Subject: Plot M7, Stratford City 16/00653/REM and 16/00654/NMA

1. 16/00654/NMA

2. 16/00653/REM
   Application for the approval of Reserved Matters for the construction of two commercial office buildings comprising 78,616.8sqm office floorspace and 706.3sqm of retail floorspace for Plot M7, submitted pursuant to Condition B1 of Outline Planning Permission 10/90641/EXTODA in respect of the siting of the buildings; design of the buildings; external appearance; means of access and landscaping.

Meeting date: 28 February 2017
Report to: Planning Decisions Committee
Report of: Sara Dawes – Senior Planning Development Manager

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

1.1 This report considers two separate but linked applications for Non-Material Amendments and Reserved Matters respectively, submitted by Westfield Europe Ltd for Plot M7 of Stratford City.

1.2 Stratford City benefits from Outline Planning Permission originally granted in 2005, and subsequently amended (ref: 10/90641/EXTODA). The Reserved Matters of siting, design, external appearance, means of access and landscaping are required to demonstrate compliance with the approved parameter plans, Zonal Masterplan (ZMP) and relevant planning conditions that form part of the Stratford City Outline Planning Permission (SCOPP).

1.3 The first application (ref: 16/00654/NMA) relates to a Non Material Amendment application, that seeks to amend the ‘Maximum Building Heights’ parameter plan approved by the Zone 1 ZMP. Plot M7 is sited within two height restriction zones. The proposal involves increasing the maximum permissible height to 75.5m AOD in the zone where the maximum permissible height is 70m AOD.

1.4 The second application (ref: 16/00653/REM) seeks Reserved Matters Approval for the construction of two high quality commercial office buildings providing a total of
78,616.8sqm of office floorspace and 706.3sqm of retail floorspace. The buildings ‘hook’ over the existing 3 storey M7 retail building, and have been designed by SimpsonHaugh and Partners architects.

1.5 The main issues to be considered in respect of the applications are:
   - Overall conformity with the Outline Planning Permission;
   - Design and conformity with the Outline Planning Permission; and
   - Environmental conformity.

1.6 The buildings conform to the parameters described in the Outline Planning Permission and in the Zonal Masterplan (ZMP), apart from a minor deviation to the ‘Maximum Building Height’ parameter plan as detailed above, which is considered to be a non-material amendment.

1.7 The Quality Review Panel (QRP) commends the design team for the high quality of the scheme, finding the architecture imposing and elegant, with skilful treatment of the façades.

1.8 It is considered to be appropriate for the application to contribute to public realm improvements, to mitigate any impacts from the over sailing of the upper floors over the public highway. Such contributions will be secured by Section 106 Agreement.

1.9 There are no significant harmful impacts on the amenity of surrounding occupiers or users of the area as a result of the development.

1.10 No objections have been received from the statutory consultees, including LB Newham, Environment Agency, Natural England, Metropolitan Police or TfL.

1.11 The proposals will provide significant office floorspace, and as such further the regeneration and Olympic legacy aspirations for Stratford City.

1.12 It is therefore recommended that the Reserved Matters and Non-Material Amendment applications are approved.

2. RECOMMENDATIONS

The Committee is asked to:

2.1 Non Material Amendments (ref: 16/00654/NMA)

2.2 Reserved Matters (ref: 16/00653/REM)
   a) Approve the Application for the approval of Reserved Matters for the construction of two commercial office buildings comprising 78,616.8sqm office floorspace and 706.3sqm of retail floorspace for Plot M7, submitted pursuant to Condition B1 of Outline Planning Permission 10/90641/EXTODA in respect of the siting of the buildings; design of the
buildings; external appearance; means of access and landscaping, subject to the satisfactory conclusion of a Section 106 agreement.

b) Agree to delegate authority to the Director of Planning Policy and Decisions to:

i) Finalise the recommended conditions and informatives (including relevant definitions and annexes) 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;

ii) 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 reserved matters approval) as the Director of Planning Policy and Decisions considers reasonably necessary; and

iii) Complete the section 106 legal agreement referred to above and issue the planning permission.

3. FINANCIAL IMPLICATIONS

3.1 None.

4. LEGAL IMPLICATIONS

4.1 Should Planning Decisions Committee be minded to grant planning permission, mitigation and other measures required to make the development acceptable in planning terms will be secured by condition or S106 legal agreement (as appropriate). The draft Heads of Terms are included in this report at paragraph 10.76-10.77.
Site Plan
5. **SITE AND SURROUNDINGS**

5.1 The application site for the Reserved Matters application measures 0.81 hectares, and sits within the Stratford City development site, which covers an area of approximately 73 hectares and comprises seven development zones. Located in Stratford Metropolitan Town Centre, and to the east of the Queen Elizabeth Olympic Park, Plot M7 falls within Zone 1 of Stratford City and is within the London Borough of Newham.

5.2 Zone 1 is the southern part of Stratford City, lying north of Stratford Town Centre to which it is connected by the Town Centre Link Bridge. Zone 1 comprises the main retail element of the Stratford City development together with commercial office, leisure, hotel and residential floorspace.

5.3 The M7 plot is centrally positioned on the south east edge of Zone 1. Fronting Westfield Avenue, the plot has a prominent context within Zone 1, being located between the two primary east-west pedestrian routes which link Stratford City to the Queen Elizabeth Olympic Park and proposed Cultural and Education district of Stratford Waterfront. The M7 plot sits adjacent to the following:

- Westfield Avenue, a dual carriageway thoroughfare to the southwest;
- John Lewis store to the north west, separated by the primary pedestrian route informally known as Four Dials Passage;
- Existing three storey retail building on the M7 site fronting ‘The Street’, the Westfield centre’s external shopping arcade;
- Primary pedestrian route of Chestnut Plaza running east-west.

5.4 Opposite the site on Westfield Avenue is International Quarter London (IQL) South. The residential component of IQL (Glasshouse Gardens) has been constructed, and the office blocks directly opposite the application site are currently being constructed (Plots S5 and S6).
5.5 To the south east of the application site is the development site known as Cherry Park, where the Planning Decisions Committee recently resolved to grant planning permission for 10,902sqm of Class A1 retail anchor store as an extension to Westfield Stratford City, up to 1,224 residential units, and up to 3,300sqm commercial uses.

5.6 The retail element of Plot M7 has already been developed and comprises a two-three storey retail block, that will be retained, other than the southeastern arm fronting Chestnut Plaza (currently occupied by Busaba Eathai and The Real Greek).

5.7 The site has excellent public transport connections with both Stratford Regional Station and Stratford International Station conveniently located close to the site. The site also fronts onto Westfield Avenue which is served by London Bus Routes. The site has a public transport accessibility level (PTAL) of 6b, indicating its excellent proximity to public transport hubs.

6. RELEVANT PLANNING HISTORY

6.1 The site lies within the area of the Stratford City Development that was originally used for a range of railway related uses. Comprehensive redevelopment of the area was proposed in a planning application in 2003, and the following consents are of relevance to the application site:

Outline Planning Permission

6.2 P/03/0607 - Outline planning permission granted by the London Borough of Newham on 17 February 2005 for the “comprehensive mixed use development of the rail lands site comprising B1 offices, residential, retail development in the full range of Class A1, A2 and A3 uses, commercial leisure uses, hotels and conference facilities, community, health and education facilities, open space, landscaping, water features, parking, transport interchanges, associated infrastructure and a town centre link”. The application site is within Zone 1 of the planning permission.

6.3 In total the Outline Planning Permission approved 465,000sqm of commercial (Class B1) floorspace across all Zones; with 106,263sqm GEA approved commercial floorspace in Zone 1.

6.4 A Section 106 Legal Agreement associated with the consent secured a series of obligations both to mitigate the impact of the Stratford City Development and to ensure that the necessary infrastructure would be provided in parallel with the emerging development.

6.5 06/90017/VARODA - In May 2006 London & Continental Railways Limited and Stratford City Developments Limited applied to vary conditions U1, U2, D9 & D10 of the outline planning permission P/03/0607 by a T&CP Act 1990 section 73 application. The effect of the variations was to increase the amount of residential floorspace and density within Zone 1 of the development and also to provide more flexibility to change the parameter plans. The Olympic Delivery Authority resolved to grant planning permission in November 2006 for this application, reference 06/90017/VARODA (second outline planning permission) subject to a legal agreement being entered into.

6.6 07/90023/VARODA - Before the legal agreement was completed for the first variation a further section 73 application was made in February 2007 to vary further conditions of the consent T4, K2 and P11. This was determined under delegated powers following revisions to the 2005 Section 106 Agreement and
consent granted 13 November 2007 (third outline planning permission). The variation to condition T4 allows flexibility to change the street block size. It is the 07/9023/VARODA consent that was implemented.

6.7 In June 2009 the obligations of the 13 November 2007 s106 agreement were split into two separate agreements, one for Zone 1, the other for Zones 2-7.

6.8 10/90641/EXTODA – Application to vary conditions B6 and B7 of the Stratford City outline planning permission 07/90023/VARODA to allow a further 10 years to submit reserved matters and implement the development in Zone 1 (Class B1 only) and Zones 2-7 (all uses), which is 16 February 2027 for the submission of reserved matters and 16 February 2030 for the commencement of development.

Zonal Masterplan (ZMP)

6.9 07/90005/AODODA - A Zonal Masterplan for Zone 1 was approved pursuant to Condition A1 of the Outline Planning Permission by the Olympic Delivery Authority on 15 January 2008. This built upon the principles established at the outline stage and provided detail on the configuration of the Zones in advance of the reserved matters submissions.

Reserved Matters

6.10 Following the approval of the Zone 1 ZMP, a number of reserved matters applications have been approved for buildings within Zone 1, of relevance are the following:

6.11 08/90184/REMODA – Application for the approval of reserved matters for the public realm of Zone 1 (excluding Residential Area and Angel Lane), including roads, public/pedestrian areas, and hard and soft landscaping.

6.12 08/90086/REMODA – Application for the approval of reserved matters regarding appearance, layout, scale and access of building M7 (Development block 13 as referred to in ZMP1) pursuant to conditions B1 and B8 of the outline planning permission (07/90023/VARODA).

6.13 10/90063/REMODA – Amendments to previously approved Reserved matters application 08/90086/REMODA of building M7 was granted 17 May 2010. The reserved matters have been implemented.

Environmental Impact Assessment (EIA) Screening

6.14 In support of the Reserved Matters application the applicant submitted a request for a Screening Opinion (ref: 16/00633/SCRES) as to whether the proposed development (including the proposed amendment to the parameter plan), would generate new or different significant environmental effects that would constitute EIA development, or require an update to the Stratford City Environmental Statement (SCES) associated with the Outline Planning Permission.

6.15 The information submitted in support of the request concluded that there would be no new of different significant effects on noise and vibration, air quality, wind, daylight, sunlight, overshadowing, ground conditions and contamination, archaeology, ecology and biodiversity, water resources and flood risk, compared to the SCES associated with the Outline Planning Permission.

6.16 The proposed development including the proposed height increase under the NMA application is substantially in accordance with the parameters established through the original outline planning permission. Officers and PPDT’s Environmental Consultants have reviewed potential impacts described in the Screening Request and Environmental Compliance Report, including the impacts of the proposed increase to the ‘Maximum Building Heights’ parameter plan, and conclude that the
proposed development would not generate new or different significant effects that would require the submission of an Environmental Statement.

7. **APPLICATION PROPOSALS**

**Non-material Amendment (reference 16/00654/NMA)**

7.1 As part of the detailed design of Plot M7 (as proposed by reserved matters application 16/00653/REM), the applicant has submitted an application seeking Non-Material Amendments to the consented building heights specified within the Zone 1 Zonal Masterplan (ZMP) parameter plans.

7.2 Approved drawing SC-LDA-ZI-14-DR-A-0804 sets the maximum building heights for Plot M7 of 110m AOD and 70m AOD. It is proposed to amend these heights to reflect the proposed scheme. Where the maximum permissible height is 70m AOD, the proposed buildings at their highest are 75.75m AOD.

**Reserved Matters (reference 16/00653/REM)**

7.3 The current application seeks reserved matters approval under the following conditions of outline planning permission (ref:10/90641/EXTODA):
   - Condition B1 relating to details of siting, design and external appearance of buildings, means of access and landscaping;
   - Condition B8 relating to the form and content of Reserved Matters Applications.

7.4 Condition B8 requires the following:
   - a) Statement to demonstrate conformity with the Zonal Masterplan.
   - b) 1:1250 scale plan of Reserved Matters already approved.
   - c) 1:500 scale plan surrounded by a 50 m zone of detailed context.
   - d) Details of the following shall be provided and shall accord with the relevant ZMP and Site Wide Strategies:
     - Open space and linkages;
     - Car motorcycle and cycle parking and scheme for their management;
     - Public transport facilities;
     - Other infrastructure including drainage, utility etc.;
     - Topographical changes;
     - Accommodation for loading and unloading vehicles;
     - Lighting;
     - Assessment of energy use;
   - e) Assessment of energy use if the development is to be connected to the CCHP plant; and
   - f) A statement that sets out how the floorspace relates to the overall limits of development floorspace permitted pursuant to condition D2 (as amended).

7.5 The following documents have been submitted to support the application, in accordance with the requirements set out in Condition B8:
   - Planning Statement (incorporating a Compliance Statement)
   - Design and Access Statement
   - Environmental Compliance Statement
   - Energy Report
   - Sustainability Report
   - Transport Note
   - Application Drawings
The RMA proposes the construction of two commercial office buildings (Buildings A and B) which are linked through a shared winter garden at ground level between the two blocks. Building B also incorporates two retail units at ground level, which replace the existing two storey retail block that fronts Chestnut Plaza.

The proposed scheme will have a total Gross External Area (GEA) of 84,066.8 sqm, inclusive of basement and plant areas. Building A measures 42,344 sqm (GEA), and Building B measures 41,723 sqm (GEA). The total area of occupiable Class B1 office floorspace is 78,616.8sqm (GEA), and 706.3sqm of Class A1/A3 retail/restaurant floorspace is proposed in Building B.

The buildings have a maximum height of 83.3m AOD, and step down to 75.5m AOD northwards towards 'The Street'. The proposed buildings have their main entrance on Westfield Avenue, and have been developed to provide a strong legibility of base, middle and top to each building. Key elements of the design are the super grid façade, and double height set back on Westfield Avenue beneath an oversailing cantilever.

The ground floor of the M7 buildings occupies the southern section of the site. Each building comprises a double height entrance foyer and central lift core, escape stairs, and cycle stores. In building B, two retail units are provided which are to be accessed from Chestnut Plaza. To the north, the existing retail block is retained, with the existing goods lift and escape staircases serving both the retail units and the new office floors above. Linking the two buildings at ground level is a double height glazed wintergarden.

A mezzanine floor is located at the rear of the entrance foyers. Business lounge/meeting spaces are provided, along with changing and showers associated with the cycle storage below. In building B, an upper floor to the two retail units is provided.

A full basement contains a loading bay, plant and combined refuse storage. Two half floors of office accommodation are provided at Level 01 and 02, accessed via the southern cores.

At levels 03 to 11, the office floor plates extend northwards over the existing M7 retail block to become full footprint. The floor plate accommodates two structural cores. Between the two cores, an enclosed atrium extends to roof level, to maximise daylight access to the office areas. At level 03, above the existing retail plant enclosure, a roof terrace sits between the two buildings, accessible from the office accommodation.

At level 12, the final full floorplate is divided into two. A half floor of office accommodation fronts Westfield Avenue, and the remainder of the floor comprises an external plant space which is enclosed by a full height façade screen to conceal the plant from view from outside the buildings.

At level 13 a roof garden is proposed to the southern part of each building, providing amenity space for the main tenants. The roof garden is sheltered by a double height glazed perimeter screen.

Cleaning equipment is located on top of both buildings, on the roof of the lift core of the southern portion and behind the plant screen of the northern portion.

It is proposed that no car and motorcycle parking spaces will be provided within the M7 site. An allocation of existing standard and accessible parking spaces will be made within the existing Zone 1 car park. Cycle parking spaces are provided at basement level along with shower facilities.
7.17 The proposals also include the de-cluttering of Four Dials Passage, which currently includes extensive street furniture. This area will be rationalised and the layout of street furniture reviewed to enhance the street.

**Phasing**

7.18 The delivery of Buildings A and B may be delivered in a phased approach to ensure that tenancies can be secured for both buildings. The proposed phasing is detailed in the Reserved Matters application and would be approved as part of the application. The phasing will comprise the construction of Building A and installation of a temporary publicly accessible landscaping scheme on the rest of the site. This would be followed by the construction of Building B.

8. **POLICIES & GUIDANCE**

**National Planning Policy Framework 2012**

8.1 The following NPPF policies are relevant to this submission:

1. Building a strong, competitive economy
4. Promoting sustainable transport
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change
11. Conserving and enhancing the natural environment

8.2 Planning policies contained within the National Planning Policy Framework – March 2012 are relevant to the application and the over-arching principle of the Framework is that local authorities should be positive and proactive in encouraging sustainable growth and addressing barriers to investment. The NPPF should be read in conjunction with the National Planning Practice Guidance, a web-based resource for all users of the planning system. This describes the importance of good design and how this can be achieved through planning decisions.

**Mayor of London The London Plan Consolidated with Alterations Since 2011(March 2016)**

8.3 Relevant London strategic adopted policies are listed below:

2.4 ‘The 2012 Games and Their Legacy’;
2.9 ‘Inner London’;
2.14 ‘Areas for Regeneration’;
2.15 ‘Town Centres’
4.1 ‘Developing London’s Economy’;
4.7 ‘Retail and Town Centre Development’
4.12 ‘Improving Opportunities for All’;
5.2 ‘Minimising Carbon Dioxide Emissions’
5.3 ‘Sustainable Design and Construction’;
5.6 ‘Decentralised energy in development proposals’
5.7 ‘Renewable energy’
5.10 ‘Urban Greening’
5.12 ‘Flood Risk Management’;
5.13 ‘Sustainable Drainage’;
5.15 ‘Water Use and Supplies’;
5.21 ‘Contaminated Land’;
6.3 ‘Assessing effects of development on transport capacity’
6.9 ‘Cycling’
6.10 ‘Walking’
6.12 ‘Road network capacity’
6.13 ‘Parking’
7.2 ‘Inclusive Environment’
7.3 ‘Designing out Crime’
7.4 ‘Local Character’;
7.5 ‘Public Realm’;
7.6 ‘Architecture’;
7.7 ‘Location and Design of Tall and Large Buildings’
7.11 ‘London View Management Framework’
7.12 ‘Implementing the London View Management Framework’

Legacy Corporation Local Plan (2015-2031)

8.4 The London Legacy Development Corporation Local Plan 2015-2031 was adopted on 21 July 2015 and provides the formal local policy basis for planning decisions.

8.5 Site allocation SA3.1: Stratford Town Centre West
The site is within the Central Stratford and Southern Queen Elizabeth Olympic Park Sub Area as defined in the Local Plan. The Local Plan Site Allocation SA3.1: Stratford Town Centre West is for a range of town centre uses and residential accommodation appropriate to the scale and form of the Metropolitan Centre designation and the application site is shown as a development parcel incorporating open space. Key connections are identified on all sides of the application site – Westfield Avenue, Chestnut Plaza, Four Dials Passage and ‘The Street’.

8.6 The London Legacy Local Plan policies below are also relevant to the applications:

SP.1 Building a strong and diverse economy
B.1 Location and maintenance of employment uses
B.2 Thriving town, neighbourhood and local centres
B.5 Increasing local access to jobs, skills and employment training
BN.1 Responding to place
BN.3 Maximising biodiversity
BN.5 Requiring inclusive design
BN.10 Proposals for tall buildings
BN.13 Improving the quality of land
T.3 Supporting transport schemes
T.4 Managing development and its transport impacts
T.6 Facilitating local connectivity
T.7 Transport Assessments and Travel Plans
T.8 Parking and parking standards for 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.5 Water supply and waste water disposal
S.6 Waste reduction
S.7 Overheating and urban greening
Local Plan Objective 2
Sub Area 3 Central Stratford and Southern Queen Elizabeth Olympic Park
Policy 3.2 Improving connections around central Stratford

Other relevant planning guidance

8.7 National Planning Practice Guidance (on-line planning resource)
8.8 Olympic Legacy Supplementary Planning Guidance (July 2012)

9. CONSULTATION

9.1 The application was advertised in Newham Recorder on 14 December 2016 and site notices placed 8 December 2016; letters were sent to statutory and non-statutory consultees and neighbour letters were sent to occupiers and landowners in the area. The responses received are set out in the table below:

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>TfL</td>
<td>Clarify that the proposed quantum of B1 floorspace when taken with other recent or live Zone 1 consents is within the permitted floorspace within Zone 1. Clarify how the accessible parking will be secured for those employees and visitors requiring a blue badge space. Confirm whether 5% of cycle parking space will be provided for non-standard bicycles, in line with London Cycling Standards (LCDS). It needs to be determined how highway public realm works will be phased and delivered. <em>Officer response: see paragraphs 10.71-10.76 below</em></td>
</tr>
<tr>
<td>London Fire and Emergency Planning Authority</td>
<td>No objections. The Brigade strongly recommends that sprinklers are used for new developments. <em>Officers response: This is covered by Building Regulations</em></td>
</tr>
<tr>
<td>Environment Agency</td>
<td>No comments or objections to the application. Site lies within Flood Zone 2. Recommend Informative: Contaminated Land. <em>Officer response: Informative attached.</em></td>
</tr>
<tr>
<td>Natural England</td>
<td>Refer to standard advice for applications in and around the Queen Elizabeth Olympic Park Biodiversity Action Plan (BAP).</td>
</tr>
<tr>
<td>Network Rail</td>
<td>No objections</td>
</tr>
<tr>
<td>LB Newham – Waste Management</td>
<td>No objections. The developer should consider the health and safety of moving bins manually from bin store to collection vehicle as the distance is significant. <em>Officer response: Condition 11 is recommended requiring a waste management strategy for the basement.</em></td>
</tr>
<tr>
<td>Metropolitan Police</td>
<td>No objection to the overall redevelopment, however the project must evidence how it intends to incorporate the practices and policies of Secured by Design. Request Secured by Design condition, and community safety informative. <em>Officer response: See attached Condition 4 and Informative 2</em></td>
</tr>
<tr>
<td>PPDT</td>
<td>No objections after further information and clarifications were</td>
</tr>
</tbody>
</table>
9.2 No responses were received from the following consultees:
- LB Newham – Planning
- LB Newham – Transport
- LB Newham – Environmental Health
- Thames Water
- Lee Valley Regional Park Authority
- London Continental Railways
- Stratford City Business District

Quality Review Panel

9.3 The proposed development was presented to the LLDC’s Quality Review Panel at pre-application stage on 20 October 2016. Below is a summary of comments. QRP’s full letter is attached as Appendix 5.
- QRP commends the design team for the high quality of the scheme proposed for Plot M7.
- The architecture is imposing and elegant, with skillful treatment of the facades. The generous roof gardens, ground floor winter garden, and cantilever creating a colonnade along Westfield Avenue have the potential to be highly successful.
- Further thought should be given to the continuity between the principal façade of the southwest elevation and those of the perimeter elevations.
- The panel raises some questions about the quality of the streetscape along Westfield Avenue as it becomes increasingly dominated by tall buildings.
- Any initiative to improve the public realm along Westfield Avenue and make it more attractive to pedestrians is to be welcomed.

10. ASSESSMENT OF PLANNING ISSUES

Principle of Development

10.1 The site is located in Stratford Metropolitan Centre, and benefits from the Stratford City Outline Planning Permission (SCOPP) for extensive redevelopment as part of the wider regeneration aspirations for the area. The parameters of the development that can be carried out in Zone 1 have also been described in the approved Zone 1 Zonal Masterplan (ZMP) and Strategies submitted in accordance with conditions attached to the SCOPP.

10.2 Condition C1 of the SCOPP (10/90641/EXTODA) states that prior to the approval of any ZMP or Reserved Matters Application, details of the following Site Wide Strategies shall be approved by the LPA:
a) a sustainable design manual, which will include strategies for energy, environmental building design, waste management, water, ecology and nature conservation, microclimatic design and materials;
b) an estate management framework;
c) a site wide construction method statement;
d) a site wide air quality strategy; and
e) a site wide housing strategy.

10.3 All of the above Site Wide Strategies were submitted and approved by the ODA in July and November 2007. Subsequent revisions to the Site Wide Housing Strategy have been approved in March 2012 and May 2014.

10.4 The principle of redeveloping the site is therefore established by the OPP, and the Site Wide Strategies have also been approved, therefore these applications for Reserved Matters Approval can be assessed in accordance with the parameters set out in the OPP, ZMP and other policy and material considerations acknowledged through that consent.

Non-Material Amendment (ref: 16/00654/NMA)

10.5 The application for Non Material Amendments proposes an amendment to the approved parameter plan SC-LDA-Z1-14-DR-A-0804 which sets the maximum building heights for Plot M7.

10.6 Plot M7 sits within two height restriction Zones, 110m AOD and 70m AOD. The greater building height (110m AOD) is allowed along the southwest boundary fronting Westfield Avenue for the full width of the site, and the 70m AOD zone applies to the north eastern end of the site for the full width of the plot. There is a minor deviation from the height parameter plan. Where the maximum permissible height is 70m AOD, the buildings at their highest point are 75.75m AOD. This proposed increase in height would be consistent across the whole 70m AOD parameter zone. Where the maximum permissible height is 110m AOD, the buildings at their highest point are 83.3m AOD. See Appendix 2 for approved and proposed Maximum Building Heights parameter plan.

10.7 The consented height parameters were not set on the basis of any particular environmental threshold; rather, they were intended to guide the general progression and reduction in height of buildings away from the core Zone 1 area. Exceeding this 70m AOD maximum height parameter by approximately 5.5m will not materially alter any key views of the site nor give rise to other significant environmental effects to those previously assessed in the SCOPP. Officers have assessed the impact of the proposals on the strategic view from Richmond Hill to St. Pauls Cathedral as part of the broader assessment of the development of a whole and the proposals would not be visible from the Protected View (see paragraphs 10.48 to 10.50 below).

10.8 Furthermore, the taller section of the buildings, towards Westfield Avenue are significantly below the approved maximum height parameter for this location, being at 83.3m AOD in a location where 110m AOD is permitted. No minimum height parameters were set in the SCOPP or ZMP. As the parameter plan sets out the maximum building height rather than a specific building height, there is no requirement for the proposals to extend to the full permitted maximum building envelope.

10.9 The application for non-material amendments is therefore recommended for approval.
Reserved Matters (ref: 16/00653/REM)

10.10 The following paragraphs consider the Reserved Matters (siting, design, external appearance, means of access, landscaping) and the supporting technical information required by the Outline Planning Permission.

10.11 The application for Reserved Matters is submitted on the basis that the application for Non Material Amendments to the 'Maximum Building Heights' parameter plan associated with the Outline Planning Permission, considered at paragraphs 10.5 to 10.9 and recommended for approval at paragraph 2.1 of this report, has been approved.

Conformity with Parameter Plans, Outline Planning Permission (OPP) and Zonal Masterplan (ZMP)

10.12 Condition A4 of the OPP requires all RMAs submitted in respect of each Zone to be in accordance with the ZMP approved for that Zone. In accordance with the requirements of this condition, the application has been submitted with a Compliance Statement to explain how the application conforms to the approved parameters for Zone 1.

Commercial Floorspace/Land Use

10.13 In total the SCOPP approved 465,000sqm of commercial (Class B1) floorspace across all Zones: with 106,263sqm GEA approved commercial floorspace in Zone 1. A further breakdown of this floorspace was set out in the approved Zone 1 Zonal Masterplan (ZMP) (ref: 07/90005/AODODA). The indicative area schedule in the ZMP identified a total of 76,159sqm in Blocks 11, 12 and 13, which together comprise Block M7. The notes to the schedule state ‘subject to agreed reconciliation, areas can be moved between individual development blocks as required by future design development’.

10.14 Following the approval of the ZMP the following reserved matters applications were approved for buildings within Zone 1, with commercial floorspace totalling 14,938sqm GEA:

- M6 = 12,227sqm GEA (10/90182/REMODA)
- M6A = 2,711sqm GEA (09/90328/REMODA)

Both of these permissions have been implemented. The ZMP anticipated a total of 20,104sqm office floorspace for Blocks M6 and M6A.

10.15 Within the boundary of the Outline Planning Permission, LLDC Planning Decisions Committee resolved to grant planning permission in December 2016 for the following applications within Zone 1:

- Hybrid application for Cherry Park (15/00358/OUT) which includes outline permission for up to 3,300sqm commercial floorspace.
- Full planning permission for Angel Lane (16/00524/FUL) which provides 22,726sqm (GEA) commercial floorspace.

Planning permission has not yet been issued for the above planning applications as the S106 agreements are yet to be signed.

10.16 The Cherry Park and Angel Lane applications are standalone full planning applications, and therefore sit outside of the SCOPP and ZMP, as they are not submitted pursuant to the SCOPP. The Class B1 provision in those applications was assessed on its own merits, with regard to the policies in the London Plan and LLDC Local Plan, which encourages B1 office growth within the Metropolitan Centre.
10.17 It is consequently considered appropriate that a reserved matters application for M7 is assessed and determined on the basis that there is currently 81,325 sqm of B1 floorspace remaining within Zone 1 under the SCOPP (which excludes Cherry Park and Angel Lane standalone planning applications and the floorspace anticipated in the SCOPP for Angel Lane). The proposed B1 floorspace proposed in Plot M7 is 78,616.8sqm.

10.18 The table below provides a summary of the consented and approved B1 floorspace:

<table>
<thead>
<tr>
<th>Zone 1 site</th>
<th>Indicative Zone 1 ZMP Office Floorspace sqm GEA</th>
<th>Application Status</th>
<th>Resulting Office Floorspace sqm GEA</th>
</tr>
</thead>
<tbody>
<tr>
<td>M6</td>
<td>20,104</td>
<td>Approved &amp; Implemented</td>
<td>12,227</td>
</tr>
<tr>
<td>M6a</td>
<td>-</td>
<td>Approved &amp; Implemented</td>
<td>2,711</td>
</tr>
<tr>
<td>Cherry Park</td>
<td>-</td>
<td>Approved at Dec 16 PDC</td>
<td>-</td>
</tr>
<tr>
<td>Angel Lane</td>
<td>10,000</td>
<td>Approved at Dec 16 PDC</td>
<td>-</td>
</tr>
<tr>
<td>M7</td>
<td>76,159</td>
<td>78,616.8</td>
<td></td>
</tr>
<tr>
<td>Sub Total</td>
<td>106,263</td>
<td>93,554.8</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td><strong>106,263</strong></td>
<td><strong>119,580.8sqm GEA</strong></td>
<td></td>
</tr>
</tbody>
</table>

10.19 The proposed Class B1 floorspace is 2,457.8sqm higher than that set out in the ZMP for Plot M7, however; the area schedule is titled as ‘indicative’, and the accompanying text states that areas can be moved between individual development plots as required by future design development.

10.20 It is considered that the proposed quantum of B1 floorspace in M7 is acceptable within the context of the overall B1 floorspace approved in Zone 1 under the SCOPP and the ZMP. Local Plan policy B1 supports the location of office uses within Stratford Metropolitan centre.

**Retail floorspace**

10.21 The proposals include the replacement of the part of the existing restaurant floorspace fronting Chestnut Plaza which was approved as part of the M7 retail block (ref:10/90063/REMODA). The floorspace is currently occupied by Busaba Eathai and The Real Greek, totalling 1,022 sqm over two floors, which will be replaced with 706.3sqm restaurant floorspace over two floors. This is compliant with the SCOPP, and Local Plan policy B2.

**Compliance with ZMP parameter plans and siting**

10.22 The Outline Planning Permission and Zonal Masterplan for Zone 1 approved ‘Limits of Deviation Per Development Block’ parameter plan (SC-LDA-A1-14-DR-A-0805), which identifies a maximum +/- 10m Limit of Deviation on all sides of the M7 Plot boundary, including Westfield Avenue.

10.23 The proposed building has a double height set back on Westfield Avenue beneath an over sailing cantilever. At the upper floors (8m above ground level) the building projects forward of the building line identified in the ‘Limits of Deviation’ parameter plan by 3.9m, which is within the identified ‘+/- 10m Limit of Deviation’ zone. At ground level the building is set back 3.5m from the building line identified in the
'Limits of Deviation' parameter plan, and at the upper floors the building projects forward of the ground floor by 7.4m.

10.24 The cantilever at the upper levels also slightly oversails the elevations fronting Chestnut Plaza and Four Dials passage by approximately 1.5m which complies with the 'Limits of Deviation' parameter plan.

10.25 The 'Limits of Deviation' parameter plan sets minimum distances of 10m across Four Dials Passage (between M7 and John Lewis) and 20m across Chestnut Plaza (between M7 and the Westfield restaurant block to the southeast). The proposals comply with these requirements.

10.26 At ground level the separation distance between M7 and John Lewis ranges from 12m to 15m. The ground floor of building A is chamfered to increase the width of four dials passage towards Westfield Avenue, and is 15m wide at its entrance at Westfield Avenue. The projection at level one and above reduces the separation distance, but a minimum of 10m between the buildings is retained.

10.27 The separation distance between M7 and the Westfield restaurant block (including The Cow) across Chestnut Plaza ranges from 24m to 39m at ground level, reducing to a minimum of 23.6m at is narrowest above ground level, and as such complies with the 20m separation distance.

10.28 As assessed in paragraphs 10.5-10.9 the proposal includes a minor deviation to the 'Maximum Building Heights' parameter plan, involving an increase to the maximum permissible height towards the northeast of the plot from 70m AOD to 75.5m AOD. On the basis that the non-material amendment application is approved for changes to the 'Maximum Building Height' parameter plans, the proposed development is in conformity with the parameter plans approved within the Zone 1 ZMP and the SCOPP (as amended).

Design and External Appearance

10.29 Policies BN1, BN5 and BN10 of the Local Plan require new development to consider how uses integrate with, and relate to, public and private space; provide an accessible and inclusive environment; contribute positively to the streetscape; generate an active frontage; provide accessible public space; define routes and spaces; and promote legibility.

10.30 The ZMP identifies Plot M7 as the location for two landmark buildings addressing the northeast, southeast and southwest edges, with a focus towards the primary east-west pedestrian route of Chestnut Plaza and the southwest corner at the intersection with Westfield Avenue. The M7 buildings acknowledge this context through the distinctive design of the buildings.

10.31 Plot M7 consists of two part 14, part 13 storey buildings, with a double height ground floor foyer with mezzanine. The buildings are designed with their frontage to Westfield Avenue. The double height set back at ground level fronting Westfield Avenue articulates the principal entrances to both buildings.

10.32 The office levels (first floor and above) are ‘lifted’ off the ground to align with the datum of existing shop fronts to the north of the plot. The resulting ground level double height facades are set back to articulate the base to the buildings. Two half office floors above the base allow the new buildings to ‘hook’ over the existing part two, part three storey retail block.

10.33 To the north, the overall mass reduces in height away from Westfield Avenue. At level 13, the southern portion of each building is capped with a roof top garden sheltered by a double height glazed perimeter screen.
10.34 The height of the buildings at the south eastern Westfield Avenue elevation are lower than that permitted in the ‘Maximum Building Heights’ parameter plan approved by the SCOPP (now proposed to be 83.3m AOD where maximum permitted height is 110m AOD). Officers consider that the move away from the distinct 110m-70m height change from Westfield Avenue to ‘The Street’ is beneficial. The proposed height and mass of the M7 buildings on Westfield Avenue successfully mediate between John Lewis and Cherry Park, and between International Quarter London (IQL) and Westfield Stratford City. A step down within the buildings from Westfield Avenue to ‘The Street’ remains, but it is significantly reduced (7.8m rather than 40m), and happens closer to Westfield Avenue.

10.35 On Westfield Avenue, the over-sailing cantilever, expressed external columns and setback façade line, form a double height arcade space that marks the principal entrances of both buildings. The centrally positioned wintergarden space will provide the opportunity for external seating between the two buildings.

10.36 The flanking elevations onto Chestnut Plaza and Four Dials Passage continue the double height setback facades. The retail units in Building B and their associated external seating front Chestnut Plaza and present a strong active frontage to the key intersection with Westfield Avenue.

10.37 The splaying of the double height façade on the Four Dials Passage side of building A enables a widening of the public realm towards Westfield Avenue. The proposed measures to de-clutter the existing landscaping will improve the legibility and pedestrian flow along this important pedestrian route.

External appearance

10.38 The façade proposals for the southwest (Westfield Avenue) elevation of both buildings add verticality and height to identify this as the principle façade. This principal façade is conceived as a ‘supergrid’, comprising a deep profiled outer bronze anodised aluminium metal grid screen with a simple unitised inner skin of coated glazing. The ‘supergrid’ is subdivided by a module of two storey (8.4m) x two planning grid bays (3m) with an overall projection of 750mm.

10.39 QRP commended the design team for the high quality of the scheme, and found the architecture to be both imposing and elegant. The panel thought the ‘supergrid’ of the façade of the south west elevation, with the glazed treatment of intermediate floors, to be beautifully composed.

10.40 QRP recommended that further consideration should be given to the continuity between the principal façade of the south west elevation and those of the perimeter elevations. Further work was carried out on the façade treatment by the applicant prior to submission, and officers consider that the transition from the principal façade to the flank elevations has been successfully resolved. The façade treatment transforms from the ‘supergrid’ to a contrasting smooth and reflective skin of unitised glazed panels. As the Four Dials Passage and Chestnut Plaza façades extend northwards, the depth of the ‘supergrid’ profiles gradually reduce in depth as the glazed façade behind splays from its setback position behind the grid to become the glazed skin.

10.41 Although the buildings’ over sailing cantilever is compliant with the ‘Limits of Deviation’ of the Outline Planning Permission, officers would not normally encourage the over sailing of a public footway. This is due to the impact that the oversail may have on the pedestrian experience, particularly given the height of the IQL buildings on the southern side of Westfield Avenue, and the potential to create a canyon effect on Westfield Avenue in this location.
10.42 QRP made a general comment on the quality of streetscape along Westfield Avenue, as it becomes increasingly dominated by tall buildings (including IQL South), and added that any initiative to improve the public realm along Westfield Avenue and make it more attractive to pedestrians is to be welcomed.

10.43 Westfield Avenue is dominated by four lanes of traffic and would benefit from changes which would rebalance this street to favour pedestrians and cyclists, including increasing the width of the pavement and reducing clutter. LLDC has commissioned a feasibility study to look at the reconfiguration of Westfield Avenue and Montfichet Road, which would improve the public realm and pedestrian experience. It is considered appropriate that this application contributes to public realm improvements to mitigate potential impacts from the over sail to the footway on Westfield Avenue. Appropriate public realm improvements are considered to include works on Westfield Avenue or to entrances to Stratford Station or station interchange streetworks on Montfichet Road. It is proposed that, in the first instance, the contribution would go towards works on Westfield Avenue and, in the event these works do not take place, towards public access improvements to areas around Stratford Station which form part of the access route to and from the site for many employees and visitors to the site. The Heads of Terms are set out at paragraphs 10.77-10.78 below:

10.44 Given the overall high quality design of the buildings and measures to improve the pedestrian experience, including generous 8m height of the ground floor level setback; splayed ground floor flank elevation to Four Dials Passage; coupled with contributions to public realm improvements to be secured by S106 agreement, the proposals are considered to be acceptable.

10.45 Illustrative material has been submitted demonstrating an acceptable base case for the soffit treatment of the cantilever. It is recommended that the final details of the soffit treatment should be secured by proposed condition 8. This is to enable the soffit proposals to be finalised at the same time as the internal ceiling treatment in the lobby, so that it can be read as a piece.

10.46 Final external materials and samples will be submitted separately pursuant to condition B10 of the SCOPP. Enough detail of the materials and finishes has been provided at this stage to give comfort that the proposal will result in high quality buildings.

10.47 Officers are confident that the proposed building will be very high quality, and meets the test of Policy BN10. The assessment of the proposal by QRP and the commendation they have given to the design team helps to demonstrate that this development exhibits outstanding architecture, high-quality materials and finishes, and would make a positive contribution to the streetscape. The site is within the Metropolitan Town Centre, which is an appropriate location for tall buildings. The environmental impacts are covered in paragraphs 10.60 to 10.70 below, and an assessment of the impacts of the buildings in strategic views are covered in the following section.

Views

10.48 Policy BN9 seeks to protect key views in the Legacy Corporation area. A key view identified in Figure 17 of the Stadium from Westfield, down Chestnut Plaza is adjacent to the site. The proposal would not affect the view.

10.49 Policy 7.11 of the London Plan ‘London View Management Framework’ (LMVF) identifies designated views including View 9: King Henry VIII’s Mound, Richmond to St Paul’s Cathedral. The application site is outside the Wider Setting Consultation Area for the view. However, the LMVF states “Development that exceeds the threshold plane of the Wider Setting Consultation Area of the
Protected Vista in the background should preserve or enhance the viewer’s ability to recognise and appreciate the dome of the Cathedral. In determining applications, it is essential that development in the background of the view is subordinate to the Cathedral and that the clear sky background profile of the upper part of the dome remains.”

10.50 The applicant has provided an assessment prepared by AVR London of View 9 of the LVMF. The assessment demonstrates that the proposals for Plot M7 would not be visible from the Protected Vista, as they would be screened by the dense vegetation on the foreground that frames the ‘keyhole’ view. The proposals would therefore retain the clear sky background profile of the upper part of the St Paul’s Cathedral dome in the view. The proposals would satisfy the requirements of the LVMF and preserve the setting of the Grade 1 listed St Paul’. The proposed development is therefore considered acceptable in this regard.

Means of Access

10.51 Means of access was reserved at outline stage. Pedestrian access to the two buildings is principally from Westfield Avenue (an entrance to each building, plus an entrance directly to the Winter Gardens). There are also separate entrances on Chestnut Plaza and Four Dials Passage to provide access to cycle storage. Access to the restaurants is from Chestnut Plaza. Vehicular access to the basement is achieved from the existing Service entrance on Westfield Avenue, adjacent to John Lewis. These details are considered to be acceptable.

The key pedestrian routes to the buildings from Stratford Regional Station are via ‘The Street’, or via Montfichet Road to Westfield Avenue. It is considered that access to the site would benefit from public access improvement works to either Westfield Avenue or the station.

Landscaping

10.52 The proposed M7 offices will interface with 3 different streetscapes: Chestnut Plaza, Four Dials Passage and Westfield Avenue. No landscaping changes are proposed for Chestnut Plaza.

10.53 Currently Four Dials Passage is cluttered with street furniture and planters. It is considered appropriate that this application includes improvements to Four Dials Passage. A de-cluttering plan has been provided, identifying elements to be removed such as planters and bike racks, and confirming that new bike racks will be installed to replace the existing, this is welcomed. Condition 5 is recommended to secure final details of the de-cluttering and any new wayfinding and landscape elements.

10.54 LLDC have commissioned a Westfield Avenue Study to reconfigure Westfield Avenue. A contribution towards the public realm works to Westfield Avenue in the vicinity of the application site will be secured by a S106 Legal Agreement. See paragraphs 10.77-10.78 for details of the Heads of Terms. To ensure that a suitable landscaping response to Westfield Avenue is provided upon occupation of the building should the public realm improvement be delayed, condition 7 is recommended.

10.55 The M7 offices have been designed with the provision of roof top gardens. Areas of planting and paving will be provided with a pavilion and pergola structure offering shade, and making the space usable all year round. Planting, such as clusters of birch trees, flowering groundcovers, and grass will be provided. A large, open area occupies the central position which offers flexibility in spatial programming. A double height glazed screen will wrap the perimeter of the roof. Informal seating will be provided.
10.56 Temporary landscaping is proposed in the location of Building B, creating a flexible space which can facilitate a variety of functions. A timber terrace with informal seating is provided, with lawned areas, gravel surface and trees.

10.57 The landscaping is considered to be appropriate and would result in a high quality development.

Refuse Strategy

10.58 Refuse service vehicles will access the existing basement from the secure access entry off Westfield Avenue, in accordance with the Site-Wide Waste Management Strategy and the SCOPP.

10.59 A loading bay has been provided at basement level, which will be accessed via the existing retail service entry and existing basement. Refuse storage rooms are located in each building within the footprint of the south core, with access from the adjacent goods lift. Eurobins will allow for recyclable, general and food waste, and will be supplemented by compactors. LB Newham have raised no objections to the proposals, but commented about the distance from the refuse store in Building B to the truck. Condition 11 is recommended to secure details of a waste management plan.

Environmental Compliance

10.60 An Environmental Compliance Statement has been submitted to support the planning application, which provides an overview of the relevant environmental issues associated with the development and provides a compliance check against the approved SCES submitted for the SCOPP. PPDTs Environmental Consultants have reviewed the Environmental Compliance Statement, and following the submission of further information are content that the proposed development is acceptable in this regard, subject to recommended conditions to secure a Construction Environmental Management Plan (CEMP), wind mitigation methods, and biodiversity measures.

Daylighting, sunlighting and overshadowing

10.61 Condition V1 and V2 of the Outline Planning Permission require the development to be designed according to the BRE ‘Site Layout Planning for Sunlight and Daylight: A guide to good practice’, and the guidance in BS8206: Part II and the Applications Manual: Daylighting and Window Design – Lighting Guide LG10.

10.62 The Environmental Compliance Report includes a chapter on Daylight, Sunlight and Overshadowing Assessment. As the proposed development comprises open-plan offices there are not specific requirements for internal daylight or sunlight amenity. The assessment considers the potential overshadowing effects on the temporary square as well as the potential effects on daylight and sunlight to sensitive surrounding receptors. The proposed development represents a substantial reduction in massing relative to the consented parameters and illustrative scheme considered within the Stratford City Environmental Statement (SCES) and subsequent ZMP and Reserved Matters applications, and is therefore expected to reduce the obstruction of daylight to surrounding sensitive receptors including the residential developments at Cherry Park and International Quarter London blocks S7 and S8, which are some 73m and 112 m from the site respectively. The proposed development is therefore considered compliant with the conclusions and commitments of the SCES in this respect.

10.63 In terms of overshadowing, the surrounding public amenity spaces on Chestnut Plaza, Four Dials Passage and ‘The Street’. With both the consented and proposed massing, the surrounding public amenity space will receive less than recommended amounts of sunlight on the equinox, with the difference considered
to be insignificant. In both cases, Chestnut Plaza meets the minimum requirements, but both Four Dials and the northern part of The Street are substantially overshadowed. The temporary square is relatively open to the south and will be well sunlit.

**Wind Microclimate**

10.64 Whilst the proposed development represents a reduction in massing relative to the consented parameters and illustrative scheme carried out in the 2010 Environmental Statement and ZMPs, a wind microclimate assessment has been carried out. The effect on pedestrian level winds in and around the site is expected to be generally reduced. In particular, final site conditions, with IQL South completed, are generally suitable for existing and proposed activities, with only a small area at the corner of one restaurant outdoor seating considered slightly windy. This is in line with the conclusions of the SCES.

10.65 Interim conditions were not considered in detail within the approved ES, and the proposed development does have some effects on pedestrian level winds in the context of existing surrounding conditions. These effects are generally beneficial with regards to pedestrian comfort and safety to the west and southwest of the site but adverse with regards to pedestrian comfort within the shopping complex’s restaurant outdoor seating areas, particularly Jamie’s Italian. However, in line with the conclusions and commitments of the ES, it is expected that these effects can be mitigated to an acceptable level through further development of the public realm landscaping. Condition 3 is recommended to secure wind mitigation measures.

**Air quality**

10.66 A Site Wide Air Quality Strategy required by the Outline Planning Permission was approved in 2007. There are also air quality and dust conditions attached to the SCOPP.

10.67 In terms of occupation, the proposed development satisfies the GLA requirement for Air Quality Neutral and therefore does not conflict with national or local policies, or with measures set out in LBN’s Air Quality Action Plan.

**Impacts during construction**

10.68 The construction of the proposed development is likely to result in temporarily increased traffic, noise, emissions and visual impacts on the local townscape. The Site Wide Construction Method Statement (CMS) was approved on 27 November 2007. This document set out controls over the demolition and construction effects from the Stratford City development.

10.69 Officers and PPDTs Environmental Consultant have reviewed the Environmental Compliance Report, which includes an outline of the mitigation measures to be engaged during the construction phase to reduce impacts upon surrounding occupiers and users of the area. This includes employing responsibilities under the Considerate Contractors scheme, monitoring and on-going liaison with local boroughs, traffic management procedures, dust control, waste management and ecological protection. The proposals are acceptable on the basis that a Construction Environmental Management Plan (CEMP) is secured by condition to specifically describe mitigation measures to be incorporated to reduce impacts on surrounding occupiers and visitors to Westfield and QEOP (Condition 2 is recommended).
Energy and Sustainability

10.70 Energy and sustainability assessments have been submitted and assessed by officers and PPDTs Environmental Consultant. M7 will connect to the existing Stratford City Energy Centre. The development has exceeded the required sustainability and energy targets. The proposed strategy includes high insulation standards, very efficient building services, the use of district heating network for the space heating, cooling and hot water demand. Overall, the building achieves compliance with Building Regulations Part L 2013, with a reduction of 37.4% of its regulated carbon dioxide emissions over Part L 2013. The sustainability assessment confirms that the proposed buildings will be BREEAM ‘Excellent’ rating.

Transport

10.71 Local Plan Policy T4 seeks to manage development and transport impacts to promote sustainable transport choices, facilitate local connectivity and prioritise pedestrians and cyclists. Policy T8 relates to parking standards in new development and states that the London Plan Parking Standards (Policy 6.9 and 6.13) will apply.

10.72 The Transport Note submitted with the application demonstrates that the development would not result in a material increase or change in the character traffic in the vicinity of the site. The proposed quantum of Class B1 office floorspace for M7 is 2,457sqm more than was anticipated for Plot M7 in the ZMP. However, the table in the ZMP is titled as ‘indicative’ and the accompanying text states that areas can be moved between individual development blocks as required by future design development. The increase in B1 floorspace is not anticipated to generate further trips beyond those which have been accounted for in the approved Zone 1 Masterplan Transport Assessment.

10.73 The ZMP and Outline Planning Permission includes planning conditions (T2, T3) which set the maximum car parking spaces to be allocated to each land use type, including a maximum of one space per 600sqm of Class B1 floorspace. It is proposed that no parking spaces will be provided within the M7 site. An allocation of existing standard and accessible parking spaces will be made within the existing retail car parking. The applicant has confirmed that there is sufficient parking capacity within the existing basement car parking to accommodate a policy compliant number of spaces for Plot M7 (maximum of 132 spaces), and it is not considered necessary to allocate individual spaces. This approach is considered to be acceptable, and is consistent with the consented scheme for M6 and M6A.

10.74 The provision of accessible parking is required to accord with Policy 6.13 of the London Plan, which would require 14 spaces. Accessible parking will be allocated within the existing retail basement car park of Westfield Stratford City. There are 160 accessible bays in Car Park A. Routes from this parking provision to the two building entrances will be step-free and on clearly designated shared surfaces. The London Plan requires that the blue badge spaces are provided as close as feasible to the development. The spaces are in the closest car park to the development, and are 175m from lift lobby to M7 entrance. Given the constraints of the site, this approach is considered to be acceptable. There are opportunities for resting en route within Westfield and along ‘The Street’ and Four Dials Passage.
A loading bay for service vehicles is located at basement level and accessed via the existing controlled retail service entrance on Westfield Avenue, adjacent to John Lewis, which is considered to be acceptable.

Secure cycle parking will be located within each building in line with London Plan minimum standards, accessed from separate entrances on Chestnut Plaza and Four Dials Passage which can be accessed directly from the primary cycle route on Westfield Avenue. A total provision of 562 long stay and 18 short stay cycle parking spaces will be provided, including five per cent for non-standard sized bicycles, which is London Plan compliant. Changing facilities including showers, lockers and WC’s will be provided at ground and mezzanine levels. Accessible showers will be located at ground level.

This RMA is submitted in conjunction with the parameters agreed as part of the Outline Planning Permission, and the conditions and legal agreement that formed part of that consent. The proposed development is therefore subject to the planning obligations set out in that original section 106 agreement and any amendments to that agreement.

The following heads of terms for the Section 106 agreement are recommended to mitigate the effects of the development. The obligations take account of the LLDC CIL and Planning Obligations SPD (November 2016).

- Contribution to the value of £2 million for Highway Works on Westfield Avenue in the vicinity of the site, either as a financial contribution or the design and implementation of the Highway Works to the value of £2 million.
- In the event that the Wider Highway Works project does not go ahead, the £2 million funding (minus any design and approval costs incurred up to that point) shall be used by the Local Planning Authority for public access improvements to areas in and around Stratford Station.
- Design monitoring and retention of architects.

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.

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 Officers are satisfied that the application material and Officers’ assessment has taken into account these issues.

12. CONCLUSION

12.1 Overall, the proposals are in general conformity with the Outline Planning Permission, parameter plans for Zone 1 and the ZMP. The proposed non-material amendments submitted under application reference 16/00654/NMA are not considered to materially alter the Outline Planning Permission or create any new or different significant environmental effects.

12.2 The proposed Reserved Matters – siting, design, external appearance, means of access and landscaping – are considered to result in a scheme which is compliant with the parameter plans (as amended by the NMA), ZMP and planning conditions of the Outline planning Permission, and the relevant London Plan and Local Plan policies. The proposed design an appearance of the buildings is of a high architectural standard, and conditions and S106 obligations will ensure the delivery of a high quality aesthetic. The proposed office development will result in beneficial economic growth and job creation in Stratford City and the wider LLDC area. This supports the wider principles for convergence as part of the Olympic Legacy in East London.

13. CONDITIONS

1. Unless minor variations are agreed by the Local Planning Authority and to the extent that it does not deviate from this permission, the development shall be carried out in accordance with the drawing numbers:
   (to be inserted prior to the decision notice being issued)
   
   Reason: To ensure that all works are properly implemented.

2. Prior to commencement of development a Construction Environmental Management Plan (CEMP) in accordance with the requirements of the Construction Method and Management Statement (CMMS) shall be submitted to an approved in writing by the Local Planning Authority. The CEMP shall include as a minimum the following:
   - An environmental management framework outlining the management processes and procedures for complying with legal environmental requirements, including the Principal Contractor’s environmental management systems;
   - Environmental mitigation and monitoring measures to be adopted and implemented to minimise impacts from construction activities as far as reasonable practicable on a topic by topic basis, including all those outlined in the original ES;
   - Roles and responsibilities for implementation of the CEMP;
   - Environmental training to ensure all staff, subcontractors and suppliers have an appropriate awareness of environmental impacts and compliance, including inductions and toolbox talks;
- Monitoring and checking processes, including site inspections and audits; and
- Arrangements for dealing with environmental incidents and emergencies.

Reason: To protect amenity through minimising disruption and disturbance.

3. Prior to the installation of the external façade, the design of wind mitigation measures for the relevant building shall be submitted to and approved in writing by the local planning authority. The wind mitigation measures as approved shall be implemented in full accordance with the details, prior to occupation of development.

Reason: In order to ensure a high quality of design and public realm.

Secured by design

4. Prior to the commencement of the superstructure of each building hereby permitted, details of the measures to be incorporated into each building demonstrating how the principles and practices of the ‘Secured by Design’ scheme have been included shall be submitted to and approved in writing by the Local Planning Authority. Once approved in writing by the Local Planning Authority in consultation with the Metropolitan Police Designing Out Crime Officers, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of creating safer, sustainable communities.

Landscaping Four Dials Passage

5. Prior to commencement of development a de-cluttering plan for Four Dials Passage shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the removal of some existing landscape elements, including some planters, re-provision of cycle parking in line with any new (minor) landscaping features, and additional wayfinding. Such details as approved shall be implemented in full accordance with the details, prior to first occupation of the building.

Reason: In the interests of visual amenity and to ensure the free flow of pedestrian movement.

Temporary landscaping

6. Prior to practical completion of the first building hereby permitted, full details of the temporary landscaping shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be implemented in full accordance prior to first occupation of building 1 of the development.

Reason: In order to ensure a high quality of design and public realm.

Landscaping Westfield Avenue

7. Prior to practical completion of building 1, details of hard and soft landscaping for the front face of the Westfield Avenue façade and the back edge of public highway, including hostile vehicle mitigation measures, shall be submitted to and approved in writing by the Local Planning Authority. Such details as approved shall be fully implemented prior to first occupation of building 1.

Reason: To ensure a satisfactory external appearance and in the interests of public safety.
Informative: The developer is informed that whilst the S106 seeks to ensure public realm improvements to Westfield Avenue, this condition provides for the ability for the development to be implemented prior to these S106 public realm improvements being finalised, and will ensure that a satisfactory external appearance and public safety is maintained if for any reason these works do not come forward.

Soffits
8. Prior to installation on site, full details of the soffits shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.

Reason: In the interests of visual amenity.

A3 food
9. Prior to the first occupation of Building 2, full details of the grease trap or grease digester system to be installed for the commercial kitchen shall be submitted to and approved in writing by the Local Planning Authority. Details should include plan and sectional drawings with measured drain sizes and invert levels, full manufacturers specifications etc. The approved scheme is to be completed prior to occupation of building 2 and shall be permanently maintained thereafter.

Reason: To protect the amenity of future occupants, and/or neighbours.

Biodiversity
10. Prior to the practical completion of building 1 a 'biodiversity enhancements note' should be submitted to and approved in writing by the LPA. As a minimum the note should include details of design specifications, locations, species composition and maintenance for:
   - Integrated bird boxes, particularly targeting starling (as a Newham BAP target species) along with the provision of a water source (such as a bird bath) to ensure that birds (and other animals) have somewhere to drink;
   - Species-rich native planting, in particular those that support bees and butterflies (both of which are Newham BAP target species) and other invertebrates to provide a food source for Starling; and
   - Native tree lines to support the aims of the Newham BAP Public Open Space and Green Corridor Habitat Action Plan by providing linear green features to help wildlife migrate through the site.

The measures shall be implemented in full accordance with the prior to first occupation of the development.

Reason: to ensure provision for biodiversity in line with local and national policy and guidance is included within the development.

Waste management plan
11. Prior to practical completion of Building 2, a revised basement layout or waste management plan shall be submitting in writing to the Local Planning Authority demonstrating compliance with standards in relation to the trafficking of waste between the eastern bin store and the service yard.

Reason: To ensure satisfactory waste collection arrangements.
Informative:

**Full details of materials**

1. The developer is advised of their obligations under Condition B10 of planning permission 10/90641/EXTODA which requires full details (including samples) of all materials to be used on external surfaces to be provided to and approved by the Local Planning Authority, prior to their use within the site.

**Community Safety**

2. In aiming to satisfy the condition, the applicant should seek the advice of the Police Designing Out Crime Officers (DOCO's). The services of the Police DOCOs are available free of charge and can be contacted via: DOCOMailbox.NE@met.police.uk or telephone 020 8217 3813.

**Contaminated land: EA**

3. We recommend that the requirements of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are considered when assessing issues of contamination. This means that all risks to groundwater and surface waters from contamination need to be identified so that appropriate remedial action can be taken. This should be additional to the risk to human health that the Environmental Health Department will be looking at.

Any reports and Risk Assessments should be prepared in line with our ‘Groundwater protection: Principles and practice’ document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:
- No infiltration based sustainable drainage systems should be constructed on land affected by contamination as contaminants can remobilise and cause groundwater pollution.

The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:

- From [www.gov.uk](http://www.gov.uk):
  - Groundwater Protection: Principles and Practice (August 2013)
  - Our [Technical Guidance Pages](https://www.gov.uk/guidance), which includes links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency’s Guiding Principles for Land Contamination) in the ‘overarching documents’ section
  - Use [MCERTS](https://www.gov.uk/government/collections/mcerts) accredited methods for testing contaminated soils at the site

- From the [National Planning Practice Guidance](https://www.gov.uk/government/collections/national-planning-practice-guidance):
  - Land affected by contamination

- [British Standards](https://www.britishstandards.com) when investigating potentially contaminated sites and groundwater:
  - BS 10175:2011 Code of practice for investigation of potentially contaminated sites
4. In accordance with the National Planning Policy Framework and with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 the following statement explains how the LLDC as Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with this planning application:

Following submission of the planning application to LLDC, the local planning authority continued to work with the applicant in a positive and proactive manner. The planning application complies with planning policy as stated above and was determined in a timely manner.

The applicant has been kept informed of the progress of the application and has been given the opportunity to respond to and address any problems arising.

Appendices
Appendix 1 Site Location
Appendix 2 Maximum Building Heights
Appendix 3 Floorplans
Appendix 4 Elevations Visuals
Appendix 5 QRP report