negotiated with the applicants which would resolve the potential future issues as raised by TfL. These include but are not limited to agreement to undertake an improvement to the A12 junction to ensure that the proposed development would have no detrimental impact on the junction, contributions towards improved walking and cycling facilities on Marshgate Lane and limitations on HGV traffic using Marshgate Lane.</p> <p>Obligations and conditions to secure the mitigation package are included within the recommendation (HoT's) and conditions set out in section 13 of this report.</p>
Crossrail	No response received.
Environment Agency	<p>No objection to the application subject to the inclusion of appropriate conditions dealing with River Wall Survey, Remediation, Piling, Drainage and Landscape and informatives related to Flood Resistance.</p> <p><u>Officer comments:</u> The suggested conditions have been included as part of the recommendation.</p>
LBN Planning	Bow Goods Yard is identified as a SIL (plan allocation SIL.6), which shall prioritise the safeguarding of rail heads to ensure that any planned intensification in the future could successfully be accommodated. The site is also allocated for large scale industrial and freight

distribution uses, alongside small-scale light-industrial uses.

Spaces for research and development, B2 general industry, B8 storage and distribution, green technology, and appropriate Sui Generis Uses (including waste, utilities including digital/data and transport depots) may also be acceptable within this designation.

The proposed uses outlined within the Design and Access Statement submitted are generally consistent with the uses outlined within the emerging site allocation, and therefore would be supported in this regard.

Additionally, it is acknowledged that Class E(g) floor space is proposed. This could be supported in line with the SIL designation, but only where these uses would be ancillary to industrial floor spaces in both scale and function.

LBN would not necessarily object to the introduction of leisure uses and sports pitches adjacent to the greenway, however further clarification would be required as to what these end uses would be.

It is noted that the Design and Access Statement accompanying the application references that partial release of approximately 31% of the site to allow for non-industrial uses to come forward in parts of the project is proposed.

The Newham Employment Land Review (2022) indicates that the borough's pipeline of supply is not sufficient to meet current industrial need, nor are the sites with industrial potential currently in planning. Therefore, to meet economic demand and enable employment growth no further release of industrial land within Newham should be supported, and instead industrial intensification will be encouraged.

A second response was also received from LB Newham which noted that the existing site contains waste transfer licences which would need to be retained or demonstrated that additional capacity is available elsewhere.

Officer comment:

These comments are noted, and PPDT officers are of the view that the leisure uses have been suitably justified through the leisure impacts assessment. The proposals provide a significant increase in industrial

	<p>capacity which would ensure significant intensification of the Strategic Industrial land uses.</p> <p>In relation to Waste, the applicants have confirmed that provision is made to accommodate the operation of activity related to both of the waste licences in place at the site, such that the existing capacity can be retained. A planning obligation to safeguard that capacity is included within the Heads of Terms of the proposed s.106 legal agreement.</p>
LB Newham- Environmental Health	<p>No objection to the application subject to the inclusion of appropriate conditions dealing with Land Contamination, Air Quality, Hours of operation and Generator Emissions and informatives related to contamination.</p> <p><u>Officer comments:</u> The suggested conditions have been included as part of the recommendation.</p>
LB Newham- Lead Local Flood Authority	<p>Objected to the proposal, with comments in relation to the documentation submitted. Limited information on the drainage strategy, further information would be required covering the use of culvert, discharge rate/velocity at river outfall, diffuse infiltration and water reuse/harvesting.</p> <p><u>Officer Comments:</u> Updated ES Chapter 10 Water Resources, Flood Risk and Drainage was submitted as part of the Regulation 25 request and the LLFA have subsequently confirmed that subject to a condition, they are satisfied with the proposals.</p>
LBN Transport and Highways	No response received.
LBTH Planning	No comments received.
LBTH Highways	<p>Insufficient information has been submitted on the potential impacts on LBTH highways to allow a full assessment to take place. Whilst the application is for outline permission it is felt that the likely traffic generation from this proposal has the potential to severely impact the highway network in the Borough.</p> <p>At present the main area for discussion has been on the impact on the A12 southbound at the junction with Wick Lane. This shows that the junction does not currently operate within capacity and, therefore the development and would make capacity issues worse.</p>

	<p>Meetings are still taking place regarding the modelling and potential improvements / mitigation. There is also an issue with providing a signalled pedestrian phase at this junction and, again, further discussions are taking place.</p> <p>For vehicles arriving from the west there is also the opportunity to access the site by using unsuitable roads, such as Coborn Street / Tredegar Road and Fairfield Road. What mitigation is proposed to prevent this?</p> <p>The application also states that the site itself will be used for 300 operational vehicles. More explanation is required on this operational use and details of whether the modelling undertaken so far includes this use.</p> <p>Requested a contribution towards strengthening works to the A12 slip roads.</p> <p><u>Officer comments:</u> These comments are noted and are largely in line with those previously raised by PPDT's consultants and TfL. As noted detailed discussions have been had with the applicants to ensure that suitable mitigation will be achieved for the A12 and impacts on surrounding roads which are discussed in detail within the transport section of the report.</p> <p>The proposed parking would be for operational purposes only and a condition will be attached accordingly requiring the applicants to demonstrate in detail future operational need on a plot by plot basis. An obligation to provide an operational management plan outlining the details of vehicular movements out of the site and any mitigation to limit impacts on surrounding local roads will be required to be submitted. The s278 requirements to upgrade the junction will also include requirements to strengthen to A12 slip roads.</p>
LBTH Air Quality	<p>Noted that the proposals met the air quality neutral and positive requirements and that they had no objections to the proposals subject to conditions on dust management plan and construction vehicles. Informative also requested for air quality monitoring.</p> <p><u>Officer comment:</u> These comments are noted, the relevant conditions are included within section 13 of the report and air quality monitoring requirements will be secured through the s106 agreement.</p>
Metropolitan Police	<p>Confirmed that they met with the applicant at pre-application stage and that a condition should be included requiring the development to be designed to</p>

	<p>'Designing out Crime' standard or an alternative standard agreed by the Met's Design Officer.</p> <p><u>Officer comment:</u></p> <p>The suggested conditions have been included as part section 13 of this report.</p>
<p>London Fire Brigade</p> <p>National Health Service</p> <p>Lea Valley Regional Park Authority</p> <p>East London Waste Authority</p>	<p>No responses received</p>
<p>London City Airport</p>	<p>This proposal has been assessed from an aerodrome safeguarding perspective. Accordingly, it was found to conflict with London City Airport's current safeguarding criteria. However the comments noted that subject to the imposition of conditions relating to the submission of details in relation to Instrument Flight Procedures assessment, bird hazard management plan, landscaping details and crane details, they did not raise any objections.</p> <p><u>Officer Comments:</u></p> <p>The suggested conditions have been included as part of the recommendation.</p>
<p>National Grid</p>	<p>There is a NGET buried cable routed within the canal tow path. Clarification is sought whether the proposal include works along the tow path.</p> <p><u>Officer Comments:</u></p> <p>The proposals do not include works along the Towpath specifically, however an obligation to upgrade the towpaths is secured through the s106 agreement. Any further works to the towpath would be undertaken by the Canal and Rivers Trust and at this point any impacts on infrastructure would be addressed.</p>
<p>Historic England</p>	<p>Historic England have no comments to make on this application.</p>
<p>Environment Agency (EA)</p>	<p>No objections to the proposals, requested that specified conditions and informatives are attached to the decision notice.</p>

	<p><u>Officer comment:</u> The suggested conditions have been included as part of the recommendation.</p>
Thames Water	<p>No objection subject to conditions requesting a piling method statement, due to the proximity of a strategic sewer, contamination, water network capacity and infrastructure.</p> <p><u>Officer comment:</u> The suggested conditions have been included as part of the recommendation (see section 13 of this report).</p>
Canal and River Trust	<p>No objection to the application subject to the inclusion of appropriate conditions dealing with Landscaping, Waterway Wall Survey, Waterborne Transport Feasibility and Lighting and informatives related to Landowner Assets, Biodiversity Net Gain and Surface Water Drainage. A contribution has also been requested towards resurfacing of the towpath running adjacent to the site.</p> <p>Officer comments: The suggested conditions have been included as part of the recommendation and an obligation has been included within the heads of terms.</p>
Commercial Boat Operators Association [CBOA]	<p>CBOA have raised comments for the potential for waterborne transport and have requested a condition is attached to look at the feasibility of this being delivered.</p> <p><u>Officer Comments:</u> Conditions agreed to relating to Waterborne Transport Feasibility.</p>
Health and Safety Executive	<p>No comments made on the application.</p>
Inland Waterways Association	<p>No objection in principle subject to conditions for details to be submitted in consultation with IWA for the potential for waterborne transport, using the Lee Navigation.</p> <p><u>Officer Comments:</u> The suggested conditions are included within the recommendation.</p>
Sport England	<p>Sport England has considered this as a non-statutory consultation as the site does not form part of a playing field.</p>

	<p>Encourage the local authority to consider the sporting needs arising from the development and direct CIL monies to deliver new and improved sports facilities.</p>
Thames Water	<p>No objections to the proposal. A number of Conditions recommended to ensure that existing infrastructure is protected and any surface water issues are addressed once a detailed design has been developed.</p> <p><u>Officer comments:</u> Suggested conditions have been secured.</p>
Greater London Archaeology Advisory Service (GLAAS)	<p>GLAAS have commented that the application should record the significance of any heritage assets that the development harms and should improve knowledge of assets. GLAAS believe there is the potential for buried deposits of paleoenvironmental significance.</p> <p><u>Officer comments:</u> Conditions to this effect have been included as part of the recommendation.</p>
LLDC Development Team	<p>Comments have been received from the LLDC's development team in their position as landowners of part of the site and neighbouring Pudding Mill Lane (amongst others) site. They noted that they do not object to the principle of the development, and confirm that the proposals would offer many benefits, however a number of concerns were raised requiring further information and justification.</p> <p>The main issues raised in relation to the proposals related to the impacts on the surrounding highway network, most notably that the proposals would result in increased HGV and vehicular traffic onto Marshgate Lane and south through Pudding Mill Lane. Concerns were also raised about the potential impacts on pedestrians and cyclists along Marshgate Lane.</p> <p>Concerns were raised in relation to the proposed scale of the development originally submitted and the subsequent impacts on the townscape.</p> <p>Comments were also received in relation to environmental impacts, including impacts from construction and the need for further commitments via conditions and s106 obligations.</p> <p>A second response was also received following the submission of further details by the applicants, of which</p>

	<p>similar concerns were raised, with concerns still raised in relation to</p> <ul style="list-style-type: none"> • the number of vehicles that will use Marshgate Lane and the detrimental impact this will have on highway safety at Marshgate Lane/Stratford Junction. • the mitigation proposed at the A12/Wick Lane Junction. • the impact on public safety and amenity of residents of the future Pudding Mill Lane scheme and users of Bobby Moore Academy and Queen Elizabeth Olympic Park. <p>However they have noted that they welcomed the applicants further commitments proposed for the heads of terms with further transport and environmental mitigation measures proposed.</p> <p><u>Officer comments:</u> As noted, the proposals have been amended since the original submission, with the reduction in scale of the parameter plans, in addition to further information in relation to transport and environmental matters. Detailed discussions have been held with the applicants to develop a detailed set of heads of terms since the submission of the Reg.25 information, which include finalising the expected transport obligations and monitoring requirements, in addition to proposing a cap on vehicular movements in, and out of Marshgate Lane. PPDT's environmental and transport consultants have been working with the applicants to overcome a number of the above points raised and have been working towards a suite of mitigation measures for the s106 and via conditions to help overcome further comments received.</p> <p>Officers are satisfied that subject to suitable mitigation and monitoring measures, as set out within the heads of terms section of this report, that the concerns as previously raised have been/will be suitable addressed.</p>
Arup (PPDT's Environmental Consultant)	<p>Comments were originally received which sought clarification on a number of environmental matters including socio-economic, health, noise and vibration, air quality, ground conditions, fire safety, and energy. Following the receipt of additional information, Arup have confirmed that all significant issues have been closed out and that they raise no objection to the proposals subject to adequate conditions and obligations relating to construction management, noise, odour management, wind, ecology, contamination,</p>

	<p>piling, archaeology, fire safety, energy and a carbon offset contribution.</p> <p><u>Officer comment:</u></p> <p>Further details were provided by the applicant which included requiring further information under Regulation 25 of the EIA regs and subsequent re-consultation. These matters are now resolved. The suggested conditions and obligations are included within section 13 of this report.</p>
Jacobs (PPDT's Transport Consultant)	<p>Comments were originally received which sought further clarification on trip generation and highway capacity, in addition to justification for uses including the proposed van parking. A number of meetings have been held with the applicants to further discuss these points and clarifications and additional information have been provided. Following receipt of additional information, Jacobs have confirmed they raise no objection to the proposals subject to adequate conditions and obligations relating to the A12 junction, Marshgate Lane improvements, construction management, cycle parking, car park management, and construction management group membership.</p> <p><u>Officer comment:</u></p> <p>Conditions are set out within section 13 of this report and s106 obligations are recommended to cover these requirements.</p>
PPDT's Design Officer (incorporating Landscape and Inclusive Design)	<p>PPDT design comments raised concerns with the initial submission in relation to the scale of the parameter plans and requested that these were reduced in scale and requested additional information to be included within the design codes.</p> <p><u>Officer comment:</u></p> <p>Additional information has been provided, with the parameter plans reduced in scale in order to address these concerns and no additional concerns have been raised by the design team. The comments from the design team are incorporated into the main body of the report in section 10 below. Furthermore, conditions are also recommended as set out in section 13 of this report, in order to satisfy the overall design quality of the buildings, landscaping and amenity space.</p>

Quality Review Panel

9.10. The proposals have been presented to the QRP on three occasions as the scheme has been developed. The comments from the panel are summarised as follows:

<p>Quality Review Panel (QRP) 1 dated 1st February 2024</p>	<ul style="list-style-type: none"> • Further detail is needed on how the outline planning application will be structured to respond to the scale and complexity of the masterplan. The structure of the planning application, parameter plans, and design codes will be key to securing design quality. • Further details of phasing and deliverability will also be required. • The site of Bow Goods Yard, comprising Bow East, east of the River Lea, and Bow West, to the west of the river, is large and highly complex. It presents many constraints and challenges, including existing industrial and rail infrastructure. • The panel broadly supports the principles underlying the proposed components of Bow Goods Yard. These comprise three character areas: Bow Works (the ‘industrial core’); Red Rose Works (the ‘industrious heart’); and Bazalgette Yards (a ‘vibrant front to the park’). • Red Rose Works, an area at the centre of the site, is envisaged largely for storage / distribution uses. It is unclear how successful this extensive, impermeable block might be; this could risk compromising the credibility of the scheme. The importance of incorporating some active frontage to this block, including along Red Rose Lane and Freight Lane, is stressed. • The masterplan introduces new access for pedestrian and cyclists to Bow East from the Greenway, which is supported. • While a new slip road from Bow West to the A12 is proposed, some HGV traffic into Red Rose Lane from Marshgate Lane will remain. This will need to be carefully managed in order not to deter public access into Bow Goods Yard, and specifically to Bazalgette Yards. • Facilitating easy, safe access from Pudding Mill Lane will be crucial to the success of Bow East. • The arrival point to Bow East from Pudding Mill Lane at Red Rose Circus should be a suitably spacious and inviting civic space. • Five thousand people are expected eventually to be directly employed at Bow Goods Yard – a great benefit. • The panel welcomes the ambitions – social, economic and environmental – of a regenerative framework that is intended to cement the enduring success of Bow Goods Yard.
<p>QRP review 2 dated 21st March 2024</p>	<ul style="list-style-type: none"> • The panel recognises the refinements that have been made to the masterplan principles.

	<ul style="list-style-type: none"> • While the work on the masterplan contains many laudable aspirations, the panel notes that some of these aspirations, such as innovative roof top uses, do not appear in the design code. • The distinction between the character areas, beyond their uses, remains unclear in either the masterplan or the design code and this would benefit from further development. • The materiality and articulation of façades at street level • will be critical to achieving human-scale spaces, and this should be specified within the design code. • the proportion of items categorised as ‘must’ and • ‘should’ in the design codes ought to be rebalanced, as some critical elements are currently effectively negotiable, allowing too much leeway for potential developers. • Further work is needed to demonstrate that Bazalgette Way will become an attractive and successful public route. • The charm bracelet of green spaces are a valuable addition to the area, and the panel would like to see their delivery embedded with the control documents, to ensure that they are in fact realised. • The scale of industrial buildings can be overwhelming and careful treatment of the street elevations will be essential to creating human-scale spaces. • The panel would welcome a further review of the proposals.
<p>QRP review 3 dated 4th July 2024</p>	<ul style="list-style-type: none"> • The panel acknowledges the challenge of designing to allow flexibility for a changing market and for viability, and welcomes the work undertaken to develop the design code. • Further work is needed on the parameter plans to reduce the extent of flexibility permitted in regard to the buildings’ height and massing. • It is essential that the infrastructure, utilities, roads, public realm and landscape are delivered in a timely and cohesive manner and further clarity is needed regarding how these will be phased and managed alongside the delivery of the architecture. • Network Rail’s ability to secure the ownership and management of the whole site will be key to the implementation of the masterplan. • Further clarification is needed regarding the movement and circulation of heavy goods vehicles around the site at all times of the day,

	<p>given that industrial operations will likely be 24 hours a day, 7 days a week.</p> <ul style="list-style-type: none"> • The panel encourages the design team to develop the designs and control documents further, taking into account their comments and in consultation with planning officers. <p><u>Officer comment:</u> PPDT officers have noted that the applicants have responded positively to the requests from the QRP reports and have provided more detail within the design codes, with a significant increase in the number of 'musts' and provision of further detail and quality within the codes. Revised parameter plans have also been provided to reduce the maximum parameter heights of the buildings and reduce any areas of deviation allowed within any proposals.</p> <p>An updated masterplan provides a high quality public realm strategy which demonstrates the potential for high quality of open spaces and public realm which would be delivered through the scheme.</p> <p>Clarifications and mitigation through management plans have been provided to ensure that the proposed site layout can effectively accommodate the mixture of uses and associated vehicles and spaces for pedestrians and cyclists.</p> <p>The panel did not formally request for the scheme to be referred back to them and suggested that the scheme could be further developed alongside officers. Further meetings were held following the final QRP and the scheme refined further. As such, officers are thus satisfied that a high quality of design is achieved through the proposal and the design codes will help ensure that the proposal would meet the requirements of LLDC Policy BN.5. These matters are addressed in section 10 of this report below.</p>
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9.11. The QRP reports are provided in the appendices.

Planning Decision Committee Briefing

9.12. The proposal for the redevelopment was presented to Members twice, details are set out below:

Table 8

Member PDC Briefing: The proposal was presented to Members January 23 rd , 2024.	The applicants provided a presentation to the PDC members, the following points were made in discussion:
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	<ul style="list-style-type: none"> • Need to ensure that the greenway is activated to improve safety. • Questions in relation to the noise impacts from the proposals, particularly the rail freight activities and what mitigation is proposed. • Need to ensure that uses are flexible, particularly near the greenways edges. • Members wanted to understand the movement strategy for vehicles within the site to understand how it would cater for pedestrians and cyclists and well as vehicles.
<p>Member PDC briefing: PPDT officers updated members on the proposals on 24th September 2024.</p>	<p>The committee members raised the following comments:</p> <ul style="list-style-type: none"> • The overall ambitions of the proposals are welcomed, and the provision of increased industrial capacity and additional leisure uses were broadly supported by members. • Supported the need for flexibility given the long term delivery of the masterplan of 15 years. • Questions were raised in relation to the proposed landscape and urban greening strategies as to whether these have been maximised within the proposals. • The proposals need to ensure significant, and high quality greening throughout the site. • Outlined that there was still a lot of work to be done on mitigation measures to ensure that the proposals are acceptable.

Community Review Panel [CRP]

Table 9

<p>Community Review Panel 6 February 2024</p>	<p>The applicants provided a presentation to the Community</p>
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	Review Panel members, the following points were made in discussion:
	<ul style="list-style-type: none">• The proposals represent a significant improvement of the scheme's previous iterations over recent years.• The approach to community engagement has been exemplary and the provision of social benefits, in the form of improved connectivity and community facilities, is also welcomed.• The proposed uses are supported, although there are concerns about the impact they will have on air quality in the surrounding area, and the applicant should guarantee that active monitoring and mitigation will be in place from the outset.• The three character areas in the masterplan are convincing and should be secured as part of the application. The applicant could also consider providing some space in Red Rose Works and Bazalgette Yards to encourage the return of creative industries displaced from Fish Island.• The panel questions the proposed ownership arrangements for the whole site and would like assurance that the proposed uses and public benefits have a known and ongoing custodian. This is particularly important for the community offer of the scheme, which should be long-term in nature.• The panel is comfortable with the scale and massing of the buildings proposed but is concerned that the taller element of the Network Rail building could feel overly prominent.• The panel would like to see further thought given to the

	<p>kinds of commercial activities that could be accommodated on the site, particularly in Bazalgette Yards and in Red Rose Works.</p> <ul style="list-style-type: none"> • The intention to reduce HGV traffic is welcome, but it is not clear how this will be achieved in practice and how restrictions will be enforced and monitored. • The scheme offers the potential for some significant improvements to connectivity within the area, and the panel would like to see consideration given to improvements to the pedestrian experience of using Wick Lane to cross the A12. • The panel welcomes the proposed enclosure of the concrete batching plants and recognises that this should have a positive effect on air quality. However, this needs to be rigorously tested, along with the effect enclosure will have on noise pollution. • The panel feels strongly that the ambitions for achieving a zero carbon scheme, with a high level of biodiversity net gain, should be prioritised. <p><u>Officer comment:</u></p> <p>The comments from the panel are noted the proposals have developed further since the panel meeting, including the reduction in scale and further consideration of the use strategy within the site. Mitigation measures in terms of air quality and noise monitoring will be included within the s106 alongside the A12/Wick junction improvements which would also involve improvements to the pedestrian experience through new crossing points which will also be secured through the s106 agreement.</p>
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10.ASSESSMENT OF PLANNING ISSUES

Principle of land use issues

Industrial intensification, rail freight, co-location and Strategic Industrial Land (SIL) release

- 10.1. The application site is split across two portions of land with Bow West and Bow East separated by the River Lea. The site is designated within the LLDC local plan as Strategic Industrial Land, however it is also allocated under Site Allocation SA4.5: Bow Goods Yards (Bow East and West) which identifies the plot of land as an area of 'Strategic Industrial Land providing protected freight rail head facilities, divided by the River Lee but linked by rail infrastructure, appropriate for bulk freight and other uses associated with Strategic Industrial Land'.
- 10.2. The site allocation sets out that the consolidation and intensification of rail, industrial and other appropriate employment uses would present the opportunity in the long-term for an element of release of land within Bow East for alternative uses. The site allocation sets out a number of criteria which are required to be met in order to facilitate the release of parts of the site for non-industrial uses, which includes the following:
- This formed part of a comprehensive masterplan approach.
 - This provided rail access and freight function to both Bow East and Bow West.
 - Continued to provide at least an equivalent amount of SIL function capacity as the current land area.
 - Significantly increased the overall job density of the site allocation area.
 - Secures the long-term provision of sufficient rail and transport infrastructure to serve the uses planned through the comprehensive masterplan approach.
 - Provides an alternative road access across the site allocation area to enable servicing and access to and from the A12.
 - Does not negatively impact on the surrounding highway infrastructure or road safety for those using that surrounding highway and transport network
 - Demonstrates an acceptable relationship between the rail and other SIL uses and any non-SIL uses proposed, including noise, air quality and visual impact, applying the 'Agent of Change' principle.
- 10.3. Policy B.1 (Location and maintenance of employment uses) of the LLDC Local Plan (2020), promotes employment clusters on certain sites in the LLDC area stating that new spaces should be designed to be flexible and meet the needs of a variety of end users and provide adequate access and servicing provision. The site falls within two such employment clusters, B.1a2 Fish Island South, including Bow Midland West Rail Site and B.1a3 Bow Goods Yard East.
- 10.4. The employment cluster designation B.1a2 sets out for Bow West that the site should cater for 'A range of significant B2 and B8 Use Classes of industrial, warehousing, transport, waste management and distribution. A safeguarded rail head and associated bulk freight distribution use should also be catered for. Uses should make effective use of the railhead, including potential for aggregate distribution and for concrete batching, the manufacture of coated materials, other concrete products and handling, processing and distribution of or aggregate material. Only small-scale supporting ancillary uses will be supported. Potential for intensification of the floorspace capacity of existing industrial uses through

modernisation of facilities, development of multi-storey schemes and more efficient use of land through increased plot ratios. Only where new industrial uses providing consolidated and intensive, high quality and sustainable facilities minimising the environmental, visual and amenity impacts of the site are provided will other new uses be supported’.

10.5. In addition to this, the employment designation B.1a3 for Bow East sets out that the site should cater for ‘A safeguarded rail head and associated bulk freight distribution use. B2, B8 and waste management uses are appropriate. Only development supporting the rail-related and small-scale ancillary uses will be supported. Potential for intensification of the floorspace capacity of existing industrial uses through modernisation of facilities, development of multi-storey schemes and more efficient use of land through increased plot ratios. Only where new industrial uses providing consolidated and intensive, high quality and sustainable facilities minimising the environmental, visual and amenity impacts of the site are provided will the introduction of other new uses be supported’.

10.6. London Plan Policy E4 (Land for Industry, Logistics and Services to Support London’s Economic Function) outlines that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, noting that London’s land and premises for industry, logistics and services fall into three categories: Strategic Industrial Locations, Locally Significant Industrial Sites and Non-Designated Industrial Sites. The Site comprises Strategic Industrial Land (“SIL”). London Plan Policy E4 Part A notes that the provision for industrial uses should include the following:

- Light and general industry (Use Classes B1c and B2)
- Storage and logistics/distribution (Use Class B8) including ‘last mile’ distribution close to central London
- Secondary materials, waste management and aggregates
- Utilities infrastructure (such as energy and water)
- Land for sustainable transport functions including intermodal freight interchanges, rail and bus infrastructure
- Wholesale markets
- Emerging industrial-related sectors.
- Flexible (B1c/B2/B8) hybrid space to accommodate services that support the wider London economy and population
- Low-cost industrial and related space for micro, small and medium-sized enterprises
- Research and development of industrial and related products or processes (falling within Use Class B1b).

10.7. Policy E5 (Strategic Industrial Locations (SIL)) of the London Plan notes that SIL’s should be managed proactively through a plan-led process to sustain them as London’s largest concentrations of industrial, logistics and related capacity for uses that support the functioning of London’s economy. It is also noted that development proposals in SILs should be supported where the uses proposed fall within the industrial-type activities set out in Part A of Policy E4.

- 10.8. Policy E7 of the London Plan (Industrial Intensification, Co-Location and Substitution) Part B outlines that consideration should be given towards whether certain logistics, industrial and related functions in selected parts of SIL could be identified to provide additional industrial capacity.
- 10.9. London Plan Policy GG2 states that to create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must prioritise, inter alia, the development of brownfield public sector land, particularly in Opportunity Areas which are well connected by existing or planned public transport. London Plan Policy SD1 directs London Boroughs to support development which creates employment opportunities in Opportunity Areas.
- 10.10. The Site is also designated as a safeguarded rail head and part E of London Plan Policy SI 10 states that development proposals should be designed to avoid and mitigate potential conflict with sites safeguarded for the transport, distribution processing and or production of aggregates.
- 10.11. The NPPF sets out a presumption in favour of sustainable development, with Chapter 11 (Making Effective Use of Land) outlining that planning decisions should give substantial weight to the value of using suitable brownfield land and support the development of under-utilised land and buildings. Paragraph 85 states that:
- “Significant weight should be placed on the need to support economic growth and productivity, taking in to account both local business needs and wider opportunities for development”.

Industrial intensification and SIL release

- 10.12. As noted, the LLDC site allocation SA 4.5 outlines that development consisting of the ‘Consolidation and intensification of rail, industrial and other appropriate employment uses would present the opportunity in the long-term for an element of release of land at Bow East for alternative uses’.
- 10.13. The applicant is proposing to release up to approximately 31% of SIL for commercial and leisure uses, as well as intensify the existing industrial uses on the site. It is noted that the site does not contain any significant amount of existing industrial floor space, but contains open-air rail freight, concrete and aggregate facilities which are proposed to be re-provided within structures within the site.
- 10.14. Policy E7 of the London Plan states that intensification can also be used to facilitate the consolidation of an identified SIL to support the delivery of residential and other uses. As noted above, the LLDC Local Plan site allocation allows for the long-term introduction of alternative uses subject to a masterplan approach to the release of any land for alternative uses.
- 10.15. The applicant has submitted a proposed masterplan framework in line with the Mayor’s Practice Note and the draft Industrial Land and Uses LPG which provides guidance on the approach to industrial intensification and co-location.
- 10.16. The masterplan framework sets out that the proposals would provide rail upgrades as part of the masterplan which would provide an approximate 30% normal capacity increase for peak heavy freight uses whilst providing up to a maximum increase of rail freight capacity of 33% once fully operational. In addition to this, the current masterplan proposal includes facilities for an express logistics rail freight use which would also have the potential to provide further additional rail freight capacity beyond this.

- 10.17. This is achieved by planned infrastructure changes which includes the introduction of longer sidings, enabling longer trains, more operational flexibility in the sidings, allowing more trains to run through the site, whilst also moving the existing Tarmac facilities into Bow West.
- 10.18. The capacity of the strategic protected railhead would therefore be increased significantly beyond the current operational capacity whilst also providing potential for new modernised facilities including the delivery of an express rail-led logistics facility which would ensure that capacity is significantly increased into new rail freight facilities.
- 10.19. The Masterplan Framework also outlines that the site currently has limited formal industrial floorspace and the current operations support less than 100 jobs. The proposals would result in up to a maximum of 190,000sqm of overall floorspace, of which 110,000sqm would be within heavy industrial use and up to 177,000 sqm industrial SIL compliant, floorspace. This would support approximately 4,100 jobs which would result in a significant increase in potential employment opportunities for the wider area.
- 10.20. The industrial floorspace delivered would be significantly increased and optimised when compared to the current industrial floorspace on site through multi-storey industrial units potentially being delivered. If no multi-storey industrial units are delivered at the Reserved Matters stage, any single storey industrial units will still result in an increase industrial floorspace through optimisation of the overall industrial floorspace and capacity within the site and result in a significant uplift of industrial floorspace.
- 10.21. Within the GLA Stage 1 response, it was noted that the principles as set out in the Masterplan Framework were supported, however they identified that further information was required in relation to the capacity for transportation, storage and processing of the aggregate on the site would be maintained.
- 10.22. The applicants have provided a detailed response on these points which demonstrate how the rail freight capacity will be maintained throughout the construction process whilst also demonstrating that the aggregate storage and processing would also be maintained within the site.
- 10.23. PPDT officers are of the view that the proposals seek to maximise the freight capacity of the site and, as noted would result in an overall increase in rail freight capacity. As such it would safeguard this use which is in accordance with the Development Plan in this respect.
- 10.24. The Proposed Development seeks to optimise the rail freight and industrial capacity of a significantly underutilised brownfield site, and following further information and clarifications from the applicants, both PPDT officers and the GLA are satisfied that the proposal would result in the optimisation of the rail freight activities and would strengthen the sustainability of aggregate and concrete distribution across London, benefiting the wider construction industry.
- 10.25. Furthermore, TfL have subsequently confirmed that they agree that the proposals would provide for a significant increase for rail freight activities and that these would be maximised on site through the delivery of the overall masterplan.
- 10.26. In relation to intensification of industrial use, the masterplan ensures that there would be a significant increase in overall industrial floorspace providing additional industrial capacity and uplift in overall job capacity within the site. PPDT officers are satisfied that this also meets the requirement of the LLDC site allocation in

ensuring optimisation of the industrial land use within the site. As such the proposed level of SIL release for alternative uses is supported.

- 10.27. The principle of providing enhanced industrial activity within the site is therefore supported and satisfies the site allocation as the proposal looks at a holistic masterplan redevelopment to the site and ensures increased capacity for the rail freight activities, increased industrial floorspace and capacity, as well as provide significant job densification.
- 10.28. However, to the south of the site lies the Pudding Mill area with the Local Plan setting out land use priorities for the Pudding Mill area are to create a new medium-density, mixed-use neighbourhood, including a significant and diverse element of new and replacement business floorspace, including spaces suitable for small and medium sized businesses.
- 10.29. The Local Plan also sets the vision for redevelopment proposals in the area to provide a new Local Centre adjacent to Pudding Mill Lane DLR Station and Pudding Mill Lane; alongside new homes including a significant element of family housing; new Local Open Space, playspace and public realm.
- 10.30. As such any development for increased industrial capacity will be required to demonstrate how it would minimise and mitigate against potential impacts on this emerging mixed-use neighbourhood. These matters are considered further within the amenity and transport sections of the report. However, through operational management including limits on HGV movements through Pudding Mill (Marshgate Lane), on-going monitoring and mitigation of transport movements on Marshgate Lane related to the activity at the site and other interventions to improve active travel, officers are satisfied that the impact of the increased activity on the emerging Pudding Mill neighbourhood can be mitigated.

Other uses

- 10.31. In relation to the non SIL uses proposed on site, whilst the principle to release SIL land is considered acceptable as outlined above, the principle of the specific non-SIL uses must also be considered to ensure that the proposed location would comply with the relevant policy framework.

Office uses

- 10.32. Policy B.1 (Location and maintenance of employment uses) of the LLDC Local Plan sets out that B Use Classes shall be focused according to type within the Employment Clusters. The employment function for each cluster and employment land outside the clusters shall be protected and developed through applying the sequential assessment of sites to direct large-scale office uses towards the Metropolitan Centre to support the potential Central Activities Zone reserve and locating smaller scale office uses within the other centres.
- 10.33. Policy E1 of the London Plan supports increases in London's office stock where there is evidence of sustained demand. It states that offices are suitable in the CAZ, as well as town centre office locations and urban business parks. Policy E3 of the London Plan states that consideration should be given to the need for affordable workspace.
- 10.34. Site Allocation SA.4.5 of the LLDC Local Plan identifies the potential suitability of the site for alternative 'non-SIL compliant uses'. Office floorspace does not fall within the list of SIL compliant uses outlined in London Plan Policy E7.

- 10.35. The proposed development would provide up to 21,000 sqm. of office floor space within the site. The site is not identified as a suitable location for office floor space; however, the applicant has advised that all office floor space would be used by Network Rail operations, and as such have noted that this is associated with Strategic Industrial Land that would enable the functionality of the rail based functions of the site.
- 10.36. The proposed office floorspace is to accommodate Network Rail and would serve as their Central Hub for the Anglia Route. The hub will serve this strategic operator and will have an intrinsic link to the proposed rail freight industrial function, whilst also providing the delivery and maintenance unit for the Network Rail Infrastructure hub.
- 10.37. Whilst it is noted that the proposed office use would not generally be considered a SIL compliant use in itself and would not be located within a preferred office location within a major or local centre, it would be for the use of the applicants as operators of SIL compliant uses on the site and is ancillary to the Network Rail facilities proposed. Furthermore, the location of the site is adjacent to the new local centre proposed within the Pudding Mill Lane Masterplan situated to the south of the site, where the existing outline planning permission allows for up to 51,738sqm of class E floorspace. This would enable a cluster of employment generating uses around the local centre and adjacent to the transport hub of Pudding Mill DLR station and the proposed office use within Bow east would thus not sit in isolation.
- 10.38. In the light of this, PPDT officers are satisfied that the office use would form part of the Network Rail Hub functions as an ancillary use to the primary function of the Hub and therefore could be considered as a SIL compliant use. The provision of up to 21,000 sqm of office use is compliant with planning policy in this respect, however in order to ensure this compliance, an obligation will be required to be included within the s106 agreement to ensure that the office activities are linked to Network Rail's broader strategic functions.

Leisure uses

- 10.39. Policy B.2: Thriving town, neighbourhood and local centres of the Local Plan outlines that a Leisure impacts assessment is required where leisure use is proposed of more than 2,500 sqm outside the Metropolitan Centre boundary and 200 sqm outside other Centres.
- 10.40. Policy E10 (Visitor Infrastructure) part A of the London Plan notes that London's visitor economy and associated employment should be strengthened by enhancing and extending its attractions, inclusive access, legibility, visitor experience and management and supporting infrastructure, particularly to parts of outer London well-connected by public transport, taking into account the needs of business as well as leisure visitors.
- 10.41. NPPF Paragraph 94 states that when assessing applications for leisure development outside town centres, which are not in accordance with an up to date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500sqm of gross floorspace). This should include assessment of:
- a) The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

- b) The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).
- 10.42. The proposal would result in leisure based uses consisting of up to 36,000 sq. m of Class E(d) indoor sport and recreation, F2 local community uses or Sui Generis leisure space and up to 5,000sq.m of Class E(a) retail or E(b) F&B space and as such would the proposed level of provision would likely exceed the thresholds outlined above.
- 10.43. The applicants have provided a leisure impacts assessment with the application which sets out how the relevant planning policies and other key material considerations have been taken into account. It provides an assessment of the scheme in terms of the sequential and impact tests. The submitted report sets out whether the leisure uses are situated within a sequentially preferable location and outlines whether the proposals would result in a 'significant adverse impact' on the vitality and viability of any designated centre where the LLDC Local Plan sets out that leisure uses should be prioritised.
- 10.44. The report notes that the existing leisure offering in the wider area is extremely diverse and includes the London Stadium; Stratford Waterfront; Hackney Bridge food hall, event space and workspace; the custom-built ABBA Voyage virtual arena at Pudding Mill Lane; Westfield Shopping Centre, which features the UK's best-performing cinema; Copper Box Arena sport and event venue, with state-of-the-art handball, modern pentathlon, fencing and E-sports facilities; and Stratford Padel Club. This demonstrates the growing cluster of leisure uses in the local area, based around the QEOP and Stratford Metropolitan Centre.
- 10.45. The report outlines that the main purpose of the proposed comprehensive redevelopment of Bow Goods Yard is to provide a significant quantum of industrial and distribution activity and other light industrial uses, building on the existing uses on the site. However, it notes that the Bazalgette Yards character area has been designed to create a 'crucial link and transition between the existing leisure uses in the area – most notably the Olympic Park – and the industrial uses on the Site, helping to bring cohesion to this part of the city'.
- 10.46. The proposal would provide leisure and supporting food and beverage uses along the northern edge of Bow Goods Yard to create an active edge that would help to soften the interface between the Greenway, the leisure destination of the Olympic Park and the proposed industrial activity. This will create a buffer zone to ensure a cohesive mixed-use scheme that creates synergy with surrounding uses while also creating a safer and more attractive environment fronting on to the Greenway.
- 10.47. The sequential test identifies that the main centre within the area which could accommodate the level of floorspace proposed within this scheme would be the Stratford Metropolitan Centre and looks at a number of consented schemes and sites within the area to review the level of leisure provision within these sites.
- 10.48. The report notes that all of the schemes analysed provide a variety of leisure uses to meet the localised need which includes F&B uses and small-scale retail. However, the nature of these sites which were analysed were largely within the Metropolitan Centre, the report noted that none of these allocations have suitable capacity to deliver the large destination leisure facilities which are currently identified within the illustrative masterplan. Furthermore, any small scale food and beverage offers are principally there to serve the local area, including those employees that the proposals would introduce into the area.

- 10.49. In relation to the Local Centre proposed as part of the emerging Pudding Mill Lane masterplan, Policy B2 of the Local Plan sets an assessment threshold for those uses outside of the local centres at 200sqm. It is noted that the proposals would have some potential to draw away demand from the space planned/permitted in outline within this area, however the nature of the leisure uses proposed within the Bow Goods Yard site are primarily large destination leisure facilities, of which no such uses are proposed within Pudding Mill and as such PPDT officers do not feel that the proposals would result in significant adverse impacts on the nearby Local Centre.
- 10.50. London Plan Policy E10, seeks to conserve, enhance and promote the special characteristics of the existing major cluster of visitor attractions and cultural infrastructure, which are located within the surrounding area. They are also supported by London Plan Policy SD6, which encourages the provision of active street frontages within new developments to improve safety and security.
- 10.51. The site is located directly adjacent to the QEOP which provides significant leisure opportunities throughout the Park, including world class venues delivered through the Legacy of the London 2012 Olympic Games. This proposal would provide complimentary leisure uses which could include new sports facilities and destination leisure facilities to further enhance the Legacy of the games.
- 10.52. Furthermore, the active edge proposed to the site would provide a significantly improved relationship with the Greenway and would provide greater surveillance from the Greenway and enliven Marshgate Lane, again significantly improving the safety and attractiveness of the area.
- 10.53. The provision of leisure uses within a predominately industrial-led location has been achieved successfully within other London locations which demonstrates that these uses can co-exist. The leisure uses would also provide economic benefits through improved visitor attractions and would provide a significant number of jobs.
- 10.54. For these reasons, PPDT officers are satisfied that the provision of leisure uses within the site is appropriate in land use terms and would deliver significant benefits through complimenting the wider leisure uses within the QEOP and would meet the requirements of the Local Plan, London Plan and NPPF.

Waste

- 10.55. Local Plan Policy S7, London Plan Policy SI8 and the East London Waste Plan 2012 establish the principle that waste transfer facilities should be protected and retained, or the capacity of those sites be relocated to another location elsewhere in London. The application site is the subject of two waste licences that allow the transfer of commercial waste and construction, demolition and excavation waste respectively.
- 10.56. The proposals result in the consolidation and reprovision of the current construction waste transfer capacity of the site and the applicant has confirmed that provision for the existing construction waste use has been provided within the application within Zone C of the proposed masterplan. The second licence within the site is no longer in operation on the site, however, the applicant has confirmed that the capacity for this activity is maintained as part of the redevelopment proposed and has been assessed as part of the application submission. The waste capacity at the site would be secured by planning obligation in the s.106 legal agreement in order to ensure that the above waste planning policies are satisfied.

10.57. The application proposals are therefore considered to comply with the relevant London Plan and Local Plan policies.

Retail uses

10.58. LLDC Local Plan Policy B.2 states that 'The identified function for each Centre will be protected by requiring a retail and leisure impacts assessment where a retail or leisure use is proposed of more than 2,500sqm outside the Metropolitan Centre boundary and 200 sqm outside other Centres'.

10.59. The London Plan Policy E9 states that 'A successful, competitive and diverse retail sector, which promotes sustainable access to goods and services for all Londoners, should be supported in line with wider objectives of this Plan, particularly for town centres'.

10.60. Paragraph 94 of the NPPF also states that when assessing applications for retail development outside town centres, which are not in accordance with an up to date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500sqm of gross floorspace). This should include assessment of:

- a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

10.61. The Proposed Development includes the ability to provide up to 5,000sqm of retail / food and beverage floorspace (Classes E(a) and E(b)) which would exceed the requirements as noted above. As noted, the applicants have provided a leisure impact assessment which also considers the impacts of the proposed retail uses.

10.62. If the maximum proposed quantum of retail / F&B was built out, it would only comprise 2.6% of the proposed floorspace and as such would generally form more of an ancillary element to the wider industrial, employment and leisure uses proposed, and its purpose is to support these primary uses and not compete with the scale and type of retail found within Stratford Metropolitan Town Centre.

10.63. Officers are therefore satisfied that the proposals will not have any adverse impact on investment in the centre or town centre vitality and viability.

Metropolitan Open Land

10.64. The Site contains an area of vegetation in the northwestern section which lies within Metropolitan Open Land ("MOL") which is approximately 0.38 Hectares. The land bounding the Site to the north (The Greenway) are designated as Metropolitan Open Land ("MOL"). London Plan Policy G3 states that MOL should be afforded the same status and level of protection as Green Belt. The policy goes on to state that MOL should be protected from inappropriate development in accordance with national planning policy tests that apply to the Green Belt.

10.65. NPPF Paragraph 142 notes that the fundamental aim of Green Belt policy is to:
"Prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".

As set out in Paragraph 143, the Green Belt serves five purposes, to:

- Check the unrestricted sprawl of large built up areas.
- Prevent neighbouring towns merging into one another.
- Assist in safeguarding the countryside from encroachment.
- Preserve the setting and special character of historic towns.
- Assist regeneration, encouraging the recycling of derelict and other urban land.

10.66. Local Plan Policy BN.7 states that the LLDC will maintain the openness of MOL by refusing development which has an adverse impact on the openness of MOL, except in very special circumstances.

10.67. No development is proposed on land designated as MOL and therefore there is no policy conflict with Green Belt policy in this respect. Whilst it is noted that the site is located adjacent to MOL, the development would not adversely impact on the wider functions of MOL and whilst there would be development close to the boundary, the overall openness of the wider MOL would not be maintained.

Land use principles conclusion:

10.68. As the above assessment outlines, the primary focus of the overall masterplan is to deliver new high quality industrial spaces which would provide a much more intensely used site, providing a significant uplift in jobs which would accord with Site Allocation SA.4.5 of the LLDC Local Plan.

10.69. The proposal would result in the release of SIL to enable other uses to come forward, which primarily consist of leisure and other workspace uses. The proposals to enable SIL release have followed the GLA Practice Note and the draft LPG which provide guidance on the approach to industrial intensification and co-location through a two tiered masterplan approach and has demonstrated that the proposals would result in significant intensification of the land for industrial purposes.

10.70. The strategic railhead would be retained and enhanced through its extension and lengthening, whilst also providing modernised rail freight facilities which would allow for a significant increase in overall capacity construction and logistics rail freight activities.

10.71. The introduction of other non-SIL uses are considered appropriate when considering the masterplan approach to the development of the site and would deliver an appropriate interface with the Greenway and nearby Queen Elizabeth Olympic Park.

10.72. Through the delivery of the increased industrial activity through the provisions of warehouse/storage and distribution units on this employment cluster site, the proposed development would positively contribute to the visual amenity of the site and diversify the range of employment spaces and employment opportunities in the area. More generally, the proposal aligns with the Local Plan policy priorities and objectives for the site allocation for Bow Goods Yard in so far as it supports the SIL functions whilst intensifying the strategic rail freight activities and provide a wider the range of employment uses.

10.73. Overall, PPDT officers are supportive of the proposed provision of enhanced industrial facilities and the intensification of the site, helping to redevelop an underutilised plot of industrial land and deliver new job opportunities and visually improve the site from its current state.

Design Analysis

- 10.74. Good design is central to the achievement of London Plan Good Growth objectives. Key considerations include ensuring: existing and planned infrastructure can support the proposed growth; the design of the buildings and public realm is inclusive (Policies D1, D2, D3, D4, D5, D8), the development is safe and resilient (Policies D11, D12); potential adverse effects on the surroundings of the development are minimised (Policies D13, D14), the significance of affected heritage assets is conserved (Policies HC1, HC2, HC3, HC4, HC5, HC6); and, appropriate elements of green and sustainable infrastructure are incorporated (Policies G1, G5, G6, SI 1, SI 2, SI 3, SI 4, SI 4, SI 5, SI 7, SI 12, SI 13).
- 10.75. Strategic Policy SP.3 of the Local Plan sets out that new development should create a high-quality built and natural environment that integrates with waterways, green space and the historic environment. To achieve this objective, proposals must give primary consideration to the creation of place, enhance their surroundings, maintain and promote local distinctiveness, protect biodiversity and provide green infrastructure networks, are at least air quality neutral and minimise impact from noise. It should achieve this in accordance with the following development management policies of relevance to the proposed development; BN.1, BN.2, BN.3, BN.5, BN.6, BN.7, BN.8, BN.10, BN.11, BN.12, BN.13, BN.14 and BN.17.
- 10.76. Policy BN.1 is the key urban design policy in ensuring that new development should respect and enhance the local context (landscape, layout, scale, architectural and historic context) take design cues from the area, improve connectivity and local infrastructure and consider how the land uses integrate with and relate to public and private spaces and mitigate amenity impacts. Policy BN.4 requires design of high quality and some parts of it are highly relevant to this application.
- 10.77. There is also detailed assessment here against Policy BN.5 which sets out considerations for tall building proposals. Tall buildings are defined by the Legacy Corporation as those that are higher than a Sub Area's prevailing or generally expected height which in this part of Sub Area 4 is 10m. The London Plan policy D9 on Tall buildings defines a building as 'tall' depending on its context but sets a height of 18m as the minimum for a building to be considered 'tall'. Both policies BN.5 and D9 of the development plan are engaged as all the proposed buildings are expected to exceed a height of 10m and nearly all are expected to exceed 18m; the maximum height parameters of the proposed development range from +17m AOD to +66m AOD.
- 10.78. There are a range of policy considerations in relation to the assessment of the design quality of the development, including Local Plan Policy BN.2: Creating distinctive waterway environments; Policy BN.4: Designing development; Policy BN.6: Requiring inclusive design; Policy BN.8: Improving Local Open Space; Policy BN.9: Maximising opportunities for local play; and Policy BN.17: Conserving or enhancing heritage assets. The below assessment of urban design matters makes reference to these policies where relevant; however, the assessment is structured around Local Plan Policy BN.5 which deals with proposals for tall buildings and requires a comprehensive assessment of a range of relevant issues.

- 10.79. An assessment has, therefore, been made against each of the criteria of Policy BN.5 for both the detailed element of the scheme and the overall masterplan below.
- 10.80. Policy BN.5 states that outline planning applications for tall buildings are an acceptable approach only where the application is accompanied by a sufficiently detailed design code, coordinated with parameter plans. The urban design assessments that follow are therefore made against these key control documents that form part of the application.
- 10.81. Additionally, as the Proposed Development site is outside the Centre boundaries and is not a location for tall buildings identified within a site allocation within the Local Plan, it will need to be demonstrated that it would achieve significant additional public benefit, in addition to meeting the criteria in policies BN.1, BN.4 and BN.5.

Assessment of the Proposed Development against Policies BN.1, BN.4 and BN.5 of the Local Plan

- 10.82. Policy BN.1 states that proposals for development will be acceptable where they respond to place in accordance with a series of urban design principles that are assessed in turn under the subheadings below. (The exception is amenity considerations since these are covered elsewhere in this report).
- 10.83. Since several other Local Plan built and natural environment policies overlap and intersect with BN.1, this analysis also incorporates an assessment against BN.5 and the relevant parts to this development proposal of policies BN.4 and BN.2 under the corresponding BN.1 principle.
- 10.84. BN.1 requires development to respect and enhance defining natural and man-made landscape features of the local area. BN.4 seeks landscape design of high-quality in all developments. BN.2 focusses on creating distinctive waterway environments so is also relevant here.
- 10.85. The masterplan approach recognises the importance of the unique context of the site natural assets within the wider setting of the natural landscape of the River Lea Valley, the marshes, the canal systems, and ecological networks. The development is shaped by the protections afforded to the Greenway and Old Ford Island Nature Reserve on the northern site boundary, designated Metropolitan Open Land and Sites of Importance for Nature Conservation (SINC). The site is also bisected by the River Lea, its towpath and densely vegetated riverbanks, landscape and water features of great ecological importance to the area as well as providing visual amenity and contributing to its unique character and sense of place. It is also a SINC, and both the Greenway and River Lea towpath are valuable linear public open spaces.
- 10.86. The masterplan parameters and design code have developed throughout pre-application engagement to respect and enhance this network of open spaces and waterways at the site's perimeter. Maximum Development Height parameters have been reviewed and adjusted to help mitigate the overbearing effect of the scale of the proposed development on the Greenway and towpath. The height parameters and the projected occupancy of the buildings relates to the public space amenity requirements for the people using the site. The Public Realm and Open Space parameters plan seeks to ensure that the setting of the existing landscape features at the fringes of the site will be protected and enhanced by defining new areas of green open space in the masterplan that immediately adjoin

them – Sighting Island adjacent to the towpath, Old Ford Gardens connecting the site to the Greenway and an extension to the nature reserve.

- 10.87. A key design challenge for the proposed development has been to achieve the potential benefits of bringing animation and passive surveillance to the towpath and Greenway, to make them feel safer, without harming their ecological value and wild character. The Public Realm and Nature chapter of the Design Code includes detailed guidance and mandatory requirements about how the development must interface with surrounding landscape. It also provides the framework to ensure the delivery of high-quality, contextually sensitive landscape design in line with BN.4. The 'Built Form' chapter of the codes seeks to ensure that gaps in building lines are introduced on the Greenway edge to retain its long views, overall visual amenity and sense of openness.
- 10.88. Although the river and towpath lie outside the site boundary, the proposals also include measures to improve the setting of the river. Widening two sections of the towpath will create a resting space with seating on the route (Sighting Island) and support safety and connectivity by easing pinch points. The Design and Access statement also explains how the development will deliver extensive greening and visual screening between the river and industrial uses. It is intended that the two existing fences between the river and Bow East will be removed and replaced with an acoustic barrier that will be screened with planting. The removal of the lower fence and management of the vegetation would open up views along the towpath, improving legibility and safety. These measures demonstrate alignment with the parts of policy BN.2 that expects development proposals affecting waterways to improve access to and along them.

Urban fabric

- 10.89. BN.5 requires development including tall buildings to be of an appropriate proportion, form, massing, height and scale in context with the character of its surroundings. To satisfy BN.1, development should draw cues from the form of the area in terms of its layout and scale, and additionally respect existing typologies, including those of heritage value.
- 10.90. Historic infrastructure has fragmented the urban fabric of the site and surroundings. The layout of the proposed development is shaped by a number of specific constraints imposed by existing infrastructure; the access points, road and bridge, rail siding and rail head and no-build zone for the sewer easement running parallel to the Greenway. It is further governed by the need to intensify existing rail freight and industrial uses and accommodate the very large footprint warehouse typologies serving the logistics uses. These are of a different scale and grain to the surviving older industrial buildings within the area such as those within the Fish Island and Hackney Wick conservation area. The size of the site, relative separation from its surroundings and SIL designation make it exceptional in its layout and morphology although the proposals do allow for a more human scale to the layout of the proposals where they would form the southern edge to the Park.
- 10.91. The unique mix of uses on the site and varied surrounding context also challenge urban design conventions for assessing the proposals in relation to adjoining buildings and the general pattern of heights within an area. The context to the site is undergoing rapid change with the neighbouring developments of UCL East already underway and Pudding Mill Lane due to come forward. The stadium and UCL Marshgate are landmark buildings in the southern Park area and important

contextual references for building height but it is not possible to meaningfully define a general pattern of heights in the area.

- 10.92. The height and layout of the masterplan are controlled in outline by the Maximum Development Height Parameter Plan and the Development Plots Parameter Plan. Heights are set to allow for the enclosure of the concrete batching plant, multi-storey parking, further industrial storage buildings with multiple levels and the flexibility to accommodate a range of potential leisure, workspace and light industrial uses on the narrow plots adjacent to the Greenway. The tallest building, the only tower proposed on the site, would contain the office building component of the 'Network Rail Super Hub'. This is intended as a landmark building at the main site entrance, that would contribute to wayfinding and shaping the identity and legibility of the development. Nonetheless, the height and maximum extents parameters for this plot were reduced during pre-application design development to address officer concerns that its form would be overly bulky, and its height would detract from the legibility of the Pudding Mill Lane local centre.
- 10.93. The findings of the preliminary townscape and visual impact assessment also led to the reduction of the maximum height parameters of several plots. Plots lying adjacent to the Greenway and River Lea were judged by officers to have an overbearing bulkiness, height and massing that would be harmful to the amenity of these corridors and have an adverse impact on the setting of the Queen Elizabeth Olympic Park. Officers are satisfied that the amended maximum height parameters applied in parallel with the mitigation provided by the relevant Design Codes can achieve an appropriate transition in scale between the height at the centre of the site and its edges adjacent to the Park and River Lea. The amended Design Codes will guide the development of the site in a way that responds positively to the surrounding context including mandatory requirements about how it must interface with surrounding landscape.

Architectural and historic context

- 10.94. Although the site itself is not in a conservation area and contains no heritage assets, historic industrial development has shaped the site, and this built industrial heritage contributes to the prevailing character of the townscape and landscape. Whilst the precedent projects contained in the Design Code are modern, functional buildings serving new industrial and rail freight-led functions, the codes aim to achieve a varied townscape that recognises the industrial heritage of the area and the rich and diverse context. In this way, the proposals address the BN.1 requirement to enhance the architectural and historic setting of the development.
- 10.95. The setting of the site is less architectural, than an industrial landscape of infrastructure set against the natural landscape of the river, marshes, and canals and very large leisure and institutional buildings set in parkland to the north. It is a visually prominent site from some viewpoints, particularly from the Greenway due to its elevated position and the openness of the surroundings. The experience of the panoramic skyline views and feeling of openness, and rugged industrial character have been taken at the starting point for developing a contextually specific design response in which careful consideration has been given to materials, colour, and overall appearance as required by BN.1.
- 10.96. The Identity and Appearance and Built Form chapters of the Code reference historic industrial architecture by celebrating the robust simplicity of industrial buildings. The way in which the Codes seek to control the use of colour and shade in building materials is also key to how the applicant design team envisages being

able to ensure a distinctive and cohesive character to the development that is responsive to the local architectural and historic context. Examples are the ways in which the Codes mandate colour palettes, and give guidance on texture, pattern and façade articulation. They also require materials to be robust and durable so that they age well over-time, satisfying these requirements of policies BN.4 and BN.5.

- 10.97. The control documents also seek to demonstrate how the development can be controlled to ensure that it meets the BN.5 and London Plan policy D9 criteria of making a positive contribution to the surrounding townscape, and creating new or enhancing existing views, vistas and sightlines. Codes in the Built Form chapter seek articulation of the roof line, variations in the architectural expression, and steps in height for buildings along the Greenway, recognising that the tops of these buildings will be seen in middle distance views from the stadium and more distant views across the Park, so need to contribute to the existing and emerging skyline. Another code provides guidance on how buildings visible from the Towpath should positively respond to the River Lea Edge.
- 10.98. Although no detailed assessment can be made of the contribution of the proposed development to views, due to the outline nature of the application, the visualisations of the illustrative scheme and the codes do provide sufficient evidence that this element of BN.1 and BN.5 has been given consideration in design development and can be achieved. It should also be noted that the proposals have no significant effect on designated views or protected vistas in London View Management Framework (LVMF) 2012.

Connectivity & Infrastructure

- 10.99. The site lies within an area that frequently feels isolated and disconnected, largely due to the barriers to movement caused by the industrial and rail freight land uses and infrastructure. The layout of routes and dislocation caused by rail lines and changes of level makes wayfinding difficult. This, combined with limited lighting, land uses that provide natural surveillance and low footfall, means that the area often does not feel a safe environment for pedestrian and cyclists. Nonetheless, the site is bordered and bisected by the Greenway and river towpath which are strategic active travel routes through the area.
- 10.100. BN.1 looks for new development to ensure that new and existing places link to route networks and, amongst other things utilise opportunities to connect areas to strategic road, rail, bus and cycle networks. It also requires proposals to make use of existing physical infrastructure to help overcome barriers to integration and to create new links and routes. BN.4. requires new development to contribute towards the creation of distinctive, integrated, legible, connected and sustainable places.
- 10.101. Strategic transport matters relating to the vehicular network and junction capacity are discussed in detail elsewhere in this report. Here the challenge is to assess to what extent the development will optimise the available opportunities to improve access to the site on foot, by bike and public transport for its new population of workers and visitors and the experience of walking and cycling in the area more generally.
- 10.102. Officers have accepted the applicant's advice that public safety risks associated with the heavy industrial and rail freight uses that will continue to dominate the site, prevent any opportunity to introduce public access or improve pedestrian and cycling connections across the site. The constraint of the rail siding position

creates a barrier to movement and is considered fixed due to the high costs of any alternative solution. Pedestrian footbridges have also been discounted as impractical by the applicant for operational reasons.

- 10.103. Although the nature of some of the proposed land uses creates inherent constraints to greater pedestrian movement and connectivity across the site, the masterplan does seek to deliver an improved environment for walking and cycling in a number of ways.
- 10.104. A key public benefit of the masterplan is the intention to locate land uses to help to animate the Greenway and section of Marshgate Lane adjoining the site. This offers the potential to provide improved overlooking of these routes, so they would feel safer and consequently be better used, contributing to connecting the site to surroundings localities and better linking the new and emerging neighbourhoods of Fish Island and Sweetwater with Pudding Mill Lane and the educational hub. The benefits of increasing footfall and creating a sense of place and a destination at the proposed new civic space at the site's entrance from Marshgate Lane could also positively impact areas more peripheral to the site, such as the approach from Pudding Mill Lane beneath the railway bridge and Greenway.
- 10.105. The masterplan also includes a new civic route that provides an alternative to using a section of the Greenway. It is proposed that this route will have several pedestrian connections to the Greenway, to improve the permeability and porosity of the civic edge to the development and better integrate the site with the Park. These masterplan elements are defined in outline in the Parameter Plans for Public Realm and Open Space and Movement and Access. The first defines the main areas of public open space within the masterplan and a pedestrian friendly zone adjacent to the use class E/F2/Sui Generis plots intended to create the civic edge to the Greenway and Park. This aligns with the Movement and Access Parameter Plan that indicates the routes intended for use by pedestrians and cyclists. The Design Code is the control document that guides the design quality principles that will give shape to the development of these spaces to ensure that they make a positive contribution to the public realm and create a legible and distinctive place.
- 10.106. The Built Form Design Codes aim to ensure that the buildings that come forward in reserved matters applications will collectively provide clear, continuous edges to the public realm, creating a cohesive street-based urban fabric and framing key public spaces within the masterplan. The Layout and Movement chapter contains a series of codes that seek to establish a street character appropriate to the function of each route within the site. The chapter of the Code dedicated to Public Realm and Nature also contains detailed and specific guidance that will help to ensure that the new streets and spaces within the masterplan will be attractive and safe to pedestrian and cyclists. This ranges from landscape framework requirements to guidance on all types of planting including tree planting, the specification of street furniture and materials, lighting and signage.

Mix

- 10.107. For the purposes of BN.1, 'mix' means consideration of how proposed uses integrate with, and relate to, both public and private space. The tall buildings policies BN.5 and London Plan policy D9 are also concerned with the effect of tall buildings on the public realm at ground level – specifically with how they demonstrate acceptable access and servicing arrangements and bring a pedestrian scale to the street. Although, the development proposals include only one tower and none are the high density residential tower typology that these

policies typically apply to, many of the land uses proposed do bring particular challenges relating to access and servicing that can impact the delivery of high quality public realm.

- 10.108. The development is an employment-led scheme with the majority uses being heavy industry, rail freight and storage. The proposals include both new civic routes and spaces and other routes not intended to have public access. The clear demarcation of public, semi-private and private spaces was requested during pre-application design development and has been clarified in the final submission.
- 10.109. Routes in the development where semi-active industrial ground floors are located provide the greatest challenge to achieving a pedestrian scaled and friendly environment. The Design Codes for these building typologies seek to maximise the amount of active frontage that can be achieved whilst maintaining a form of development compatible with industrial uses – e.g. by requiring openings that provide active frontage on at least one side of the street, by clearly marking pedestrian entrances, by considering the quality of details and materials and by using planted buffers to screen and soften inactive industrial building frontages.
- 10.110. In the portion of the site where the land uses are located that can provide active frontage to spaces with a more civic character, the codes are more ambitious and mandate that active ground floors with generous entrances and openings must be achieved around the main public open spaces of the masterplan.

Independent Design Review

- 10.111. Local Plan Policy BN.5 requires proposals for tall buildings to exhibit exceptionally good design, demonstrating this through independent design review undertaken by a panel appointed by the Local Planning Authority. This aligns with the London Plan policy D9 which says that the higher the building, the greater the level of scrutiny that is required of its design. The design of the Proposed Development was twice reviewed by LLDC's Quality Review Panel prior to submission of the planning application in April 2024 and was subsequently reviewed once post submission.

Scheme evolution in response to QRP comments

- 10.112. The panel supported the broad strategic moves of the masterplan from the outset. The recurring theme of their concerns throughout all three reviews were focussed on how the outline planning application could provide certainty about delivery of the masterplan's aspirations.
- 10.113. More specific comments related to the configuration of the large block at the centre of the masterplan, establishing a safe and attractive arrival point from Marshgate Lane, and the design of the public realm and how the proposed building typologies would interact with it. These concerns were expressed throughout the three reviews, although the panel did also acknowledge the positive development of the design code.
- 10.114. At the third and final review, there remained concerns about the potential impact of development on the surrounding green spaces and the timing and cohesiveness of the delivery of the spaces between the plots - the infrastructure, utilities, roads, public realm and landscape. Although the need for flexibility was well understood by the panel, they requested a reduction of the maximum heights permitted in the parameter plans, a review of some of the lines of deviation of the plots, a number of design code 'shoulds' being made 'musts', and a commitment to the number of trees to be planted on the site. They also requested that, to

ensure that the control documents are adequately robust, detailed testing of worst-case scenarios should be undertaken to understand the viability of the public spaces.

- 10.115. The applicant has responded to the panel by amending the control documents in consultation with planning officers, to take account of their comments. This included reducing some maximum heights of development, and some of the flexibility allowed by the lines of deviation. There was also a further strengthening of a number of the codes, now amended and forming the final submission. The panel considered it essential that a design guardian be appointed to champion the overall aim and the control documents, and this will be achieved through a design monitoring clause in the Section 106 Agreement.

Design conclusions:

- 10.116. Overall PPDT officers consider that the proportion, form, massing, height and scale sit well within the emerging context and character of its surroundings and will help achieve a successful and considered industrial led masterplan for this site. It is also worth noting that the QRP expressed broad support for the scheme, including accepting the proposed building heights and massing and subject to detailed design delivered through the reserved matters phase, would achieve a high quality of design.
- 10.117. The Design Codes have been reviewed by the QRP on two occasions and expressed that they had made significant progress, albeit that they felt further work was still required before they could be fully satisfied with the codes. Further discussions were held with PPDT officers to following the comments and officers subsequently feel that the design codes have fully responded to the panels comments. Overall, the proposed parameter plans and suitable control measures as secured through the design codes, planning conditions and s.106 legal agreement obligations, would, in PPDT officers view, ensure that the proposals would comply with policy BN.5 and ensure an exceptional quality of design would be delivered throughout the reserved matters stage.
- 10.118. To ensure that the architectural quality is maintained, a Design Team retention clause would be applied via the s.106 agreement to monitor the design quality of the development through to completion. In the event that the Design Team are not retained to oversee the design quality of the development a financial contribution would become payable towards the LPA's costs in supervising the design quality of the development.

Public Realm, Landscaping and Open Space

- 10.119. As outlined within the report, the proposals include the introduction of various new public spaces within the site which include the provision of a new public 'square' referred to as 'Red Rose Circle' which would be situated at the access into the site off of Marshgate Lane, with further public spaces including Old Ford Gardens located off of the Greenway, providing new links onto the Greenway. Other open spaces are proposed including the extension of the existing woodlands to the north of the site and the introduction of new landscaped edges to the River Lea towpath which would include the larger space referred to as 'Sighting Island'.
- 10.120. The masterplan proposals for the proposed public realm within the site would result in an increase of a total of 35,100sqm of public realm space, which includes proposed roads, shared surfaces and pavements. Of this space 16,900sqm

would be proposed as with public or natural open spaces, resulting in a substantial uplift.

- 10.121. These spaces would provide significant benefits to the site which is currently inaccessible with no public realm or publicly accessible open space. The proposals would also provide enhanced access to new retail and leisure facilities whilst improving safety and accessibility of the site and the surrounding edges to the site.
- 10.122. Further to this, the proposals would include significant off-site benefits through the proposed s106 obligations, including repaving of the towpath along the River Lea, new connections to the greenway, improvements to the public realm along Marshgate Lane for both pedestrians and cyclists.
- 10.123. The Design Codes set out the delivery of this hierarchy of spaces and routes which aligns with the design approach and materiality of the detailed application. The Codes set out requirements for urban greening, trees and planting, footway widths, surface materials, street furniture, inclusive seating, lighting, surface water management, and biodiversity. A coordinated strategy for water management on site is welcomed and has informed the proposed planting palette and hard material strategy. Officers are of the view that if reserved matters applications come forward and the landscape proposals are delivered in accordance with the Design Codes, they would create a positive contribution to the public realm at ground level, in accordance with Local Plan Policy BN.5.

Maximising Biodiversity

- 10.124. BN.3 sets out the expectations to biodiversity net gain which has been superseded by the recent legislation. The Design Codes indicate the use of trees and native species which are likely to deliver the 10% requirement with the associated 30 year management plan. The planting design and maintenance plan are important not only to manage the habitat for biodiversity but to also make sure that the place feels safe and inviting.
- 10.125. The Design Codes indicate the widths of paths, lighting, and offsets from buildings and their massing which need to be considered to ensure that the BN.3 requirement is met. It is essential that any management plan considers the wildlife and habitat value alongside the considerations for perception of safety referring to the 'Creating Places that work for Women and Girls Safety Handbook'. Linking to the Design Codes relating to the location of public open space, street trees and planning design contributes to the connectivity of green infrastructure and the BN.3 requirement to maximise biodiversity by creating wildlife corridors and connected places. Connecting spaces in this biophilic way improves the places for movement and encourages more walking, wheeling, and cycling.

Inclusive Design

- 10.126. BN.6 requires proposals to respond to the needs of all users and provide an accessible and inclusive environment by incorporating all applicable elements of the Legacy Corporation's Inclusive Design Standards. The policy stresses the importance of user engagement when developing the proposals.
- 10.127. The Design Codes are the control document that will ensure that an inclusive design process will guide the preparation of reserved matters applications. Four Codes relate to Community Engagement specifically and mandate that a transparent process of engagement must be undertaken throughout detailed design, covering a broad range of users, with a focus on the delivery of

community benefits. It is also suggested that opportunities for co-design should be explored. A number of other measures of inclusive design best practice are either required or encouraged by the Codes.

- 10.128. The proposals were not presented to the Built Environment Access Panel, due to the outline nature of the application. However, the Codes suggest that BEAP could be consulted during the preparation of each of the reserved matters application when the design and access arrangements relating to each plot will be shaped.
- 10.129. The proposals were presented to LLDC's Community Review Panel in February 2024 and the project had been shaped by extensive Community engagement prior to this. The CRP report records that the community engagement was considered by the panel to be exemplary, noting that this should be continued. The measures in the proposals to enhance both active travel and community safety, especially for the security of women and girls, were welcomed by the panel.

Townscape, Heritage and Visual Amenity

- 10.130. The applicant has submitted a Townscape and Visual Impact Assessment (TVIA) along with a Built Heritage Assessment, as part of the Environmental Statement, which assesses the potential impact of the proposed development from a range of key views within the area, including views along Marshgate Lane, Bow Roundabout, the Greenway, A12, Fairfield Road Conservation Area and Pudding Mill Station.
- 10.131. In terms of heritage assets, the Fairfield Road Conservation Area is located approximately 80m to the west of the site and disconnected by the intervening location of the A12 from Bow West and the River Lea from Bow East. There are also a number of nationally listed buildings situated within the Fairfield Road Conservation Area, most notably along Douro Street, Blondin Street, within Bow Quarter and a number along Fairfield Road; however, these are also situated at least 80m from the site. The existing townscape character at the site is dominated by existing rail and light industrial operations, with a prominent zone of woodland vegetation in Bow East, that forms part of the larger Old Ford Woodland associated with the River Lea and riverine corridor setting. To the west, the surrounding area is dominated by the industrial uses of Fish Island, current and future communities within Pudding Mill to the south-east, the Greenway to the north and Olympic Park beyond.
- 10.132. The submitted assessment identifies that the proposals would result in some adverse impacts from the construction and operation of the scheme on townscape character, visual amenity of users in the surrounding area, particularly on the Greenway, River Lea, Olympic Park, Old Ford Lock, Fairfield Road, Pudding Mill, London Stadium and the setting of heritage assets including Fairfield Road Conservation Area and the Bryant and May Factory Building. The principal reason for this is due to the fact there is little to no existing development within the site, and as such introducing any built form within the site would be noticeable within the surrounding skyline and result in some impacts on openness and views from key receptors across and into the site.
- 10.133. PPDT's Townscape and Heritage consultants have reviewed the submitted TVHIA and note that conclusions found within the assessment are accurate based on the criteria applied. They have noted that the reported impacts to the setting of heritage assets would be considered 'less than substantial harm' in

heritage terms. The proposals also have the potential to result in some positive impacts on townscape character through the introduction of new routes and spaces, improved vistas along and a better relationship to the Greenway and the development of the site which currently has very low townscape or visual amenity value for surrounding receptors. New tree planting and landscaping along the north-east of the boundary would reduce visual exposure of the proposed development as it matures.

- 10.134. The applicant has identified that any less than substantial harm to heritage assets should be balanced against the planning benefits of the proposals which include the framework to deliver a high quality design across the site. The application of high quality design codes to the detailed design, would ensure that the bulk and massing of any detailed proposals would respect the visual sensitivity of receptors, while improving upon the environmental impacts of existing operations, creating a substantial number of new jobs within the site, creating new public access into the site and providing new high quality public open spaces.
- 10.135. Overall, given the distances and intervening development between the site and heritage assets, Officers consider that the overall massing, scale and height of the proposals provides a suitable response to the existing site context and its relationship to the Fairfield Road Conservation Area and listed buildings assessed. Officers consider this harm to the setting of these assets, to be less than substantial, and outweighed by both the wider public benefits arising from the proposals, as well as an enhancement on the current site and key views from and to the Fairfield Road Conservation Area. The design quality and associated design codes ensure that the proposed development would serve to enhance the appearance of the site and its setting. The proposals are also supported by the QRP.
- 10.136. Officers are satisfied that the proposals meet local policy requirements with regards to design, heritage and townscape considerations and avoid substantial harm to designated heritage assets. Officers are satisfied that the proposals would not adversely affect the setting or significance of any of the heritage assets in the vicinity such that refusal of permission would be justified and therefore consider the proposal would achieve compliance with the NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local Plan policies BN.10, BN.16, BN.17, and London Plan policies HC1 and HC7.

Amenity Impacts:

Daylight and Sunlight

- 10.137. Policy D6 of the London Plan states that new development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space. Policy D9 also specifically notes that applications for tall buildings should assess the daylight and sunlight conditions of nearby buildings and should not compromise the enjoyment of open spaces.
- 10.138. In response to the above, Policy BN.1 of the Local Plan states that new development should minimise impact within proposed and upon existing development by preventing overshadowing. Policy BN.4 states that schemes should demonstrate that new development would not result in an unacceptable loss of sunlight and daylight to nearby existing development. Applications should demonstrate compliance with Building Research Establishment (BRE) guidance.

Policy BN. 5 states that tall buildings will be unacceptable where they result in significant adverse impacts on the amenity of neighbouring properties in terms of daylight or overshadowing.

- 10.139. The Scoping Report previously submitted proposed to scope Daylight, Sunlight and Overshadowing out of the Environmental Impact Assessment. It was concluded at this point that more information should be provided in order to demonstrate effects will not be significant and that this topic can be scoped out of the EIA for a full assessment. This included the following:
- Reference should be made to the current BRE 209 2022 guidance and its requirements; the 2011 edition of BRE 209 has been redacted;
 - Consideration should be given to impacts on all surrounding receptors, including house boats and mooring bays. A plan should be provided identifying the location, sensitivity and name of all surrounding receptors along with a corresponding set of 3d images to demonstrate that the proposed massing sits below the 25° obstruction angle; and
 - The reduction of sunlight to the adjacent river is noted and light levels will likely remain above the recommendations of BRE 209; however, any reductions in sunlight availability for this receptor should inform the assessments of other topics, for example Ecology and Biodiversity.
- 10.140. However, it was noted that it is unlikely that the proposed development will result in significant daylight, sunlight and overshadowing effects and on this basis, it is considered appropriate for this topic to be scoped out of the ES. It noted that consideration of any reductions in sunlight to the adjacent watercourse or habitats should be considered within the Biodiversity ES chapter, as well as any other relevant ES chapters
- 10.141. The applicants have provided an EIA technical note which is appended to the ES which considers the above references. The report notes that most properties are at a distance from the Proposed Development due to its location being surrounded by highways, railway and the River Lea. As such most built properties with sensitive receptors fall outside the zone of influence of the Proposed Development, except for a few windows of Bobby Moore Academy (secondary school) overlooking the Site. The proposed massing is well below the 25-degree plane for the windows and therefore not expected to have an impact on existing daylight.
- 10.142. The applicants have also provided a Sustainability Statement with the application which includes an appendix which further considers the impacts of the proposals on daylight, sunlight and overshadowing.
- 10.143. The report includes assessments of potential scenarios considered as part of the illustrative planning application, in addition to an assessment of the potential impacts from the maximum parameters as proposed as part of the application. It goes onto note that the 25 degrees test has been used in order to assess the potential impacts on the surrounding buildings.
- 10.144. The report notes that following the 25 degree tests, the maximum parameters as originally submitted would result in some impingement of the plane from the ground floor flats within Bow Quarter, in addition to the workshops within Fish Island on the opposite side of the River Lea.
- 10.145. The report notes that when considering the illustrative scheme, the proposals would comply with the 25 degree plane and as such any daylight impacts would

not be noticeable, and therefore have demonstrated that any future scheme that could come forward at Reserved Matters stage, could fully comply with the BRE guidance in relation to daylight.

- 10.146. Furthermore, the parameter plans have subsequently been revised which has resulted in an overall significant reduction in scale of the overall parameter plans. The buildings closest to Bow Quarter (across the A12) have been reduced from the previously proposed height of 46m above AOD to maximum heights of 32 and 40m above AOD heights, which would ensure that the 25 degree plane would not be breached.
- 10.147. In relation to the workshops within Fish Island, the buildings closest to these premises have also been reduced in scale from the previously proposed 42m AOD to the revised proposals of 35.5m AOD again demonstrating that these impacts would be reduced when compared to the proposals originally submitted. Furthermore, these uses are commercial in nature and as such are less sensitive to reductions in daylight and sunlight given that that are for commercial activities which are less reliant on natural lighting within.
- 10.148. The maximum parameter heights would not result in any impingement on Bobby Moore Academy or the View Tube and as such these buildings would not see any noticeable loss of light.
- 10.149. In relation to the Emerging proposals within the Pudding Mill Masterplan area, the closest building within the Bow Goods Yard Masterplan area would be situated in excess of 115m away from the closest plot within the Pudding Mill Masterplan area and as such would meet the requirements of the 25 degree plane and would not result in any noticeable impacts on the properties coming forward within the masterplan.
- 10.150. Nonetheless, any proposals that come forward as part of the Reserved Matters stage will be required to demonstrate what their impacts would be on the surrounding properties. However, PPDT officers and their environmental consultants are satisfied that there would not be any significant material impacts on daylight or sunlight on surrounding properties.

Overshadowing

- 10.151. The submitted report notes that sunlight exposure analysis for the 21st of March has been provided for off-site amenity spaces, greenspaces and blues spaces. The report outlines that all bar two external amenity areas, green and blue spaces surrounding the site would meet the requirements of the BRE guidance, which includes the river towpaths and Greenway.
- 10.152. The two spaces which would not meet the requirements of the BRE guidance relate to residential courtyards which as existing do not meet the BRE requirements as a result of their own buildings being situated directly to the south of the open spaces. The proposals for the development would not result in a material impact on these spaces as they would already not achieve the relevant BRE targets and the proposals would not have any materials impacts that would worsen these spaces access to sun on ground.
- 10.153. A final assessment of sunlight, daylight and overshadowing impacts on surrounding receptors will take place at Reserved Matters stage once the final form of the development, including the massing and siting of blocks, is finalised.

Overlooking

- 10.154. The application site lies a significant distance from surrounding sensitive receptors, including any nearby residential buildings or development sites for residential uses that are coming forward within the wider area.
- 10.155. This includes to the west of the site, the buildings located within the Bow Quarter which are approximately 80m to the west of the site, and the Pudding Mill Masterplan area which as noted, lies approximately 115m to the south of the site.
- 10.156. Residential buildings along Wick Lane are the closest potential receptors, however these lie approximately 60m from the closest areas of the site which are proposed for development and as such would again lie a significant distance away from the proposed buildings within the site, to an extent that there would not be any undue overlooking.

Transport

- 10.157. Policy T1 of The London Plan states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes and ensure that any negative impacts on London's transport networks and supporting infrastructure are mitigated. Policy T2 requires development to deliver improvements that support Healthy Streets indicators, reduce the dominance of vehicles on London's streets and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport. Policy T4 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.
- 10.158. Policy T.4 of the Local Plan seeks to promote sustainable transport choices and minimise reliance on private cars. Policy T.5 seeks to ensure that new development makes appropriate connections to the existing street network and to increase journeys undertaken through walking, cycling and public transport. Policy T.6 states that developments should be designed to integrate into the area and should facilitate improvements to local connectivity. Pedestrian and cycle connectivity will be given a greater priority than vehicular connectivity. Policy T.7 requires referable developments to be submitted with a Transport Assessment.
- 10.159. Policy T.8 of the Local Plan also provides guidance with respect to vehicle parking and parking standards within new developments including a requirement that development should be provided as 'car-free' where the development site is well connected. Policy T.9 of the Local Plan builds on the requirements for pedestrians and cyclists and includes guidance on parking provision for cyclists which should meet or exceed the current London Plan standards.
- 10.160. The site benefits from a PTAL of between 1b and 2 which demonstrates its relatively poor access to public transport links, however Pudding Mill DLR station is situated close by to the south of the Bow East part of the site.
- 10.161. The applicant has submitted a Transport Assessment and an assessment as part of the Environmental Statement in order to explain how relevant policy issues have been addressed. This has been reviewed by PPDT's Transport Consultant, TfL and the Local Highway Authority (LBN and LBTH) who have raised no objections to the application subject to conditions and s.106 obligations in order to suitably mitigate any adverse transport impacts. The relevant elements of this are considered below.

- 10.162. The Transport Assessment is supported with further supporting documents (Outline Framework Travel Plan, Outline Deliveries and Servicing Plan, Outline Operational Management Plan and Outline Construction and Logistics Plan).
- 10.163. For the purposes of providing a robust assessment, the approach to the Transport Assessment reviews and assesses a 'worst-case' scenario for redevelopment in terms of trip generation and transportation impacts against an agreed existing baseline. The total size of developable land to be assessed is a maximum total of 190,000 m². However, to maintain flexibility, the Applicant wishes to confirm quantum details by bringing forward a series of reserved matter applications. The Applicant has committed to providing an updated Transport Assessment and supporting documents, as appropriate, as phases of the Proposed Development are brought forward at RMA stages. The Reserved Matters Transport Statement will include all transport (public transport and highways information) and details of the Site Wide Monitoring Strategy, Operational Management Plan and Parking Management Plan.

Overview of Existing Site

- 10.164. The existing site is located south of the Queen Elizabeth Olympic Park, approximately 500m south of the London Stadium. It is bound by the A12 to the west, the Greenway to the northeast and the DLR line which serves Pudding Mill Station to the south. The Site is bisected by the River Lea, which creates two distinct areas of the Site - Bow East and Bow West. Both sites are currently designated as Strategic Industrial Land with a protected rail head.
- 10.165. Bow East is predominantly used for the storage of soils and aggregates, served by a rail siding in the north of the Site. Aggregates are transported to the Site by rail and then further distributed by road. Conversely, soil is brought to the site by road and removed from the Site by rail. Access to Bow East is currently achieved via Marshgate Lane from the A118 High Street. Access from the A12 can also be achieved via Wick Lane through a road/rail bridge that connects Bow West with Bow East. This is a single vehicle width and unadopted road.
- 10.166. Bow West currently has a rail head and accommodates Aggregates Industries on the Site. Access to Bow West can currently be achieved via Wick Lane from the A12 or Marshgate Lane from A118 High Street.

Proposed Development site

- 10.167. The Applicant's proposal comprises the redevelopment of Bow West to improve the capacity of existing industrial uses. It is proposed to intensify and optimise the existing heavy freight campus, included added value concrete plants. The Bow East development proposal aims to deliver a mixed-use industrial and commercial led scheme, providing flexible uses. Two additional rail sidings will be created in Bow East, before the existing rail sidings are removed in Bow West. In addition, the road/rail bridge between Bow East and Bow west will be improved.

Highway Access

- 10.168. The TA assumes that 50% of use class B8 storage and distribution (Last Mile) and B8 warehousing, will use the Marshgate Lane access, together with all use class E commercial, business, and service and leisure. All this proposed development is located in Bow East. The Marshgate Lane access will operate as left in/ right out, which will require all traffic to use the Marshgate Lane/ Stratford High Street junction.

- 10.169. The remaining 50% of use class B8 storage and distribution, will use the current Wick Lane access, via an improved unadopted road rail bridge that connects the Bow West and Bow East sites. In addition, 100% of concrete aggregate, freight aggregate and open storage will use the Wick Lane access. The majority of HGVs generated by the Proposed Development will therefore use the Wick Lane access.
- 10.170. All development traffic using the Wick Lane access will be directed to pass through the A12 / Wick Lane junction which is a key junction located to the southwest of the Olympic Park and to the west of the redevelopment Site. The junction currently experiences congestion and queues and its performance is forecast to deteriorate with the development traffic, particularly as a large proportion of the traffic will be HGVs. The junction will consequently require physical mitigation measures.

Public Transport Access

- 10.171. The Bow East Site is located within a five minute walk of Pudding Mill Lane DLR station, and within a 15 minute walk of Hackney Wick and Stratford stations and there are numerous bus routes along A118, High Street .
- 10.172. Hackney Wick station to the north and Bow Road station to the south are within a 15 minute walk of the Bow West site. The nearest bus stop to the Bow West Site (Autumn Street) is situated 70-metres to the north of the access. This stop is served by bus route no.339, providing direct access to a number of destinations including Shadwell, Stratford City Bus Station and Leytonstone. Impacts on public transport services are expected to be generally low. Pudding Mill station has capacity to accommodate rail/DLR trips. TfL originally expressed concern regarding pressure on bus services at peak times but this is no longer the case following the provision of further analysis by the Applicant. Stratford rail station and bus station are within about 20 minutes walk of the site and provide numerous public transport options.

Pedestrians and Cyclists

- 10.173. Due to the development site's location within an emerging area of consented new developments such as Bridgewater Triangle and Pudding Mill Lane, it will benefit from an increasingly high level of pedestrian infrastructure and well-developed local street network, offering a good level of connectivity to the future site.
- 10.174. Pedestrian access to the Bow East site is currently available via Marshgate Lane and Red Rose Lane. Marshgate Lane is approximately 4m in width. This together with the provision of dropped kerbs and tactile paving at designated crossing points provides a direct and continuous walking route for pedestrians accessing local bus stops and amenities. The footways are generally of good standard and provide a safe and secure walking environment.
- 10.175. A formal zebra pedestrian crossing is located on the northeastern boundary of the Site on Marshgate Lane Road. This facilitates safe passage for pedestrians crossing the road when accessing the Site from the Olympic Park or Pudding Mill Lane. The Bow East site is well connected for walking and cycling due to its adjacent location to the Olympic Park, allowing easy access to the strategic walking and cycling routes of the Greenway and Lea Valley Walk.
- 10.176. The Bow West site borders the river Lea and A12 on its south and eastern borders. To the north it is adjacent to Wick Lane. Wick Lane is a two-way traffic,

20mph limit road. It has raised kerb pavements on both sides of the road and is well lit.

- 10.177. Measures have been taken to limit public access into the industrial zones of Bow Goods Yard to include a rail freight safety area south of Freight Lane (Development plots C, E and F). This ensures no public movement through the area at any time resulting in no public access across the two sites. This is contrary to policy on public access. As a result, the Applicant should be required to deliver a number of Active travel improvements.
- 10.178. Cycleway Superhighway 2 runs along Stratford High Street to the south of the Site, with the eastbound segregated cycle lane accessible via either Cooks Road or Marshgate Lane and connects Stratford to Aldgate Station in Central London. Cyclists travelling west can either use Marshgate Lane and High Street link to join CS2 at Bow Roundabout, or use the Greenway, Quietway 22, to join the westbound CS2 at a toucan crossing to the east of the Site.

Trip Generation

- 10.179. The vehicle and person trip generation rates and forecast trip generations have been set out in the TA for a worst case scenario. The total vehicle daily trip generations for the Proposed Development are 7,300, of which 1,807 vehicles are HGVs. The majority of the HGVs (81%) will use the Wick Lane access.
- 10.180. The TA documents set out trip generations for the AM peak hour (0800-0900) and PM peak hour (1700-1800) for each of the land uses. The B8 Storage and Last Mile distribution trip rates have been derived from an existing survey and the Concrete Aggregate, freight aggregate and open storage trip rates have been provided by the existing operator (Network Rail). The B8 warehousing and Use Class E (Commercial, Business and Service and Leisure) trip rates have been derived from similar land uses in the TRICS database. LLDC considers that the trip rates and trip generations are reasonable.
- 10.181. The key issue for this site is the level of vehicle trip generations, particularly HGVs and the resulting impacts, specifically on the A12/Wick Lane junction and Marshgate Lane. The total vehicle two-way trip generations (to and from the site) arising from the Proposed Development are set out in the table below for the AM peak hour, the PM peak hour and all day.

Table 10

Use Class	Type	AM peak (0800-0900)	PM peak (1700-1800)	All day (Wick Lane)	All day (Marshgate Lane)
B8	Storage and Distribution (Last mile) and Warehousing	286	324	2,935	2,935
E(g)	Commercial Business, Service and Leisure	19	9	0	290

Sui Generis/B2	Concrete Aggregate, Freight Aggregate & Open storage	95	95	1,140	0
Total		400	428	4,075	3,225

10.182. Existing traffic movements using the Wick Lane access are 56 vehicles in the AM peak and 72 vehicles in the PM peak. With the Proposed Development this is forecast to increase by 182 vehicles to 238 in the AM peak and by 185 vehicles to 257 in the PM peak. Existing traffic movements using the Marshgate Lane access are 45 vehicles in the AM peak and 29 vehicles in the PM peak. With the Proposed Development this is forecast to increase by 117 vehicles to 162 in the AM peak and by 142 vehicles to 171 in the PM peak.

10.183. A series of highway works and vehicle control measures will be required by Condition, s.106 and s.278 agreements and are set out below.

Public transport, walk and cycle trip generations

10.184. The total AM and PM peak two-way vehicle, public transport, walk and cycle trip generations to and from the Proposed Development site are set out in the table below.

Table 11

Mode	AM Peak (0800-0900)	PM peak (1700-1800)
Total vehicles	400	428
Walk	172	235
Cycle	172	235
Bus	221	301
Rail	317	433
Underground/ DLR	419	573

Note: Public transport trips exclude walk element.

10.185. As noted above, there will be no public walk and cycle access from Wick Lane to Bow East due to safety concerns. The development includes new links to the Greenway and the Applicant has agreed to provide a s.106 contribution to walk and cycle improvements along the Towpath and improvements at Marshgate Lane.

Highway works and vehicle control measures

10.186. Network Rail and LLDC have commissioned a joint modelling study undertaken by Atkins to assess the impact at the A12/ Wick Lane junction and to design

appropriate improvements to mitigate the impact of the Proposed Development. The modelling is currently in the process of being approved by TfL but current work indicates that the Proposed Development will have a significant impact on the A12 westbound off-slip and northbound on Wick Lane overbridge (due to the impact of vehicles turning right into the Development site). Provisional mitigation proposals are being designed. The work takes into account existing proposals to improve pedestrian facilities at the junction and ensure right in/left out access to the Development site on Wick Lane.

- 10.187. The Applicant has agreed to a s.278 agreement to provide and fully fund improvements to the A12/ Wick Lane junction to mitigate the impacts of the Proposed Development and has agreed to restrict elements of the development coming forward until these are in place. The LLDC and TfL are content that this will deliver a practicable solution to address the adverse traffic impacts based on the initial modelling and assessment. In the HoT it is proposed that the work to complete the modelling, assessment and design of mitigation proposals will be overseen by a working group, comprising LB Tower Hamlets, LB Newham, LLDC and TfL and funded by the Applicant. TfL accept Reasonable Endeavours to progress delivery once the design is agreed. The working group will have a clear remit, Terms of Reference and timescales.
- 10.188. In addition, control measures will be required to ensure that HGVs will primarily use the Wick Lane junction to access the site. These will be set out in an Operational Management Plan for each RMA stage and will be secured by through the s106 agreement.
- 10.189. The access to Bow East will be left in/ right out from/to Marshgate Lane. As a result, all traffic using the Marshgate Lane access will use the A118 Stratford High Street/ Marshgate Lane junction. The Applicant has demonstrated by traffic modelling in the TA that the Marshgate Lane arm of this junction will be over-capacity, potentially causing queues and congestion. To mitigate this the Applicant has proposed that the signal timings are adjusted to reflect changes in the balance of traffic between the two arms of the junction. Whilst this appears a feasible solution, it could potentially cause delays to pedestrians and cyclists. The Applicant has agreed to provide funding to address this potential issue within a wider Active travel S.106 funding element.

Rail Freight

- 10.190. The continued rail-based activities are vital to the policy case for the development. Unlocking the potential rail freight capacity is a key strategic priority for the GLA. The site is one of the Capital's largest strategic railheads and defined as Strategic Industrial Land (SIL), supplying over a million tonnes of concrete and aggregate to serve the construction industry. The development site is currently inefficiently utilised and given the scarcity of brownfield land within London it presents an excellent opportunity for industrial intensification which will significantly increase the level of employment currently generated on the site.
- 10.191. The proposed rail upgrades as part of the intensification process will lead to a 30% capacity increase for peak heavy freight uses. In future the rail intensification could provide up to 3.5 million tonnes transport by rail, removing 90,000 HGV movements per annum. The New Express Rail Terminal will remove up to 50,000 HGV movements per annum.
- 10.192. In addition, the proposed development is put forward in order to seek outline planning permission with parameters that would enable the delivery of a new

Anglia Depot Rail Super hub. This will provide a consolidated operational depot for regional rail operations and therefore result in a reduction in traffic across a large part of London, reducing the overall footprint of vehicular impacts for the rail industry.

- 10.193. The Outline Operational Management Plan submitted with the Application documents sets out that maintenance staff at the depot will work three shift, typically 0600-1400, 1400-2200 and 2200-0600 (which is usually the busiest shift).
- 10.194. During implementation of the development the objective will be to protect and maximise the existing uses such that they will continue to operate within a reasonable degree of their maximum capacity. Due to the need to undertake extensive utilities and infrastructure works, the Applicant has indicated that there will be a drop off in activity during the construction period, which at this stage will be around 75% of maximum capacity. There will also be some short periods during extensive construction works where the uses may drop below this and a maximum of three months during the construction period when this may be lower than 75% of maximum. The Applicant has agreed to a Condition for a requirement to ensure current capacity is maintained at all times, except where agreed through RMAs.

Delivery and Servicing Management and sustainable operational vehicle fleet

- 10.195. The proposed development is also supported by an Outline Delivery and Servicing Plan, (DSP) submitted as part of this Planning Application which provides details on measures which will be implemented so that deliveries and servicing are appropriately managed and optimised, as well as detailing how the impact of servicing activity could be minimised over time. Whilst the Outline DSP is pitched at the right level for a framework illustrative masterplan, due to the flexible uses proposed on site, a detailed DSP will be produced in each revised matters application, at the appropriate time when the uses and tenants are known.
- 10.196. Consolidation strategies will also be considered through detailed Delivery Servicing Plan's, future site management and operators to allow greater control of the timing of deliveries to avoid network peak hours, and greater use of sustainable/zero-emission delivery vehicles.

Vehicular Parking

- 10.197. Vehicular parking will be compliant with the 2021 London Plan. There will be a maximum of 348 spaces permitted, including Blue Badge spaces and spaces for vehicles where it is demonstrated at reserved matters stage that this are needed in the course of business, including for rail operatives, track maintenance and rail-related activities associated with the Anglia Depot/ Rail Superhub, together with other B2 and B8 uses.
- 10.198. The applicant has confirmed that it will accept a condition limiting the level of operational parking which will be confirmed in RMAs for each phase of the development, working within the total cap of 348 spaces.
- 10.199. The Applicant has agreed in principle that there will be no staff parking, other than Blue Badge parking. However, it has proposed that applications may be brought forward in RMAs for limited staff parking, where there is clear justification for specific activities in particular circumstances, such as 24 hour concrete pouring, if public transport services are not available.

10.200. The level of electric vehicle car parking spaces will be compliant with the 2021 London Plan. A minimum of one blue badge space will be provided for all employment and leisure use classes.

10.201. A car parking management plan will be required by Condition before occupation of the development and will need to be reviewed and updated as appropriate for each reserved matters stage.

Cycle parking

10.202. The proposal will deliver London Plan compliant levels of secure cycle parking, in accordance with LCDS guidance, with the details brought forward in future RMAs for each plot. The design codes ensure that any RMA would deliver a range of cycle storage for different users as well as facilitate for the use for Cargo bikes within the storage and distribution uses.

Construction Traffic Impacts

10.203. The outline CLP provides a high level construction programme. As highlighted in the Outline CLP, the primary method of construction transportation will be by rail for the majority (90%) of construction materials, resulting a much lower level of vehicle construction related traffic than during operation of the development. All aggregates and concreting will be rail enabled and optimised in line with the site wide objectives. In addition, the construction materials required for the rail and concrete and aggregates require a low level of materials to construct. Warehousing, office and leisure uses will also be constructed using simple structures and consideration will be made to using prefabricated material which would further reduce construction-related vehicle movements.

10.204. There will be a maximum of 110 construction vehicles per day, throughout the construction period, of which 70 will be HGVs (60 of which will use the Wick Lane access and 10 will use the Marshgate Lane access). The use of the primary access and egress route via Wick Lane is intended to minimise disruption to surrounding local area, ensure safety to local residents and pedestrians and control vehicles entering and leaving the development site.

10.205. The table below sets out the daily construction traffic by vehicle type generated by both Bow West (Wick Lane access) and Bow East (Marshgate Lane access).

Table 12

Phase	Bow West- Wick Lane		Bow East- Marshgate Lane		Total
	HGV	LGV	HGV	LGV	
0- Demolition and Enabling	30	30	5	20	85
1- Bow west Consolidation of Freight	60	20	0	0	80
2- Bow east freight relocation and express facility	60	20	10	20	110

	Bow West- Wick Lane		Bow East- Marshgate Lane		Total
3- Rail hub	60	20	10	20	110
4- Zone D	50	10	10	10	80
5- Leisure	20	20	10	20	70
Maximum Daily	60	30	10	20	110

10.206. The appointed contractor will have a site-based project team who will manage every aspect of the construction process.

Conclusions on transport:

10.207. It is noted the development would result in increased vehicular traffic as a result of the increased industrial activity and introduction of new storage and distribution uses. However, the proposals would also include significant mitigation measures to lessen the impacts on the surrounding highway network, most notably with the delivery of a s278 agreement to deliver significant improvements to the Wick Lane junction to ensure that the operation of the junction continues to function at peak times.

10.208. Further mitigation would also be proposed through the s106 to deliver pedestrian and cycle improvements along Marshgate Lane, the greenway and the pedestrian underpass towards Pudding Mill Station, in addition to restrictions on the number of heavy goods vehicles accessing the site via Marshgate Lane to help improve the environment within the emerging Pudding Mill neighbourhood. Subject to the delivery of this mitigation prior to development thresholds being met, the proposals would result in a 'nil detriment' impact on the surrounding highway network whilst providing significant improvements to connectivity within the area.

Environmental Matters

Air Quality & Odour

10.209. As part of the Environmental Statement, the applicants provided an Air Quality Assessment, which following comments raised by PPDT officers, now includes an assessment as to whether the proposal meets the Air Quality Neutral and Positive requirements of the London Plan. This has been thoroughly reviewed by PPDT's Environmental Consultant. The Air Quality Assessment concludes any air quality effects would be of low significance for both during the construction and operation of the development, subject to appropriate mitigation as outlined within the submitted air quality assessment.

10.210. London Plan Policy SI 1 states that development proposals should demonstrate they are air quality neutral and that design measures have been implemented to reduce air quality impacts for nearby residents. Developments should also account for the impact on air quality during the construction and demolition phases. For large-scale, outline applications that are subject to EIA, an Air Quality Positive Statement should be submitted which details how benefits to local air quality have been maximised and measures to minimise pollution exposure have been minimised.

- 10.211. Local Plan Policy BN.11 supports Policy SI 1 and similarly states that new development should be constructed and designed, with appropriate use of green infrastructure, in a manner that minimises pollutant emissions to the air. This policy also requires that major developments must be at least air quality neutral and include an air quality assessment where they are located in areas identified in the most recent strategies and guidance as being significantly affected by poor air quality. The site is located within the boroughs of LB Newham and LB Tower Hamlets, both of which in their entirety have been designated as Air Quality Management Areas (AQMA).
- 10.212. Chapter 7 of the Environmental Statement includes an Air Quality Neutral Assessment which considers both building and transport emissions. A connection to the existing East London Energy district heat network (DHN) would meet the proposed development's heat demand, without the need to expand capacity, air source chillers would provide the cooling load, electrical demand would be met via a connection to the UKPN and Air Source Heat Pumps would supplement heating and cooling throughout the office areas. As no combustion heat sources are proposed, and backup generators would only be used for routine testing or emergencies, the proposed development would be air quality neutral in terms of building emissions. In terms of transport impacts, the expected trip generation of the proposed development would fall below relevant benchmarks. Therefore, the proposed development would also be air quality neutral in terms of transport emissions.
- 10.213. In line with the Mayor's Air Quality Positive Guidance, the applicant has submitted an Air Quality Positive Statement as part of the Environmental Statement. The applicant has adopted the principles of air quality positive, such as creating new public pathways, providing cycle parking, increasing accessibility to encourage sustainable transport use and restricting heavy goods vehicle (HGV) access across the site, throughout the design process. The applicant will continue to ensure these principles are a key consideration as the detailed design progresses to ensure the proposed development minimises its impact on local air quality as far as possible.
- 10.214. Many of these principles which encourage sustainable transport, will be secured by way of planning conditions which require detailed Travel Plans and Delivery & Servicing Plans to be agreed for each phase of the development to further minimise the impacts of transport on local air quality.
- 10.215. Chapter 7 of the Environmental Statement also assesses the impacts of odour emissions associated with the Greenway (Northern Outfall Sewer) and foul water pumping station to the north of the site on future occupants of the proposed development. Informed by sniff tests, the assessment concluded there would be no significant effects as a result of odour on future occupiers.
- 10.216. The applicant also provided a risk assessment of likely dust impacts on surrounding human receptors, and existing and new habitats resulting from both the construction and operation of the proposed development. No significant dust impacts are expected for any of the existing or future human or ecological receptors within, or in proximity to, the site. The implementation of the acoustic barrier in the west of the site would potentially serve a dual purpose in further minimising construction and operational dust emissions. Conditions would be placed to ensure implementation of robust construction dust management practices which align with the Mayors 'Control of Dust and Odour during

Construction' guidance are followed. Similarly, robust site practices during operation will be secured through the agreed Operational Management Plan.

Noise and Vibration

- 10.217. London Plan Policies D13 and D14 state that development should be designed to ensure that established noise-generating uses remain viable when located close to new sensitive development. New development should manage noise and other potential nuisances for future occupiers by providing suitable mitigation measures.
- 10.218. Local Plan Policy BN.12 states that development proposals should contribute towards minimising the effects of noise on amenity of the occupiers of existing and planned new development in the area. New development should be constructed to minimise exposure to the adverse impacts of noise and designed to minimise the effects of noise.
- 10.219. Chapter 8 of the Environmental Statement includes a Noise Assessment which has been thoroughly reviewed by officers and their Environmental Consultant, together with key stakeholders including LB Tower Hamlets and LB Newham's Environmental Health Officers.
- 10.220. The main concerns regarding noise and vibration result from construction noise effects at 419 Wick Lane, Iceland Wharf and Bobby Moore Academy and operational road traffic noise at the Malt House Building on Marshgate Lane. Given the increased noise levels expected from the increased site activity at nearby existing and future properties, the applicant intends to install acoustic mitigation along the western edge of Bow East to provide screening for 419 Wick Lane, Iceland Wharf, as well as users of the River Lea. In the northern section of Bow East, a rail enclosure will provide screening from freight trains using the adjacent sections of the railway.
- 10.221. Further south, a barrier up to 5.0 metres (m) is proposed which is intended to screen noise from freight trains using the rail heads and some unloading/loading activities. In the southern section of Bow East, a further 3.0 m barrier will screen users of the River Lea. The detailed design of the acoustic mitigation will be undertaken at the reserved matters stage for plots within Bow East. It is expected the acoustic mitigation will be in place during one of the earliest development phases to maximise its benefits for reducing construction noise.
- 10.222. As well as acoustic screening, the assessment sets out commitments for other appropriate mitigation measures, such as the use of best practicable means, to minimise the impacts of construction noise on nearby residences. This mitigation will be secured through conditions and come forward prior to the commencement of works on relevant phases.
- 10.223. Following feedback from PPDT's environmental consultants, the applicant has provided a conservative noise assessment of the various proposed industrial noise sources that will operate at the site including the Bow West van parking deck and concrete batching plant, as well as the Bow East rail-head and associated industrial (B8) uses. The assessment concludes that the proposed acoustic screening and rail enclosure will continue to provide substantial benefits to mitigating noise from the site operations to ensure there no residual noise concerns, even in the cumulative scenario. When commitments can be made around the development phasing, this may further reduce noise as the proposed buildings themselves will offer screening of the noisier activities to surrounding properties, notably the Bobby Moore Academy. Some residual noise may remain

from traffic along Marshgate Lane which will need to be carefully managed through appropriate site management practices, to be secured by planning condition.

Ground conditions and contamination

- 10.224. The LLDC Local Plan Policy BN.14 requires development proposals to meet a 6 point criteria to prevent harm to health and the environment from the effect of contamination, including the following:
1. The site is suitable for its new use, taking into account of ground conditions, including pollution from previous uses and any proposals for mitigation such as land remediation
 2. Adequate site investigation information, prepared by a competent person, is provided.
 3. After remediation, as a minimum, the site is not capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990.
 4. Take account of the impacts from any existing consented hazardous substances Installation.
 5. Suitable measures are taken where construction works are carried out.
 6. Account is taken of any potential impact on any Groundwater Source Protection Zone.
- 10.225. The application site and the wider area have historically been used for a variety of heavy industrial uses, and therefore contamination of the ground is a concern. If any identified contamination is not dealt with appropriately, it has the potential to affect human health and natural habitat, including the water environment and groundwater.
- 10.226. Chapter 9 of the submitted ES provides an assessment of the ground conditions and identifies potential contamination that may be present within the site. This chapter concludes a number of mitigation measures required in order to ensure that any potential contamination on site can be identified and remediated where necessary.
- 10.227. PPDT's Environmental Consultants have been consulted on the application and requested some further clarification on some points contained within the contamination assessment. Following a response from the applicants it was agreed that all matters can be adequately dealt with via a robust set of conditions in relation to contamination.
- 10.228. Newham Environmental Protection team outlined that there may be potential risk of gas contamination and have requested that a report be provided that either gas protection is unnecessary or a verification report showing a gas membrane has been fitted. This is proposed to be conditioned.
- 10.229. The Environment Agency have also provided comments on the application in relation to contamination, however they have not raised any objection to the development, subject to the application of a number of conditions to provide further details as each phase comes forward.
- 10.230. Overall, a number of conditions are proposed that will require a robust scheme of ground investigation measures and monitoring for each phase of the masterplan to suitably mitigate against any pollution and impacts upon long term health. These conditions are set out in detail within section 13 of this report.

Water Resources, Flood Risk and Drainage

- 10.231. Local Plan Policy S.10 provides guidance on addressing flood risk as part of development proposals, whilst Policy S.11 refers to sustainable drainage measures and flood protections.
- 10.232. The site is located across Flood Zones 1 to 3 on the Environment Agency's (EA) Flood Map for planning. The majority of the site is located within Flood Zone 1 which has a low probability of flooding from rivers or the sea. However, there are small areas of the site alongside the River Lea (which bisects the site) and Marshgate Lane that are classified as Flood Zone 2 and Flood Zone 3 which are defined as having a medium or 0.1% - 1% Annual Exceedance Probability (AEP) of fluvial flooding and greater than 1% AEP of fluvial flooding in any given year, respectively. The EA's flood mapping also indicates that the underpasses leading into the site at its eastern extent are considered to be at risk from surface water flooding.
- 10.233. The development proposals are classified as 'less vulnerable' development. When referring to Government's FRA assessment guidance, despite being located within Flood Zone 3, less vulnerable development in this location is considered appropriate and the sequential and exception tests contained within the NPPF are not required. Notwithstanding this, the proposed development layout has been designed to ensure that buildings or uses of greatest flood risk are located in areas of the site away from Flood Zone 3 and would not be unduly affected by flooding.
- 10.234. Chapter 10 of the Environmental Statement includes a detailed assessment of the likely significant effects arising from impacts on water resources, flood risk and drainage. Furthermore, and in line with the NPPF and associated Planning Practice Guidance, the assessment is supported by a standalone Flood Risk Assessment (FRA) and Outline Drainage Strategy. The ES chapter, along with the FRA have been reviewed by PPDT Officers, together with their Environmental Consultants, EA and LB Tower Hamlets and LB Newham as the Lead Local Flood Authorities (LLFA). The assessment establishes that any adverse effects on flood risk or water quality can be appropriately mitigated through design and robust on-site management practices which will be secured through a suite of recommended conditions, such as a requirement for a detailed Construction Environmental Management Plan (CEMP) to be produced. Operation of the new concrete batching plant requires large volumes of water. Water will be recycled, wherever possible, and no additional water will be extracted from existing groundwater sources without appropriate licences or permits in place.
- 10.235. The EA and LLFA have confirmed that the proposed raising of completed ground floor levels above maximum flood elevations, where possible, use of flood resilient construction techniques up to a level of 4.16 m above Ordnance Datum (AOD) and provision of a safe egress route from areas below the raised level, will sufficiently address any residual flood risk. A condition is recommended requiring the preparation of a Flood Warning and Evacuation Plan for the site. Further, the EA and Canal & Rivers Trust (CRT) advised an 8.0 metre (m) exclusion zone or natural buffer zone should be maintained between the River Lea and any built development in order to protect the river environment, avoid any increase to flood risk and ensure access to the river is maintained.
- 10.236. In terms of drainage, EA and CRT also confirmed they had no in principle objection to surface water runoff being discharged into the River Lea and recommended conditions requiring confirmation of the exact location and number

of outfalls, informed by a detailed condition survey of the existing river wall. The proposed development has been designed to incorporate a range of sustainable drainage systems (SUDS), such as green roofs, raingardens and permeable paving, to treat runoff and slow its discharge to groundwater and the River Lea. A detailed drainage strategy will need to be submitted as the reserved matters come forward. This will need to include details of the SUDS features and be secured by a condition.

- 10.237. Construction of any new outfalls would require works within the River Lea. A Water Framework Directive Assessment (WFDA), secured by condition, would be undertaken prior to works commencing to ensure construction activities or any excavation is appropriately controlled to prevent impacts on water quality.

Socio-Economics and Health

- 10.238. Policy S.1 of the Local Plan deals with health and wellbeing. It requires major development schemes to explain how the scheme will contribute to the health and wellbeing of those who will live and/or work within the development proposed and that it would not significantly adversely affect those who live and/or work within the vicinity of the proposed development. This should include information on access to schools, health services, community facilities etc.
- 10.239. Chapter 13 of the ES reports the findings of an assessment of the likely effects of the proposed development on health relating to the site and surrounding areas. The conclusions set out in this section of the ES outline both the residual effects from the demolition and construction phases as well as the completed operations stage of the development.
- 10.240. In relation to the demolition and construction phases, the ES outlines that the impacts are likely to be low or neutral and not significant. The majority of any potential impacts are generally temporary in nature as a result of construction activities. Mitigation measures will be put in place to limit impacts from construction activities with the requirement of a CEMP to be submitted prior to commencement of any phase of the development.
- 10.241. In relation to the operational stage impacts, as the ES outlines, the Application will deliver beneficial impacts on the surrounding area through improvements to previously inaccessible land and enhance the public realm along the Greenway and River Lea. The provision of leisure, retail and sporting facilities will also enhance the health and wellbeing of both future workers on site and nearby residents who will have access to these facilities. In addition to this, the proposals would generate a significant uplift in job opportunities which would have potential significant benefits on residents within the surrounding area.
- 10.242. This section of the ES has been reviewed by PPDT's Environmental Consultants, who have agreed with the overall findings outlined, however requested some points of clarification, which have subsequently been provided.

Greenhouse Gas Emissions and Climate Change

- 10.243. Policy S.2 of the Local Plan deals with energy in new developments. It states that developments will be expected to minimise carbon dioxide emissions to the fullest extent possible by application of the Energy Hierarchy as set out below:
- 1) Reducing energy requirements.
 - 2) Supplying the energy that is required more efficiently; and

- 3) Meeting remaining energy requirements through renewable energy sources where viable.

- 10.244. Policy S.2 also states that residential developments should meet the regulated zero carbon emissions standard of zero emissions. Where this cannot be met then a financial contribution to the Legacy Corporation Carbon Offsetting Fund will be required. The London Plan outlines that the carbon offset should be calculated as follows:
- 'Carbon gap' (Tonnes of Co2) X Price of Carbon (£95) x 30 (years) = offset payment.
- 10.245. Related to the above, it should also be noted that Policy S.3 of the Local Plan deals with energy infrastructure and heat networks. It places an emphasis on connecting to existing heat networks or the creation of new networks, subject to certain conditions.
- 10.246. The London Plan requires a minimum on-site reduction of 35% beyond Building Regulations and for development to achieve a 15% reduction through energy efficient measures. Where it is clearly demonstrated that the strategic zero-carbon target cannot be fully achieved on site, the policy allows for a financial contribution to the borough's carbon offset fund.
- 10.247. The proposed development incorporates passive and low energy design measures including high performance glazing; improved building fabric; low energy lighting; power factor correction systems; and automatic lighting controls. This would result in a 18% reduction in predicted carbon emissions at the Be Lean stage, exceeding the requirements of the London Plan at this stage
- 10.248. In terms of 'be clean' measures, the current preferred option is to connect to the ELE District Heating Network (DHN) for space heating and hot water, whilst separate local air-source chillers/heat pumps will provide cooling. This approach is supported albeit the requirement to connect to the DHN will be a reasonable endeavours clause within the s106 given the fact that the extension to the system is not currently in place within this part of the QEOP, albeit is likely to come forward in the coming years.
- 10.249. In addition to this, the 'be green' measures include the provision of 15,000sqm of photovoltaic panels and air source heat pumps within the site are proposed that would contribute to ensuring that the building would be of an exceptionally high performance in energy terms, complying fully with the net zero requirements. This would result in carbon savings above Part L of the Building Regulations of 170%.
- 10.250. Overall, the proposed development offers a regulated carbon dioxide emissions reduction of 188% against Part L of the Building Regulations using the latest carbon emissions factors in line with current GLA guidance. Meaning that this proposal is exemplar in relation to ensuring its energy performance will achieve in excess of the required net zero on site savings.
- 10.251. The submitted Environmental Statement includes chapters on Climate Change and Greenhouse Gases alongside separate sustainability and detailed energy information, and this has been reviewed by PPDT's Environmental Consultant who have confirmed that the proposals maximise all opportunities to ensure carbon reductions are included within the proposals and are satisfied that the proposals fully comply with the requirements of the London Plan.

10.252. The proposals demonstrate that all possible energy efficiency measures have been incorporated into the scheme, exceeding the net zero requirements, thus leading to an exemplar in energy performance for industrial buildings such as this. As a result of exceeding the net zero requirements, there will be no requirement to secure any off-set payments from the development, however monitoring of the performance of the building fabric and compliance statement requirements with the proposed energy strategy here will be secured through the s106 agreement as required by the 'be seen' measures identified within the London Plan.

Sustainable design and construction (BREEAM)

10.253. The relevant policy is S.4 of the Local Plan which sets the expectation for highest standards of sustainable design and construction to be achieved. A minimum of BREEAM 'Very Good' is expected while achieving a maximum score for water use (or equivalent in any future nationally recognised assessment).

10.254. The presented BREEAM strategy demonstrates that a feasible BREEAM score for the proposed development is 83%, which is equivalent to a BREEAM 'Excellent' rating, however the submitted pre-assessment does note that the proposals have the potential to meet BREEAM 'Outstanding' which would exceed the policy requirements. The submitted BREEAM pre-assessment notes that credits can be achieved through each of the criteria, including management, health and wellbeing, energy, transport, water, minerals, waste, land use, ecology, pollution and innovation.

10.255. The proposed development falls short of the maximum BREEAM score for water use (achieving 7 out of the 8 credits) as required by this policy. In this instance water efficient fittings will be supplied to achieve in excess of 65% improvement over the baseline building water consumption. This is the maximum achievable score at this stage of the design process and would include the installation of water monitoring, leak detection systems and specification of efficient low water consumption sanitary ware and in the round, given the end user of the building is unknown. The report does note that the one outstanding credit could be met at future design stages in order to achieve all 8 credits.

10.256. Officers are satisfied that all reasonable steps to minimise water consumption have been taken and that the scheme would achieve a high standard of sustainable design that has the potential to meet all required credits in relation to water consumption. This will be assessed as design details develop at Reserved Matters stage.

10.257. The applicant has demonstrated that a BREEAM rating of 'Excellent' is achievable which gains support from policy. A condition is proposed requiring details of the final BREEAM certification for the development to be submitted to the LPA, requiring a minimum excellent as demonstrated could be achieved here.

Circular Economy

10.258. The application is supported by a Circular Economy Statement in line with the requirements of the London Plan which introduces the concept of 'Circular Economy', defining it as: '... An economic model in which resources are kept in use at the highest level possible for as long as possible in order to maximise value and reduce waste, moving away from the traditional linear economic model of 'make, use, dispose...'. London Plan policies D3, S17 and S18 and Local Plan S.8 and SP.5 are also relevant.

- 10.259. The Circular Economy Statement outlines how circular economy principles would be incorporated in the design, construction and management of the proposed development. The applicant has committed to the following targets:
- improving resource efficiency and innovation to keep products and materials at their highest value for as long as possible.
 - encouraging waste minimisation and prevention by re-using materials and reducing resource use in the manufacture and distribution of building products.
 - ensuring zero biodegradable or recyclable waste goes to landfill by 2026.
 - meeting or exceeding municipal waste recycling target rate of 65% by 2030.
 - meeting or exceeding construction, demolition and excavation waste re-use/recycling/recovery target rate of 95%.
- 10.260. In its Stage 1 report, GLA requested pre-redevelopment and pre-demolition audits to be undertaken. This has been addressed by the applicant through the inclusion of additional commitments within the Design Code. The nature of the existing and proposed facility requires specialist input and engagement with the supply chain to define the best value options for reuse. It is the intention that this will be undertaken by the demolition contractor who will be required to explore further opportunities to reuse existing materials.
- 10.261. The applicant, at the request of GLA, also completed the bill of materials and waste reporting tables within the circular economy template in full to demonstrate compliance with policy requirements. Conditions are recommended requiring the pre-redevelopment and pre-demolition audits to be undertaken prior to the submission of the reserved matters applications, as well as the bill of materials to be reviewed and updated as the detailed design develops. Furthermore, conditions are imposed requiring the preparation of a detailed Site Waste Management Plan (SWMP) and detailed Operational Waste Management Plan (OWMP) for each of the reserved matters applications which require robust measures to be in place to manage and monitor the construction and operation of the detailed design in line with the various commitments and targets set out in the Circular Economy Statement.
- 10.262. The principles set out in the Circular Economy Statement are supported by the GLA and confirm compliance with the requirements of London Plan Policy SI7.
- 10.263. Overall, Officers and PPDT's environmental consultants are satisfied that the circular economy has been considered throughout the evolution of the development as part of the wider aspirations to enhance sustainability and that the scheme responds to the overarching values of the Circular Economy including conserving resources, designing to eliminate waste and managing waste sustainably. The submitted information is considered to be compliant with London Plan Policy SI7 for this stage of design.
- 10.264. Regarding the Whole Life Carbon Assessment (WLCA) submitted with the application, this reviews the embodied carbon emissions associated with the proposed development, taking into account the materials quantities and loads, the operational energy consumption of the built scheme, with total emissions estimated and compared to the GLA benchmarks.
- 10.265. The WLCA outlines a range of opportunities which could be undertaken to reduce the carbon associated with the development at the more detailed design stage when materials are being selected and specified. The Whole Life Carbon

Assessment has been reviewed by both PPDT's Environmental Consultant and PPDT Officers. Total emissions for construction of the proposed development were estimated to be ~1,060 kgCO₂e/m², which were found to be on track to improve upon the GLA's standard benchmarks (~1,400 kgCO₂e/m² for office developments) but fall short of the aspirational benchmarks. The analysis identified other opportunities to contribute to the potential reduction in life-cycle carbon through, for example, continued focus on superstructure carbon reduction, use of reclaimed materials and lower carbon façade design.

- 10.266. Overall, it is considered that the submitted details are sufficient to address the requirements of London Plan Policy S12. A planning condition is imposed requiring the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template to be completed and the post-construction assessment to be submitted for each of the reserved matters applications.

Wind Microclimate

- 10.267. Policies D8 and D9 of the London Plan, seek to ensure that development and taller buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly in relation to wind and microclimate. This is reiterated within Policy BN.4 of the Local Plan which states that proposals for tall buildings should consider the impact on microclimate and wind, including down-draughts and lateral winds across public spaces and communal amenity spaces.
- 10.268. A number of tall buildings are proposed within the development and as such, a wind microclimate assessment has been submitted as part of the ES, which noted that upon completion of the proposed development, including the cumulative impact alongside adjacent development, wind conditions are expected to rate as safe within and around the proposed development for all users.
- 10.269. A final assessment of wind impacts will come forward at Reserved Matters stage once the final design of the scheme is developed. However, Chapter 15 of the submitted Environmental Statement analyses the effects of wind based on an assessment of the maximum parameters of the outline scheme with no features such as vegetation and street furniture which would reduce wind speeds within the public realm. This therefore establishes a 'worst case' scenario which would be expected to be substantially improved upon at Reserved Matters stage with further design development and landscaping detailing. The assessment is made using the 'Lawson Comfort Criteria' (which determines the acceptability of wind conditions for pedestrian safety and comfort) together with the 'Lawson Safety Criteria'.
- 10.270. Wind conditions for the public realm within the site, and outside the site in locations such as Greenway and Marshgate Lane are predicted to experience conditions that would be suitable or calmer for their intended uses of sitting, walking and standing throughout the year. All building entrances would also experience acceptable conditions for access into these spaces.
- 10.271. In terms of the amenity spaces within the development, both at ground level roof amenity levels, these are generally considered to be acceptable. For the ground floor amenity spaces, the submitted modelling demonstrates that in the summer season, when these amenity spaces would be most intensely used, that the significant majority of spaces would be comfortable for sitting, with the remaining spaces suitable for standing.

- 10.272. This would include at street level for all of the public realm and pedestrian spaces as well as comfortable sitting conditions within the amenity spaces of the development itself. The development is also unlikely to have an adverse impact on wind conditions in the surrounding area, in particular along public footpaths where conditions are also comfortable for either sitting or standing in both winter and summer months. In the windiest season, not unexpectedly the amount of amenity space suitable for sitting would reduce, albeit the modelling demonstrates that a substantial portion of the courtyard would remain comfortable for sitting. The remaining space would be suitable for standing.
- 10.273. Overall, the wind conditions both within and surrounding the development site are considered acceptable and would provide good conditions for both residents and visitors walking in and around the site in accordance with the Lawson Criteria. However, this is based on the illustrative masterplan and not the finalised design, as such further testing will need to be brought forward at reserved matters stage to ensure that microclimate conditions are acceptable. This will be secured through the Reserved Matters Specification.

Archaeology

- 10.274. The site lies within the London to Colchester Roman Road and River Lea Archaeological Priority Area. The site is located in the Lea Valley, an extensive area containing paleoenvironmental evidence for past wetland and riverine environments and potential for new discoveries of well-preserved prehistoric sites. It was also an extensive area of historic industry in the medieval and post medieval periods. The north and western portions of the site are within APAs for the London to Colchester Roman Road, and the Roman settlement and environs of the Roman river crossing at Old Ford.
- 10.275. The proposed development area has been subject to previous archaeological evaluation in 2007 and in 2008 in advance of the Olympics, as PDZ3 and PDZ14. It was also located within the Olympic Park Phase 3b site-wide geoarchaeological assessment and analysis report by Wessex in 2009. These revealed truncation of natural alluvium by a significant depth of relatively modern deposits, as well as truncation and backfill associated with the construction and disuse of a 19th-century covered reservoir. These evaluations found no evidence for the Roman Road within the site area.
- 10.276. The applicant has submitted a desk-based historic environment assessment by WSP, dated April 2024, compliant with policy and guidance. This document includes a comprehensive statement of significance and impact assessment. It states that outside of areas previously truncated by 19th-century reservoirs, archaeological survival is predicted to be high, especially for deeply buried prehistoric remains which would survive at depth below modern made ground and overlying alluvial deposits, and that there is potential survival for earlier (than post-medieval) remains to survive below the areas of impact from previous building foundations.
- 10.277. The Design and Access statement regenerative framework sets out that the masterplan proposes no basements on site. Likely impacts to significance from the development will be from piled foundations, GLAAS agreed with the WSP report that the overall impact from development on these deeply buried remains should not warrant further archaeological investigation. They also noted that archaeological investigation on shallower enabling and other ground works including attenuation tanks should be undertaken to ensure a record of any industrial heritage and infrastructure impacted by development on this site.

10.278. As such, GLAAS confirmed that subject to the inclusion of a planning condition, they did not raise any objections to the proposal. PPDT officers have confirmed with GLAAS that these conditions would be attached to any consent and are proposed (see section 13 of this report).

Ecology (biodiversity) and Urban Greening

10.279. The applicants have provided a number of documents to assess the proposals impacts on Biodiversity within the surrounding area, including an assessment within the Environmental Statement, Biodiversity Net Gain Assessment, Habitat Regulations Assessment and Preliminary Ecological Appraisal and Biodiversity Survey.

10.280. There are two internationally important designated sites within 10km of the Site, which include the Lea Valley Wetlands and Special Protection Area (SPAs) and Epping Forest Special Area of Conservation (SACs) whilst there also being three Sites of Special Scientific Interest (SSSI's) including the Walthamstow Marshes, Walthamstow Reservoirs and Epping Forest. The application site also contains the Old Ford Nature Reserve Site of Important Nature Conservation (SINC) and lies adjacent to the Greenway SINC and Lea Valley SINC.

10.281. The submitted reports were carried out to provide ecological information to inform potential ecological constraints associated with the re-development of the Site to industrial use and other uses. The reports also set out enhancement measures proposed as part of the submitted information.

10.282. The submitted reports have been reviewed by PPDT's environmental consultants. They have agreed that the overall approach to biodiversity would result in a net increase in habitats on site ensuring that the site would achieve biodiversity net gain.

10.283. Natural England have also been consulted on the application and following clarifications, have not raised any objections to the proposals as submitted as they would not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

10.284. Overall, the proposals would result in new high quality habitat spaces through the introduction of new open spaces, planting and habitat creation throughout the site which would be a significant improvement on the existing situation within the site.

10.285. However, as the application is at outline stage only, the Reserved Matters applications will need to demonstrate how each of those developments would ensure that each site would achieve the key biodiversity targets outlined within the Masterplan Framework, furthermore, conditions will be imposed to ensure that as the design develops across each phase, a condition is recommended to provide finalised details of the biodiversity strategy in order to ensure that each phase achieves net gain (see section 13 of this report).

Biodiversity Net Gain Assessment:

10.286. Policy BN.3 of the Local Plan requires protection and enhancement of biodiversity within open spaces, parks and built-up areas. As of February 2024, BNG is becoming mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

10.287. As part of this introduction, developers must deliver 10% BNG, either on-site or off-site, or as a last resort by buying statutory biodiversity credits. For significant

on-site gains, and all off-site gains, the BNG must be maintained for at least 30 years. Responsibilities for this will be set out in a legal agreement.

- 10.288. BNG is also a policy requirement of the Local Plan (policy BN.3) and London Plan (policy G1, G4, G5, and G6) and the NPPF. The applicants have provided a BNG Assessment Report to measure the outline application proposal.
- 10.289. The submitted report outlines that the proposal recorded a Site biodiversity baseline of 16.3 Area Habitat Units, 0.67 Hedgerow Units and 0.93 Watercourse Units. Considering the proposed landscaping and example minimum off-site measures it is predicted that the Proposed Development will result in overall gain result of +1.64 Area Habitat Units, +0.17 Hedgerow Units, and +0.10 Watercourse Units.
- 10.290. In terms of the quantitative assessment, it is therefore predicted that the Proposed Development will be able to achieve a quantitative scheme-wide biodiversity net gain of at least 10% for Area Habitat Units and Watercourse Units, and potentially 25% for Hedgerow Units. The aspiration is to achieve a greater gain than 10% where possible. The qualitative assessment concluded that the Proposed Development is predicted to comply with all of the ten Principles.
- 10.291. The gains made are dependent upon the target type and condition for each retained, enhanced and created habitat set out in the Metric being met within the timescales set out in the Metric. A Habitat Management and Monitoring Plan will be required to cover all significant on-site gains (habitats of medium distinctiveness or above) as part of the Overall Biodiversity Gain Plan. This will form part of the requirements of the s106 agreement.
- 10.292. This Biodiversity Statement should be subject to review and update following any changes to the design of the Proposed Development, and this would be undertaken once detailed design is progressed at Reserved Matters stage, in order to prepare the Overall Biodiversity Net Gain Plan and Phased Biodiversity Net Gain Plans.
- 10.293. Conditions and obligations are included to require details features within the landscaping and architecture to improve biodiversity.
- 10.294. The applicants have also considered the potential impacts of the development in relation to overall Ecology and Biodiversity issues with a chapter included within the Environmental Statement which considers the likely effects arising from the proposed development. Chapter 12 of the ES is also accompanied by a Preliminary Ecological Appraisal and Biodiversity Study.
- 10.295. The report notes that a Field survey was undertaken on the 3rd of August 2023 and consisted of a habitat survey and protected/notable species assessment including aquatic assessment of the canal. The habitat survey identified ten types of habitats on Site, comprising urban sealed surfaces, artificial unvegetated unsealed surfaces, buildings, neutral grassland, introduced shrubs, lowland mixed deciduous woodland, mixed scrub, ruderal vegetation, scattered trees and the canal. The habitats present opportunities for breeding birds, reptiles and bats.
- 10.296. The ES has established that a number of mitigation measures are required which include the following:
- woodland creation and enhancement to compensate for the loss and fragmentation of existing woodland. This will be secured through the mandatory Biodiversity Net Gain (BNG) requirements.

- Adherence to construction stage mitigation measures set out in a CEMP to avoid and mitigate effects on non-statutory sites, protected species and habitats, including from vegetation clearance, invasive species, dust, noise, vibration, lighting and surface water runoff or spillages. This will be secured via the CEMP condition.
- Surface water control measures during operation through SUDS and interceptors. This will be secured for each phase through a SUDS condition.
- Linear habitat planting along the eastern side of the canal, and enhancement of the scrub landscaping on the western side, to restore and improve riparian habitats and connectivity for bats. This will be secured through detailed landscaping and ecology conditions.
- Design of a sensitive lighting scheme to avoid light spillage onto the canal. This will be secured for each phase through a lighting condition.

10.297. The biodiversity reports and ES chapter have been reviewed by PPDT's Environmental Consultants who have confirmed that the overall findings are acceptable, and the proposals would not result in a significant adverse impact on the biodiversity within the site or surrounding area, subject to the suitable mitigation measures outlined above and enhancement measures proposed through the overall scheme and design codes.

Urban Greening Factor:

10.298. Policy G5 of the London Plan seeks to ensure that new major developments 'contribute to the greening of London by including urban greening as a fundamental element of site and building design'. The minimum requirement of the London Plan is to achieve a UGF level of 0.3 for commercial uses, however it notes that there is no specific target required for B2 and B8 and industrial uses such as those proposed here. Nonetheless this figure gives a useful benchmark for schemes to target.

10.299. The submitted information notes that the proposals would seek to maximise greening across the site with a number of clauses promoting this within the Design Codes whilst also noting that all proposals would include 0.3 UGF targets for non-industrial areas within the site. The design codes secure various measures to ensure that urban greening is achieved across the site through detailed planting and landscaping requirements.

10.300. The technical documents have been reviewed by PPDT's environmental consultants who are satisfied that the proposals seek to maximise greening across the site and the Reserved Matters Applications will be required to demonstrate how they meet the UGF requirements for the non-industrial uses proposed.

10.301. Given the operational requirements required for B2 and B8 uses to have service yards etc., and the fact there is no formal benchmark for B8 and B2 uses for UGF, PPDT officers are satisfied that the applicants have maximised the opportunities to ensure urban greening within the site and are supportive of the proposal in this regard.

Trees

10.302. The applicants have provided an Arboricultural Impact Assessment, which assesses the potential impacts of the proposals on the trees within and adjacent

to the site. The report outlines that a total of 18 trees are required to be removed to enable the proposed development to come forward. Of the trees to be removed, 10 of these would be considered to be Class B trees and 8 which are considered to be Class C trees.

- 10.303. The application is for an outline planning application with all matters reserved for the Reserved Matters Stage, as such there is not a definitive list of tree planting proposed within the submission. However, measures have been put in place to ensure that the proposal would result in an overall canopy cover with measures within the Design Codes requiring RM applications to provide an increase in tree canopy cover of a minimum of 10% across the site.
- 10.304. Further to this, conditions will be attached to require the submission of site wide landscaping and tree planting conditions for each of the RM applications which will ensure that there would be an increase in overall canopy cover across the site.

Fire Safety:

- 10.305. London Plan policy D12 states that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety and design. A Fire Strategy Report was submitted with the application which outlines the key fire safety features that would be incorporated within the proposed development.
- 10.306. Initial queries were raised by PPDT's environmental consultants in relation to fire safety, however clarifications and revised information has subsequently been provided to address these matters and they have confirmed that the overall approach is acceptable at this stage. Further information will be required at Reserved Matters stage to ensure that all development plots

Draft s106 Heads of Terms:

- 10.307. The draft heads of terms listed below for the Section 106 Agreement are recommended to mitigate the effects of the development. PPDT officers consider that all of the proposed s106 obligations as outlined below meet the legal tests in Regulation 122 of the CIL Regulations 2010 (Necessary; Directly related; Fair and reasonable).
- 10.308. The draft Heads of Terms are set out within appendix 1 of this report.

Community Infrastructure Levy (CIL):

- 10.309. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions.
- 10.310. Mayoral Community Infrastructure Levy 2 (CIL) came into effect in April 2019 and applies to developments across all London Boroughs where applications propose new build floorspace greater than 100sqm. For LLDC, the charging rate is set at £60 per sqm. LLDC adopted the current CIL Charging Schedule in May 2020. The location of the Site and the requisite uses attract a rate of £20 per sqm. The site is liable for both Mayoral CIL and LLDC CIL.
- 10.311. Given that the application is in outline form, the detailed CIL figures would be established at the Reserved Matters Stage once the overall floorspace levels and use classes are known.
- 10.312. The payment of Mayoral CIL and LLDC CIL is a material consideration, however the weight given to these contributions is to be determined by the decision maker.

11. HUMAN RIGHTS & EQUALITIES IMPLICATIONS

- 11.1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.
- 11.2. In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular, Members must pay due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.3. The applicants have submitted an Equalities Impact Assessment with the application which has been reviewed by PPDT's environmental consultant. The report concludes that the proposals would not be expected to have any negative impacts on local residents, workers or visitors with protected characteristics. Conversely, the enabling of employment to be sustained and intensified on site will have a beneficial impact on those living in the area has the potential to have benefits residents within the surrounding area.
- 11.4. However, in relation to noise, the Noise and Vibration chapter of the Environmental Statement identifies a significant residual effect on the Bobby Moore Academy secondary school during construction. Best Practical Means mitigation is proposed on a site-wide basis to limit the impact that this will have on children attending the school, and it is noted that the most significant noise effects are anticipated during the demolition phase only (and that this is marginal under the average scenario) – with minor/moderate impacts thereafter. Though age is a protected characteristic, the temporary nature of the significant effect and the proposed mitigation measures mean that this would not constitute unlawful discrimination.
- 11.5. Officers are satisfied that the application material and Officers' assessment has taken into account these issues. Officers consider that the effects of the proposal would not be so adverse as to cause harm and justify a refusal of consent or

12. CONCLUSION

- 12.1. The application seeks a masterplan approach to redevelop the Strategic Industrial Land site and officers are satisfied that this meets the required

approach as outlined within the LLDC site allocation SA 4.5, which outlines that development consisting of the 'Consolidation and intensification of rail, industrial and other appropriate employment uses would present the opportunity in the long-term for an element of release of land at Bow East for alternative uses'.

- 12.2. The proposals would predominantly deliver SIL compliant uses, albeit seeks to release up to 31% of the site for non-SIL uses, which include other employment uses and/or leisure uses.
- 12.3. Overall officers consider that the Proposed Development would be in accordance with the local plan objectives for Strategic Industrial Land (policy B.1) and complies with the objectives of relevant policies of the Local Plan and the London Plan in relation to the intensification of industrial land through providing more efficient and enhanced provision of the existing industrial uses and significant amounts of new industrial floorspace.
- 12.4. The non-SIL uses are considered appropriate following the sequential test and would meet an identified need for destination leisure and or other employment uses within the area. The proposals and would provide an attractive and active edge to the site, increasing permeability and public access into the site and along the Greenway.
- 12.5. Overall, the proposals would provide a significant quantum of industrial and employment uses which create a substantial uplift in jobs within the site and deliver a much more efficient use of land, whilst also providing visual and environmental improvements over the existing uses within the site.
- 12.6. The submitted design information t has been reviewed by LLDC's Quality Review Panel (QRP) and design officers and following further design development has subsequently been undertaken including the tightening of the parameter plans and updates to the design codes. In PPDT officers' view these provide sufficient assurance that the buildings proposed within the outline application would contribute positively to the townscape, and public realm and would meet the exceptionally good design requirement of policy BN.5
- 12.7. In relation to the potential impacts of the proposed development on the surrounding properties and neighbouring sites, the existing industrial activities on site currently operate unfettered and within open storage environments. The proposals offer the opportunities to improve on existing amenity impacts for surrounding residential properties. Whilst there will be intensified industrial activities within the site, these will be operated within enclosures which offers benefits in terms of noise and air quality impacts. Furthermore, new mitigation would be provided, including the new acoustic wall adjacent to the rail freight activities, alongside additional controls and monitoring proposed through the imposition of conditions and s106 obligations.
- 12.8. In relation to transport impacts from the proposals, the development would result in increased vehicular traffic as a result of the increased industrial activity and introduction of new storage and distribution uses. However, the proposals would also include significant mitigation measures to lessen the impacts on the surrounding highway network, most notably with the delivery of significant improvements to the Wick Lane junction to ensure that the operation of the junction continues to function at peak times.
- 12.9. Further mitigation would also be proposed through the s106 to deliver pedestrian and cycle improvements along Marshgate Lane, the greenway and the pedestrian underpass towards Pudding Mill Station, in addition to restrictions

on the number of heavy goods vehicles accessing the site via Marshgate Lane to help improve the environment within the emerging Pudding Mill neighbourhoods. Subject to the delivery of this mitigation prior to development thresholds being met, the proposals would result in a 'nil detriment' impact on the surrounding highway network whilst providing significant improvements to connectivity within the area.

- 12.10. The proposed development has been subject to environmental testing and officers are satisfied that there would be no significant adverse environmental effects and that any residual impacts are capable of being appropriately mitigated as part of the design development of future reserved matters applications, and that this mitigation is appropriately secured through the control documents and recommended planning conditions and planning obligations. The proposal would also provide a number of environmental improvements including delivering a net zero carbon development and delivery of new greening and biodiversity improvements.
- 12.11. It is therefore recommended that, the Planning Decisions Committee should grant permission for the proposals, subject to the conditions and planning obligations heads of terms set out in the report and subject to referral to the Mayor of London and the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

Do not scale from this drawing. Verify all dimensions on site. Drawings should be read in conjunction with the specification, conditions of sale, contract and contracts. All drawings in digital format are for reference only, paper copies are available on request.

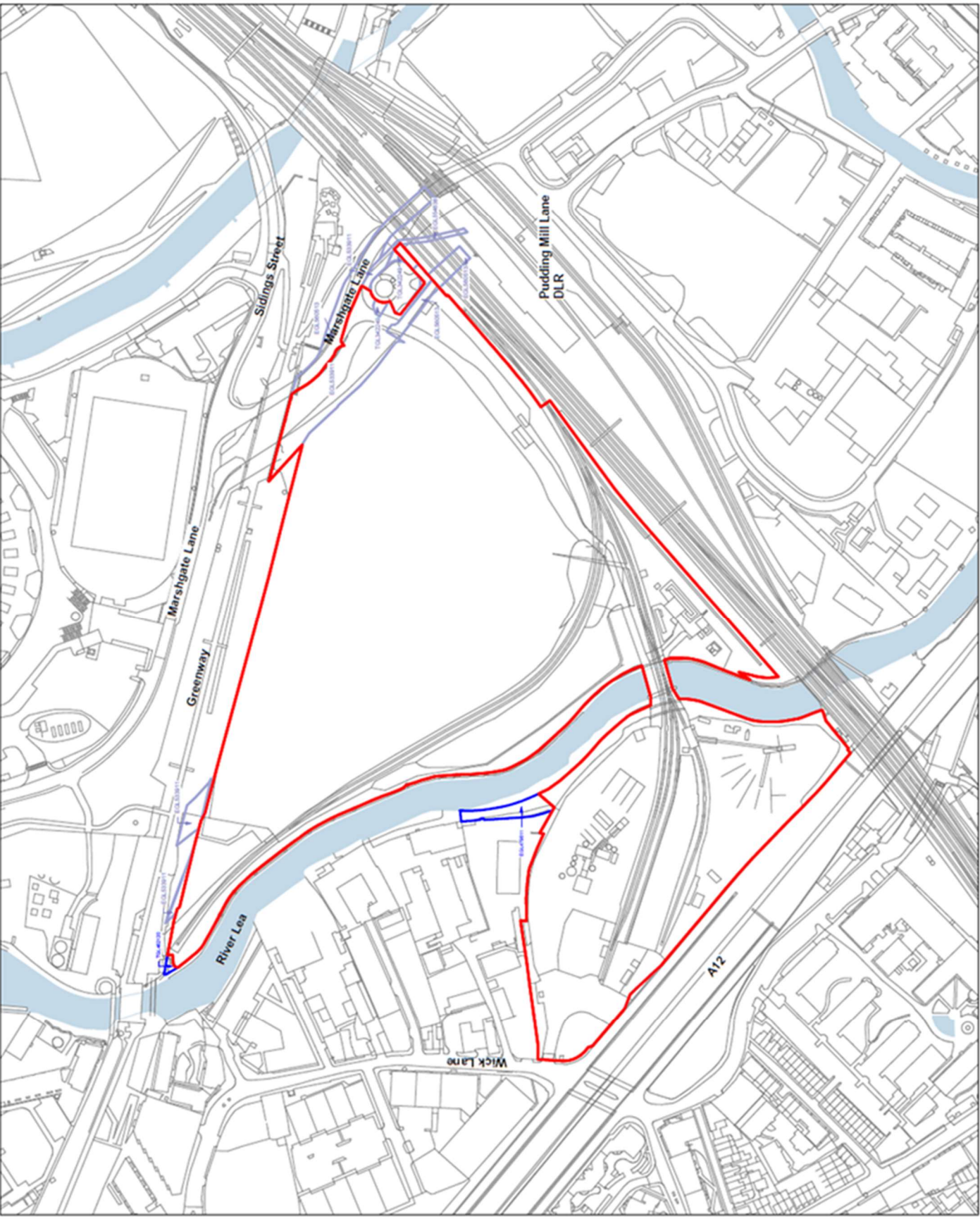
FOR APPROVAL

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Legend

- Outline Planning Application boundary
- Land owned within the application boundary
- Land in other ownership



P13 Inset for Planning M1 Team BC 15/04/24
 Date Details Drawn Check Date

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Client: **Nelsons F&I**
 Project: **Bow Goods Yard**
 Site: **Site Location Plan**
 Scale: **1:150 @ A1**

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APPENDIX 2 – LLDC Update Report Including Planning Conditions and Reserved Matters Specification



Update Report Item 7

Subject: Bow Goods Yard
App Ref: 24/00122/OUT
Meeting date: 22nd October 2024
Report to: Planning Decisions Committee
Report of: Alex Cameron, Team Leader, PPDT

FOR DECISION

This report will be considered in public

1. Introduction

- 1.1 This report updates members on further discussions with relation to the draft Heads of Terms, additional consultation responses received since the report was published and on revisions to the initial set of draft conditions and reserved matters specification following further discussion with the applicant.

2. Report clarifications

- 2.1 Update to table 2 within the report to include reference to Waste uses as below. The reference to waste uses is being made within the table to make it explicit that waste uses are included within these use classes, in order to accord with the relevant development plan policies which require the protection of existing waste facilities.

Proposed Use and Use Class	Total Maximum Parameter (GEA) per Use Class
Storage and Distribution, Rail-fed Warehouse and Waste (Use Class B8)	Up to 61,000m ²
Concrete, Aggregate Plant and Waste (Use Class B2)	Up to 5,000m ²
Office Space (Use Class E(g)i)	Up to 21,000m ²
Workspace (Use Class E(g)ii / iii)	Up to 46,000m ²
Commercial Space (Use Class E(a)(b))	Up to 5,000m ²
Leisure (Use Class Sui Generis / E(d)/F (2))	Up to 36,000m ²

Proposed Use and Use Class	Total Maximum Parameter (GEA) per Use Class
Van Parking (Use Class Sui Generis)	Up to 47,000m ²
Freight Aggregate, Open Storage and Waste (Use Class Sui Generis)	Up to 18,000m ²
Maximum Overall Floorspace Cap	190,000m ²

2.2 Para 10.67 is updated to remove the word not:

10.67. No development is proposed on land designated as MOL and therefore there is no policy conflict with Green Belt policy in this respect. Whilst it is noted that the site is located adjacent to MOL, the development would not adversely impact on the wider functions of MOL and whilst there would be development close to the boundary, the overall openness of the wider MOL would not be maintained

2.3 Para 10.118 of the main report referenced a financial contribution should the design team not be maintained should be removed, as the draft heads of terms outlines the following:

2.4 “The developer to confirm to the LPA that the outline planning stage architects and landscape architects are retained or submit for approval from the LPA of an alternative suitably qualified architect and landscape architect as Outline Design Manager”.

3. Further representation from consultees.

3.1 Additional responses have been received by London Borough of Tower Hamlets Highways team, and a response from one of the current occupiers who currently operate within the site.

LBTH Highways:

3.2 Despite the fact that discussions on this site have been ongoing for a number of years the impact of the traffic generation resulting from the proposal is still, to an extent because of the flexible use proposal, unknown

3.3 Given the nature of the proposal and the potential for a large increase in traffic generation it is LB Tower Hamlets view that all modelling and mitigation should have been agreed prior to the application being determined.

3.4 The main concern to LB Tower Hamlets is the impact of the development at both slips roads from the A12 onto borough roads.

3.5 A financial contribution has been proposed towards improvements on Marshgate Lane, however no contribution has been proposed for improvements to London Borough of Tower Hamlets Roads. The impact on both slip roads from the A12, north and south, is not insignificant and this will impact Tower Hamlets residents travelling both east and west of the A12.

- 3.6 LB Tower Hamlets need to see the full outputs for both Wick Lane / A12 slip roads (all lanes, all arms) before we can assess the full impact of the proposal. Without mitigation measures and junction redesign it is believed that this would result in unacceptable impacts on both existing and future residential amenity as well congestion of the local and strategic highways. The purpose of the Transport Steering Group and the Operational Management Group is to provide further investigation into what measures could be taken to mitigate against this impact. Again, the LB Tower Hamlets view is that this should have been completed before giving outline permission for a scheme which may prove to be eventually unworkable.
- 3.7 In summary, the Highways Group recognises that the land use is Strategic Industrial Land and that the best use of the land needs to be explored. However, the lack of information concerning the impacts of the development on LBTH highways at this stage of the application is unacceptable and consider the application determination premature. The setting up of the working groups is welcomed but the proposals, should planning permission be granted, at future stages will be robustly scrutinised as to the impacts within Tower Hamlets and their effect on local residents in terms of traffic, noise and amenity.

Comment in support.

- 3.8 A response in support of the proposals from Plasmor, who are one of the current occupiers within the site. They noted that
- 3.9 As part of Network Rail's plans for the development of the rail yards, Plasmor have been offered an enhanced depot site within the scheme, which will secure the business, and the jobs associated with it for the future. Plasmor have developed a new range of low carbon products which will contribute significantly to the drive to net zero carbon in the built environment, and the continued ability to use rail distribution with its low carbon credentials is an important part of our forward strategy.

4. Update to conditions

- 4.1 Following discussions with the applicants, updates to the final draft set out conditions presented to members. The main changes consist of updating of the wording of some of the conditions, including to the trigger points. The updated conditions are highlighted and set out in Appendix 1.

5. Update to Reserved Matters Specification

- 5.1 Some minor edits have been made to the Reserved Matters Specification following representations made by the applications. These have been highlighted within Appendix 2 of this update report.

6. Updated s106 Heads of terms: Delivery of the Wick Lane Mitigation Works:

- 6.1 The following updates to the draft heads of terms have been secured since the publishing of the report. The alterations essentially change the potential trigger at which point the A12/Wick Lane junction improvements would be delivered, this lowers the floorspace threshold based on what was originally proposed by the applicants.
- 6.2 The developer will enter into s278 agreements with the relevant highway authorities and undertake the Wick Lane Junction Mitigation Works (unless agreed by the highway authorities acting in consultation with the BE/BW Transport Steering Group) in accordance with s278 of the Highways Act 1980, prior to the

Occupation of no more than 33,000sq.m GEA of development which consists of the following land use class unless in accordance with the below clause:

Table 1:

Use Class	Cap
B8 (only on Plots C or F)	10,000 sq.m
B2	5,000 sq.m
Sui Generis - Freight Aggregate and Open Storage	18,000 sq.m

- 6.3 However, should the developer demonstrate to the BE/BW Transport steering group, that there would be suitable capacity within the junction once the 33k cap has been met, following further modelling and assessment of impacts associated with the proposed development on the Wick Lane junction, then the developer shall be able to occupy a further amount of development floor space and use to be agreed by the Local Planning Authorities in consultation with the BE/BW Steering Group, but no greater than 90,000 sq.m (GEA) of development which consists of the following uses by land use class.

Table 2:

Use Class	Cap
B8 (only on Plots C or F)	10,000 sq.m
B2	5,000 sq.m
Sui Generis - Freight Aggregate and Open Storage	18,000 sq.m
Leisure (sui generis / E(d) or F.2)	36,000 sq.m
Office (E(g)i)	21,000 sq.m

- 6.4 The Developer will not occupy any additional floorspace above any of the 33,000 or 90,000 sqm cap (or other intermediate cap as approved by the LPA's) as per the above until the Wick Lane Junction Mitigation Works have been completed. The Developer and the relevant Highway Authorities will use best endeavours to enter into the s278 Agreement(s) within.

7. Officer Response

- 7.1 In relation to the comments received by LBTH Highways team, whilst it is noted that the A12/Wick Lane junction modelling is not yet complete, PPDT officers have developed a detailed list of s106 Heads of Terms which would ensure that detailed mitigation measures are secured as part of the proposals. As referenced within paragraphs 10.186-10.189, a joint modelling study has been undertaken by Atkins on behalf of Network Rail and the LLDC which, whilst it does not propose a finalised junction design, presents a range of mitigation options which could come forward to fully mitigate the schemes impact on the A12/Wick Lane junction.
- 7.2 Whilst it is also noted that no financial contribution is proposed towards improvements to the roads within LBTH area, the applicants have agreed to enter into a S278 Highways agreement to deliver junction improvements to the A12/Marshgate Junction which would include the upgrading of the slip roads onto and off of the junction. These measures are considered commensurate to the impacts of the proposals and would deliver significant upgrades to the LBTH and TfL highway network.
- 7.3 PPDT officers are satisfied that the proposed suite of mitigation measures would provide the framework for mitigating the assessed transport impacts of the proposed development.

7.4 The additional comment in support of the application which has been received is noted.

UPDATED CONDITIONS – BOW GOODS YARD

11. Conditions.

Compliance

1. Time Period for outline

Applications for the approval of Reserved Matters relating to the Development shall be made not later than the expiration of 8 years from the date of this permission.

Reason: In accordance with Sections 91 and 92 Town and Country Planning Act 1990.

2. Commencement Limit

The Development shall be Commenced either before the expiration of 5 years from the date of this permission, or before the expiration of 2 years from the date of the approval of the final Reserved Matters to be approved, whichever is the later.

Reason: In accordance with Sections 91 and 92 Town and Country Planning Act 1990.

3. Rail freight use

Notwithstanding the proposed phasing condition, the current rail freight aggregates and concrete batching capacity shall be re- provided upon occupation of Plot C.1, C.2, C.3, E.1, E.2, F.1 or F.2, whichever is the latter. There shall be no occupation of other uses identified within the condition until such a time that new concrete and rail freight handling facilities have been delivered.

Reason: In order to ensure the continued use of the safeguarded rail head and associated concrete and aggregate distribution activities in accordance with policies B1 of the LLDC Local Plan 2020 and policies E4 and E5 of the London Plan 2021.

4. Reserved Matters Specification

Approval of the details of the access, appearance, landscaping, layout and scale of each Phase of the Development, shall be obtained from the Local Planning Authority in writing prior to the Commencement of each Development Plot or part thereof. Each application for the approval of Reserved Matters shall contain the information and other details as specified in the Reserved Matters Specification at Annex 2 of this planning permission, unless otherwise agreed in writing with the Local Planning Authority.

The Development shall be carried out and retained thereafter in accordance with the Reserved Matters approvals.

Reason: As required by Section 92 of the Town and Country Planning Act as amended.

5. Development thresholds and delivery of floorspace types

The total quantum of built floorspace for the Outline Development shall not exceed the Gross External Area (GEA) for individual land uses comprising:

Proposed Use and Use Class	Total Maximum Parameter (GEA) per Use Class
Storage and Distribution, and Rail-fed	Up to 61,000m ²
Warehouse and waste (Use Class B8) (Use Class B2)	Up to 5,000m ²
Office Space (Use Class E(g)i)	Up to 21,000m ²
Workspace (Use Class E(g)ii / iii)	Up to 46,000m ²
Commercial Space (Use Class E(a)(b))	Up to 5,000m ²
Leisure (Use Class Sui Generis / E(d)/F (2))	Up to 36,000m ²
Van Parking (Use Class Sui Generis)	Up to 47,000m ²
Freight Aggregate and Open Storage and waste (Use Class Sui Generis)	Up to 18,000m ²
Maximum Overall Floorspace Cap	190,000m ²

The floorspace figures associated with the aggregates and concrete batching relate just to the footprint of plant.

Detailed justification will be required for all on site operational parking associated with each use at Reserved Matters Stage.

Reason: To ensure the Development is carried out in accordance with the approval plans and other submitted details and to ensure that the quantum of floorspace keeps within the parameters assessed pursuant to the Environmental Statement in relation to the Development.

6. Non-Road Mobile Machinery (NRMM)

Prior to commencement of development of each Development Plot or part thereof hereby permitted, all NRMM to be used on-site shall be placed on the NRMM register to ensure compliance.

Reason: To safeguard residential amenity from the start of the demolition and construction process in accordance with Policy BN.11 of the Local Plan (2020).

7. Noise - Residential

The rating level of the proposed plant (excluding plant associated with the aggregate and concrete batching uses) should not exceed a level over 10dB below the typical background sound level (LA90) during the daytime or night-time at any time (with reference to BS4142: 2014) when measured at the nearest noise sensitive facade.

The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with the manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the relevant plant is determined by the local planning authority to be failing to comply with this condition, it shall be switched off upon written instruction from the local planning authority and not used again until evidence has been provided that the required noise limits can be met.

Reason: To ensure that nearby sensitive receptors do not suffer a loss of amenity by reason of excess noise in accordance with Policy BN.12 of the Local Plan (2020).

8. SuDS Infiltration

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 180 of the NPPF.

9. Construction Noise - Education

Noise from construction work shall give rise to noise levels no higher than 65dB LAeq (1 hour) and 70dB LAeq (1 minute) at any educational premises measured at 1m from the façade of the building during school hours in term

time, except with the prior written approval of the Local Authority under s61 of the Control of Pollution Act 1974.

Reason: To ensure that best practicable means are used to reduce noise generated by construction in accordance with Policy BN.12 of the Local Plan (2020).

10. Cumulative Noise Impacts - Education

The cumulative rating level of all activity noise within the development arising from commercial or industrial operations associated with all new developments should not exceed a level over 5dB above the typical background sound level (LA90) (with reference to BS4142: 2014+A1:2019) established within the Bow East Goods Yard Environmental Statement, August 2024, during the daytime or night-time at any time when measured at the nearest noise sensitive facade.

The noise emitted shall be measured or predicted at 1.0m from the facade of the nearest residential premises or at 1.2m above any adjacent residential garden, terrace, balcony or patio. The plant shall be serviced regularly in accordance with the manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained. If at any time the plant is determined by the local planning authority to be failing to comply with this condition, it shall be switched off upon written instruction from the local planning authority and not used again until it is able to comply.

Reason: In order to safeguard the amenities of noise sensitive receptors in accordance with Policy BN.12 of the Local Plan (2020).

Site wide

11. Phasing

No applications for Reserved Matters approval shall be submitted until details of the phases of the Development (including the proposed number of Reserved Matters applications) have been submitted to and approved in writing by the Local Planning Authority.

The Development shall thereafter be carried out in accordance with the approved phasing details.

Reason: To facilitate the orderly approach to the construction of the Development in accordance with Chapter 11 of the National Planning Policy Framework (2023) and to ensure that the planning permission is a phased planning permission which expressly provides for development to be carried out in phases for the purpose of the Community Infrastructure Levy Regulations 2010 (as amended).

12. Green Infrastructure

Prior to the commencement of the Development, a Green Infrastructure Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Green Infrastructure Phasing Plan shall demonstrate how the balance of public realm/publicly accessible open space and Biodiversity Action Plan (BAP) habitats shall be provided within the development to ensure that no less than the following is provided across the entire site:

- A minimum total of 0.82Ha of Publicly Accessible Open Space; and

- A minimum total of 0.87Ha Natural Open Space; and
- 0.28Ha BAP Habitat including a minimum 0.636Ha of Biodiverse Roof Space.

Reason: The balance of green infrastructure for each building within the Outline Element shall be provided in a phased manner prior to first occupation of that building and maintained thereafter.

13. Site Waste Management Plan

The development, including demolition, shall not be commenced until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the Local Planning Authority. The SWMP shall be prepared in accordance with the approved Circular Economy Statement and site waste management policies current at the date of its submission. The objectives of the SWMP shall be to ensure all waste arising from demolition and construction works is managed in a sustainable manner, maximising the opportunities to reduce, reuse and recycle waste materials, in line with the waste hierarchy. The SWMP shall also detail the compliance and assurance requirements to be maintained on the site during all phases of works including site-preparation and remediation. The SWMP shall include as a minimum the following information:

- Classification of all waste including hazardous waste according to current legislative provisions;
- Waste forecast to estimate the type and quantity of waste generated during the excavation, demolition and construction works and an indication of the destination of each waste type (i.e. onsite/offsite reuse, recycling, recovery, disposal);
- Performance measurement and target setting (such targets shall be in accordance with any sustainability targets set of the development, such as BREEAM targets, and should be in line with national and local policy and guidance (e.g. the London Plan, LLDC Local Plan)) against estimated waste forecasts;
- Reporting of project performance on quantities and options utilised;
- Measures to minimise or design out waste generation;
- Opportunities for re-use or recycling;
- Provision for the segregation of waste streams on the site in appropriate storage containers that are clearly labelled and colour coded (e.g. using the Institution of Civil Engineers (ICE) waste stream colour coding guidance). Waste storage arrangements shall meet the waste Duty of Care requirements;
- Licensing requirements for environmental permitting (or exemption) requirements for offsite waste management sites;
- An appropriate audit trail encompassing non-hazardous waste transfer notes and hazardous waste consignment notes, in line with waste Duty of Care requirements;
- Measures to avoid fly tipping by others on lands being used for demolition/construction;
- Measures to provide adequate training and awareness through toolbox talks; and
- Returns policies for unwanted materials.

The SWMP shall demonstrate how:

- a) The development will achieve a minimum of 80% and target of 95% by weight landfill diversion of non-hazardous demolition, construction and excavation waste generated on site, by way of reduction, reuse and, recycling and recovery;
- b) Not less than 20% of key building materials, by weight or volume in accordance with BREEAM requirements, used in the development will be certified as responsibly sourced; and
- c) Not less than 25% of the total high-grade aggregate, by weight, used in the substructure and superstructure will be from recycled or secondary aggregate sources.

Reason: To ensure that the demolition and construction of the development minimises its environmental impacts and ensures high standards of sustainability are achieved in accordance with Policy S.4 of the Local Plan.

Pre-commencement justification: A detailed Site Waste Management Plan must be submitted prior to commencement and once the construction contractor has been appointed in order to ensure that the development's circular economy ambitions would be carried out on site.

14. Site Infrastructure

Prior to commencement of each Development Plot or part thereof, information should be submitted for approval in writing by the local planning authority, to demonstrate how infrastructure will be provided throughout the phasing to ensure that services are provided or maintained to the existing and proposed development throughout construction. This should be supported by demand estimates, plans, and consultation with utility providers.

Reason: To ensure that utility connections have been approved and prevent delays and costs due to unforeseen utility clashes and the development has a continuous utility supply throughout the construction programme.

15. Flood defence strategy

Prior to the commencement of development, a strategy for maintaining and improving the flood defences shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency, in line with Section 9 of the submitted Flood Risk Assessment. This strategy shall include the following components:

- A) A detailed intrusive survey of the existing river wall.
- B) A scheme, based on the condition of the survey in (A), to undertake any required improvements or repairs to the flood defence prior to the construction works to bring the wall up to a satisfactory condition, sufficient for the lifetime of the development. The scheme shall include a plan for any required long-term monitoring and maintenance and a programme for the improvements or repairs completion. The scheme shall be fully implemented and subsequently maintained, in accordance with the timescales set out in the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- C) If, during construction of the development, additional improvements or repairs to the flood defences not previously identified are found to be necessary, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a strategy detailing how these additional works will

be undertaken has been submitted and approved in writing by the Local Planning Authority. The strategy shall be implemented as approved.

D) Where it is proven that the proposed development and any constituent part is not within the zone of influence for the existing flood defences, where the development or its ancillary infrastructure have no direct interaction and where the existing defects are attributable to the operation of the Canal and under the responsibility of the C&RT as the maintaining authority Components a & b of this Condition do not apply.

Reason: In order to reduce the risk to the future occupiers of the development from flood waters in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

16. Waterway wall survey and repairs

Prior to the commencement of development, a survey of the condition of the Lee Navigation waterway wall and a method statement and schedule of works identified shall be submitted to and approved in writing by the Local Planning Authority. The repair works identified shall be carried out in accordance with the agreed method statement and repairs schedule by a date to be confirmed in the repairs schedule.

Reason: To ensure that the structural integrity of the Lee Navigation and its infrastructure is retained in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

17. Water Course buffer zone

Prior to the commencement of development, details of a scheme for the provision and management of an 8-metre- wide buffer zone alongside the River Lea shall be submitted to, and approved in writing by, the local planning authority. Thereafter, the development shall be carried out in accordance with the approved scheme. Any subsequent variations shall be agreed in writing by the local planning authority, in which case the development shall be carried out in accordance with the amended scheme.

The 8m buffer zone scheme shall retain natural riparian planting and be free from built development including lighting, domestic gardens, and formal landscaping. The scheme shall include:

- Detailed plans showing the extent and layout of the entire buffer zone including existing vegetation and plans for retention or enhancement.
- Details of the proposed planting scheme for the buffer zone, these must be appropriate native species.
- Details demonstrating how the buffer zone will be protected during development and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
- Details of any proposed footpaths, seating areas, fencing, lighting.
- A Water Framework Directive (WFD) Assessment. Any works which could affect the hydro-morphology, ecology or water quality of any classified waterbody requires an assessment under WFD legislation, to demonstrate how any adverse impacts will be mitigated and where possible, the status of the waterbody enhanced in order to achieve the required good status targets. Of particular concern are water quality risks and the creation of additional

hardstanding adjacent to the watercourse, installation of outfall(s), and loss of established riparian corridor, all potentially effecting hydro-morphology.

Reason: Development that encroaches on the River Lea Navigation can have a potentially severe impact on its ecological value. Undeveloped buffer zones serve several

purposes within an urban setting, providing refuge and foraging opportunities for wildlife as well as reducing pollution and runoff through a process of natural filtration. Networks of undeveloped buffer zones also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the Thames River basin management plan (RBMP). We therefore endeavour to secure all buffer zones as natural riparian corridors to support river functioning and habitat in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.3, BN.4, S.4 and S.9 of the Local Plan.

18. Acoustic Barrier

Save for enabling works, prior to commencement of the development, details of the acoustic barrier and screening should be provided to the local planning authority for approval. The details shall be informed by an updated noise assessment that will refine the required acoustic properties, height and extent of the acoustic barrier. The acoustic barrier shall be installed prior to operation of any new development on Plots C.1, C.2, C.3, E.1, E.2, F.1 or F.2 permitted by this outline permission.

Reason: To ensure that nearby sensitive receptors are not impacted by noise associated with the rail freight operations of the development in accordance with Policy BN.12 of the Local Plan (2020).

Pre-commencement

19. CEMP

No development hereby permitted shall commence for each development phase, or part thereof, until full details of the proposed construction methodology, in the form of a Construction Method Statement for that [phase/plot], have been submitted to and agreed by the local planning authority. The Construction Method Statement shall include details regarding:

- a) Hours of work and any seasonal restrictions to avoid effects on aquatic species;
- b) Noise and vibration mitigation and monitoring measures, including monitoring locations, frequency, duration, noise limits and location of noise sensitive receptors;
- c) Safeguarding of buried services;
- d) The notification of neighbours with regard to specific works;
- e) Advance notification of road closures;
- f) Details of measures to prevent the deposit of mud and debris on the public highway;
- g) A feasibility survey shall be carried out to consider the potential for moving construction material from the site by waterborne freight.
- h) Details of compliance of construction vehicles with Construction Logistics and Community Scheme (CLOCS) standards and Fleet Operator Recognition Scheme (FORS) registration;

- i) Details of collaboration with adjoining development sites to mitigate against detrimental impacts; and
- j) A programme of community engagement on how the construction works will be managed and mitigated and a commitment to providing regular monitoring reports for the public to view in relation to noise, dust, odours and other contaminants. Any other measures to mitigate the impact of construction upon the amenity of the area and the function and safety of the highway network.
- k) Details on how surface water is to be managed throughout the construction phase to prevent contamination reaching surface waters or groundwater.

Reason: To ensure that the demolition and construction of the development avoids hazard and obstruction being caused to users of the public highway and to safeguards amenity from the start of the development process in accordance with policies SP.5 and T.4 of the LLDC Local Plan and Policy SI1 of the London Plan and the GLA SPG Control of Dust and Emissions During Construction.

Pre-commencement justification: To ensure that demolition and construction impacts are appropriately mitigated in advance of commencement of works.

20. Construction Transport Management Plan

No works pursuant to each relevant Development Plot or part thereof shall Commence, until a Construction Transport Management (CTMP) has been prepared. The CTMP shall be submitted and approved in writing by the Local Planning Authority, in consultation with the London Borough of Newham Highways, London Borough of Tower Hamlets Highways, Transport for London and the emergency services. The Development shall thereafter be carried out in accordance with the approved updated CTMP. The objectives of the CTMP shall be to:

- minimise the impact of road-based construction traffic by identifying clear controls on routes for large goods vehicles, vehicle types, vehicle quality and hours of site operation;
- identify highway works required to accommodate construction traffic;
- minimise the number of private car trips to and from the site (both workforce and visitors) by encouraging alternative modes of transport and identifying control mechanisms for car use and parking;
- assess the need for improvements to the public transport network to accommodate the additional number of trips associated with construction site activity; and
- mitigate the impact on existing walking and cycling routes within QEOP.

The CTMP shall include as a minimum the following information:

- the arrangements for liaison with the relevant highway authorities and emergency services;
- the hours of deliveries to the Site and measures for managing deliveries to or removal of materials from the Site;
- the method for applying for approvals for Off Site highway works;
- road closures implementation and management;
- waterway closures implementation and management;

- measures to ensure disruption to the local permissive path network and the access routes are minimised;
- direction signing to worksites including deliveries;
- emergency access protocols and internal road naming conventions;
- workforce distribution, mode share and assignment, to include proposals for transport provision for movement of construction workforce and to encourage sustainable modes of transport;
- designated routes for large goods vehicles and dealing with abnormal loads;
- highway enabling schemes for access to and from the construction sites;
- off Site parking issues including restrictions on parking in the area;
- parking provision for Blue Badge holders;
- provision for walking and cycling to and at the site;
- lorry holding areas;
- driver standards and enforcement within the construction sites and on the highway;
- monitoring;
- dealing with complaints and community liaison;
- requirements on membership of the Fleet Operator Recognition Scheme (FORS) and Construction Logistics and Community Safety Scheme (CLOCS) and implementation of vehicle safety measures and driver training including cycle awareness and an on-road cycle module;
- details of temporary wayfinding during the construction period; and
- Making good repairs to the public realm and streetscape.

Reason: To ensure that the construction of the Development uses best practicable means to minimise adverse environmental impacts in accordance with Policies SI 1 and T 7 of the London Plan (2021) and Policies T.4, BN.11 and S.4 of the Local Plan (2020).

21. TfL Infrastructure Protection

Prior to the commencement of each development plot or part thereof begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.

- a) an overview of the overall development including both design on temporary and permanent works.
- b) a base-line radio impact survey to assess the impact of the development on the DLR Radio System signal levels.

No development shall take place until a scheme of mitigation has been agreed in writing with TfL infrastructure Protection and implemented. During development, regular radio impact survey reports shall be undertaken to assess the potential impact. Should the development be found to have caused degradation to the radio signal levels, the developer must fund for the changes required known as “infills”. A radio survey shall also be undertaken once the development is completed.

- c) Tower Crane base design (including certification), Risk Assessment and Method Statement for siting, erection, lifting arrangements, operational

procedure (including any radio communications), jacking up, derigging in addition to plans for elevation, loads, radius, slew restrictions and collapse radius. No cranes should be erected or dismantled until TfL Infrastructure Protection's approval has been obtained in writing

d) Details of how the development will accommodate the location of the existing DLR and LU structures and tunnels.

Provide detailed design and Risk Assessment and Method Statement (RAMS) for the demolition works

e) Demonstrate that there will at no time be any potential security risk to TfL railway, property or structures within or adjoining the site

f) A Ground Movement & Impact Assessment setting out predicted ground and structure movement;

g) Details of how the effects of noise and vibration arising from the adjoining railway infrastructure will be mitigated

h) Provide details on the use of tall plant/scaffolding for the demolition phase

i) Demonstrate that any EMC emissions from any plant or equipment to be used on the site or in the finished structure will not adversely affect DLR equipment or signalling

j) Written confirmation will be required from Thames Water/whomever that any increased drainage or sewage from the site will not be discharged directly or indirectly into London Underground's drainage system

k) Mitigate the effects of noise and vibration arising from the adjoining operations within the structures.

Reason and pre-commencement justification: To ensure that the development does not impact on existing TfL transport infrastructure, in accordance with London Plan 2021, policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

22. TfL Infrastructure Protection

Prior to the commencement (save for demolition) of development in each Development Plot or part thereof, shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.

a. Detailed design for foundations, basement and ground floor structures, or for any other structures below

ground level, including piling (temporary and permanent)

b. Site specific Risk Assessments and Method Statements (RAMS) for any activities (basement excavation, groundworks, piling) which TfL may deem to be a risk to DLR and LU. Individual RAMS should be issued a minimum of 11 weeks prior to the individual activity commencing.

c. A ground movement assessment/Impact assessment will be required for each sub-structure.

Reason and pre-commencement justification: To ensure that the development does not impact on existing TfL transport infrastructure, in accordance with London Plan 2021, policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

23. Contamination and Site Characterisation

No development of each phase or part thereof, approved by this planning permission shall commence until the following have been submitted to, and approved in writing, by the Local Planning Authority:

- a) A scheme of ground investigation, based on the preliminary investigation, describing and justifying the scope of investigations to provide sufficient information for a contamination risk assessment; and
- b) A contamination risk assessment and remediation strategy report based on the findings of the ground investigation.

The scheme of ground investigation (part 1) shall be agreed with the Local Planning Authority before the ground investigation commences. The ground investigation and remediation strategy (part 2) shall be implemented as approved, with any changes requiring the written consent of the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without

unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BN.14 of the Local Plan (2020).

24. Remediation Implementation and Verification Method Statement

No development of each plot, or part thereof approved by this planning permission shall commence until a remediation implementation and verification method statement for that [plot/phase], based on the contamination risk assessment and remediation strategy report, has been submitted to and approved in writing by the Local Planning Authority.

The remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BN.14 of the Local Plan (2020).

25. Contamination Monitoring

Prior to the commencement of a plot or part thereof hereby permitted, a monitoring and maintenance plan for that [plot/phase] in respect of contamination, including a timetable of monitoring and submission of reports to the local planning authority, shall be submitted to, and approved in writing by, the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the local planning authority in accordance with the timetable in the approved plan.

Reason: To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 180 of the NPPF and in accordance with Policy BN.14 of the Local Plan (2020).

26. Ground water contamination

Prior to the commencement of each plot, or part thereof, a scheme for that [plot/phase] for managing any borehole installed for the investigation of soils,

groundwater or geotechnical purposes shall be submitted to and approved in writing by the local planning authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected.

Reason: The scheme as approved shall be implemented prior to the occupation of each phase of development contamination in accordance with policies BN.13 and S.5 of the Local Plan (2020).

27. Foundation Works Risk Assessment

No foundations work (including piling, or other similar penetrative methods) for each plot or part thereof shall commence until a foundation works risk assessment for that [plot/phase], including a piling method statement, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: To safeguard human health and controlled waters contamination in accordance with policies BN.13 and S.5 of the Local Plan (2020).

28. Dust Management Plan

Prior to commencement of development of each development plot or part thereof hereby permitted, a scheme for dust monitoring, assessment and mitigation for all demolition and construction activities for that [plot/phase] shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be substantially in accordance with the best practice guidance entitled 'The control of dust and emissions from construction and demolition' published by the GLA in July 2014 (or any subsequent revision) and shall include:

- The recommendations provided in Chapter 7 (Air Quality), related to the dust risk assessed in the assessment;
- The identification of dust sensitive premises to be used as the location for dust monitoring, including any arrangements proposed for amending the selected locations if new dust sensitive premises are introduced;
- The frequency and other arrangements for dust monitoring; and
- The arrangements for reporting the results of dust monitoring and the implementation of mitigation measures to the Local Planning Authority.

The demolition and construction shall thereafter be carried out in accordance with the approved scheme for dust monitoring, assessment and mitigation unless otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard residential amenity from the start of the demolition and construction process in accordance with Policy SI1 of the London Plan and the GLA SPG Control of Dust and Emissions During Construction.

29. Emergency Generators

Prior to commencement of each development plot, or part thereof, the following details regarding the back-up generator(s) for that [plot/phase] should be submitted to the local planning authority for approval:

- Frequency of generator(s) testing regime (i.e. to confirm this is below 18 hours per year). Should the testing regime be more than 18 hours per year, a detailed assessment should be submitted which assesses the impact resulting from the backup generator and proposes details of any additional mitigation, if required.

- Emissions associated with the emergency generator(s) - if these are to be released from a vent or stack, the location and height of the vent or stack should be sufficient to provide adequate dispersion and be well distanced from any proposed air inlets or openable windows.

Any diesel generator installed as part of this development shall comply with the following emission standard:

For nitrogen oxides of 190mg/Nm³ at temperature and pressure of 273.15K and 101.3kPa with a correction for the water vapour content of the waste gases to dry gas, standardised to oxygen concentration of 15%.

For particular matter of 10mg/Nm³ at temperature and pressure of 273.15K and 101.3kPa with a correction for the water vapour content of the waste gases to dry gas, standardised to oxygen concentration of 15%

The applicant shall certify in writing to the local planning authority that any diesel generator installed meets this specification

Each generator shall be tested for no more than seven hours per calendar year or such other limit that shall be approved in writing by the local planning authority. Testing shall be carried out between 08:00-18:00 Monday to Friday only excluding public holidays

Reason: To safeguard the surrounding sensitive receptors (residential) from air quality impacts of the generator in accordance with Policy BN.11 of the Local Plan (2020).

30. Bird Hazard Management Plan

Development of a plot or part thereof shall not commence until a Bird Hazard Management Plan for that development plot or part thereof has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds.
- Measures to minimise commercial / retail waste which could become a bird risk to London City Airport, such as enclosure of putrescible waste, signs to not feed birds.

The management plan shall comply with CAP 772: Wildlife Hazard Management at Aerodromes| Civil Aviation Authority (caa.co.uk).

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.3, BN.4, S.4 and S.9 of the Local Plan.

31. Source Protection Strategy

Prior to the commencement of each development plot, or part thereof, a Source Protection Strategy for that plot shall be submitted to and approved by the local planning authority in consultation with the water undertaker detailing how the developer intends to ensure the water abstraction source is not detrimentally affected by the development both during and after its construction. The

development shall be constructed in line with the recommendations of the approved strategy.

Reason: To ensure that the structural integrity of the Lee Navigation and its infrastructure is retained in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

32. Piling Method Statement

Prior to the commencement of each development plot, or part thereof, a piling method statement for that plot (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: To ensure appropriate piling methodology to protect underground water utility infrastructure and avoid groundwater contamination in accordance with Policies BN.14 and S.5 of the Local Plan (2020).

Pre-commencement justification: To ensure that any potential impacts on any subsurface water infrastructure are appropriately mitigated in advance of commencement of works.

33. Works near mains

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water prior to commencement. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main and utility infrastructure. The works has the potential to impact on local underground water utility infrastructure in accordance with Policies BN.14 and S.5 of the Local Plan (2020).

34. Waterborne Transport Feasibility

Prior to the commencement of a development plot or part thereof hereby permitted, a feasibility study for that [plot/phase] shall be carried out to assess the potential for moving material by water during the construction cycle and operation of the development. The use of waterborne transport shall be maximised during the construction and operation of the development.

Reason: To encourage, prior to development starting on site, the use of the waterways for transporting waste and bulk materials in accordance with Policy SI 15 of the London Plan 2021.

35. Drainage strategy

Prior to commencement (excluding demolition) of a development plot or part thereof, a fully coordinated drainage strategy for that [plot/phase], prepared in consultation with relevant stakeholders, must be submitted to and approved in writing by the local planning authority. The drainage strategy must include the following:

1. A drainage design with supporting hydraulic calculations. This should be supported by a plan showing the discharge point connections along with details of storage structures, SuDS, and flow controls (where applicable).
2. Provide discharge conditions that have been agreed with relevant authorities including the EA and Thames Water. The proposed discharge rate must adhere to London Plan Policy SI13 which states 'Development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible' or provide robust justification as to why this can not be achieved.
3. Maintenance requirements of the different components proposed within the strategy are to be provided in line with the guidance outlined in CIRIA C753.
4. A comprehensive viability assessment of sustainable drainage techniques in accordance with CIRIA C753 guidance including justification as to why certain options have been discounted;
5. Detail of how the surface and foul drainage will be managed through the phasing of the development

Reason: To ensure that SuDS is being fully considered, integrated and maintained during the development to reduce flood risk in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

36. Surface water management

Prior to the commencement of each development plot or part thereof

- a) No part of the development hereby permitted shall be commenced until a fully detailed surface water management scheme for the development, consistent with the approved Flood Risk Assessment & Outline Drainage Strategy report (Ref. No. BGY-WSP-XX-XX-RP-DR-000001 / April 2024) as complemented by its 'Technical Note SG1-TN-001; October 2024) the addendum, has been submitted to and approved in writing by the Local Planning Authority.
- b) The development shall only be implemented in accordance with the approved detail
- c) Detail of drainage scheme ownership, management and maintenance arrangements shall be submitted to Planning Authority for approval before site occupation.
- d) A verification report demonstrating what works were undertaken and that the drainage scheme was completed in accordance with the approved surface water management scheme shall be submitted and approved by the Local Planning Authority in writing before site occupation/ first occupation.

This report shall include:

- i. As built drawings of the sustainable drainage systems including level information (if appropriate)
- ii. Photographs of the completed sustainable drainage system.
- iii. Any relevant certificates from manufacturers/ suppliers of any drainage features.
- iv. A confirmation statement of the above signed by the site manager or similar

Reason: To ensure that SuDS is being fully considered, integrated and maintained during the development to reduce flood risk in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

37. Flood Resilience Measures

Prior to commencement of construction (excluding demolition) of each development plot or part thereof, a comprehensive list of flood resilience and resistance measures that will be included in that [plot/phase] should be submitted to and approved in writing by the local planning authority. These measures should demonstrate that the building design is flood resilient and flood risk is managed at ground level in accordance with relevant Environment Agency guidance. The proposals shall be implemented in accordance with the approved details.

Reason: To ensure the development is not at risk from flooding, or increase flood risk on site or within the surrounding area in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

38. Archaeology

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason and pre-commencement justification: To ensure that archaeological remains are properly investigated and recorded and to ensure that the development is in accordance with Policy BN.13 of the Local Plan (2020).

39. Operational Waste Management Plan

Prior to the occupation of a development plot or part thereof, an Operational Waste Management Plan (OWMP) shall be submitted to and approved in writing by the Local Planning Authority.

The OWMP shall include details to verify that the spatial provision, and arrangements for managing waste on the site meet the requirements of (as relevant) the Tower Hamlets Waste Management Guidelines for Architects and Property Developers, Newham Waste Management Guidelines for Architects and Property Developers, BS5906: 2005, and appropriate Building Regulations.

The OWMP shall include objectives and targets for waste reduction and recycling and how these will be achieved along with details of waste segregation, storage, waste collection and transfer, onsite waste treatment, provisions for offsite waste treatment and duty of care requirements. In addition,

an operational waste forecast shall be developed and included in the OWMP. The development shall be operated in accordance with the agreed details.

Reason: To ensure suitable provision for the occupiers of the development and to encourage the sustainable management of waste in accordance with Policies BN.4 and S.7 of the Local Plan (2020).

Above ground

40. TfL Infrastructure Protection

No above ground works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority.

- a. Detailed design for all superstructure works (temporary and permanent)
- b. Site specific Risk Assessments and Method Statements (RAMS) for any activities (craneage, scaffolding, use of tall plant) which TfL may deem to be a risk to DLR. Individual RAMS should be issued a minimum of 11 weeks prior to the individual activity commencing
- c. A Ground Movement & Impact Assessment setting out predicted ground and structure movement;
- d. Detailed proposal for the future maintenance of the external cladding/façade of the structures.
- e. A glare and glint study

The development shall thereafter be carried out in accordance with the approved details, and all structures and works comprised within the development hereby permitted which are required by the approved design and method statements in order to procure the matters mentioned in paragraphs of this condition shall be completed in their entirety, before any part of the building hereby permitted is occupied.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with the London Plan 2021 Policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

41. Infiltration Drainage

No infiltration drainage into the ground is permitted other than with the prior written consent of the Local Planning Authority. If infiltration drainage is proposed then, prior to above ground works, a written plan shall demonstrate that there is no unacceptable risk to controlled waters from contamination.

The development shall be implemented in accordance with the approved details.

Reason: To safeguard controlled waters and protect underground water utility infrastructure and avoid groundwater contamination in accordance with policies BN.13 and S.5 of the Local Plan (2020).

42. Instrument Flight Procedures (IFPs) assessment

No construction works above ground level of each development plot, or part thereof, shall be carried out until a detailed Instrument Flight Procedures (IFPs) assessment for that [plot/phase] has been commissioned and completed by Airport's Approved Procedures Design Organisation (NATS) and approved in

writing by the Local Authority in consultation with London City Airport. The IFP assessment must consider all tall buildings and proposed construction cranes.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of London City Airport through an unacceptable impact on the IFP's associated to London City Airport in accordance with policy T8 of the London Plan 2021.

43. Circular Economy

Prior to the commencement of above ground works of each development plot or part thereof, an updated Circular Economy Statement for that plot shall be submitted to and approved in writing by the Local Planning Authority. The updated Circular Economy Statement should include a pre-demolition survey and a review of the construction process to-date against waste, energy and resource efficiency targets and key commitments set out within the approved Circular Economy Statement. The updated Circular Economy Statement should also set targets against which the Circular Economy Statement – Pre-operation condition will be assessed against.

The development shall only be constructed in accordance with the approved updated Circular Economy Statement.

Reason: To ensure the development promotes circular economy outcomes in accordance with Policy S17 of the London Plan (2021) and Policy S.8 of the LLDC Local Plan (2020).

44. Landscape Management

Prior to above ground works of each development plot or part thereof, a landscape and ecological management plan for that [plot/phase], including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas, shall be submitted to, and approved in writing by, the local planning authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- Details of any new habitat created on-site.
- Details of maintenance regimes.
- Details of treatment of site boundaries and buffer zones around the river Lea navigation.
- Details of management responsibilities.
- A sensitive lighting strategy to ensure light does not flood into the channel or the nearby trees, disturbing wildlife.
- A planting scheme outlining an increase in native species..

Reason: To ensure the landscape is maintained to a high standard and to protect the visual amenity of the area in accordance with Strategic Policy SP.3 and Policies BN.1 and BN.4 of the Local Plan.

45. Electric Charging Provision

Prior to the commencement of landscaping works of each development plot or part thereof, details of active electric vehicle charging provision for all parking spaces associated with that [plot/phase] shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out and operated in accordance with the approved details.

Reason: To ensure adequate provision of electric charging points in accordance with Policy T.8 of the Local Plan (2020).

46. Living Roofs

No above ground works of each development plot or part thereof, shall take place until full details of biodiverse (green) roofs for that plot/phase have been submitted to and approved in writing by the Local Planning Authority for the relevant building(s).

The submitted details shall include:

- a) a detailed scheme of maintenance including irrigation system;
- b) details of associated ecological enhancements such as deadwood habitat, log piles, etc;
- c) details of access and safety precautions during maintenance operations;
- d) sections at a scale of 1:20 with manufacturer's details demonstrating the construction and materials used and showing a variation of substrate depth with peaks and troughs;
- e) full details of planting species and density; and
- f) details of interfaces with all rooftop mechanical elements or structures.

The living roofs shall be provided in accordance with the approved details prior to the first occupation/use of the relevant [plot/phase] and shall be retained as such for the lifetime of the development.

Reason: To ensure the development undertakes reasonable measures to take account of biodiversity and the water environment in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.3, BN.4, S.4 and S.9 of the Local Plan (2020).

47. Overheating

Before the construction of the façades of a development plot or part thereof hereby permitted, an assessment of internal temperatures for that [plot/phase] shall be submitted to and approved in writing by the Local Planning Authority, demonstrating that measures to reduce overheating have been incorporated in line with the cooling hierarchy outlined in the Local Plan 2020.

The assessment shall be carried out in line with the methodologies outlined in CIBSE TM49 and TM52 and shall include details of any mitigation measures that are proposed to be used to reduce overheating, which shall include, without limitation and where appropriate, design of the facades; provision of ventilation; and internal layout. Following approval of the mitigation measures the building shall be constructed in accordance with the approved details prior to first occupation and retained and maintained in accordance with this condition thereafter.

Reason: To ensure a comfortable level of amenity for residents of the development and in the interests of visual amenity, in accordance with Policies S.4 and S7 of the Local Plan 2020.

48. Ecological Enhancements

No above ground works to each development plot, or part thereof, shall take place until a scheme of ecological enhancement for that [plot/phase] has been submitted to and approved by the Local Planning Authority.

This scheme shall include details of:

- a) measures specifically to address retention and enhancement of the site's ecological connectivity through ecological corridors and networks based on Phase 1 habitat survey and any further recommended surveys
- b) appropriate ecological enhancements including any mitigation measures and compensatory habitat creation
- c) works to all areas of retained habitat and enhancement areas
- d) a scheme for human access restrictions to the retained and created habitats
- e) coordination drawing of all biodiversity enhancements including, but not limited to, bird and bat boxes, swift and bee bricks and hedgehog connectivity, with specifics on the species anticipated to use these elements based on the ecological strategy and survey.

Reason: The development shall not be occupied until the scheme has been implemented in accordance with the approved details. The scheme shall thereafter be retained in accordance with the approved details.

49. Fire Strategy

Prior to commencement of above ground works in a development plot or part thereof, a Fire Strategy for that [plot/phase] prepared by a third party suitably qualified assessor shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall detail how the development shall function in terms of:

- the building's construction: methods, products and materials used;
- access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these.
- how provision will be made within the site to enable fire appliances to gain access to the building.

The strategy shall be implemented prior to occupation in accordance with the approved details and permanently retained thereafter. The design should be in accordance with the approved Fire Statement (August 2024), BS9991, or an alternative fire engineered solution should be agreed with the relevant Approvals Authority.

Reason: In the interests of fire safety and to ensure the safety of all building users, in accordance with London Plan Policy D12.

50. Materials and Detailed Design

Prior to the commencement of the superstructure, for the relevant development plot or part thereof, details and a schedule of materials and products of all external facing materials to be used in the construction of the building hereby approved, along with material sample boards and/or full-size mock-ups, have been submitted to and approved in writing by the Local Planning Authority. Each building shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Detailed drawings including drawings of:

- Principal features on the facades e.g. window study (1:50 @ A1)
- Details of each envelope / roof type (1:20 @A3)
- Detailed brick plinth elements including mortar joint profile (1:20 @A3)
- Details of glazing and curtain walling systems including any manifestation (1:20 @A3)
- Key junctions/bonds between materials/finishes (1:20 @A3)
- Ground floor frontages including entrances, glazing and signage zones, vented panels to plant rooms, workspace frontages (1:50 @ A1)
- Parapets, roof edges, rooftop plant screening, lift over runs etc (1:20 @A3)
- Elevational location of all joints eg structural, movement, panels (1:150 @ A1)
- Elevational location of all openings in envelope eg ventilation grilles, bird & bat boxes (1:150 @ A1)
- Elevational location of all items which are fixed to the façade eg rainwater pipes, lighting, CCTV, alarms including any provision for cable runs boxes (1:150 @ A1)
- Head, jamb and sill details, including profiles, for typical openings and all ground floor entrances and doors (1:20 @A3)
- External signage details including elevations (1:50 @A3)

Samples of materials and products, including finishes, of:

- Façade and roof cladding materials noting that the depth of the metal standing seam cladding, spacing of seams and finish/RAL colour should be specified to ensure a close visual match to visualisations contained within the Design and Access statement (i.e. depth of standing seam ~50mm, spacing of seams ~600mm).
- Brick and mortar type including mortar joint profile
- Window / door types (including all finishes, glass types and any manifestation)
- Curtain wall (including finishes, glass types and any manifestation)
- Facing metalwork (e.g.service doors, screens, gates)
- All items which are fixed / integrated to the façade (eg fins/louvres, vent grilles, rainwater pipes, signage, bird/bat boxes) Samples of the above materials should be provided.

Mock-ups

A 1m wide x 2m high mock-up should be provided to show the junction of the brickwork and black standing seam metal insulated cladding including recessed channel at the junction of these main facing materials, brick bond and mortar joint profile.

Reason: To secure high-quality design and detailing and to ensure that materials will make an acceptable contextual response, resulting in the satisfactory appearance of the development in accordance with Strategic Policy SP.3 and Policies BN.1, BN.4, BN.5 and BN.10 of the Local Plan.

51. Landscape design

No above ground works within any development plot or part thereof, shall take place until full details of hard and soft landscape works of all open areas and public realm for that [plot/phase] have been submitted to and approved in writing by the Local Planning Authority. Hard landscape details shall include:

- a) details of any proposed earthworks and proposed finished levels or contours including any alterations in existing ground levels and excavations within the root protection area of any retained trees on or adjoining the site
- b) car parking layouts including details of blue badge parking, electric charging points and petrol and oil interceptors
- c) details of vehicle and pedestrian access and circulation areas including cycle storage
- d) details of inclusive design including external steps and ramps, tactile warning or wayfinding paving, mobility features and dropped kerbs
- e) hard surfacing materials which shall be permeable as appropriate, including dimensions, bonding and pointing
- f) minor artefacts and structures e.g. street furniture, refuse or other storage units, signage, lighting, ecological enhancements, bollards and any hostile vehicle mitigation.
- g) location of proposed and existing functional services above and below ground including service trenches, drainage, power (such as in ground power units, operating controls and feeder pillars), communications cables, pipelines etc. indicating lines, access covers and supports to ensure no conflicts with tree and planting pits and integration of access covers with paving/surfacing layout
- h) materials samples
- i) scheme to include information on invasive species removal.

Soft landscape details shall include:

- a) coordination drawing of all existing trees and hedgerows indicating those to be removed and retained overlaid with development proposals with measures for the protection and ongoing healthy growth of retained trees/vegetation based on tree survey
- b) planting plans including plant schedules, noting species, plant sizes including girth and clear stem dimensions of trees and proposed numbers/densities where appropriate. All trees proposed should be semi-mature species.
- c) written specifications including cultivation and other operations associated with plant and grass establishment
- d) all planting systems including tree pits and planting beds demonstrating plant stabilisation, drainage, aeration/irrigation, volume and specification of growing medium, tree pit surfacing and measures for protection of planting beds during establishment
- e) coordination drawing showing the locations of green roofs and integration with the building design, maintenance access including detail of substrate and species proposals
- f) coordination drawing of all biodiversity enhancements including habitats and items such as bird/bat boxes, swift/bee bricks with specifics on the species anticipated to use these elements based on the ecological strategy and survey and confirmation of the overall Biodiversity Net Gain targets.
- g) implementation programme including time of year for planting

The development shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity, biodiversity and character of the area in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.5, BN.8, T.4, T.6, T.9, S.1 and S.4 of the Local Plan.

52. Wayfinding/Signage

No above ground works within any development plot or part thereof, shall take place until details of a signage strategy for that development plot or part thereof, including wayfinding (including waymarking from point of arrival), street signage and traffic related signage has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include locations and details of fittings and supporting structures. The relevant development plot or part thereof shall not be occupied/used until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure legibility of the site in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, S.1 and S.12 of the Local Plan.

53. Means of enclosure

No above ground works in a development plot or part thereof, shall take place until details of all means of enclosure and boundary treatment for that [plot/phase], indicating the positions, design, materials and type of boundary treatment to be erected including Secured by Design considerations and any access points and access control measures, have been submitted to and approved in writing by the Local Planning Authority. Details shall include an ongoing management and maintenance plan for all boundary treatments. The relevant development plot or part thereof shall not be occupied until it has been carried out in accordance with the approved details. The development shall thereafter be retained as such.

Reason: To ensure satisfactory boundary treatments in the interests of visual amenity within the area and in the interest of residential amenity, in accordance with Strategic Policy SP.3 and Policies BN.1 and BN.4 of the Local Plan.

Occupation

54. Secured by Design Certification

Prior to the first occupation of each building or part of a building or use, a 'Secured by Design' accreditation shall be obtained for such building or part of such building or use and thereafter all features are to be permanently retained.

Reason: To ensure that the Development has been built out in accordance with the approved documents, is inclusive for all users, is safe and that the risk of crime, and the fear of crime, is reduced in accordance with the LLDC Local Plan Policies BN.4, BN.5 and BN.6 and policies D4, D5 and D11 of the London Plan.

55. Unexpected Contamination

If during demolition or construction, unexpected contamination is encountered, then the Local Planning Authority shall be notified and no further development (as agreed in writing with the Local Planning Authority) shall be carried out until an addendum to the remediation implementation and verification method

statement has been submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed in writing with the Local Planning Authority). The addendum remediation implementation and verification method statement shall be implemented as approved, with any changes agreed in writing with the Local Planning Authority.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development is carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BN.14 of the Local Plan (2020).

56. Verification Report

No occupation of any plot or part thereof as may be agreed in writing with the Local Planning Authority) shall take place until a verification report demonstrating completion of works set out in the remediation implementation and verification method statement, has been submitted to and approved in writing by the Local Planning Authority.

If the verification report identifies a requirement for long-term monitoring and maintenance (including contingency action) to ensure the effectiveness of the remediation measures implemented, then an addendum verification report(s) shall be submitted to and approved in writing by the Local Planning Authority. Long-term monitoring and maintenance elements of the verification report shall be implemented as approved.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development has been carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BN.14 of the Local Plan (2020).

57. River Wall Survey

A detailed post development survey of the river wall shall be carried out within 90 days of the completed works. The survey shall be submitted to the Environment Agency for review and any additional defects found as a result of the works shall be made good at the operator's expense within 60 days of the date of the post development survey.

Reason: To ensure that the structural integrity of the Lee Navigation and its infrastructure is retained in accordance with Strategic Policy SP.5 and Policy S.4 of the Local Plan.

58. Water Network Capacity

There shall be no occupation of any development plot or part thereof, until confirmation has been provided that either: -all water network upgrades required to accommodate the additional demand to serve the development have been completed; or-

a development and infrastructure phasing plan has been agreed with Thames Water to allow additional development to be occupied.

Where a development and infrastructure phasing plan is agreed no occupation of those additional buildings shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to low/ no water pressures and network reinforcement works are anticipated to be necessary to ensure that sufficient

capacity is made available to accommodate additional demand anticipated from the new development.

59. Service and Delivery Management Plan

Prior to the occupation/use of each of the development plots or part thereof hereby permitted, a site wide Service and Delivery Management Plan for that [plot/phase] (including any required temporary servicing arrangements and details of refuse collection for residential and commercial uses) shall be submitted to and approved in writing by the Local Planning Authority. The arrangements set out in the approved Service and Delivery Management Plan shall be put in place prior to first occupation of the development hereby permitted and the development shall thereafter be operated in accordance with the approved details for the lifetime of the development.

Reason: To avoid obstruction of the surrounding streets and to limit the effects of the increase in travel movements within the locality as well as safeguarding public safety and the amenity of the surrounding area in accordance with Policy T.4 of the Local Plan (2020).

60. Car Parking Design and Management Plan

Prior to the first occupation/use of each development plot or part thereof, hereby approved, a Car Parking Design and Management Plan for that [plot/phase] shall have been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London and the Local Planning Authorities.

The submitted details shall demonstrate how operational parking and blue-badge parking is to be designed, managed, operated and monitored. No parking hereby permitted shall be used for any other purposes than operational parking associated with the proposed uses within the development. Suitable justification would need to be provided in relation to the overall quantum of operational parking to be delivered at Reserved Matters stage.

Wheelchair accessible vehicle parking for the development shall thereafter be provided and operated in accordance with the approved plan for the lifetime of the development.

Reason: To ensure proper management of the carpark and to secure details of allocation of blue-badge parking spaces in accordance with Policies BN.6 and T.8 of the Local Plan (2020).

61. Waste and Recycling Storage

Prior to the first occupation of each development plot or part thereof, of the development or part thereof hereby permitted, details of waste and recycling storage for that [plot/phase] shall have been submitted to and approved in writing by the Local Planning Authority. The details of waste and recycling storage shall demonstrate the following:

- a) The facilities are appropriately ventilated;
- b) They have a suitably robust design including walls that are fitted with rubber buffers and that any pipes/services are fitted with steel cages;
- c) They feature gates/doors with robust metal frames/hinges and locks;
- d) They have sufficient capacity to service the relevant building/use;
- e) They have maintenance facilities, including a wash-down tap and floor drain;

and

f) Entrance doors to the respective refuse stores are 'powered doors' in accordance with Inclusive Design Standards

The waste and recycling storage shall be provided in accordance with the approved details prior to first occupation/use of the development hereby permitted and shall thereafter be retained solely for its designated use for the lifetime of the development.

Reason: To ensure suitable provision for the occupiers of the development, to encourage the sustainable management of waste and to safeguard the visual amenities of the area in accordance with Policies BN.4 and S.7 of the Local Plan (2020).

62. Long-Stay Cycle Parking Provision

Prior to first occupation of each development plot or part thereof, of the development hereby permitted, details of the provision to be made for cycle parking for that [plot/phase], to be in accordance with London Cycle Design Standards and include storage for a range of bicycle types, shall be submitted to and approved in writing by the Local Planning Authority.

The cycle parking shall thereafter be implemented in full in accordance with the approved details before first residential occupation/use of the development and shall thereafter be retained thereafter solely for its designated use for the lifetime of the development.

Reason: To ensure adequate cycle parking is available on site and to promote sustainable and inclusive modes of transport in accordance with Policy T.9 of the Local Plan (2020).

63. BREEAM

Before any fit out works of a development plot or part thereof hereby authorised begin, an independently verified BREEAM report for that [plot/phase] (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'Excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Within 3 months of occupation of the development hereby permitted, a certified Post Construction Review for the relevant use (or other verification process agreed with the Local Planning Authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards above have been met.

Reason: To ensure that high standards of sustainability are achieved in accordance with policies S2 and S4 of the Local Plan.

64. Lighting Strategy

No occupation/use of a development plot or part thereof, hereby approved shall take place until a lighting scheme for that [plot/phase], including security lighting and the illumination of the buildings at night, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include:

i. functions of proposed lighting and the uses it supports e.g., for recreation facilities;

- ii. a lux plan showing both proposed and existing retained light sources;
- iii. details of time limits on lighting and hours of operation;
- iv. details of how the lighting scheme will mitigate any potential biodiversity impacts arising from the installation or operation of the proposed lighting;
- vi. details of fixtures, any supporting structures and systems of control such as timers and sensors including surface finish and colour; and details on colour temperature of the lighting and the associated public realm surfaces including reflectivity and glare.

The development plot or part thereof shall not be occupied/used until the approved lighting scheme has been implemented in full, and thereafter lighting detailed in the approved scheme shall be retained for the lifetime of the development.

Reason: To ensure there is an appropriate level of residential amenity and appropriate features to conserve and enhance the amenity of neighbours and wildlife habitats in accordance with Strategic Policy SP.3 and SP.5 and Policies BN.1, BN.3, BN.4, BN.8, S.1 and S.12 of the Local Plan.

65. Whole life carbon

Prior to the occupation of a development plot or part thereof, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance.

The post-construction assessment should be submitted to the GLA at:

ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the guidance.

Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason: In the interests of sustainable development and to maximise on-site carbon dioxide savings in accordance with policy SI7 of the London Plan 2021.

66. Hours of Operation

Prior to first occupation of a development plot or part thereof, details of the proposed hours of operation for the commercial and leisure uses for that [plot/phase], shall be submitted to and approved in writing by the Local Planning Authority. The commercial and leisure uses within the that phase of the Development shall thereafter be operated in accordance with the approved details.

Reason: To protect the amenity of future occupants, in accordance with Policy D14 of the London Plan (2021) and Policy BN.12 of the Local Plan (2020).

RESERVED MATTERS SPECIFICATION

The following material shall be included as part of each application for the approval of Reserved Matters, unless otherwise agreed in writing by the Local Planning Authority:

Applications for Reserved Matters shall:

- i.** Demonstrate that the scheme complies with the outline permission, approved parameter plans and Design Codes and describe how any deviations from the approved documents are accommodated and original intent is maintained.
- ii.** Demonstrate a robust community engagement strategy throughout the design development project, with key stakeholder groups demonstrating how comments have been incorporated within the final design;
- iii.** Demonstrate, through an updated Townscape and Visual Impact Assessment (TVIA), that the scheme would be appropriate in townscape from key views identified within submitted TVIA by ensuring that key mitigation measures proposed within the Design Codes are incorporated into each phase of development.
- iv.** Demonstrate that the Design Process Requirements as set out within the Design Codes have been met and how advice from the relevant Design Review Panel have been incorporated within the final design;
- v.** Demonstrate of the amount of floorspace being drawn down from each land use floorspace cap per RM application, in addition to the total area.
- vi.** Demonstrate that for all B2 and B8 use class buildings that multistorey operation has been robustly considered and tested for each relevant development plot.
- vii.** Demonstrate how the proposals meet the submitted Inclusive Access Strategy and include information on how advice from BEAP/borough inclusive design officers advice has been incorporated into the final design;
- viii.** State how Secured by Design guidance and Police Designing Out Crime Officer consultation advice has been incorporated within the detailed design;
- ix.** Include a description of the principles of landscape design in accordance with the details set out within the design codes have informed the details submitted;
- x.** Provide details of open space proposed within each RM application and demonstrate how these spaces would be managed;

- xi. Include an independent fire strategy, produced by a third party suitably qualified assessor. The strategy shall detail how the development proposal will function in terms of the building's construction (methods, products and materials); the means of escape for all building users; access for fire service personnel and equipment; and how provision will be made within the site to enable fire appliances to gain access to the building.
- xii. Provide a description of service and delivery arrangements including number of expected vehicular trips and how these access into and out of the site for each RM application to accompany the relevant submitted drawings;
- xiii. Provide a detailed wind assessment which should be undertaken using wind tunnel testing and report the results of the wind tunnel tests and details of any wind mitigation needed, including but not limited to, porous screens, canopies, barriers and landscaping, to achieve safe and comfortable wind conditions for the intended uses in public areas.
- xiv. Demonstrate how vehicular caps as outlined within the s106 are met and mitigated within each phase of development;
- xv. Provide details of the operational management of the site at each RM stage, demonstrating how each phase of development can operate whilst construction of other phases comes forward;
- xvi. Provide justification and evidence to support any proposed level of operational vehicle parking to support the RMA scheme including a reconciliation of total side wide provision against the overall parking space cap for the site.
- xvii. Include a description of the principles for vehicle blue badge parking which have informed the details submitted.
- xviii. Provide the number and location of short-stay cycle spaces. The applicant should aim to provide the number of short-stay cycle parking spaces that are required in order to meet the requirements of Policy T5 of the London Plan or such replacement to, or update of, that London Plan policy as may be in effect at the date of the reserved matters application.
- xix. Provide details of supporting facilities for long-stay cycle parking associated with the commercial uses. This should include changing rooms, maintenance facilities, lockers and showers. Accessible facilities for disabled cyclists should also be provided.
- xx. Provide a detailed Circular Economy Statement in accordance with the GLA's Circular Economy Statement Guidance (or successor document approved by the Local Planning Authority);
- xxi. Demonstrate compliance with the mitigation measures as outlined within the submitted Environmental Statement;

xxii. Demonstrate how noise or air quality mitigation measures required by the ES have been incorporated into the design of the RMA scheme

APPENDIX 3 – Draft S106 Heads of Terms

These are draft HoTs to capture the necessary mitigation required to make the development acceptable in planning terms and haven't at this stage been subject to detailed legal drafting. Should Members resolve to approve planning permission then work to refine or add to these HoTs will be commenced.

Transport Obligations

A significant number of transport obligations and monitoring are required to mitigate the overall impacts of the scheme on the surrounding highway network. At the time of writing these were still being finalised, however would include the following:

Establish a Bow East & West Transport Steering Group (overview of delivery of the Wick Lane and Marshgate Lane mitigation works) supported by:

The Bow East and Bow West Transport Steering Group: to comprise

- Wick Lane Junction Working Group;
- Marshgate Lane Working Group;
- Operational Management Group (overseeing Operational Management Plan, Travel plan, Delivery and servicing management plan, parking management plan etc)

All to be set up within 3 months of outline planning permission and prior to the commencement of any development, whichever is the earliest.

Wick Lane Junction Working Group

Prior to the commencement of any development and within 3 months of issue of outline planning permission, whichever is the earliest, the Wick Lane Junction Working Group will be set up by the Applicant. The purpose is to agree the mitigation works required at the Wick Lane junction. Evidence of establishment of the Working Group should be submitted and approved in writing by the LPA. The Developer will fund the costs of set up and operation of the Working Group which will comprise the following members:

- Network Rail (The Developer)
- Transport for London
- Tower Hamlets Council
- Newham Council
- LLDC (in their capacity as landowner and developer)

The Wick Lane Junction Working Group will hold the first meeting within 2 months of being established, or at another time as agreed by the members and thereafter shall be held at least on a quarterly basis up until the Wick Lane Junction Works have been implemented.

Responsibilities of the Wick Lane Junction Working Group will include (but not be limited to):

- Agreeing Terms of Reference (ToR), including governance, roles and responsibilities
- Agree the conclusions of the Wick Lane Junction Modelling (based on TfL's base modelling work undertaken to date), including the future baseline modelling assumptions
- Defining and agreeing the scope of the Wick Lane Junction Works Detailed Design Study
- Agreeing the final detailed design for the Wick Lane Mitigation Works and the programme for implementation.
- To prepare, present and review the monitoring reports produced every two years as per the Working Group obligations identifying the traffic numbers through the Wick Lane/A12 Junction to inform mitigation work delivered by the Developer to:
 - Wick Lane/A12 Junction
 - Marshgate Lane/Red Rose Lane Junction
 - Stratford High Street/Marshgate Lane Junction
 - Wider Queen Elizabeth Olympic Park routes

To confirm the works within that will be set out in the s278 agreement which the Developer shall deliver prior to the occupation of 90,000sqm amount of development.

Modelling

Within 6 months from the grant of outline planning permission and prior to the commencement of development, whichever is the earliest. The Developer will, at its own expense, continue to develop the Wick Lane Junction Modelling and will finalise and agree the Wick Lane Junction Modelling in accordance with the formal TfL LMAP and VMAP sign-off process and with the agreement of the Wick Lane Junction Working Group. As a longstop there shall be no commencement of the development until the modelling has full LMAP and VMAP approval and the approval of the Wick Lane Junction Working Group. The Wick Lane Junction Modelling is described as the VISSIM and Linsig modelling to be agreed between the parties. The maximum parameters and any subsequent modelling as reserved matters applications for each phase of development are submitted for approval will be assessed against the Future Baseline (without the development) model results, as agreed by the Wick Lane Junction Working Group.

For the avoidance of doubt the modelling relates to finalisation of the current modelling work to establish the models to be used to test the Wick Lane Mitigation Works options with the models used to test the mitigation options as part of the Detailed Design Study.

Wick Lane Junction Works Detailed Design Study

The Developer will at its own cost commission the Wick Lane Junction Works Detailed Design Study upon notification by the Wick Lane Junction Working Group. The Wick Lane Junction Works Detailed Design Study will build upon the extensive assessment and modelling work already undertaken by Atkins and WSP and is defined as:

- Preparation of a detailed study to identify Nil Detriment mitigation works at the A12/Wick Lane junction. Outputs to include but not limited to:
 - Land and utilities surveys
 - Consents plan
 - Traffic modelling and surveys
 - Design work
 - Safety audits
 - A full cost plan for the works
 - A full programme for delivery of the works.

The Developer will complete the Wick Lane Junction Works Detailed Design Study (in consultation with the Wick Lane Working Group) within 12 months of inception, unless otherwise agreed in writing by the Local Planning Authority.

Upon completion of the Wick Lane Junction Works Detailed Design Study the Wick Lane Junction Working Group will review and agree the design to be implemented by the Developer, or in the event that the Bow East and Bow West Transport Steering Group or Wick Lane Working Group are advised that this should be undertaken by the relevant highway authority.

Delivery of the Wick Lane Mitigation Works

The developer will enter into a s278 agreements with the relevant highway authorities and undertake the Wick Lane Junction Mitigation Works (unless agreed otherwise by the relevant highway authority acting in consultation with the BE/BW Transport Steering Group) in accordance with s278 of the Highways Act 1980, prior to the Occupation of no more than [90,000 sq.m] (GEA) of development.

The developer will not occupy any additional floorspace above the [90,000 sq.m] cap until the Wick Lane Junction Mitigation Works have been completed. The Developer will enter into the Wick Lane Junction S278 Agreement(s) with the Relevant Highway Authorities for the Wick Lane Junction Mitigation Works prior to occupation of any additional floorspace beyond 90,000sq.m). The Developer and the Relevant Highway Authorities will use best endeavours to enter into the S278 Agreement(s) within 6 months of meeting the floorspace cap.

The development caps suggested by the applicants consist of the following uses by land use class. However, officers note that these floorspace caps have not yet been agreed at this point and further negotiations are ongoing.

Use Class	Cap
B8 (only on Plots C or F)	[10,000 sq.m]
B2	[5,000 sq.m]
Sui Generis - Freight Aggregate and Open Storage	[18,000 sq.m]
Leisure (sui generis / E(d) or F.2)	[36,000 sq.m]
Office (E(g)i)	[21,000 sq.m]

The Wick Lane Mitigation Works will include, but not be restricted to:

- Land acquisition (if required)
- Land preparation and enabling costs
- Civils works
- Utilities and diversions
- Surface treatments
- Strengthening of the Wick Lane junction slip roads
- Signal works (including new signals or optimisation of existing signals)
- Streetscape improvements
- Pedestrian and cycle improvements
- Any temporary or permanent traffic orders
- Signage

Funding

In the event agreement cannot be reached, standard dispute resolution clauses would be applicable to determine the Developers contribution to the Wick Lane Mitigation Works Contribution and the scope of the Wick Lane Mitigation Works S278 Agreement. There shall be no occupation of any development beyond 90,000sq.m until the Wick Lane Junction Mitigation Works are complete and operational.

The developer will work with other authorities and agencies in order to seek opportunities for additional funding and will update the Steering Group on any progress made towards seeking funding so that this can be taken into account. For the avoidance of doubt this does not limit the developer to deliver a scheme of mitigation on the highway network in accordance with the agreed mitigation requirements.

Marshgate Lane Working Group

The Marshgate Lane Working Group will be set up by the Applicant and report to the Bow East and West Transport Steering Group. The Working Group will comprise

- Network Rail (The Developer)
- Transport for London
- Tower Hamlets Council
- Newham Council
- LLDC (in their capacity as landowner and developer)

The purpose of the working group is to minimise and mitigate the impacts of forecast Heavy Goods Vehicle traffic generated by the Development using the Marshgate Lane access is minimised and mitigated appropriately. It will do this by monitoring impacts, recommending, approving and implementing both operational and physical measures.

The Developers will make a financial contribution of £1million to Marshgate Lane Off Site Improvement measures which may include:

- improvements at Marshgate Lane/Stratford High Street junction, for use either to improve the junction's operation, including provision for Active Travel, or to contribute to wider Stratford High Street improvements;
- Improvements to local pedestrian and cycle routes and safety measures
- Marshgate Lane toucan crossing improvements;
- Marshgate Lane traffic calming measures; and
- Marshgate Lane/Pudding Mill Lane improvements.

The Marshgate Lane Working Group will work with the Operational Management Group to agree the measures and controls for traffic routeing and volumes which will be included within the Operational Management Plan There will be continuing ongoing monitoring by the developers of impacts throughout the development period of the site.

Traffic Routeing and volumes

Provide a strategy to maximise use of Bow West access via Wick Lane, including all 'dirty'/mass haul HGVs, together with controls preventing access to Marshgate Lane from Bow West/HGV intensive activities.

Strategy to be developed and implemented to minimize overall traffic generation through Marshgate Lane access, to include targets and monitoring of vehicles at the junction. Obligation to use reasonable endeavors to reduce overall HGV traffic generation using Marshgate Lane access.

Any vehicles including HGVs accessing the Marshgate Lane entrance to be routed to/from Stratford High Street unless they are local deliveries servicing properties within the Olympic Park as per the existing arrangements for occupiers of the site.

Monitoring and Modelling

Requirement to undertake monitoring of development impacts every 2 years and to introduce measures to ensure transport impacts are within those of the Transport assessment and Operational Management Plan.

Undertake monitoring of existing traffic conditions at the junctions every two years, and to provide an annual breakdown of cumulative average monthly HGV movements in the RMAs and RMA Transport Statements.

Updated Transport Statements with each RMA.

The Developer will update the Outline Operational Management Plan and submit updated information with each Reserved Matters Application (this could either be controlled by planning condition or obligation). The Operational Management Plan is defined as: a document to be prepared by the Developer and submitted to the relevant planning authorities, to include details of occupation and trips associated with each land use, and measures to manage on site movements, including at the main site accesses, and, where viable and appropriate, set out measures that will be implemented to reduce traffic impacts. The Operational Management Plan will be presented cumulatively as the development progresses.

The Developer will implement measures set out in the Outline Operational Management Plan to ensure that the development is managed internally; all tenants and occupiers will be bound by the terms and recommendation therein. Measures secured within the Outline Operational Management Plan will include but not be limited to:

- Working with occupiers to provide enhanced fleets of electric and low or zero emissions in accordance with National and London emissions guidance and regulation Wick Lane access control
- Marshgate Lane access control
- Security gate access to the main delivery yard
- Vehicle holding areas
- On-site marshalling
- Traffic management of the canal bridge and access road; and
- Obligations to occupiers to adhere to management measures.
- Control of vehicle access routes including minimising where practicable the use of local roads.

The Developer will submit the Site Wide Monitoring Strategy with the first Reserved Matters Application and will update every two years. The Site Wide Monitoring Strategy is defined as the collection of cumulative traffic data at the key access points every two years, for a period of six years after the completion of development, unless otherwise agreed in writing by the Local Planning Authority, to inform the

management of impacts and will identify the new vehicle demand and junction performance as the development is delivered. The Strategy will include the following:

At Outset:

- Incorporation of the Wick Lane Vissim / Linsig Modelling when completed
- Site capacity –based on the modelled demand and the need to maximise the rail freight and concreting facilities.
- Junction capacity – based on the modelled capacity available at the junction based on the modelling outputs.
- The total maximum demand and total minimum demand – as taken from the Maximum Parameter Scheme and the Illustrative Scheme.

Biannually:

- The total cumulative trip / vehicle numbers – based on the actual scheme impact as the development comes forward.
- To monitoring against the floorspace cap.
- Adherence with the Wick Lane Vehicle Number Cap
- Adherence with the Marshgate Lane Vehicle Number Cap

At Reserved Matters Planning Application Stage, a Reserved Matters Transport Statement will be submitted to assess the proposed development floorspace for the RM application and cumulatively across the site. The Reserved Matters Transport Statement will include all transport (public transport and highways information) and details of the Site Wide Monitoring Strategy and Operational Management Plan. The RMST will include information in support of the Wick Lane Mitigation Works, including progress of traffic movements against the triggers. (This could also be secured by a planning condition).

Other Transport obligations

Until the Wick Lane Mitigation Junction Detailed Design Study has been agreed land within the application site (to be specified on a plan) that could be required for a dedicated southbound on slip to the A12 shall be safeguarded.

Occupational restriction to phase the replacement of the aggregates and two concrete batching plants as essential to protect existing rail freight capacity.

Phased transport statement to set out number and use of parking spaces, justification for all spaces and restrictions prevent non-operational use other than for blue badge holders, reference to London Plan standards for OAs

Parking controls will be used and measured and will be implemented in line with the following measures of control:

Maximum parking of 348 vehicles in total.

- To include 48 for HGVs related to aggregate activities
- To include Blue Badge parking to address occupants' needs and meet London Plan guidance.
- A presumption against staff parking:
- But for specific activities where it could be demonstrated that staff parking was necessary to the effective function of the development, proposals to be brought forward at RMA stage for approval, which would be part of the 300 (+48). The applicant will provide justification and evidence to support the proposed level of operational vehicle use within the RMA and RMAST including a reconciliation of total side wide provision up to the 300 space cap.

The applicant will provide disabled parking for the exclusive use of disabled drivers holding a blue badge permit for each phase of development

Phased Travel Plan to set targets that reflect uses that come forward within each Reserved Matters and to maximise sustainable transport use

Tenants/operators will use reasonable endeavours to ensure that of all materials which can be transported to the site via rail 70% will be targeted as a minimum and seeking to increase capacity to 90% where there is capacity to do so.

LLDC Construction Transport Management Group

- Obligation to join; and
- Contribution of £[50,000] towards running of the group and construction transport mitigation works

Active Travel

A separate financial contribution of £220,000 in addition to the £1M for works to Marshgate Lane towards towpath improvements or agreement to enter into works contract with CRT to deliver the works and to support the active travel network in the surrounding area and the delivery of a biodiverse edge to the Towpath.

Reasonable endeavours to provide pedestrian access to the site from the Greenway.

Phasing of delivery to be agreed, but a minimum of 3 links to be delivered prior to the occupation of any development.

Should any or all of the links not be delivered in accordance with the agreed phasing (due to Thames Water withholding approval, then an indexed financial contribution

equivalent to the cost of the links not delivered shall be paid to the LPA and shall be used towards walking and cycling enhancements in the vicinity of the site.

Other connectivity obligations:

Estate Management to enable public access to all public realm and open spaces subject to agreed permitted closures.

Gender Inclusive Design process: Prior to the submission of any RMA to undertake an inclusive design process fully in accordance with the best practice in LLDCs Creating places that work for women and girls Handbook.

Submission of statement demonstrating community engagement, including with women and girls to be submitted with all RMA applications.

Sustainability/Energy Obligations

To use reasonable endeavours to connect the Development to the District Energy Network (timescales to be defined by the agreement) and the agreement will provide that: Prior to commencement of development

- I. the developer will confirm whether connection to the District Energy Network will be available by the second trigger date (a date to be agreed);
- II. if the developer has confirmed that connection will be available by the second trigger date, the developer will ensure it is available at that date (unless otherwise agreed with the LPA).

The s106 agreement will include provisions permitting an alternative in the event connection is not possible or if the alternative represents a more sustainable solution than connecting to the District Energy Network. In the event an alternative is to be utilised, an updated energy strategy shall be submitted by the developer prior to commencement of the development and the alternative implemented prior to occupation.

To carry out Energy Performance Monitoring for each Phase during the Energy Performance Monitoring Period for that Phase and produce an Energy Performance Monitoring Report for up to five years after first Occupation of the relevant Phase. To carry out air quality and noise monitoring for throughout construction and produce Air Quality and Noise Performance Monitoring Reports on a yearly basis. Provision for further mitigation where required in respect of any breaches of limits set out in proposed planning conditions.

Biodiversity net gain – minimum 10% requirement and monitoring provisions.

Delivery of a biodiverse edge to the towpath.

Employment contributions

Inclusive Economy Contribution of £1 million (indexed) contribution towards LLDC/LBN/LBTH

Inclusive Economy programmes including the Good Growth and Build East or successor employment skills and training facilities.

Local Labour Targets To use reasonable endeavours to secure that:

all job vacancies arising from the Development are advertised in Local Labour and Business Schemes and job centres in the Council's Area;

Local Labour and Business Schemes are notified of all job vacancies arising from the Development;

the recruitment of persons living in the Growth Boroughs accounts for [25%] of the construction jobs arising from the Development;

the recruitment of persons living in the Council's Area accounts for a total of between [25% and 85%] of the end-use jobs at the Development;

all employees employed at the Development in construction jobs are paid the London Living Wage;

the London Living Wage is promoted for all end use jobs at the Development; and

work-based learning opportunities are provided at the Development, including not less than 10 apprenticeships for end-use jobs.

Submission of an Employment strategy for the workshops/smaller units to demonstrate how these would be fitted out and managed.

Other Obligations

Prior to the commencement of development, the developer to confirm to the LPA that the outline planning stage architects and landscape architects are retained or submit for approval from the LPA of an alternative suitably qualified architect and landscape architect as Outline Design Manager (applicant to share and agree a process with the LPA for selection of an alternative architect).

Scope of Outline Design Manager shall include:

Preparation of Design Team Selection Strategy for LPA approval. Lead on design team selection for RMA schemes;

Ensure RMA schemes are compliant with Design Codes for the development and provide a written summary to the LPA confirming this with all RMA submissions. Preparation of a Design Quality Management Strategy for LPA approval, including RMA architect retention into construction.

Unless otherwise set out in the approved Design Quality Management Strategy ensure compliance that approved RMA schemes are constructed in accordance with the approved designs.

S106 Monitoring Contribution of [£30,000] in accordance with the standard charges of LBN and LBTH.

An Environmental Health Monitoring Contribution of £XX for the review and discharge of air quality monitoring and approval obligations.

A transport monitoring contribution of £XX for the review and discharge of transport monitoring review and approval obligations.

Obligation to ensure that the existing construction spoil waste capacity is re-provided within the future scheme.

Leisure Community Access

Submission of a community access strategy which shall:

Set out the minimum requirements for community access, including subsidised pricing and available hours for access;

Requite the developer to undertake community outreach/engagement to secure interest in the community facilities.

Meanwhile Use Strategy

Setting out areas; likely uses and design principles for meanwhile uses within the site.

Network rail office restriction

Unless otherwise agreed in writing, the proposed office uses shall be occupied by Network Rail only.

In the event Network rail do not occupy the proposed office uses a cascade to enable use of the office space by other on-site users

Waste Capacity

The developer to ensure that existing waste capacity of 1.05 million tonnes of waste capacity is retained on site through the masterplan delivery unless the Site is removed from the East London Waste Plan through the plan led process.

APPENDIX 4 – LBN Update Report

Planning Conditions Addendum:

- Any formal decision notice will include an approved plans/drawings condition and approved controlling drawings/documents condition in line with standard LBN procedure (currently omitted from the LLDC draft decision notice)
- An Environmental Statement accompanies the application, therefore any formal decision notice will include this as an approved document and a conformity condition is to be secured (currently omitted from the LLDC draft decision notice).
- Contamination and Site Characterisation

No development of each phase or part thereof, approved by this planning permission shall commence until the following have been submitted to, and approved in writing, by the Local Planning Authority:

a) A scheme of ground investigation, based on the preliminary investigation, describing and justifying the scope of investigations to provide sufficient information for a contamination risk assessment; and

b) A contamination risk assessment and remediation strategy report based on the findings of the ground investigation.

The scheme of ground investigation (part 1) shall be agreed with the Local Planning Authority before the ground investigation commences. The ground investigation and remediation strategy (part 2) shall be implemented as approved. ~~with any changes requiring the written consent of the Local Planning Authority.~~

c) As soon as reasonably practicable and before the occupation of any remediated area of the site, a validation report shall be submitted and approved by the Local Planning Authority in writing, demonstrating that remediation works were undertaken and completed in accordance with the approved remediation strategy.

Reason: To safeguard human health, controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy BN.14 of the Local Plan (2020).

- **Hours of Operation**

The operations on site shall only be carried out in accordance with the following:

a) No construction or building works shall be carried out on the site except between the hours of 08:00 and 18:00 on Monday to Friday, between 08:00 to 13:00 on Saturdays, and at no time on Sundays, Statutory Holidays and Bank Holidays.

b) Deliveries of construction and demolition materials to and from the site by road shall take place between the hours of 08:00 and 18:00 Monday to Friday, between 08:00 to 13:00 on Saturday and at no time on Sundays, Statutory Holidays and Bank Holidays.

Unless and until express written consent is provided by the Local Planning Authority for works and deliveries to take place outside of the agreed hours of operation, in exceptional circumstances only.

Reason: To ensure that the construction does not prejudice the ability of neighbouring occupiers' reasonable enjoyment of their properties.

Heads of Terms Addendum:

- **The Council's reasonable legal fees in relation to the completion of the deed whether or not the matter goes to completion**
- **Payment of the Council's reasonable fees in monitoring and implementing the legal agreement payable on completion of the Deed - £TBC (+ RPI)**
- ~~An Environmental Health monitoring Contribution of £XX for the review and discharge of air quality monitoring and approval obligations~~ **Payment of the Council's reasonable costs associated with consultant costs for reviewing future environmental matters including air quality monitoring**
- **Indexing – All contributions and payments to be index linked from the date of the decision to grant planning permission to the date on which payment is due, using BCIS or RPI index.**
- Waste Capacity - The developer to ensure that existing waste capacity of 1.05 million tonnes of waste capacity **for C, D and E waste** is retained on site through the masterplan delivery unless the Site is removed from the East London Waste Plan through the plan led process.
- **Monitoring and Modelling – In the event that the Wick Lane and Marshgate Lane Vehicle number caps are not adhered to, the development shall make a contribution towards further mitigation and traffic calming measures as deemed appropriate by the Highways Authority.**
- A transport monitoring contribution of **£90k (+ RPI)** for the review and discharge of transport monitoring review and approval obligations.

- **Travel Plan and associated £10,500 monitoring fee (+ RPI); payable prior to implementation of the development.**