Subject: Development Parcel 8.3.2 of the Legacy Communities Scheme (LCS), located within the Planning Delivery Zone 8 (PDZ8) site, at the junction of Barbers Road and Pudding Mill Lane, ref: 19/00592/FUL

Meeting date: 17 March 2020
Report to: Planning Decisions Committee
Report of: Grant McClements

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

1.1 The application site is rectangular in shape, bounded by Barbers Road to the north west, Pudding Mill Lane to the east, a UKPN substation and the LLDC Park Depot site to the south east, and a Regional Waste Recycling site to the south west and has an area of 1.6 hectares. Pudding Mill Lane Docklands Light Railway (DLR) Station is located north of the application site beyond Barbers Road.

1.2 The site is situated within Planning Delivery Zone 8 (PDZ 8) of LLDC Legacy Communities Scheme (LCS).

1.3 Full planning permission is sought for a temporary period of 5 years to erect a theatre building and supporting containers/structures providing a box office, security, backstage facilities and associated storage (Sui Generis); retail, food stalls and bars (Use Classes A1/A3/A4); a covered concourse area; and associated plant, infrastructure, cycle parking, servicing, management, hard landscaping and public realm improvements including pavement widening and resurfacing, a raised crossing, boundary treatment, planters, benches and lighting.

1.4 Interim uses are supported within the Local Plan through Policy B.3 which states that where land has been allocated for longer term development, interim uses which provide leisure uses will be supported provided that they can demonstrate they will not impact upon the deliverability of site allocations.

1.5 Advertisement consent would also be required for the signage on the main theatre building and art sculpture comprising four internally illuminated letters; which the applicant intends to submit in the future

1.6 The key matters for assessment set out in the report include the following:

- Principle of Development;
- Design Considerations:
1.7 Regional and local development planning policy and the NPPF are supportive of proposals which generate economically beneficial development. Officers consider the principle of development to be acceptable and that the scheme would comply with the NPPF, the London Plan and the LLDC Local Plan.

1.8 The proposed theatre building (including supporting structures) and ancillary retail, food stalls and bars (A1/A3/A4) are considered to make a positive contribution to the area, in accordance with policy BN.1 of the Local Plan.

1.9 Subject to conditions it is considered that any potential adverse impacts of the scheme can be mitigated. The proposal is considered to represent a sustainable form of development in compliance with relevant planning policies. Given the longer-term development plans for the site a temporary consent is considered to be appropriate.

2. RECOMMENDATIONS

2.1 The Committee is invited to:

(a) APPROVE the planning application, for the reasons given in the report and grant planning permission subject to:

The conditions set out in this report.

(b) AGREE TO DELEGATE AUTHORITY to the Director of Planning Policy and Decisions to:

1) Finalise the recommended conditions as set out in this report including such refinements, amendments, additions and/or deletions as the Director of Planning, Policy and Decisions considers reasonably necessary.

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 the planning permission be granted, subject to conditions
Location: Development Parcel 8.3.2 of the Legacy Communities Scheme (LCS), located within the Planning Delivery Zone 8 (PDZ8) site, at the junction of Barbers Road and Pudding Mill Lane.
London Borough: London Borough of Newham
Proposal: Time limited planning permission for the construction of a temporary theatre building and supporting containers/structures providing theatre, box office, security, backstage and storage (Sui Generis); retail, food stalls and bars (A1/A3/A4); a covered concourse area; and associated plant, infrastructure, cycle parking, servicing, management, hard landscaping and public realm improvements including pavement widening and resurfacing, a raised crossing, boundary treatment, planters, benches and lighting

Applicant: Aniara
Agent: Quod Ltd
Architect: Stufish Entertainment Architects

5. SITE & SURROUNDINGS

5.1 The site is rectangular in shape, bounded by Pudding Mill Lane (including Pudding Mill Lane DLR Station to the north), Marshgate Lane and Barbers Road and has an area of 1.6 hectares. The site is known as Compound A, Pudding Mill Lane which is generally flat. The site is currently vacant and occasionally used as a temporary coach park and storage on an ad hoc basis and comprises an area of asphalt with grass and self-seed plants at its boundaries. It is enclosed by 3.5 metres high metal mesh security fence. The site is located in the London Borough of Newham.

5.2 The site is situated within Planning Delivery Zone 8 (PDZ 8) of the Legacy Communities Scheme (LCS).

5.3 In the wider context, the application site is located to the west of City Mill River, approximately 120 metres north of Stratford High Street, and approximately 200 metres south of the Queen Elizabeth Olympic Park (QEOP). Surrounding land uses to the west, south and south east including a UKPN Substation, the LLDC Park Depot site and a Regional Waste Recycling site. A temporary 74-bedroom hotel (Snoozebox) comprising two-storeys of modular units is currently being constructed in the vacant site immediately east of the application site (ref: 19/00104/FUL). The nearest residential development is Legacy Wharf, a six-storey residential development, located approximately 30 metres south of the application site beyond a storage and distribution depot immediately south-west of the application site. Two further tall residential developments, George Hudson Tower and Central House, are located beyond the Bow Back Rivers approximately 100 metres to the south east of the application site. Further residential developments are located beyond George Hudson Tower and Central House which increase in height towards Stratford High Street. Further south is the A11 dual carriageway on an east west axis connecting Stratford High Street and Bow. The A12 dual carriageway lies to the west of the site providing connections to the north and south of the wider metropolitan area.

5.4 The site is not located within a Conservation Area. The nearest Conservation Area is Sugar House Lane Conservation Area to the south of Stratford High Street (approximately 150 metres south east of the application site).

5.5 In terms of transport and access, the site has a Public Transport Accessibility Level (PTAL) of 2 to 3 (where 6a is the highest accessibility). However, the PTAL increases to 4 on Marshgate Lane (adjacent to the site) and then to 6a on Stratford High Street. Pudding Mill Lane Station lies to the north of the site, which forms part of the DLR network. Numerous bus routes run along Stratford High Street which is located...
around 200m to the south of the application site, providing access to the Metropolitan Centre of Stratford to the north-east and central London to the west.

5.6 The application site is designated within the Local Plan site allocation ‘SA4.3’ (Pudding Mill) which also extends to cover the vacant land abutting the site to the east, south and west. The site is also located within the wider Sub Area 4 (Bromley-by-Bow, Pudding Mill, Sugar House Island and Mill Meads) of the Local Plan. The site is located within Flood Zone 3 in an area benefitting from flood defences.

6. RELEVANT PLANNING HISTORY

Legacy Communities Scheme

6.1 The site benefits from an historic outline planning permission granted in September 2012 (planning ref: 11/90621/OUTODA as varied by 14/00036/VAR, 17/00236/VAR and 18/00471/VAR).

6.2 In summary, the LCS comprises:

A comprehensive, phased, mixed use development within the future Queen Elizabeth Olympic Park, as set out in the Revised Development Specification & Framework (LCS-GLB-APP-DSF-002). The development comprises up to 641,817 sq. m of residential (C3) uses, including up to 4,000 sq. m of Sheltered Accommodation (C3); up to 14,500 sqm of hotel (C1) accommodation; up to 30,369 sq. m (B1a) and up to 15,770 sq. m (B1b/B1c) business and employment uses; up to 25,987 sq. m (A1-A5) shopping, food and drink and financial and professional services; up to 3,606 sq. m (D2) leisure space and up to 31,451 sqm (D1) community, health, cultural, assembly and education facilities, including two primary schools and one secondary school; new streets, open space and all other associated development – approved September 2012.

6.3 The original LCS permission was varied in August 2014 (ref: 14/00036/VAR), in May 2018 (ref: 17/00236/VAR) and also in July 2019 (ref: 18/00471/VAR).

- 14/00036/VAR: A variation to the LCS permission (under Section 73) was granted to bring forward the development of both Planning Delivery Zone (PDZ) 4 and PDZ 5;
- 17/00236/VAR: A second variation (under Section 73) was granted to remove UCL East development from the wider LCS permission.
- 18/00471/VAR: A third variation (under Section 73) was granted to remove PDZ1.1 from the LCS permission on 25 July 2019. The variation is associated with the Stratford Waterfront development.

6.4 Planning Delivery Zone (PDZ) 8, which the application site forms part of, has outline consent under the LCS for up to 18,290 sqm of residential (Class C3) floorspace, 2,345 sqm of retail (Class A1-A5) floorspace, 23,791 sqm of office (Class B1a) floorspace, 12,158 sqm light industrial (Class B1b / B1c) floorspace, 169 sqm leisure (Class D1) and 1,482 sqm community (Class D2) floorspace, in buildings of up to 39 metres AOD (approximately 11 / 12 storeys in height) in the parcels closest to the application site and up to 53 metres (AOD) (approximately 17 storeys in height) adjacent to Pudding Mill Lane Station. The approved phasing for PDZ 8 is for construction in 2022 and 2031.

6.5 PDZ 8 also forms one of the sites (comprising Rick Roberts Way and Pudding Mill) which shall deliver 50 per cent affordable housing on a portfolio basis; along with Stratford Waterfront.

7. APPLICATION PROPOSALS
7.1 The application seeks approval for 6,710 sqm GIA of theatre uses (sui generis) comprising a main theatre building at a height of 25.1 metres AOD (of up to 5,000 sqm GIA), front of house supporting containers/structures for box office, VIP, security toilets, cloakroom and storage (up to 650 sqm GIA); and a back of house area with temporary storage structures up to 4 metres high for security, performers, toilets, storage, plant etc (providing up to 1,100 sqm GIA). Approval is also sought for ancillary retail, food stalls and bars (A1/A3/A4) (up to 400 sqm GIA), a covered concourse area, a service yard with access from Barbers Road, 10 blue badge parking spaces with access from Pudding Mill Lane, 100 visitor cycle spaces along Barbers Road and Pudding Mill Lane, 14 covered and secure staff cycle parking spaces in the Back of House (BOH) area, a new raised crossing from Pudding Mill Lane DLR Station across Barbers Road, hard landscaping and public realm improvements including pavement widening and resurfacing, boundary treatment including containers, fencing and gates with signage, graphics and glazing and planters and benches.

7.2 The proposal would occupy a 1.6 ha site for a temporary period of up to five years.

7.3 The proposal would consist of a temporary main auditorium building accommodating 3,000 people (1,647 seated and 1,353 standing) with 8 shows a week, an evening show Tuesday to Friday, plus matinees on Saturday and Sunday. The structure of the main auditorium building is designed to create an internal clear span of 61 metres and allow for a 360-degree immersive experience. The main auditorium building would be located within the centre of PML Compound A, with a covered front of house concourse to the east towards the site’s entrance and opposite Pudding Mill Lane DLR Station. The site’s primary pedestrian entrance would be located at the corner of Cooks Road and Pudding Mill Lane. The ticketing office would be located adjacent to the primary entrance. A secondary pedestrian entrance would provide access to an open front of house lobby area. The vehicular entrance would be located at Cooks Road in the north-west of the site providing access to back of house areas, the service yard and 10 blue badge parking spaces; 100 short-stay cycle parking spaces and 14 long-stay cycle parking spaces for staff are proposed. A coach and taxi drop-off zone is proposed at Pudding Mill Lane.

7.4 All structures would be demountable and transportable. The main auditorium building would have a height of 25.1 metres from ground level. The main building would be hexagonal in form, with the massing informed by the geometry of the seating. The façade treatment would consist of vertical timber slats and it is proposed to incorporate signage within the slatted timber façade on the east-facing elevation. It is proposed that the front of house areas would consist of shipping containers with a canopy constructed in modular panels to complement the materiality of the main building’s façade. Portacabins/shipping containers are proposed for back of house areas.

7.5 Landscaping, public realm improvements and boundary treatment works are proposed along Barbers Road, along with a raised table crossing on Barbers Road connecting the venue to Pudding Mill Station.

7.6 The theatre would be open from Tuesday to Sunday for evening shows with matinee shows also proposed on Saturdays and Sundays. The proposed opening hours and show times are as follows:

- Evening shows from Tuesday to Sunday:
  - Site opens to the public: 18.00
  - Show time: 20.00-22.00
  - Site closed to the public: 23.00
• Matinee shows (Saturdays and Sundays):
  o Site opens to the public: 12.00
  o Show time: 14.00-16.00
  o Site closed to the public: 17.00

7.7 The applicant has confirmed that separate licencing consents would be obtained and that it would be coordinated with the wider Olympic Park Events Management Framework. The applicant has also stated that variations to the stated times may be necessary to avoid clashes with other venues within the Queen Elizabeth Olympic Park including London Stadium. It is proposed that minor changes to start and finish times could be accommodated within the permitted hours of operation but this would only be changed to avoid clashes with Stadium events. The submitted Venue Management Plan outlines the expected hours of operation and procedures for liaison with London Stadium and LLDC to manage simultaneous events and procedures for obtaining licencing permits from London Borough of Newham Licencing to formalise minor changes to event times. Officers are satisfied that the changes to event times could be reasonably accommodated within the venue’s hours of operations which is proposed to be conditioned. Furthermore, a separate condition is proposed requiring the applicant to comply with the LLDC’s Event Management Co-ordination Framework. The applicant has also stated that there may be additional matinee performances, for example of Bank Holidays. The applicant has confirmed that the site management team would ensure guests are directed away from the premises towards the two principle exits in an orderly manner in advance of closing. Conditions are proposed requiring the applicant to submit a Venue Management Plan and Crowd Management Plan which would oblige the applicant to safely marshal guests to the two main exits at closing time and towards Pudding Mill Lane LDR Station.

8. **Policies and Guidance**

   **National Planning Policy Framework (February 2019)**

8.1 The policies contained within the NPPF are material considerations in the determination of planning applications. The NPPF recommends that due weight should be given to the relevant Local Plan policies according to their degree of consistency with the NPPF. The NPPF makes clear that local planning authorities should be positive and proactive in encouraging sustainable growth and addressing barriers to investment.

8.2 The NPPF should be read in conjunction with the National Planning Practice Guidance.

8.3 The following sections of the NPPF are considered relevant to this planning application:

   Section 2: Achieving sustainable development
   Section 6: Building a strong, competitive economy
   Section 8: Promoting healthy and safe communities
   Section 9: Promoting sustainable transport
   Section 11: Making effective use of land
   Section 12: Achieving well-designed places
   Section 14: Meeting the challenge of climate change, flooding and coastal change
8.4 The adopted ‘Development Plan’ is the LLDC Local Plan 2015 – 2031 (July 2015) and the London Plan (2016).

8.5 The most relevant policies are listed below:

Intend to Publish London Plan (December 2019)

8.6 The Mayor of London published a draft new London Plan for consultation in November 2017. This, along with proposed minor suggested changes (July 2018), was subject to an Examination in Public (EiP) to the Secretary of State in 2019. Its policies have material weight in making planning decisions with that weight being greater for those policies that have not been challenged through response to consultation. The Examination Panel’s report was received on 19 October 2019 and the Mayor’s Intend to Publish version was submitted to the Secretary of State on 09 December 2019. It is expected that it will replace the current London Plan early in 2020.

8.7 The following policies are considered relevant:
Policy GG2: Making the best use of land
Policy GG5: Growing a good economy
Policy D4: Delivering good design
Policy D5: Inclusive design
Policy D11: Safety, security and resilience to emergency
Policy D12: Fire safety
Policy SI1: Improving air quality
Policy SI3: Energy infrastructure
Policy T1: Strategic approach to transport
Policy T3: Transport capacity, connectivity and safeguarding
Policy T5: Cycling
Policy T6: Car parking

LLDC Local Plan (July 2015)
Policy SD.1: Sustainable development
Policy SP.1: Building a strong and diverse economy
Policy B.2: Thriving town, neighbourhood and local centres
Policy B.3: Creating vitality through interim uses
Policy B.5: Increasing local access to jobs, skills and employment training
Policy SP.3: Integrating the built and natural environment
Policy BN.1: Responding to place
Policy BN.5: Requiring inclusive design
Policy BN.11: Reducing noise and improving air quality
Policy BN.13: Improving the quality of land
Policy T.4: Managing development and its transport impacts
Policy T.8: Parking and parking standards in new development
Policy T.9: Providing for pedestrians and cyclists
Policy SP.5: A sustainable and healthy place to live and work
Policy S.1: Health and wellbeing
Policy S.2: Energy in new development
Policy S.3: Energy infrastructure and heat networks
Policy S.4: Sustainable design and construction
Policy S.5: Water supply and waste water disposal
Policy S.6: Waste reduction
Policy S.7: Overheating and urban greening
Policy S.8: Flood risk and sustainable drainage measures
Policy SA4.3: Pudding Mill Lane

Draft Revised LLDC Local Plan (2018)

8.1. The Legacy Corporation Local Plan (adopted July 2015) is the relevant Local Plan for the Legacy Corporation area. A review of the Local Plan has been undertaken and the revised Local Plan has been submitted to the Secretary of State in accordance with Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012. The proposed changes have a material weight in making planning decisions, with the weight that can be attributed to individual changed policies being related to whether that change has been challenged through response to consultation on the Publication Draft Revised Local Plan (October 2017) undertaken in accordance with Regulation 19 of the Local Planning Regulations. Where the weight of new policies or policy changes are affected in this way, this report outlines this within the specific assessment of the proposal against that relevant policy. The revised Local Plan will only gain its full material weight and replace the current Plan once it has been adopted (expected to be early 2020) following conclusion of the Examination (which took place in September 2019). Officers consider, in this case, that there is no significant change between the relevant policies of the adopted Local Plan and the draft policies within the Revised Local Plan.

8.2. Other relevant material considerations:

- LLDC Planning Obligations SPD (2016)
- LLDC Carbon Offset SPD (2016)
- LLDC Design Quality Policy (2019)
- LLDC Inclusive Design Standards (2019)
- Mayor of London – Culture Strategy (2019)
- National Design Guide (October 2019)
- Pudding Mill Lane SPD (March 2017)

9. CONSULTATIONS

9.1 A total of four site notices were placed around the site.

9.2 The following also took place:
• Advertised in the Newham Recorder – **Advert Dated: 16 January 2020; Expiry Date: Responses due by 05 February 2020**

• 45 statutory and non-statutory consultees were consulted – **Letter Dated: 09 January 2020; Responses due by 30 January 2020**

• 493 neighbouring properties were consulted by post – **Letter Dated: 11 January 2020; Responses due by 01 February 2020**

9.3 Details of the responses received are set out in the table below:

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Response</th>
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</table>
| **LB Newham – Lead Local Flood Authority (LLFA)** | LLFA have no objection to the proposed scheme, however they requested that a condition be attached to the planning permission requiring a fully detailed surface water drainage scheme consistent with the submitted 'Drainage and Utilities Assessment Report (November 2019)' to be submitted to and approved in writing by the Local Planning Authority.  
*Officer response:* The suggested condition has been recommended should planning permission be granted. |
| **Canal & River Trust (CRT)**                   | CRT have no objection to the proposal however CRT would be pleased to see some local access and wayfinding improvements in the immediate area, to enhance connectivity for visitors to the proposed theatre. Improvements to the towpath access at City Mill/Blaker Road would help connect the existing and future communities here to this cultural facility, as well as improved connections to the Greenway. CRT note that the towpaths are not referenced in the Travel Plan or Travel Assessment which they view as a missed opportunity. CRT would support the addition of signage, around the site, to highlight the waterways and their towpaths, and their use as a convenient walking and cycling link. CRT note that the adjacent site (‘Snoozebox’) has provided some wayfinding signage on its boundary treatment that highlights the adjacent waterways, which was secured via a planning condition.  
*Officer response:* A condition is recommended requiring the applicant to provide wayfinding signage on boundary treatment that highlights adjacent waterways should planning permission be granted. |
| **Crossrail** | Crossrail did not object to the proposal however they confirmed that the application relates to land within the limits of land subject to consultation by the Crossrail Safeguarding Direction. Crossrail requested the inclusion of an informative requiring the applicant to contact the Crossrail Infrastructure Protection Manager prior to any works on Barbers Road because TfL’s asset register indicates the presence of buried power cables beneath the carriageway.  
*Officer Response: The suggested informative has been recommended should planning permission be granted.* |
| **Environment Agency (EA)** | The EA confirmed that they had no objection to the proposed development but provided flood proofing advice to the applicant and provided advice to the Local Planning Authority relating to safe access and egress and emergency response.  
*Officer Response: An informative is recommended outlining the EA advice to the applicant relating to flood proofing.* |
| **Historic England / Greater London Archaeological Advisory Service (GLAAS)** | GLAAS responded to consultation stating that no archaeological requirement was necessary. |
| **Metropolitan Police (MET Police)** | The MET Police responded to consultation stating that they welcome any use that encourages a legitimate purpose and activity to the area and do not have any objections to a time limited proposal if supported by the appropriate site management and security measures.  
The MET Police note that there is a positive mention of security considerations and general proposed measures including CCTV. The MET Police would like to request that additional CCTV coverage to a few high-risk areas be added and that appropriate security measures are implemented before use:  

*Additional coverage to include:*  
- Visitor’s cycle stands to the areas of Pudding Mill Lane and Barbers Road  
- The ticket office  
- Areas or kiosks using cash or serving alcohol  
The MET Police also requested the inclusion of a Secured by Design Condition. |
<table>
<thead>
<tr>
<th><strong>Natural England</strong></th>
<th>No comments received</th>
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<tr>
<td><strong>Sport England</strong></td>
<td>No comments received</td>
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| **Transport for London (TfL) Infrastructure** | TfL Infrastructure had no objections to the proposal in principle but noted a number of potential constraints on the redevelopment of a site situated close to TfL Infrastructure and noted that the site is close to DLR Pudding Mill Station and Crossrail high voltage cables which run along Barbers Road and requested a condition requiring the applicant to provide details of all proposed works around TfL cables and a lifting plan to TfL Infrastructure prior to the commencement of works on site.  

**Officer response:** The suggested condition has been recommended should planning permission be granted. |
| **Transport for London (TfL) Spatial Planning** | TfL responded to consultation on 12 February 2020 stating that further consideration would be required to demonstrate to the satisfaction of all stakeholders that the proposed development would operate safely by itself, and in conjunction with the London Stadium, and other events and activities within the wider area, including Westfield Stratford City and the Queen Elizabeth Olympic Park. TfL expanded to state that an appropriate mechanism to secure rigorous limits to finish times and capacities and an appropriate balance between scenarios of frequency and timing of events and their management; transport network (public transport and local highway) capacity and station capacities.  

**Trip Generation**  

TfL confirmed that they disagreed with the Planning Statement assumption that “the development would not generate significantly more trips than the approved LCS scheme and would not have a significant adverse impact on the local transport network” stating that the LCS assumes 2,117 trips while the PM peak in the proposal is assumed to be 2,820 trips. TfL further stated that it is not clear what the origins of customers would be e.g. would customers also visit Stratford for leisure and retail. |
Arrival and Departure

TfL expressed concerns that car travel would be higher than assumed due to shows having varied visitor profiles. TfL stated that they were disappointed that no assessment of highway impacts had been presented within the Transport Assessment. TfL stated that the views of London Borough of Newham Highways and other adjacent Highway Authorities should be sought.

TfL stated that the Transport Assessment (TA) assesses the ability to accommodate the proposed development’s visitors onto the DLR network only with no consideration of other stations or lines, nor the highway network. The adverse effects on other background users would need to be presented and justified, such as increased crowding levels and increased journey times.

Rail network and station impacts

TfL stated that details of station management plans to manage visitors arriving at the proposed development and leaving after events would need to be set out to provide the required inputs for the staffing model for all operators, and how the station operates in general.

TfL also stated that event coincidences with London Stadium events may require detailed work into line capacity and station staffing and management to investigate how Stadium customers and theatre customers wishing to use westbound services at Pudding Mill Lane station would not be left behind if DLR trains are full on leaving Stratford Station.

The expected directional distribution of passengers to each platform in all scenarios would need to be provided in order to fully assess impacts following concerns raised by Rail Development Control.

TfL further stated that the TA combines all rail modes together and that the modes would need to be disaggregated by mode and by direction.
TfL stated that there is no assessment within the TA of whether “management measures promoted by the DLR to manage crowd control at the station” would remain sufficient with the forthcoming demand proposed.

**Stratford Station**

TfL stated that London Underground Development Control has expressed concerns regarding the lack of assessment of the application’s interchanging flows at Stratford Station. TfL stated that there is a need for a static capacity assessment to be undertaken for this application’s additional demand on Stratford, using future demand base data. Furthermore, TfL states that given the sensitivities around Stratford in relation to events this assessment should be undertaken for both a scenario with a clashing London Stadium event and without.

The Public Transport Surface Performance (PTSP) Station Modelling team requested further analysis around the PM weekday peak both in terms of available capacity on the DLR and the impact on Stratford Station, noting that the venue is likely to add further stress to the already congested stairs from the Southern Ticket Hall and Jubilee Concourse to the upper level DLR platforms, as well as adding in smaller flow changes across the whole station.

**Surface Access and Impacts**

TfL stated that the impact of absolute numbers of all vehicular trips on highway capacity and kerb space, and how these would be managed, would need to be set out. TfL also stated that it would need to be agreed how an assessment of post-event traffic could be tested to take into account alongside the likely demand for taxi, private hire, the interaction of private vehicles and any on-street parking to ensure that the highway network and bus network can operate without adverse impact on background customers and to deliver an acceptable experience for visitors to the proposed development.
TfL stated that the applicant would need to liaise with neighbouring boroughs on covering the impacts of Controlled Parking Zones (CPZs) and Resident Parking Zones (RPZs) at event times and how the applicant would fund these changes accordingly.

TfL stated that the applicant should undertake an assessment beyond the Pedestrian Comfort Levels assessment using the Healthy Streets checklist of routes along Pudding Mill Lane and Marshgate Lane to bus stops on Stratford High Street and to assess the potential impact of any mitigation for the duration of the proposed use.

All spaces allocated for taxis should be labelled as ‘Taxi Rank’ and requirements for temporary ‘peak periods ranks’ should be discussed further.

An overarching taxi management plan should confirm a clear site line for passengers from access points onto the street and a suitable step free path at a reasonable distance. Further discussion with TfL’s Taxi and Private Hire Team would be essential prior to works being completed and traffic orders being made.

Depending on numbers for the events, the area for pre-booked Private Hire Vehicles would need to be professionally marshalled as well which should be discussed further with the highway authority or landowner and TfL’s Taxi and Private Hire Team for best practice advice.

TfL requested that coach parking should be directed to other locations such as the facility at the Multi Storey Car Park adjacent to Here East.

**Car and Cycle Parking**

The provision of 10 blue badge parking spaces is appropriate and accords with the Intend to Publish London Plan 2019. To be in line with the Intend to Publish London Plan 2019, TfL requested that all operational parking must provide infrastructure for electric or other Ultra-Low Emission vehicles; and that staff designated disabled persons parking bays and enlarged bays should be designed in accordance with the design guidance provided in
The cycle parking provision is welcomed.

**Event Management Plans and Event Management Co-ordination Framework**

The EMP will need to be worked up with a Traffic Management Plan (TMP) and Temporary Traffic Road Order (TTRO) where necessary.

A clear plan and information for all visitors to the park (relevant to those attending events and other park users including local residents) should be prepared.

**Monitoring and Review**

TfL suggested a variety of data on the transport impact of the events be included in the current application together with feedback on the arrangements be collected. This information would be useful for future event planning and mitigation and for any future applications. TfL further suggested that the scope of these surveys be agreed and secured by condition.

At a transport meeting dated 26th February 2020 TfL requested that Stratford Station ticketing data and information on crowd management (including agreement with DLR) be included in an updated Venue Management Plan and additional details on surface transport including surface impacts of taxis and coaches be submitted to TfL for review.

The updated information was submitted to TfL for review on 4th March 2020. At the time of writing TfL are reviewing the updated details.

**Officer Response:** Officers note that the applicant has provided the additional details requested by TfL. At the time of writing TfL are reviewing the updated details. Officers propose that confirmation that TfL are satisfied with the updated details be included in an update report to Planning Decisions Committee at the March Committee meeting.
Furthermore a condition is proposed requiring the applicant to submit an updated Venue Management Plan to address outstanding comments on monitoring, crowd management and bus and taxi management.

<table>
<thead>
<tr>
<th>Thames Water</th>
<th>Thames Water responded to consultation and stated that they had no objection to the proposal but requested that conditions be included requiring the applicant to submit a piling method statement for approval in writing and requesting that the applicant seek confirmation that all water network upgrades are agreed with Thames Water and agreed with the Local Planning Authority prior to occupation.</th>
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</thead>
<tbody>
<tr>
<td>Officer Response: Officers recommend that conditions are attached, should permission be granted, requiring the applicant to submit a piling method statement and confirmation of network upgrades to the Local Planning Authority for approval in writing.</td>
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| London Borough of Newham Planning | No comments received. |

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<thead>
<tr>
<th>London Borough of Newham Transportation</th>
<th>London Borough of Newham Transportation responded to consultation on 5th March 2020 stating that the proposed raised crossing should be relocated closer to the venue’s entrance and stated that the applicant should cover any costs to Newham of highway works.</th>
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<tbody>
<tr>
<td>Newham Transportation reiterated TfL’s requests for additional information on arrangements for managing car, coach and taxi trips and ensuring that the proposal does not result in unacceptable impacts to local highway networks.</td>
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<tr>
<td>Officer response: Officers are satisfied that changes requested to the raised crossing and other highway costs can be covered by a condition requiring the applicant to enter into a S278 Highways Agreement with the local highways authority.</td>
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<td>Officer response: Officers note that the applicant has provided the additional details requested by Newham Transportation. At the time of writing TfL in conjunction with Newham Transportation are reviewing the updated details. Officers propose that confirmation that Newham Transportation are satisfied with the updated details be included in an</td>
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| PPDT’s Environmental Consultants (Arup) | Arup undertook two rounds of review of the information submitted and confirmed that the details were acceptable subject to minor clarifications relating to:  
- air quality calculations;  
- the waste store layout plan;  
- clarifications on water leak containment, the location of attenuation and whether existing channels would be abandoned/redirected from the proposed building; and  
- a request that the fire strategy is updated to include a fire engineering justification for non-compliances.  
Arup have recommended a series of conditions have been included within the officer recommendation.  
An update report will be provided to members at the Planning Decisions Committee meeting, outlining how each of the above clarifications have been addressed. The updated clarifications have been provided and are currently being reviewed by Arup. |
| PPDT’s Transport Consultants (Jacobs) | Jacobs undertook two rounds of review of the information submitted and sought clarification / further information with respect to the Planning Statement, Transport Assessment, Travel Plan and Delivery and Servicing Management Plan. Jacobs concluded that they were largely satisfied with the applicant’s assessments, but sought additional information on crowd modelling for Pudding Mill Lane and Stratford Stations, and asked that both the submitted Venue Management Plan and Venue Management Plan condition be updated to ensure that maximum potential impacts are assessed and mitigated.  
Jacobs’ outstanding clarifications relate to confirmation that TfL and Newham Transportation are satisfied following their review of the updated details.  
Officers note that the applicant has provided the additional details requested by TfL and Newham Transportation. At the time of writing TfL and Newham Transportation are reviewing the updated details. Officers propose that confirmation that TfL are satisfied with the updated details be included in an update report to Planning Decisions Committee |
PPDT’s Heritage Consultants (MOLA)  

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<td>Officers sought heritage advice from PPDT’s heritage consultants (MOLA) at pre-application stage. MOLA confirmed that the scheme would not have to be assessed with reference to heritage as it is too far distanced from the closest heritage assets and is separated by intervening built and landscape form.</td>
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Quality Review Panel (QRP)  

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<td>The proposals were presented to QRP on 07 November 2019. The QRP expressed support for the proposal for an interim theatre at the site and concluded that while the massing of the building was appropriate, it recommended continuing attention to how the venue would sit within its context and contribute positively to the public realm. The Panel urged reconsideration of the location of Blue Badge parking and stated that further thought was required on the relationship of the building to the site and treatment of the site boundary. The Panel recommended a less defensive, more open and generous boundary to both Barbers Road and Pudding Mill Lane. The Panel encouraged the inclusion of planting wherever possible and the incorporation of artwork to enhance and humanise the environment. QRP’s detailed comments and how the applicant has addressed each comment is summarised below.</td>
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**Applicant and Officer Response**

the applicant has responded to each of QRP’s comments in their submission:

- QRP reminded the applicant that proposals for the wider Pudding Mill Lane area are currently being developed and the Panel suggested that opportunities for retained public realm improvements might be explored.

  **Applicant response**: the terms of the lease between LLDC and the applicant require the site to be reinstated at the end of the lease as the Masterplan is still being developed.

  **Officer response**: Officers conclude that limiting the planting to planters (as proposed as part of the site’s landscape) is acceptable given the temporary nature of the site.

- QRP stated that continued consultation between the applicant and the Local Planning Authority on the management of vehicular traffic around...
the site should continue, for example: traffic to and from the adjacent waste management facility; construction on other Pudding Mill Lane sites; and the eventual traffic calming / pedestrianisation of Pudding Mill Lane.

**Applicant response:** Management of vehicular traffic affecting the site has been assessed in the accompanying Transport Assessment.

**Officer response:** Officers conclude that transport matters are covered more substantively in the submitted Transport Assessment and Travel Plan.

- QRP stated that the height and massing of the proposal is appropriate and acceptable but stated that care is needed to ensure that the public realm and landscape design strategy harmonises the main theatre building with its context. In particular, further consideration was requested on the perception of the main arrival point at Barbers Road. A more open approach to the arrangement of containers, including glazing and outward opening containers would be welcomed.

**Applicant response:** the applicant amended the design including stepping back the retail shipping containers from Pudding Mill Lane and integrating triangular planters, seating and cycle stands in the enlarged area of public realm. Glazing from the containers would open out into the street-facing public realm. While the containers would not open onto the street immediately, in light of current low footfall and demand, the applicant stated that the design allows for this to happen should conditions change. The area of public realm is also widened at the entrance which was achieved by indenting the boundary inwards towards the concourse.

**Officer response:** Officers conclude that public realm improvements have been made following QRP review which largely reflect the Panel’s recommendations.

- The blue badge parking spaces were originally accessed via the Back of House (BOH) vehicular entrance and the Panel suggested the blue badge parking could be accommodated where the VIP containers were located.

**Applicant response:** the applicant responded by relocating the blue badge parking area to an area adjacent to the main entrance accessed from Pudding Mill Lane.
**Officer response:** Officers welcome the relocated blue badge parking which Officers consider would improve the visitor experience for Blue Badge users.

- QRP stated that the constraints of the site pose a number of challenges including restricted opportunities for planting. QRP however stated that additional planting, including tree planting, should be considered wherever possible.

**Applicant response:** the applicant stated that the interim nature of the project and terms of the lease mean that the site has to be reinstated at the end of the project.

**Officers response:** Officers conclude that this is acceptable given the terms of the site lease.

- QRP stated that in the absence of planting opportunities to incorporate public art onto e.g. the containers and paving should be considered to enliven the public realm. QRP also stated that the transition between surfaces – within and outside the site boundary – are important.

**Applicant response:** the applicant stated artwork would be incorporated onto the surface of the containers while the signage sculpture at the edge of the public realm would be internally illuminated to draw attention from visitors and the graphics on the new raised crossing would create visual interest for visitors. The applicant stated that the transition between surfaces would be carefully considered at the next stages of the design.

**Officer response:** Officers are satisfied that visual interest is created through opportunities for graphic enhancements on the temporary structures, through the internally illuminated logo sculpture and designs on the raised crossing. Officers propose to condition details of each should permission be granted. Details of the transition between surfaces is also proposed to be conditioned.

- QRP stated that investment in high quality materials should be made at an early stage, given that the venue would be dismantled and re-used at future locations. The Panel also requested that more images be submitted to highlight the joyous quality of the design, including the intriguing concept that the main building has ‘landed’ at the site.

**Applicant response:** the applicant re-iterated their commitment to produce a high-quality design that would be durable and stated that the
DAS had been updated to reflect the design intent, including highlighting the joyous nature of the venue.

**Officer response:** the DAS has been updated to reflect the design intent while the quality of materials is secured via a condition requiring the applicant to submit samples of proposed materials prior to the construction of above ground works.

- QRP stated that the design of the canopy should be refined to work towards a more dynamic, potentially undulating profile externally and trees could be introduced to break up the monotony of the horizontal structure. QRP also stated that it would be beneficial for the applicant to submit visualisations of the interior of the main theatre building.

**Applicant response:** the applicant stated that the materiality of the canopy would be further developed through a proposed material details condition. The applicant further stated that the planting of trees would not be possible as the canopy had to provide a waterproof environment within the concourse and that it would not be possible to show an internal view of the show due to the confidential nature of the show.

**Officer response:** Officers are satisfied that the materiality of the canopy could be secured through a material details condition, should planning permission be granted.

### Members PDC Briefing

At PDC Members Briefing, Members provided the following comments on the proposed development:

- Members questioned the design references in the proposal e.g. timber batten secondary cladding, noting the applicant’s aspiration to create a unique and intriguing venue that appeared to have landed in the Pudding Mill Lane area. Members further commented that the design intent could be built upon, perhaps by giving greater prominence to the primary acoustic cladding.

**Applicant response:** The applicant stated that in their view the demountable, flat-packed nature of the proposal, referencing ‘Ikea furniture’, made timber an appropriate cladding material. The applicant also stated that the hexagonal shape was appropriate, being both unusual and following the form of the auditorium’s seating arrangement.
**Officer response:** the materiality of the main theatre building, concourse canopy and shipping containers will be discussed later in the report.

- Members questioned whether the calculated average sound levels would remain at an acceptable level

  **Applicant response:** The applicant stated that show volumes would be set at a pre-recorded, controlled level and that the primary layer of cladding was designed to absorb noise

- Members welcomed engagement with the local community and encouraged the applicant to continue engaging the local community

- Members questioned whether the number of shows would increase e.g. at Christmas time.

  **Applicant response:** The applicant stated that there may be additional performances e.g. on Bank Holidays but still was yet to be finalised and it is proposed that additional performances would be subject to licencing.

- Members questioned the locations of CCTV and how the site would be secured

  **Applicant response:** The applicant stated that the site would be subject to security surveillance 24-hours a day, 7 days a week and the details of site security would be set out within a Venue Management Plan

- Members questioned how the venue would operate alongside heavy traffic on Marshgate Lane associated with development sites further south

  **Applicant response:** The applicant and the landowner (LLDC) are engaged in conversations with Newham Highways regarding potentially temporarily changing Marshgate Lane to a one-way street and limiting HGV movements

- Members stated that the modal share of projected visitor arrivals and departures from the venue should be carefully considered
including factoring in temporary closures to Pudding Mill Lane DLR Station

- Members requested that drainage and flooding be assessed
- Members questioned the public realm experience on the paved areas outside of the venue. Members stated that careful attention be given to capacity and the quality of the public realm given the large numbers of people accessing and egressing from the site in small time frames associated with the proposed use

**Officer response:** Officers consider the enlarged public realm and redesigned boundary treatment has mitigated concerns relating to overcrowding outside of the venue

- Members stated that attention should be given to the future Pudding Mill Lane Masterplan to ensure alignment with the area’s longer-term vision where possible.

**Officer response:** Officers propose to limit the proposed use’s permitted time to 31st March 2025 (including site re-instatement) to align with the terms of LLDC’s lease and allow future development to come forward from 2025 as envisaged for delivery of the PDZ 8 Masterplan.

The following consultees were also notified of the application however no responses have been received: LB Newham (Environmental Health); Docklands Light Railway (DLR); East End Waterways; Engie; Lea Rivers Trust; London Fire Brigade; London Ambulance; Lee Valley Regional Park Authority (LVRPA); National Grid; Network Rail and UK Power Network (UKPN).

### 10. ASSESSMENT OF PLANNING ISSUES

#### 10.1 The main issues in respect of the proposal seeking planning permission are:

- Principle of Development;
- Design and Appearance;
- Transport;
- Environmental Considerations

### PRINCIPLE OF DEVELOPMENT
10.2 The application site is located within site allocation SA4.3 of the LLDC Local Plan, within Sub Area 4 – Bromley-by-Bow, Pudding Mill, Sugar House Lane and Mill Meads. The site benefits from planning permission under the Legacy Communities Scheme (LCS). The application site forms part of Planning Delivery Zone (PDZ) 8 of the LCS and has outline consent for up to:

- 118,290 sqm of residential development (Class C3);
- 2,345 sqm of retail (Class A1-A5) floorspace;
- 23,791 sqm of office (Class B1a) floorspace;
- 12,158m² light industrial (Class B1b / B1c) floorspace;
- 1,482m² community (Class D1) floorspace; and
- 169m² leisure (Class D2).

10.3 Policy B.3 of the Local Plan supports temporary interim uses; however, requires proposals to demonstrate the following:

- *The interim uses will not impact upon the deliverability of the site allocations within the Local Plan or extant permanent planning permission; and*
- *The uses will have no unacceptable adverse impacts on the amenity or function of the existing permanent business or residential community.*

10.4 The approved phasing for PDZ 8 is for construction between 2022 and 2031.

10.5 The Legacy Communities Scheme envisaged the interim use of sites prior to long term residential and commercial development coming forwards through the use of conditions LCS0.247 and LCS0.251 (approved under planning ref 13/00087/AOD) attached to the outline permission. These conditions set out the requirements for interim uses in the following documents:

- Interim Uses Protocol;
- Events Management Coordination Framework;
- Interim Uses Statement Update.

10.6 The Interim Uses Protocol sets out the process for the consideration of environmental Impacts of all interim uses and events proposed within the LCS site. The Interim Uses Protocol is the principal measure to ensure that where interim uses and events are brought forward, which were not subject to EIA at LCS, they are mitigated and require a suitable degree of environmental information to be submitted.

10.7 Officers and their environmental advisors are satisfied that the application has been developed in accordance with the Interim Uses Protocol and it is not considered that any of the environmental thresholds set out within the protocol are triggered either individually or cumulatively. Evidence of this is provided in an updated Interim Use Tracker which has been submitted in support of the application.

10.8 The proposed interim use is not considered to impact upon the deliverability of the site allocation as the land would be leased by LLDC to the applicant on a short-term basis, which would expire on 31st December 2024.

10.9 Officers are satisfied that the proposal would not impact upon the site’s deliverability as envisaged by the LCS. A condition is to be included limiting the proposed use to 31st March 2025.
10.10 In accordance with the requirements of Policy B.3 of the Local Plan, the proposal is not considered to have any unacceptable adverse impacts on the amenity or function of the existing permanent business or residential community. This is assessed in more detail later in the report.

Arts, Culture and Leisure

10.11 The proposals are supported by London Plan policies 4.6 and 2.4 which seek the enhancement of arts, culture and entertainment in London through the temporary use of sites. Furthermore, Officers consider that the proposal supports the Mayor’s Cultural Strategy (December 2018) and complements the existing arts, leisure and culture offering within the Queen Elizabeth Olympic Park including East Bank.

Employment and Retail

10.12 The site is expected to generate 100 full-time equivalent jobs in total with specific roles including:

- Retail staff;
- Venue management;
- Maintenance;
- Technical show running positions;
- Cast/artist liaison positions;
- Security;
- Stewards; and
- Ushers

10.13 The applicant has stated that they will seek to advertise jobs locally and would work with local stakeholders in accordance with the submitted Venue Event Management Plan. A condition is proposed requiring a further Venue Management Plan to be submitted for approval prior to occupation which outlines crowd management measures to be agreed with DLR, community liaison, noise complaint procedures, procedures for extending licencing with London Borough of Newham and a strategy for coaches and taxis.

10.14 The proposal would provide up to 400 sqm of retail, food stalls and bars (A1/A3/A4) within the Front of House concourse area. The food and beverage offer would be available to customers and would open 30 minutes before the main theatre building opens and remain open for one hour after the end of each show. The applicant has stated that they will seek to market the food and beverage units to local businesses.

10.15 LLDC Local Plan policy B.2 encourages retail uses to be focused within town centres. The application site is not located within a town centre. Given that the retail uses are ancillary to the main theatre use, and given the interim nature of the proposal, the location of retail uses at this location is concluded to be acceptable.

10.16 Officers welcome the applicant’s commitments to work with local stakeholders and are satisfied that the proposals accord with Local Plan Policies SP.1, B.3 and B.5.

DESIGN AND APPEARANCE
Strategic Policy SP.3 of the Local Plan relates to how development should integrate with the natural, built and historic environment. It states that LLDC will create a high-quality built and natural environment, by ensuring development contributes to place making, enhances its surroundings, maintains and promotes local distinctiveness, supports delivery of the priorities for various sub-areas and respects LLDC’s Design Quality Policy.

Scale, Massing and Materials

10.18 By way of its height, scale and overall form, at 25.1 metres the proposed development would be generally taller than surrounding development, including Snoozebox Hotel to the east, Pudding Mill Lane DLR Station to the north east and the Regional Waste Recycling site to the west. Officers however note that immediately surrounding plots are either vacant or currently being utilised as interim uses prior to the longer-term redevelopment of Pudding Mill Lane under the LCS.

10.19 In relation to policy BN.10 the Local Plan states that development in Bromley-by-Bow, Pudding Mill Lane, Sugar House Lane and Mill Meads (sub area 4) is generally expected to have a maximum height of 21 metres within Pudding Mill. Buildings above this height may be acceptable if they meet the criteria set out in Policy BN.10. The proposed maximum height of the main theatre building would be 25.1 metres in height and is therefore subject to the BN.10 assessment, which is set out below.

10.20 Tall buildings will be considered acceptable where they:

Criterion 1 – Exhibit outstanding architecture and high-quality materials, finishes and details:

10.21 The proposal was presented to QRP at pre-application stage with the height, materials, finishes and details being endorsed by the QRP Panel. While the Panel acknowledged that the height appeared to exceed that of nearby existing structures, it was concluded to be acceptable.

10.22 In terms of height and massing, the building’s context is currently dominated by areas of hardstanding with a UKPN Substation, the LLDC Park Depot site and a Regional Waste Recycling site adjoining the site to the west and south. Officers note that a temporary 74-room hotel is currently being constructed in the plot to the site’s immediate east beyond Marshgate Lane (ref: 19/00104/FUL). Taller residential blocks are situated further west adjacent to Cook’s Road (Legacy Wharf) and to the south beyond Pudding Mill River (Central House).

10.23 Officers consider the general heights and massing of the development to be well considered and not excessive; the hexagonal shape of the main theatre building follows the geometry of the internal seating arrangement. Given the current site condition, i.e. the limited number of low-profile buildings, there would inevitably be a noticeable effect from the development of the site. Nevertheless, Officers are satisfied that the proposals are not harmful to commercial, residential or visual amenity given that the site is located approximately 60 metres from the nearest residential development.

10.24 The material palette set out in the submitted Design and Access Statement is considered to be of high quality.

Main theatre building
10.25 The building envelope would comprise of acoustic / thermal roof cladding, acoustic / thermal internal wall cladding and an external wall rainscreen. The acoustic / thermal internal wall cladding components would be constructed in steel with the roof component forming a dome. The external façade of secondary cladding would be constructed around the steel perimeter steel acoustic / thermal cladding and would be clad with a porous screen of vertically arranged timber battens.

10.26 The QRP review states that “the panel considers that the height of the main theatre building, which does not appear to exceed that of nearby existing structures, is appropriate and acceptable” and that “given that the structure is to be re-used – with a lifespan expected to extend well beyond its three years at Pudding Mill – the panel urges that investment in quality be made now. The design of the building, including its materiality, must result in a structure that is not only beautiful but also durable”.

10.27 Officers consider the proposed timber battens to be of high-quality. Given the temporary nature of the proposal Officers welcome that the main theatre building and ancillary FOH and BOH structures are demountable and can be moved to future locations at the end of the theatre’s life at Pudding Mill.

Front of House (FOH)

10.28 The main entrance on Barbers Road would provide access to a covered FOH canopy that would be constructed in modular hexagonal elements (maximum height of 5.1 metres) each consisting of six solid panels alternating between tensile fabric / PVC and plywood panels and transparent panels constructed in etfe and polycarbonate with a total length of 8.4 metres. The modular panels would each be supported by reinforced glulam columns. The canopy is designed as a modular system, allowing emergency access to the underground UKPN high voltage cables that run across the FOH area of the site.

10.29 The QRP review states: “The wide expanse of flat canopy roof will be highly visible and requires refinement to its design. There is scope, with the repetitive modular tree like forms proposed, for a refined structural expression internally, and for a more dynamic, potentially undulating, profile externally. The choice of external material will be important and could be part of the environmental strategy” and “the panel urges that the intention to use timber for both the theatre building cladding and the canopy structure be fully followed through, without compromise”.

10.30 Officers consider the materiality of the canopy elements to be appropriate, with the plywood and glulam reflecting the timber of the main theatre building cladding. Officers welcome the modular design of the canopy, and the intention to reuse the canopy elements at different sites in the future.

10.31 Converted shipping containers are proposed to accommodate the FOH food and beverage functions along with associated WCs, retail, VIP lounge and cloakroom functions (maximum height of 5.1 metres). The containers would form the boundary for the north and east elevations of the site.

10.32 The QRP review states: “A principal concern relates to the treatment of the site boundary. Further consideration is needed of how the main arrival point on Barbers Road will be perceived. The arrangement of containers (for retail / food and beverage / box office / storage) along this boundary currently appears defensive. A more open approach, possibly with increased glazing to offer glimpses into the covered concourse, would be preferable. The panel recommends exploring the option of retail and food and beverage containers opening outwards, as well as inwards”.

Page 28 of 57
10.33 The applicant has responded to QRP comments on the boundary treatment by introducing glazing on the containers offering views into the FOH area from the street. The applicant has also stated that while the food and beverage shipping containers would be inward facing towards the venue only at opening, the inclusion of glazing could potentially activate the street frontages on Barbers Road and Pudding Mill Lane, allowing passers-by without tickets to the venue’s events to order from the food and beverage offer from street-facing windows on the containers, resulting in an activation of the boundaries at Pudding Mill Lane and Barbers Road. It is intended that the applicant would monitor footfall and potentially open the food and beverage offer to passers-by without the requirement to access the venue.

Back of House (BOH)

10.34 The BOH structures would be situated to the rear of the main theatre building to accommodate production offices, performer changing facilities and staff welfare facilities. The BOH functions would be housed within standalone portacabins, modular temporary buildings, converted shipping containers and marquee structures. Packaged plant solutions for the main theatre building’s heating, ventilation and air conditioning (HVAC) systems would be sited in this area to minimise their visibility from outside of the site.

10.35 Officers consider the design of the BOH areas to be appropriate given their function and temporary nature.

Criterion 2 – Respect the scale and grain of their context:

10.36 The immediate context is defined by fenced areas of hardstanding and storage sites, Pudding Mill Lane DLR Station to the north-east, Snoozebox Hotel to the east and taller residential buildings including Legacy Wharf and the taller towers towards Stratford High Street. Given the predominance of areas of hardstanding in the immediate vicinity, future plans for redevelopment under the emerging Pudding Mill Lane Masterplan and the temporary nature of the proposal, Officers conclude that the proposal is acceptable within its context.

Criterion 3 – Relate well to street widths and make a positive contribution to the streetscape:

10.37 To some extent this is covered in criterion 2. Officers consider the proposal’s relation to street widths and its contribution to the surrounding streetscape to be acceptable given the temporary nature of the proposal, and given the longer-term plans for redevelopment in the area under the emerging Pudding Mill Lane Masterplan. Officers consider that the proposal respects the surrounding street pattern, occupying a definitive block within the Pudding Mill Lane area. Given the mix of building heights in the surrounding area the proposal’s height is considered to be appropriate. For example, the closest residential development (Legacy Wharf) to the site’s south west has a maximum height of 30 metres AOD.

Criterion 4 – Generate an active street frontage:

10.38 The QRP review stated that “a principal concern relates to the treatment of the site boundary. Further consideration is needed of how the main arrival point on Barbers Road will be perceived. The arrangement of containers (for retail / food and beverage / box office / storage) along this boundary currently appears defensive. A more open approach, possibly with increased glazing to offer glimpses into the covered
The panel recommends exploring the option of retail and food and beverage containers opening outwards, as well as inwards.

10.39 In response to QRP comments the applicant re-designed the boundary at the shipping containers to introduce glazing, offering glimpses into the main concourse area. The applicant has stated that the food and retail containers would not open outwards towards the street due to the limited hours of operation for the proposal but the applicant stated that this could be explored after the venue becomes operational. Following QRP comments recommending improvements to the public realm outside of the venue’s entrance, benches have been introduced within the planters outside of the venue which Officers consider further activates the street frontage.

10.40 Officers are satisfied that the proposal contributes to activating the street frontage at this location.

Criterion 5 – Provide accessible public space:

10.41 While the majority of the proposal would be accessible to ticket holders only, the proposal would introduce a new area of landscaped public realm on the corner of Barbers Road and Pudding Mill Lane.

10.42 The QRP review stated that “the theatre has a capacity of up to 3,000 people. Pedestrian footpaths along Barbers Road and Pudding Mill Lane will need to be widened to accommodate these numbers” and “the panel suggests that incorporating timber benches into the triangular spaces formed by the containers by the main pedestrian entrance (currently shown as planters) could enliven that area of the public realm”.

10.43 Ten triangular areas of planting would be introduced along Barbers Road and Pudding Mill Lane. In response to QRP comments the pavement on Pudding Mill Lane is proposed to be widened, and standalone seating and seating incorporated into the planters has been introduced in areas of public realm outside the venue’s entrance. The public space has been considered by LLDC’s Inclusive Design Officer who concluded that the proposed areas of public space are accessible to all users. Officers are satisfied that the provision of accessible public space is appropriate, given the proposal’s temporary nature.

Criterion 6 – Incorporate sufficient communal space:

10.44 While the FOH areas would be accessible to ticketholders only, Officers conclude that the FOH would be accessible and provide ample space for congregation before and after shows.

Criterion 7 – Contribute to defining public routes and spaces:

10.45 While FOH areas would be accessible to ticketholders only, Officers are satisfied that the areas of public realm are well defined particularly on arrival from Pudding Mill Lane Station. In addition, the FOH concourse area is well defined with a clearly defined route towards the entrance of the main theatre building. Officers also welcome the relocation of the blue badge parking spaces to an entrance on Pudding Mill Lane, which Officers consider would considerably enhance the arrival experience for visitors using the blue badge parking spaces.
10.46 A Wayfinding Strategy is proposed to be conditioned to enable greater orientation within the venue and within the Pudding Mill area.

10.47 Officers are satisfied that improvements to the connectivity and permeability of the locality could be secured through an appropriately worded condition requiring the applicant to submit details of wayfinding for approval. CRT have requested that directions to nearby waterways be incorporated into any wayfinding which Officers propose to include within the proposed condition.

Criterion 9 – Create or enhance existing views and sightlines

10.48 The existing locality is predominantly low rise with the temporary Snoozebox Hotel situated to the east of the site beyond Pudding Mill Lane and Pudding Mill Lane DLR Station situated north-east of the site.

10.49 Officers conclude that the proposal would positively contribute to existing views and sightlines by providing legibility in an immediate area currently characterised by areas of hardstanding and low-rise buildings including the temporary Snoozebox Hotel.

Criterion 10 – Preserve or enhance heritage assets and the views to/from these, and contribute positively to the setting of heritage assets, including conservation areas:

10.50 The site lies approximately 150 metres north-west of Sugar House Lane Conservation Area. The site is visually separated from the Conservation Area by a number of tall residential building to the north of Stratford High Street. There are no heritage assets, including listed buildings, located in the immediate vicinity of the application site.

10.51 Officers sought heritage advice from PPDT’s heritage consultants (MOLA) who confirmed that the scheme would not have to be assessed with reference to heritage as it is too far distanced from the closest heritage assets and is separated by intervening built and landscape form.

10.52 Officers conclude that the proposal would have no impacts on the closest heritage assets, located 150 metres to the south-east of the site.

Criterion 11 – Micro-climatic conditions (specifically down-drafts and lateral winds over public spaces)

10.53 Officers conclude that the proposal’s hexagonal design and covered canopy within the F&B area serve to mitigate any potential wind micro-climatic impacts. Officers are satisfied that any changes to microclimatic conditions arising from the proposal would be minimal.

Criterion 12 – Impacts to the surrounding area (including open spaces and other buildings and waterways) that relate to: overlooking; daylight; overshadowing; light spill/reflection; and wider amenity

10.54 Officers consider that the proposal’s potential impacts upon the surrounding area are acceptable. The proposal is concluded to not have any overlooking, daylight or overshadowing impacts on the surrounding area given that the main theatre building
is located towards the centre of the site with no immediately adjoining buildings. The adjoining regional waste recycling facility and power station are also set back from the site boundaries. Officers conclude that there are no concerns relating to lightspill from the proposal. The impacts of lighting from the development proposal are considered later in the report.

**Landscape and Public Realm**

10.55 Street furniture and public realm are proposed along the northern and eastern edges of the site at Barbers Road and Pudding Mill Lane. The pavements would be widened and resurfaced to allow for universal access to the main entrance and planters, seating and hard landscaping would be introduced.

10.56 Raised planters and benches would be located adjacent to the site entrance while raised rectangular planters would utilise the irregular form created by the FOH shipping containers as part of the north-east boundary of the FOH concourse area. Seating is also proposed to be incorporated into the rectangular raised planters.

10.57 At QRP review, the panel recommended that the public realm respond to the anticipated flow of people. The widening of pavements and inclusion of additional street furniture is supported by Officers. Officers welcome the design measures to secure the extended area of external public realm with bollards, street furniture, planters and a logo based sculpture. The applicant shall be reminded by an informative that advertisement consent should be sought for the logo based sculpture should planning consent be granted.

10.58 A new raised crossing at Barbers Road would link the venue with Pudding Mill Lane DLR Station, enabling level access from the station entrance to the area of widened public realm. The applicant proposes to apply a painted graphic finish to the new crossing, thereby allowing the crossing to also function as public art.

10.59 Officers have reviewed the public realm element and are satisfied with the proposals. Details of the planters, street furniture, bollards and logo sculpture shall be conditioned, should planning permission be granted.

10.60 **Boundary Treatment:** The existing site is surrounded by a 3.5-metre-high metal mesh security fence on all sides. Existing fences are to be retained along the site’s southern and western perimeters and along the northern perimeter adjacent to the BOH area. New security fencing is proposed along the site’s northern perimeter adjacent to the main theatre building and at the site’s eastern perimeter adjacent to the blue badge parking. The perimeter of the FOH area would be secured by the shipping containers including areas of glazing on elevations of some of the containers. Three new manually operated gates would be installed providing primary access to the FOH concourse, access to the blue badge parking area and access to the BOH area.

10.61 At QRP review, the panel stated that it would welcome the inclusion of public artwork, for example on the exterior of FOH containers, as a means of animating and enlivening the public realm.

10.62 A condition is proposed to secure details of the boundary treatment, including proposed artwork to be applied to the new fencing and shipping containers.
10.63 **Lighting:** All external lighting would be designed in accordance with BS 5489, Secured by Design and to meet the requirements of Institute of Lighting Professionals (ILP) guidance on the reduction of obtrusive light.

10.64 Surface mounted LED floodlights are proposed at the FOH area and LED, column mounted LED floodlights at the cycle parking area, fence, surface and washlight LEDs at the site’s boundary and column mounted asymmetric uplights under the modular canopy components.

10.65 Officers are generally satisfied with the proposed lighting. A condition is proposed to secure details of the proposed lighting.

**Accessibility and Inclusive Design**

10.66 Policy BN.5 of the Local Plan states that proposals will be considered acceptable where they 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.

10.67 The proposed scheme has been designed to accord with inclusive design standards. The pavements at Barbers Road and Pudding Mill Lane would be widened to provide access from the taxi/coach drop-off area and the proposed raised crossing linking the venue to Pudding Mill Lane DLR would provide level access from the station to the venue.

10.68 The proposal would include 10 pre-booked blue badge parking spaces providing access by sloped ramp (+300mm) to the raised deck area of the FOH concourse. The distance from the blue badge parking spaces to the front of house concourse entrance gate ranges from 15-30 metres and the distance from the blue badge parking spaces to the main theatre building entrance ranges from 50-65 metres. The proposal would also include 100 accessible cycle parking spaces including larger spaces for adapted bicycles. All outdoor ramps would have a maximum slope of 1:21.

10.69 The wheelchair accessible seating within the auditorium would be accessible by ramps (with a maximum slope of 1:15) with landing spaces designed to meet Part M of the Building Regulations. Internal seating areas would also be accessible via six staircases and two lifts. Visitors would enter the theatre via an ‘experiential entrance tunnel’ providing ramped access to the main auditorium.

10.70 30 flexible wheelchair spaces would be provided within the auditorium.

10.71 Four accessible WCs would be provided within the FOH areas at deck level (+300mm) and within the main theatre building at raised platform level (+1.5m) allowing access to accessible WCs before, during and after shows. A ‘Changing Places’ WC would be accommodated within the FOH concourse area adjacent to the blue badge parking zone.

10.72 Officers are satisfied that the scheme generally complies with inclusive design standards and the requirements of Policy BN.5 of the Local Plan, delivering a development that responds to the needs of all users.

11. **TRANSPORT CONSIDERATIONS**
11.1 The application is supported with a Transport Assessment (TA) and Travel Plan (TP) prepared by iTransport. Policy T.4 of the Local Plan provides guidance on managing development and its transport impacts to promote sustainable transport choices, facilitate local connectivity and prioritise pedestrians and cyclists. 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 parking is provided at a low level appropriate to the location with minimum levels of provision in locations with the highest level of accessibility.

**Trip Generation and Transport Modal Share**

11.2 The TA outlines existing transport conditions and the anticipated trip attraction of the proposal utilising the estimated modal share data from the London Stadium application whilst adjusting for changes to visitor mode share between the London Stadium application and the current application. The TA estimates the following proposed temporal arrival and departure distributions for Evening and Matinee shows respectively, assuming 3,000 visitors would arrive at and depart from the venue for each show:

<table>
<thead>
<tr>
<th>Time</th>
<th>Arrivals</th>
<th>Count</th>
<th>Departures</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.30 – 18.00</td>
<td>2%</td>
<td>60</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Doors Open to Concourse Area: 18.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.00 – 18.30</td>
<td>3%</td>
<td>90</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Doors Open to Venue: 18.30</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18.30 – 19.00</td>
<td>20%</td>
<td>600</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>19.00 – 19.30</td>
<td>30%</td>
<td>900</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>19.30 – 20.00</td>
<td>44%</td>
<td>1,320</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Show Starts: 20.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20.00 – 20.30</td>
<td>1%</td>
<td>30</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>20.30 – 21.00</td>
<td>0%</td>
<td>0</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>21.00 – 21.30</td>
<td>0%</td>
<td>0</td>
<td>5%</td>
<td>150</td>
</tr>
<tr>
<td>Show Finishes: 21.30 / 22.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21.30 – 22.00</td>
<td>0%</td>
<td>0</td>
<td>55%</td>
<td>1,650</td>
</tr>
<tr>
<td>22.00 – 22.30</td>
<td>0%</td>
<td>0</td>
<td>20%</td>
<td>600</td>
</tr>
<tr>
<td>22.30 – 23.00</td>
<td>0%</td>
<td>0</td>
<td>18%</td>
<td>540</td>
</tr>
<tr>
<td>Concourse Closes / Curfew: 23:00</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23.00 – 23.30</td>
<td>0%</td>
<td>0</td>
<td>2%</td>
<td>60</td>
</tr>
</tbody>
</table>

*Figure 1: Proposed temporal distribution for evening shows*
11.3 The applicant estimates that there would be approximately 1,320 visitors arriving to the site during the peak arrival time (19.30 – 20.00 for the evening shows; and 13.30 – 14.00 for the weekend matinee shows). It is estimated that there would be approximately 1,650 visitors departing the site at the peak departure time (21.30 – 22.00 for the evening shows; and 15.30 – 16.00 for the weekend matinee shows).

11.4 It is estimated that the vast majority of visitors would arrive and depart from the venue by London Underground / DLR / National Rail (78%). The temporal distribution for modal share in respect of both evening shows and matinee shows is summarised below:

<table>
<thead>
<tr>
<th>Time</th>
<th>London Underground/ DLR/National Rail</th>
<th>Bus</th>
<th>Car</th>
<th>Taxi</th>
<th>Coach</th>
<th>Walk</th>
<th>Cycle</th>
<th>Motorcycle</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.30 – 18.00</td>
<td>47</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>60</td>
</tr>
<tr>
<td>18.00 – 18.30</td>
<td>70</td>
<td>5</td>
<td>5</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>90</td>
</tr>
<tr>
<td>18.30 – 19.00</td>
<td>488</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>18</td>
<td>12</td>
<td>6</td>
<td>6</td>
<td>600</td>
</tr>
<tr>
<td>19.00 – 19.30</td>
<td>702</td>
<td>45</td>
<td>45</td>
<td>45</td>
<td>27</td>
<td>18</td>
<td>9</td>
<td>9</td>
<td>900</td>
</tr>
<tr>
<td>19.30 – 20.00</td>
<td>1,030</td>
<td>66</td>
<td>66</td>
<td>66</td>
<td>40</td>
<td>26</td>
<td>13</td>
<td>13</td>
<td>1,320</td>
</tr>
<tr>
<td>20.00 – 20.30</td>
<td>23</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>30</td>
</tr>
<tr>
<td>20.30 – 21.00</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>21.00 – 21.30</td>
<td>117</td>
<td>8</td>
<td>8</td>
<td>8</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>150</td>
</tr>
<tr>
<td>21.30 – 22.00</td>
<td>1,287</td>
<td>83</td>
<td>83</td>
<td>83</td>
<td>50</td>
<td>33</td>
<td>17</td>
<td>17</td>
<td>1,650</td>
</tr>
<tr>
<td>22.00 – 22.30</td>
<td>468</td>
<td>30</td>
<td>30</td>
<td>30</td>
<td>18</td>
<td>12</td>
<td>6</td>
<td>6</td>
<td>600</td>
</tr>
<tr>
<td>23.30 – 23.00</td>
<td>421</td>
<td>27</td>
<td>27</td>
<td>27</td>
<td>16</td>
<td>11</td>
<td>5</td>
<td>5</td>
<td>540</td>
</tr>
<tr>
<td>23.00 – 23.30</td>
<td>47</td>
<td>3</td>
<td>3</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>60</td>
</tr>
</tbody>
</table>

Table 3: Proposed temporal distribution (evening shows) – mode share
Table 4: Proposed temporal distribution (matinee shows) – mode share

<table>
<thead>
<tr>
<th>Time</th>
<th>Mode Share</th>
<th>Private Vehicles</th>
<th>Taxis</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.30</td>
<td>488</td>
<td>30</td>
<td>30</td>
<td>600</td>
</tr>
<tr>
<td>13.00</td>
<td>702</td>
<td>45</td>
<td>45</td>
<td>1,200</td>
</tr>
<tr>
<td>13.30</td>
<td>1,030</td>
<td>66</td>
<td>66</td>
<td>1,700</td>
</tr>
<tr>
<td>14.00</td>
<td>23</td>
<td>2</td>
<td>2</td>
<td>50</td>
</tr>
<tr>
<td>14.30</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>15.00</td>
<td>117</td>
<td>8</td>
<td>8</td>
<td>30</td>
</tr>
<tr>
<td>15.30</td>
<td>1,287</td>
<td>83</td>
<td>83</td>
<td>1,500</td>
</tr>
<tr>
<td>16.00</td>
<td>468</td>
<td>30</td>
<td>30</td>
<td>1,200</td>
</tr>
<tr>
<td>16.30</td>
<td>421</td>
<td>27</td>
<td>27</td>
<td>540</td>
</tr>
<tr>
<td>17.00</td>
<td>47</td>
<td>3</td>
<td>3</td>
<td>70</td>
</tr>
</tbody>
</table>

11.5 The above calculations assume that all rail-based trips would utilise Pudding Mill Lane DLR Station although the applicant acknowledges that some visitors would walk to/from other stations including Stratford Station.

11.6 TfL questioned the proposed modes of arrival to and departure from the venue, stating that it is expected that there would be different modes of travel throughout journeys associated with origin. The applicant stated that it would be expected that the majority of first step transport journeys would be from the Pudding Mill Lane DLR Station however it was acknowledged that changes to transport modes may occur between arrival and departure with increases in taxi mode share at departure.

11.7 TfL further questioned the low car modal share assumed by the applicant stating varied visitor profiles and the dispersed transport origins of visitors. The applicant responded stating that the venue would promote sustainable transport for example through the venue website, booking system and mobile app. The applicant also stated that it is expected that the majority of visitors would utilise the food and beverage offer at the venue meaning travel to and from Westfield Stratford City for food and beverage would be less likely.

11.8 TfL noted that the TA assesses the proposed development’s ability to accommodate visitors onto the DLR Network, but not other stations, lines or the highway network. The applicant responded stating that the TA assumes that the site would attract up to 50 private vehicles and 50 taxis but stated that the majority of trips would occur outside of the traditional network peak hours.

11.9 The acceptability of the proposed modal share has been agreed with the applicant, TfL, London Borough of Newham Highways and the Local Planning Authority.

Rail Network and Station Impacts

11.10 The TA assumes that 78% of all visitors would access the venue by London Underground, DLR or National Rail. It is assumed that the vast majority of visitors arriving by public transport would arrive via Pudding Mill Lane DLR Station.
11.11 TfL requested that the applicant provide details of Station Management Plans to manage visitors arriving and leaving from the venue from both Pudding Mill Lane DLR Station and Stratford Station and stated that there is no assessment of whether current crowd control measures at Pudding Mill Lane DLR Station would continue to be sufficient. The applicant stated that crowd management measures including encouraging visitors to visit the F&B areas prior to leaving the venue, and venue marshalling would ease the impact on the surrounding rail network. Officers propose to condition that a Venue Management Plan and Crowd Management Plan be provided prior to first use, detailing how crowds would be managed between the venue and the Station, confirming agreement with DLR, should planning permission be granted.

11.12 TfL and London Borough of Newham Transportation have requested that the submitted Venue Management Plan be updated to address outstanding comments relating to crowd modelling data for Pudding Mill Lane DLR Station and crowd management in agreement with DLR. The applicant provided an updated Venue Management Plan and updated crowd modelling data to TfL and Newham Transportation for review. At the time of writing TfL and Newham Transportation are reviewing the updated Venue Management Plan and updated crowd modelling data. It is proposed that the Venue Management Plan submitted with the application would form an approved planning document, should permission be granted. It is proposed that a separate updated Venue Management Plan covering outstanding issues shall be conditioned to be submitted to the Local Planning Authority for approval in writing prior to first use of the site, should permission be granted. PPDT’s Transport Consultations recommend that Officers seek the agreement of TfL and Newham Transportation on outstanding rail network and station impacts to close out outstanding comments. Officers propose that confirmation that TfL and Newham Transportation are satisfied with the updated details be included in an update report to Planning Decisions Committee at the March Committee meeting.

**Impacts on Stratford Station**

11.13 The applicant summarises the frequency of London Underground, London Overground, National Rail, TfL Rail and bus services from Stratford Station and Stratford Bus Station and concludes that Stratford Station could accommodate visitors travelling via Stratford Station to Pudding Mill Lane DLR Station to access the venue.

11.14 TfL expressed concerns about the lack of assessment of interchanging passenger flows at Stratford Station. The applicant stated that the distribution of passengers travelling by public transport would be distributed across a number of lines and that the average event would generate significantly less demand on Stratford Station than Stadium Events. It is proposed that the Venue Management Plan referenced above should cover potential impacts to Stratford Station.

11.15 TfL have requested that the submitted Venue Management Plan be updated to address outstanding comments relating to crowd modelling data for event days at Stratford Station. At the time of writing TfL are reviewing the updated Venue Management Plan and modelling data for event days at Stratford Station. PPDT’s Transport Consultations recommend that Officers seek the agreement of TfL on outstanding data on Stratford Station capacity to close out outstanding comments. Officers propose that confirmation that TfL are satisfied with the updated details be included in an update report to Planning Decisions Committee at the March Committee meeting.
Surface Transport Impacts

11.16 The Transport Assessment assumes 50 trips by taxi for each show with 22 taxi drop offs/pick-ups within the peak 30 minutes (equating to less than one vehicle every minute). Taxi and coach parking would be accommodated on Pudding Mill Lane.

11.17 TfL and Newham Transportation expressed concerns that taxis, private hire vehicles and private vehicles picking up and setting down at the venue and the potential impacts on the network and performance of Bow Roundabout and the A12. The applicant responded stating that the length of frontage (approximately 130 metres) at Pudding Mill Lane would be utilised for taxi pick up and drop off, accommodating approximately three taxis and one coach at any one time. TfL and Newham Transportation have requested marked up plans highlighting how coach and taxi drop offs and pick-ups would physically work at Pudding Mill Lane before and after performances. It is proposed that the Venue Management Plan condition be submitted prior to occupation in consultation with TfL and Newham Transportation, should planning permission be granted.

11.18 TfL and Newham Transportation have requested that the submitted Venue Management Plan for approval in the current application be updated to address outstanding comments relating to strategies for taxis and coaches. PPDT’s Transport Consultations recommend that Officers seek the agreement of TfL and Newham Transportation on outstanding surface transport impacts to close out outstanding comments. Notwithstanding the outstanding clarifications, Officers conclude that any updates can be addressed in an update report to be submitted to Members at the Planning Committee meeting.

Car and Cycle Parking

11.19 The applicant estimates that each show would generate 50 private car trips (150 visitors) with 30 visitors reaching the venue by bicycle. 10 blue badge parking spaces would be available on site while 100 short-stay cycle parking spaces would be provided.

11.20 TfL expressed concerns regarding the potential impact on neighbouring Controlled Parking Zones (CPZ) and Residents Parking Zones (RPZ). The applicant responded stating that the closest RPZ is located 750 metres from the site which would be a deterrent to visitors to the venue while the CPZs are covered by double yellow lines and would be subject to controlled hours during the venue’s hours of operation.

11.21 Officers are satisfied that the estimated number of cyclists can be accommodated within the application site. As referenced above, the number of parking spaces provided is considered to be appropriate.

Monitoring and Review

11.22 TfL have suggested that a variety of data on the transport impacts of the events included in the current application together with feedback on the arrangements be collected and suggest that the collection of this information could be secured by planning condition.

11.23 TfL have requested that the submitted Venue Management Plan be updated to address outstanding clarifications relating to station capacity modelling, crowd management and strategies for taxis and coaches. Notwithstanding the outstanding clarifications, Officers conclude that any updates relating to transport monitoring and
review can be addressed in an update report to be submitted to Members at the Planning Committee meeting.

**Proposed Crossing at Barbers Road**

11.24 The proposal would provide a new raised crossing at Barbers Road, approximately 30 metres west of the junction with Barbers Road. Newham Transportation have requested that the raised crossing be relocated closer to the venue entrance. Officers propose that a condition be included requiring the applicant to enter into a Section 278 Highways Agreement with London Borough of Newham as highways authority prior to the site’s first use.

**Blue Badge and Vehicle Parking**

11.25 Policy 6.13 of the London Plan states that ‘The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use. Areas with high Public Transport Accessibility Levels (PTAL) should have lower car parking levels.

11.26 The application site has a PTAL rating of 2 at the northern end and 3 at the southern end. However, the PTAL increases to 4 on Marshgate Lane (adjacent to the site) and then to 6a on approach to Stratford High Street. The nearest bus stops are located on Stratford High Street, which provide access to a number of routes. The site is in close proximity to DLR services at Pudding Mills Lane Station (approx. 30 metres) and Stratford High Street Station (approx. 880 metres); and is a 20-minute walk from Stratford Station, which is also one stop away on the DLR from Pudding Mill Lane Station.

11.27 The London Plan does not set out maximum parking standards for theatres, however developments should accord with the aims of policy 6.13. Similarly, Policy T6.4 of the new draft London Plan states that ‘in locations of PTAL 0-3, schemes should be assessed on a case-by-case basis and provision should be consistent with the Healthy Streets Approach, mode share and active travel targets, and aim to improve public transport reliability and reduce congestion and traffic levels.’

11.28 The scheme proposes 10 blue badge parking spaces. Officers consider the proposed parking provision to be appropriate and in accordance with Policy 6.13 of the London Plan; and the number of trips to the venue by car is anticipated to be low. Officers further conclude that the level of parking would not undermine more sustainable modes of transport in accordance with Policy 6.13 of the London Plan.

11.29 With regard to blue badge parking, the London Plan and new draft London Plan Policy T6.5 requires provision to be in accordance with the levels set out in Table 10.6. This stipulates that 6 per cent of the total parking provision should be designated bays and 4 per cent of total parking provision for enlarged bays.

11.30 The distance from the blue badge parking spaces to the front of house concourse entrance gate ranges from 15-30 metres and the distance from the blue badge parking spaces to the main theatre building entrance ranges from 50-65 metres. As accessible seating is available in the FOH area, Officers conclude that the blue badge parking provision is acceptable.

**Cycle Parking**
11.31 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. Table 6.3 of the current London Plan stipulates the number of spaces that should be provided. In the case of sui generis uses Table 6.3 states that the requirements should be assessed against the most relevant other Use Class which in this case would be Use Class D2. For Use Class D2 one long stay cycle parking space per eight members of staff and one short-stay parking space per 30 seats should be provided.

11.32 The proposal seeks to provide 100 short-stay cycle parking spaces on Sheffield cycle parking stands for use by visitors and a further 14 long-stay cycle parking spaces would be provided in a safe and secure location within the back of house area that would be accessed from Barbers Road. These spaces would be for the sole use of on-site staff, encouraging the use of the nearby Cycle Superhighway 2 (CS2) which runs from Stratford to Aldgate in Central London.

11.33 PPDT’s Consultants have raised no objection to the proposed provision of cycle parking.

**Delivery and Servicing Management Plan**

11.34 The application is supported by a Delivery and Servicing Management Plan (DSMP) prepared by iTransport which aims to reduce the impacts of delivering and servicing movements and facilitate sustainable freight travel to / from the development.

11.35 The DSMP confirms that the proposal would use the existing vehicular accesses from Barbers Road and Pudding Mill Lane. The Barbers Road entrance would provide vehicular access only serving the back of house, servicing yard and maintenance requirements while blue badge parking and pedestrian VIP access would be provided from the Pudding Mill Lane entrance. The anticipated vehicle and servicing schedule is summarised below:

<table>
<thead>
<tr>
<th>Vehicle Type</th>
<th>Frequency</th>
<th>Time of Visit</th>
<th>Vehicle Classification</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toiletries and general goods</td>
<td>Three times per week</td>
<td>0700 - 1500</td>
<td>Light</td>
</tr>
<tr>
<td>deliveries</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Food and drink deliveries</td>
<td>Twice per day</td>
<td>0700 - 1500</td>
<td>Light / medium</td>
</tr>
<tr>
<td>Septic tank cleaning</td>
<td>Daily</td>
<td>0700 - 1500</td>
<td>Light / medium</td>
</tr>
<tr>
<td>Waste collection</td>
<td>Two times per week</td>
<td>0700 - 1500</td>
<td>Heavy</td>
</tr>
<tr>
<td>Recycling collection</td>
<td>Two times per week</td>
<td>0700 - 1500</td>
<td>Heavy</td>
</tr>
<tr>
<td>Building maintenance</td>
<td>Less than once every</td>
<td>0700 - 1500</td>
<td>Light</td>
</tr>
<tr>
<td></td>
<td>3 months</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

11.36 The proposal is anticipated to attract up to six service trips per day, with access provided during the daytime but before the venue opens to the public.

11.37 PPDT’s transport consultants have reviewed the DSMP and conclude that the submitted details are acceptable. Officers conclude that the proposal is acceptable in terms of delivery and servicing and accords with Local Plan Policy T.4.
ENVIRONMENTAL CONSIDERATIONS

Noise

11.38 Policy BN.11 of the Local Plan relates to reducing noise and improving air quality. It states that development will be expected to:

- Be constructed and designed in a manner that minimises emissions of pollutants to the air and public exposure to the adverse impact of noise.
- Demonstrate compliance with policies in the Local Plan and the London Plan which contribute to minimise the effect of emissions and noise.

11.39 The application is supported by a Environmental Noise Survey and Noise Impact Assessment (ENS / NIA) prepared by Charcoalblue which has been considered by PPDT’s Environmental Consultants.

11.40 The ENS / NIA considers the following:

- Noise from mechanical plant
- Noise from shows operation
- Noise from patrons
- Construction noise

11.41 Noise from mechanical plant: in relation to the noise from mechanical plant, the ENS / NIA considers that the total noise rating level, as defined by BS4142:2014, resulting from all new plant (at 1 metre from the most affected windows of the nearest noise-sensitive premise) to be at least 10dB below the representative background noise levels measured.

11.42 Noise due to show activity: the ENS / NIA estimates that noise due to show activity within the venue would reach Leq 95 dBA. To reduce sound levels to the design criteria of 36 dBA, the main theatre building’s primary layer of cladding would consist of two Trimotherm composite panels separated by a 500mm airtight cavity. The Report estimates that this design would achieve a reduction in noise to 36dBA when measured from 1 metre of the closest facades of Legacy Wharf and Snoozebox Hotel.

11.43 Noise from patrons: The report estimates that noise from patrons would potentially reach a maximum of 45 dBA when measured at 1 metre from the closest facades of Legacy Wharf and 64 dBA when measured at 1 metre from the façade of Snoozebox Hotel between 07.00 and 23.00.

11.44 Construction Noise: The applicant has committed to complying with the Legacy Communities Scheme Code of Construction Practice which Officers conclude to be acceptable.

11.45 PPDT’s environmental consultants have reviewed the ENS / NIA and suggested the following planning conditions be included should planning permission be granted:

- Noise from the proposed plant shall not exceed a level over 10dB below the typical background sound level (L_{A90}) during the daytime or night-time at any time (with reference to BS4142:2014+A1:2019) when measured at the nearest noise sensitive façade;
• The operator shall not place bottles in external bins after 2300. Deliveries to and waste collection from site will be limited to 0800-1800 on Mondays to Saturdays and 1100 – 1800 on Sundays and Bank Holidays;
• A venue management plan shall set out details including: organisational responsibility for noise control; details of physical and managerial noise controls processes and procedures; details of noise limiter settings and any external noise limits and monitoring locations; patron noise controls; details of community liaison and complaints logging and investigation.

11.46 PPDT’s Environmental Consultants are satisfied that the ENS / NIA addresses environmental noise concerns. Officers conclude that the proposal is acceptable in terms of noise impacts subject to the imposition of the above conditions.

Air Quality

11.47 The applicant has submitted an Air Quality Assessment (AQA) prepared by RSK which has been assessed by PPDT’s environmental consultants in relation to the effect of the development on local air quality. The following assessments, mitigations and conclusions are summarised within the AQA:

• **Construction phase**: The AQA assumes small dust emission magnitudes for construction, earthworks and trackout activities and the overall sensitivity of the surrounding area to both dust soiling and human health is concluded to be low. The number of Heavy Duty Vehicles (HDVs) accessing the site on a single day is not expected to exceed 25, and it is not anticipated that the emissions from vehicles would have a significant effect on local air quality. Emissions from the operation of site equipment and machinery is not concluded to be significant. To reduce any effects of construction plant on local air quality (where used), the applicant recommends that plant used on-site comply with the NOx, PM and CO emissions standards specified in EU Directive 97/68/EC and subsequent amendments as a minimum, where they have net power of between 37kW and 560kW.

• **Operational phase**: The AQA assesses the development against Environmental Protection UK – Institute of Air Quality Management (EPUK-IAQM) screening criteria guidance for developments and concludes that none of the criteria are exceeded and no significant impacts are expected. It is recommended that, where feasible, the discharge points on the proposed generator should discharge vertically and should avoid the impediment of pollutant dispersion and to reduce the effects on air quality they should be switched on for short periods of time only.

• **Air quality neutral assessment**: From an assessment of building benchmark calculations and transport emissions the AQA assumes that the proposed development would be air quality neutral.

11.48 PPDT’s Environmental Consultants have reviewed the submitted AQA and concluded that the submitted details are largely acceptable subject to a minor clarification being addressed by the applicant relating to Total Building Emissions (TBE). Officers are largely satisfied with the assessment of air quality impacts and propose to update Members at the Planning Decisions Committee meeting via an Update Report after the applicant has addressed the outstanding clarification.

Ventilation

11.49 The applicant has submitted a Ventilation and Extraction Assessment (VEA) prepared by Atelier Ten which has been assessed by PPDT’s environmental
consultants. The VEA confirms that the main theatre building would be mechanically ventilated throughout with air intakes located above ground level and away from traffic. The temporary theatre air handling plant would be provided with attenuation to minimise noise emissions while space allowance would be provided within the air handling units to accommodate carbon activated filtration, minimising odour from the local waste facility.

11.50 The food and beverage containers would utilise integral recirculation proprietary type ventilation, while the toilets would be ventilated by openable windows and mechanical extract ventilation where natural ventilation is not possible.

11.51 The VEA confirms that all plant would be designed to meet the requirements set out within the ENS / NIA.

11.52 PPDT’s environmental consultants have reviewed the VEA and have stated that the ventilation details provided to date are acceptable, subject to the inclusion of a condition outlining mechanical ventilation details. Officers conclude that the proposal is acceptable in terms of ventilation subject to mechanical ventilation details being conditioned.

**Lighting**

11.53 The applicant has submitted an External Lighting Statement (ELS) prepared by Atelier Ten which has been assessed by PPDT’s environmental consultants.

11.54 The ELS compares a survey of baseline lighting levels with a proposed lighting scheme which references the Legacy Communities Scheme Lighting Strategy and focuses on streetlighting for the future development. Lighting to the covered FOH concourse is proposed to be provided from uplighting to the timber canopy. This lighting would highlight the timber structure as well as softly lighting areas below the canopy. The ELS states that all external lighting would be designed to meet the requirements of the Institute of Lighting Professionals (ILP) Guidance on the reduction of obtrusive light, based on an E3 category relevant to suburban settings.

11.55 The ELS confirms that the timber façade would be illuminated just enough to highlight the building’s materiality and provide visibility from the station with the floodlights for the facades concealed from view where possible. The route to the entrance would be illuminated by reflective light from the graphics on the shipping containers forming the site’s boundary.

11.56 An internally lit logo would form part of the public realm adjacent to the pavement at the junction of Barbers Road and Pudding Mill Lane. The details of the logo (including luminance) would be confirmed as part of a separate advertisement consent.

11.57 All lighting would be designed in accordance with ILP Guidance on the reduction of obtrusive light (2011) and a lighting curfew is proposed for 2300 after which time the luminance shall reduce from 10 lux to 2 lux for both obtrusive light and spill lights.

11.58 PPDT’s environmental consultants confirmed that the proposed lighting scheme meets ILP requirements but consideration should be given to potential effects on car drivers and road users to ensure that there are no impacts from glare associated with the proposed illuminated sign. Officers propose to include an informative reminding
the applicant that details of the illuminated signage should be secured via an application for advertisement consent.

11.59 Officers conclude that the proposal is acceptable in terms of lighting impacts.

Energy and Sustainability

11.60 The applicant has provided a Sustainability and Energy Statement (SES) prepared by Atelier Ten which has been assessed by PPDT’s environmental consultants. The applicant has provided information regarding energy and sustainability which Officers consider appropriate for the proposed lifespan of this temporary development. The SES states that the upfront carbon associated with the development’s manufacture and construction would significantly outweigh operational energy carbon savings over the venue’s short life span. The applicant has stated that traditional BREEAM targets would not be viable or practical, given the interim use and temporary nature of the proposal however the applicant has outlined a number of sustainability commitments, including:

- Non-recyclable and non-reusable materials have been minimised as far as possible.
- The proposed structures would be designed to be demountable, compactly packaged and transportable to a new location for reassembly for the same or alternative purpose through the strategic selection of materials and construction processes and optimisation of materials efficiency.
- Proposed off-site prefabrication would minimise construction waste, pollution, noise and local traffic congestion resulting from materials transport and would lead to faster on-site assembly.

11.61 The SES confirms that the proposal would achieve compliance with Part L of the Building Regulations (Conservation of fuel and power in new buildings other than dwellings). Passive design measures including high envelope insulation, building form and layout and façade design to make the main building less reliant on heating, cooling, ventilation, air conditioning and artificial lighting have been incorporated into the design. A number of areas including front of house areas would be unconditioned and high efficiency air handling units would provide ventilation, cooling and heating to the theatre building.

11.62 Lighting for all internal uses would be specified as high efficiency with a target output of 80lm/W while all lighting for external areas would be dedicated, energy efficient and controlled through time switches and daylight sensing to prevent operation during daylight hours.

11.63 The applicant has stated that it would not be possible to connect to the existing Queen Elizabeth Olympic Park District Heating Network as the closest connection is 600 metres from the application site. Officers conclude that this is acceptable on balance given the interim nature of the venue.

11.64 Officers conclude that the proposal is acceptable in terms of sustainability.

Contamination

11.65 The applicant has provided a Contamination Preliminary Risk Assessment (PRA) prepared by RSK which has been assessed by PPDT’s environmental consultants. The PRA assesses the potential for land contamination and geotechnical constraints
to the proposed development in the context of the site’s environmental sensitivity and investigation and remediation works undertaken on site to date. The assessment sought to determine whether further investigation and mitigation works would be required.

11.66 The environmental assessment identifies moderate risks to future site users via vapour intrusion and ground gas and moderate to low risks from made ground and groundwater sources via vapour intrusion and from ground gas to adjacent site users. On the basis that previous remediation was undertaken to protect controlled waters, risks from contamination in made ground, existing groundwater and off-site sources to wider groundwater and surface water receptors have been assessed as low.

11.67 The geotechnical assessment concludes that hazards associated with pyritic geology comprising London Clay is considered unlikely given the proposed use of shallow screw piles. Eighteen shallow screw piles are proposed to support the structure perimeter beam of the main building only.

11.68 The PRA makes a series of recommendations for an intrusive exploratory investigation at the site to address remaining uncertainties:

- Further site investigation works to confirm the bearing capacity in the River Terrace Depots (RTD);
- To confirm the level and contamination status of the groundwater in the secondary A aquifer beneath the site;
- A detailed intrusive investigation is recommended to ascertain the levels of contamination currently beneath the site within and below engineered fill and to confirm the thickness of any separation layer to facilitate reinstatement;
- A detailed design, including the levels of the floors in comparison with the ground levels should be provided to confirm the size of the void and the potential capacity for reduction in ground gas or vapour containment linkages;
- Further Unexploded Ordnance (UXO) assessment may be required to confirm the low risks from UXO in the scope of remediation activity.
- The findings of the above recommended works should be reported in the Remediation Method Statement (RMS) and Foundation Details Report (FDR).

11.69 PPDT’s environmental consultants have reviewed the PRA and generally agree with its conclusions recommending conditions be imposed to secure the further investigative work and associated remediation. Subject to the imposition of conditions, the proposal is considered acceptable in this regard and accords with London Plan policy 5.21 and Local plan policy BN.13.

Flood Risk and Utilities

11.70 The application site is located within Flood Zone 3 (High flood risk – land having a 1 in 100 or greater annual probability of river flooding; or land having a 1 in 200 or greater annual probability of sea flooding). However, the EA Flood Maps indicate that the site benefits from flood defences. Local Plan Policy S.8 (Flood risk and sustainable drainage measures) provides guidance on dealing with flood risk and drainage as part of development proposals.

11.71 The applicant has submitted a Flood Risk Assessment (FRA) and Drainage and Utilities Assessment (DUA) prepared by RSK in support of the application which to
establish flood risk associated with the development and to propose suitable mitigation, if required, to reduce the risk to a more acceptable level. The FRA and DUA have been reviewed by PPDT’s environmental consultants who consider the information to be acceptable. The Environment Agency have no objection to the proposed scheme.

11.72 LB Newham Local Flood Authority have no objection to the proposed scheme, however requested a condition be imposed requiring the applicant to submit a surface water management scheme, consistent with the submitted Drainage and Utilities Assessment Report prior to commencement of the development.

11.73 Officers consider the proposal to be acceptable with regard to flood risk, surface water drainage and utilities subject to the recommended condition.

11.74 The proposed development is considered to be in accordance with Policies 5.12 and 5.13 of the London Plan and Policy S.8 of the Local Plan.

Waste

11.75 The applicant has submitted a Site Waste Management Plan (SWMP) which sets out how the proposal would be managed to encourage the identification of the volume and type of materials to be removed from site; sets out opportunities for reuse and recovery of materials; demonstrates how off-site disposal of waste would be minimised and managed and sets out the methods to be employed to deal with waste including its reduction, recycling, sorting, separate storage and sustainable disposal.

11.76 The SWMP confirms that the majority of waste would be food related and that separate bins would be considered for each type of recyclable material as per London Borough of Newham’s recommendations for non-domestic development.

11.77 The SWMP further confirms that recycling and waste storage bins would be provided within the venue and in the public realm with waste and recycling being transferred to the bin store during the day but outside of operating hours. A condition is proposed limiting the disposal of glass bottles to daytime hours.

11.78 The proposed bin store for storing refuse and recycling items would be 57 sqm which the SWMP states would accommodate 24 1,100L bins. The SWMP states that the waste and recycling storage capacity meets British Standards BS 5906_2005 which recommends twice weekly bin collection for an entertainment venue of 7,000 sqm.

PPDT’s environmental consultants have reviewed the submitted SWMP and suggest that a planning condition be included requiring the applicant to submit an updated SWMP to include:

- Forecasts of waste types (including six-digit EWC codes) and quantities of CDEW to be generated during the construction works of the site;
- Information on the onsite CDEW storage and transfer arrangements to be made; and
- Reference to the waste duty of care requirements that should be met by all waste holders on site.
PPDT’s environmental consultants concluded that the submitted details were acceptable subject to a clarification requesting that the SWMP waste store description reflects the layout shown on the site layout plan.

Officers are satisfied that the applicant’s assessment of fire safety is largely acceptable subject to the provision of clarifications on the SWMP waste store description. An update report will be provided to members at the Planning Decisions Committee meeting, should the applicant resolve this requirement.

Fire

11.79 The applicant has submitted a Fire Statement (FS) prepared by Atelier Ten which sets out how the development would function in terms of the building’s construction, the means of escape for all building users, access for fire personnel and equipment and how provision would be made within the site to enable fire appliances to gain access to the building. The FS has been produced to accord with the requirements of Intend to Publish London Plan 2019 Policy D.12 (Fire Safety).

11.80 The FS confirms that the fire design is generally in accordance with BS 9999: 2017 (Code of practice for fire safety in the design, management and use of buildings).

11.81 The FS states that the building has been designed and would be constructed in such a way that in the event of the outbreak of a fire the load bearing capacity of the building would continue to function until all occupants have escaped and fire containment measures have been initiated. The report also states that all seating, furnishings, fabrics and decorative features have been designed in accordance with relevant fire safety building regulation standards.

11.82 The means of escape is assessed to be in accordance with relevant building regulation standards. All wheelchair accessible areas would have level or ramped access to escape routes.

11.83 PPDT’s environmental consultants have reviewed the Fire Statement and conclude that the details are acceptable subject to minor clarifications on a suppression system not being proposed due to the proposal’s temporary nature, the maximum travel distances in the event of a fire and commentary from the applicant on the fire performance of the proposal’s materials and products.

Officers are satisfied that the applicant’s assessment of fire safety is largely acceptable subject to the provision of clarifications on the matters outlined above. It is proposed that the additional clarifications are reported to Members by update Report at the Planning Decisions Committee meeting.

Ecology

11.84 The applicant has submitted a Preliminary Ecology Appraisal (PEA) prepared by RSK which sets out the findings of a preliminary ecology appraisal which confirms that the site has little ecological connectivity to surrounding landscape. The PEA confirms that the site contains common plant species and has a generally low value for biodiversity and concludes that further surveys are not required.

11.85 PPDT’s environmental consultants have reviewed the submitted PEA and conclude that the proposal is acceptable in terms of potential impacts upon ecology.
11. HUMAN RIGHTS AND EQUALITIES IMPLICATIONS

11.86 Members should take account of the provisions of the Human Rights Act 1998 as they relate to the proposal and the conflicting interests of the applicants and any third party opposing the application in reaching their decision. 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 (ECHR) 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.

11.87 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 when determining all planning applications. In particular Members must pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation and 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;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11.88 Officers are satisfied that the application material and their 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 permission.

12. CONCLUSION

12.1 Officers consider the proposed development to be in accordance with national, London and local plan policies and guidance subject to TfL and London Borough of Newham Transportation review of and agreement to updated transport data, venue management procedures and taxi and bus arrangements. The proposal is considered to represent sustainable development, as presumed in favour in the NPPF.

12.2 The principle of the development is considered to be acceptable and would be compliant with the interim use policy B.3 of the Local Plan. The proposal would create vitality through a temporary use, whilst not impacting the deliverability of the site allocation under the LCS. The scheme is considered to represent a sustainable interim use, which would support London’s visitor economy and stimulate its growth.

12.3 The proposed scheme would provide a good quality temporary building that would not have an adverse impact on the surrounding context of the site subject to the conditions recommended below.
12.4 It is recommended that the Committee resolve to grant planning permission for the proposed development subject to the conditions listed below subject to final transport information being agreed with TfL and London Borough of Newham Transportation.

13. PLANNING CONDITIONS

1. Time limit

The development shall be commenced before the expiration of three years from the date of the permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1991

2. Temporary Permission

The structures and associated works hereby permitted shall not be retained after 31st March 2025 and the structures shall be removed from the site and land reinstated on or before this date. The site shall be reinstated in accordance with a scheme which shall have first been to and approved in writing by the Local Planning Authority prior to the cessation of the uses hereby permitted.

Reason: The development is not of a type that the Local Planning Authority is prepared to approve other than for a limited period, having regard to the materials of the structures proposed and to enable the permanent regeneration of the site to occur.

3. Works in accordance with approved details

The development hereby permitted shall not be carried out otherwise than in accordance with the following details and plan numbers:

- To be completed

and the description of development contained in the application and any other plans, drawings, documents, details, schemes or strategies which have been approved by the Local Planning Authority pursuant to these conditions.

Reason: To ensure that all works are properly implemented and retained.

4. Hours of Operation

The use of the premises by members of the public shall only be permitted during the hours of 09:00 to 23:00 on Monday, Tuesday and Wednesday and 9:00 to 00:00 on Thursday, Friday, Saturday, Sundays and Bank Holidays.


5. Code of Construction Practice

No construction activities shall be carried out otherwise than in accordance with the approved LCS Site Wide Code of Construction Practice (CoCP), The LCS
Site Wide Construction Transport Management Plan (CTMP) and the LCS Site Wide Demolition and Construction Waste Management Plan (DCWMP).

Reason: To ensure that the construction of the Development minimises its environmental and transport impacts.

6. Remediation Method Statement

No below ground works shall be commenced until a combined remediation method statement and Site Specific Remediation Strategy, based on the recommendations for investigation works at set out in Section 6 of the approved Phase 1 Contamination Risk Assessment (December 2019) has been submitted to and approved in writing by the Local Planning Authority.

The remediation method statement shall be implemented as approved, with any changes agreed in writing in advance by 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.

7. Unexpected Contamination

If during development 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 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 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.

8. Verification Report

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation method statement (and Site Specific Remediation Strategy), has been submitted to and approved in writing by the Local Planning Authority.

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.

9. 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 a written plan shall be submitted to and approved in writing in advance by the Local Planning Authority to demonstrate that there is no unacceptable risk to
controlled waters from contamination. The development shall be implemented only in accordance with the approved details.

Reason: To safeguard controlled waters.

10. Foundation Works Risk Assessment

No foundations works (including piling, or other similar penetrative methods) shall commence until a foundation works risk assessment, including a piling method statement (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 sewerage infrastructure, and the programme for works), and details of measures to decommission screw piles at the end of the proposed temporary use, has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. The development shall be implemented in accordance with the approved details.

Reason: To safeguard human health and controlled waters.

11. Surface Water Drainage Detail

No part of the development hereby permitted shall be commenced until a fully detailed surface water management scheme for the development, consistent with submitted ‘Drainage & Utilities Assessment Report (November 2019), has been submitted to and approved in writing by the Local Planning Authority, in consultation with Thames Water and London Borough of Newham LLFA. The development shall only be carried out in accordance with the approved details; and retained thereafter as such.

Reason: To ensure the adequate management of drainage within the development.

12. Events Management Co-ordination Framework

No events shall be held on the site other than in accordance with the approved LLDC Events Management Co-ordination Framework (planning permission reference 13/00087/AOD).

Reason: To ensure a coordinated approach to events across the Queen Elizabeth Olympic Park and to ensure that development is adequately managed and maintained in accordance with London Plan policies 7.3 and 7.5.

13. Delivery Servicing Management

Upon first use of the development hereby permitted the Servicing Management shall be implemented in full accordance with approved documents Delivery and Servicing Management Plan (NM/MD/ITL15308-005C) dated 18 December 2019 and it shall thereafter continue to be fully implemented for the lifetime of the development.

Reason: To ensure that the amenity of occupiers of the development / site surrounding premises is not adversely affected by noise, in accordance with Local Plan policy BN.11.
14. Site Waste Management Plan

Prior to first use of the development hereby approved a Site Waste Management Plan including details of:

- Forecast of the types (including six-digit EWC codes) and quantities of CDEW to be generated during the construction works of the site.
- Information on the onsite CDEW storage and transfer arrangements to be made,
- Reference to the waste Duty of Care requirements that should be met by all waste holders on site

shall be submitted to the Local Planning Authority and approved in writing.

Reason: To ensure that waste management issues are fully addressed.

15. Venue Management Plan

Prior to first use of the development hereby approved a Venue Management Plan including details of:

- Organisational responsibility for noise control;
- Physical and managerial noise control processes and procedures;
- Noise limiter settings and any external noise limits and monitoring locations;
- Patron noise controls;
- Community liaison and how complaints would be logged and investigated;
- Proposed additional performances on Bank Holidays and how this would be managed;
- Crowd management from the venue to Pudding Mill Lane DLR Station;
- Evidence and the details of DLR input and agreement to crowd management measures
- Details of the management of coaches and taxis

shall have been first submitted to the Local Planning Authority and approved in writing.

The development shall thereafter only be used in accordance with the approved detail over its lifetime.

Reason: In order to safeguard the amenity of neighbours.

16. Noise – Plant

Noise from the proposed plant shall not exceed a level over 10dB below the typical background sound level (L_{A90}) during the daytime or night-time at any time (with reference to BS4142:2014+A1:2019) when measured at the nearest noise sensitive façade.

The noise emitted shall be measured or predicted at 1.0m from the façade of the nearest residential premises or at 1.2m above any adjacent terraces or balconies. 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 adjoining residential occupiers.

17. Noise – Activities Outside of Hours of Operation

The operator shall not place glass bottles in external bins after 2300 hrs or before 0700 hours. Deliveries to and waste collection from the site, shall only take place between 0700 and 1800 hrs on Mondays to Saturdays and 1100 and 1800 hrs on Sundays and Bank Holidays.

Reason: In order to safeguard the amenities of residential occupiers.

18. Ventilation Details

Prior to the commencement of development, full details of any mechanical ventilation/extraction or other associated plant equipment, shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include full specifications of all filtration, deodorising systems, noise output and termination points, along with full details of the routing of the mechanical ventilation and the passive provision of associated ducting. Particular attention shall be given to the potential high-level discharge of kitchen extract air and the discharge of toxic or odoriferous extract air where a high level of discharge is usually essential. The development shall only be carried out in accordance with the approved details. The approved details shall be implemented prior to the first use of the building by the general public and shall thereafter be permanently maintained to the satisfaction of the Local Planning Authority.

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

19. External Materials (Main theatre building and canopy)

Prior to the construction of above ground works samples of materials and finishes to be used on the external surfaces of the main theatre building and canopy shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development and permanently retained thereafter.

Reason: To safeguard the appearance of the building and to enable to Local Planning Authority to properly consider and control the development in the interest of visual amenity and to accord with Local Plan policies BN.1 and BN.4.

20. External Materials (Front of house containers and structures)

Prior to the construction of the front of house containers and structures, the materials and finishes to be used on the external surfaces shall be submitted to and approved in writing by the Local Planning Authority. The approved materials shall be used in the implementation of the development and permanently retained thereafter.
21. **Lighting Curfew**

External lighting, with the exception of lighting to provide safe movement and security for staff and visitors, shall be subject to a curfew of 2300 on Monday, Tuesday and Wednesday and 9:00 to 00:00 on Thursday, Friday, Saturday, Sundays and Bank Holidays.

Reason: In the interests of neighbouring amenity.

22. **Highways Works**

The development hereby approved shall not be opened to the public until the highway works secured under the s278 Agreement have been completed in accordance with that agreement.

Reason: In the interests of highway safety and amenity.

23. **Landscape, Boundary and Surfacing Details**

The landscape, boundary and surfacing works hereby permitted shall not commence until the following details have been submitted to and approved in writing by the Local Planning Authority:

Details of boundary treatment including:

- Hoarding;
- Gates;
- Interface with existing boundaries; and
- Details of artwork to fencing and shipping containers

Details of surfacing treatment including:

- Interface between new and existing retained surfacing; and
- Graphic decoration of surfacing including the raised crossing at Barbers Road

Details of Street Furniture including details of:

- Bollards;
- Cycle parking;
- Raised planters;
- Seating;
- Wayfinding signage including wayfinding signage that highlights adjacent waterways;
- Logo Sculpture; and
- Totems

Details of Soft Landscaping including details of:

- Species, size, densities and locations of planting
The soft landscaping shall be approved in writing by the Local Planning Authority prior to installation and retained thereafter.

Reason: In the interests of visual amenity.

24. Secured by Design

The development hereby permitted shall not be first used until details of the full security measures (including the CCTV strategy) to be incorporated within the permitted development site, have been 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 and permanently retained in accordance with the agreed details.

Reason: To deter crime and to deliver a healthy safe sustainable place to live and work.

Informatives

1. The applicant is reminded that advertisement consent should be sought for approval of the size, finish, material and illumination of the proposed art sculpture comprising four internally illuminated individual letters and any other wayfinding or signage proposed within the public realm, on the boundary treatment and within the façade of the main theatre building.

2. Crossrail Limited recommends that the applicant contact the Crossrail Infrastructure Protection Manager(CRL_safeguarding@crossrail.co.uk) prior to any works on Barbers Road because TfL’s asset register indicates the presence of buried power cables beneath the carriageway. The plan below shows the approximate location of the TfL/Crossrail buried services:
3. The site is located within Flood Zone 3 and is protected to a very high standard by the Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year flood event. The Environment Agency’s (EA) latest flood modelling shows the site would be at risk if there was to be a breach in the defences or they were to be overtopped. They are satisfied that the developer has assessed the risk from a breach in the Thames tidal flood defences using the latest modelled tidal breach data. They are also satisfied that the developer has not proposed any sleeping accommodation below the modelled tidal breach flood level. To improve flood resilience, the EA recommend that finished floor levels are set above the 2100 breach flood level, which is 4.7 m AOD.

4. The proposed development is located within 15m of Thames Water’s underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read their guide ‘working near our assets’ to ensure your workings are in line with the necessary processes you need to follow if you’re considering working above or near Thames Water pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Workingnear- or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk
List of Appendices:

Appendix 1 – Site Location Plan
Appendix 2 – Proposed Plans
Appendix 3 – Elevational Drawings
Appendix 4 – Proposed Section
Appendix 5 - Visualisations
Appendix 6 – QRP Report of 07/11/2019