

Subject: Land within Queen Elizabeth Olympic Park at Pudding Mill Lane
(21/00574/OUT, 22/00216/VAR and 22/00424/NMA)

Meeting date: 25 October 2022

Report to: Planning Decisions Committee

Report of: Daniel Davies, Principal Planning Development Manager

Applicant: London Legacy Development Corporation

Borough: London Borough of Newham

FOR DECISION

This report will be considered in public

1. EXECUTIVE SUMMARY

- 1.1. This report considers three separate applications submitted by the London Legacy Development Corporation that are linked with proposals for residential-led development at a site known as Pudding Mill Lane which forms part of the wider Legacy Communities Scheme (LCS).
- 1.2. The LCS is an outline planning consent approved in 2012 under application ref: 11/90621/OUTODA (as varied by refs: 18/00471/VAR & 19/00220/NMA), which provides a masterplan for the wider Queen Elizabeth Olympic Park (QEOP). The masterplan seeks to provide approximately 6,800 new homes across five new neighbourhoods within land parcels known as 'Planning Delivery Zones'.
- 1.3. The Pudding Mill Lane site, together with the adjoining Bridgewater Triangle site, forms part of Planning Delivery Zone (PDZ) 8, specifically identified as PDZ 8.2 and 8.3. As such, it benefits from an extant consent for redevelopment that would deliver c. 956 homes, retail, office and community floorspace.
- 1.4. This report considers the new scheme for Pudding Mill Lane (the 'slot-in' application for outline planning permission), the s73 application to 'slot out' the current LCS permission at PML, and the consequential impacts to the LCS permission and s.106 obligations and the accompanying non-material amendment application to the s.73 regarding changes to the description of the LCS development.
- 1.5. The proposed 'slot in' development would permit up to 116,553m² of floorspace representing a significant uplift in residential floorspace. Forty five percent affordable housing is proposed (measured by habitable room) and 10 homes for wheelchair users. A minimum of 40 Later Living units would be provided. Up to 51,738m² of Commercial, Business and Service Floorspace would be permitted, allowing for retail and leisure uses, a health facility (up to 1000 sqm) and

community uses. The application does not include a maximum or minimum number of homes although it is noted that indicatively, based on the floorspace and other controls such as mix of unit, the illustrative masterplan would deliver 948 units.

- 1.6. The LCS planning consent and accompanying Unilateral Undertaking (UU) have been varied on a number of occasions and the effect of a recent changes is an obligation for the Applicant to submit slot-in applications on this and other linked sites that form part of a Portfolio that would achieve a greater quantum of residential floorspace than currently consented. The reasoning for this is to make up the shortfall arising from the previous changes to the LCS which slotted-out housing-led PDZs and replaced it with other development, namely a university campus and teaching accommodation (the UCL East Development) and a series of cultural buildings and institutions (the Stratford Waterfront development) as part of the ongoing evolution of the Olympic Legacy. The implementation of these consents resulted in the net reduction of 146,200 sqm (GEA) of residential floorspace within the LCS sites which equates to approximately 2,000 homes.
- 1.7. In terms of affordable housing, the application site is bound by the provisions of the 'portfolio approach' which was agreed as part of the Stratford Waterfront permission (18/00470/OUT). This Portfolio comprise the sites at Stratford Waterfront, Rick Roberts Way, Bridgewater Triangle and Pudding Mill Lane. Fifty percent affordable housing provision (measured by habitable room) was secured across these sites. This includes a minimum provision of 35% affordable housing on Stratford Waterfront and 40% provision on the Pudding Mill and Bridgewater Triangle sites.
- 1.8. The Pudding Mill Lane proposal would exceed the minimum amount of affordable housing agreed and would deliver the tenure split set out in the Portfolio approach secured in Stratford Waterfront s.106 legal agreement.. This would include 30% of the affordable being provided as low cost rented housing (measured by unit) with the remainder being provided as either Shared Ownership or London Living Rent.
- 1.9. The outline application would set the parameters for future reserved matters applications. For approval, permission is being sought for a series of documents that will inform the design of future reserved matters applications. These include a Development Specification & Framework, which sets out the details of what the application is seeking, including floorspace quantum. A series of parameter plans would control matters such as land use, the footprint of buildings, heights and open space provision. Some of the parameters are provided with limits of deviation in order to provide the necessary flexibility as the scheme develops. There is also a Design Code which provides prescriptive design measures and guidance on how to achieve a high standard of design. Throughout the determination process, additional details were provided by the applicant in order to respond to consultation comments. .
- 1.10. The key issues considered in the report are:
 - The principle of land uses
 - Housing delivery and the portfolio approach
 - Design Quality,

- Impact on residential amenity
- Environmental impacts
- Transport and connectivity
- Energy and sustainability

- 1.11. Public consultation was undertaken and various comments were received from interested parties and statutory bodies. A letter of objection was received from Network Rail which relates to the impact of the scheme on the future operation of the Bow East Good Yard. Officers have liaised with the applicant and Network Rail and are satisfied that the main issues have been resolved and that there are no outstanding concerns.
- 1.12. Members of the Planning Decision Committee were briefed on the scheme by the applicant during the pre-application stage. Discussions centred around the height of the central tower, the quality of residential typologies, daylight and sunlight and the need for the scheme to be tenure blind.
- 1.13. The proposed outline application is acceptable in land use terms and consistent with the regeneration objectives set out in the Local Plan. It would create a Local Centre adjacent to Pudding Mill Lane DLR Station and represent a significant uplift in permitted residential floorspace. Officers consider the density of the development proposed and the mix of housing typologies are appropriate for the site location and comply with the relevant policies in the Local Plan and the London Plan.
- 1.14. The overall amount of affordable housing (45% by habitable room) would exceed the minimum requirement for this site as set out in the portfolio approach secured under the Stratford Waterfront permission and its unilateral undertakings. .
- 1.15. LLDC's Quality Review Panel (QRP) is generally supportive of the proposal and have expressed that there is much to admire in the masterplan for Pudding Mill Lane, and that the Design Code is well thought through, comprehensive and detailed. The panel expressed the view that a central tower of 20 storeys would represent a better transition with the prevailing height for this family neighbourhood than the proposed building at 25 storeys. However, the Panel has commented that with refinements to the design code and a stipulation for there to be a design competition held to select the design team for the tower, there would be sufficient assurance that this building, would contribute positively to the townscape, and public realm and meet the exceptionally good design requirement of policy BN.5.
- 1.16. Officers are satisfied that the proportion, form, height and scale of the masterplan as a whole would represent a form of development aligned to the policy objectives and SPD requirements for this part of the Pudding Mill neighbourhood. Officers also consider that the impact of the tall buildings in terms of townscape and heritage, views and amenity would not be harmful and that the architectural quality is appropriately secured through the control documents, specifically the Design Code, parameter plans and the planning obligations and conditions.
- 1.17. In terms of environmental impacts, it is acknowledged that the illustrative scheme would result in overshadowing within the residential courtyards and the impacts of this are considered to be, on balance, acceptable taking account of the

direction provided by QRP to create a finer grain of buildings and streets in the new residential neighbourhoods. The proposed development has been subject to environmental testing and officers are satisfied that there would be no significant adverse environmental effects and that any residual impacts are capable of being appropriately mitigated as part of the design development of future reserved matters applications and that this mitigation is appropriately secured through the control documents and recommended planning conditions and planning obligations.

- 1.18. The Section73 application (ref: 22/00216/VAR) and the s96a Non-Material Amendment application which amends the description of the LCS development to dovetail with the s.73 variations, are also considered to be acceptable and would facilitate the delivery of the replacement scheme. In order to reflect the 'slot out' from the LCS permission, a series of conditions have been updated and consequential changes made to the s106 agreement.
- 1.19. It is therefore recommended that, the Planning Decisions Committee should grant permission for the proposals, subject to the conditions and planning obligations set out in the Appendices to this report and subject to referral to the Mayor of London and the satisfactory completion (under authority delegated to the Director of Planning Policy and Decisions) of a legal agreement under section 106 of the Town and Country Planning Act 1990.

2. Recommendation

- 2.1. That the Planning Decisions Committee agree the recommendation to:

Application 22/00216/VAR

a) **APPROVE** application 22/00216/VAR for the reasons given in the report and grant the section 73 planning permission subject to:

1. Referring the application to the Mayor of London and any Direction by the Mayor of London;
2. Such modifications being made to the conditions on the LCS Permission as are necessary to reflect the slot out of PDZ 8.2 and PDZ 8.3;
3. The satisfactory completion of unilateral undertakings by the LLDC as landowner and LLDC as Local Planning Authority to secure such amendments to the LCS s106 Agreement as are necessary to reflect the slot out of PDZ 8.2 and PDZ 8.3 as set out in the recommended Heads of Terms at Appendix 4 of this report.

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

1. Consider any direction from the Mayor of London and to make any consequential or necessary changes to the conditions on the LCS Permission and/or amendments to the LCS S106 Agreement;

2. Finalise the modifications to the conditions and informatives on the LCS Permission to reflect the slot out of PDZ 8.2 and PDZ 8.3, including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the planning obligations contained in the LCS s106 Agreement (as shall be amended by the unilateral undertakings referred to above) as the Director of Planning Policy and Decisions considers reasonably necessary;
3. Finalise the unilateral undertakings referred to above to secure such amendments to the LCS S106 Agreement; including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the section 73 permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and
4. Complete the unilateral undertakings referred to above and issue the section 73 permission.

Application 21/00574/OUT

- a) **APPROVE** application 21/00574/OUT for the reasons given in this report, and grant outline planning permission, subject to:
 1. Referring the application to the Mayor of London and any direction of the Mayor of London;
 2. The conditions and reserved matters specification set out at Appendices 1 and 2 of this report;
 3. The satisfactory completion of unilateral undertakings by the LLDC as landowner and LLDC as Local Planning Authority and other enabling undertakings and powers to secure the planning obligations sets out in the recommended Heads of Terms at Appendix 4 of this report.
- b) **CONFIRM** that their decision has taken into consideration the environmental information submitted in relation to the application, as required by Regulation 3 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and agree following the issue of the decision a statement be placed on the Statutory Register confirming the details as required by Regulation 30(1)(d) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 including the main reasons and considerations on which the Committee's decision was based were those set out in the Planning Officers' Report to Committee.
- c) **AGREE TO DELEGATE AUTHORITY** to the Director of Planning Policy and Decisions to:

1. Consider any direction from the Mayor of London and to make any consequential or necessary changes to the recommended conditions and/or recommend heads of terms as set out in this report;
2. Finalise the recommended conditions as set out in this report. Including such refinements, amendments, additions and/or deletions (including to dovetail with and where appropriate, reinforce, the final planning obligations to be contained in the unilateral undertakings) as the Director of Planning Policy and Decisions considers reasonably necessary;
3. Finalise the recommended unilateral undertakings under section 106 of the Town and Country Planning Act 1990 and other enabling undertakings and powers as set out in this report, including refining, adding to, amending and/or deleting the obligations detailed in the heads of terms set out in this report (including to dovetail with and where appropriate, reinforce the final conditions and informatives to be attached to the planning permission) as the Director of Planning Policy and Decisions considers reasonably necessary; and
4. Complete the unilateral undertakings referred to above and issue the planning permission.

Application 22/00424/NMA

- a) **APPROVE** application 22/00424/NMA for the reasons given in this report

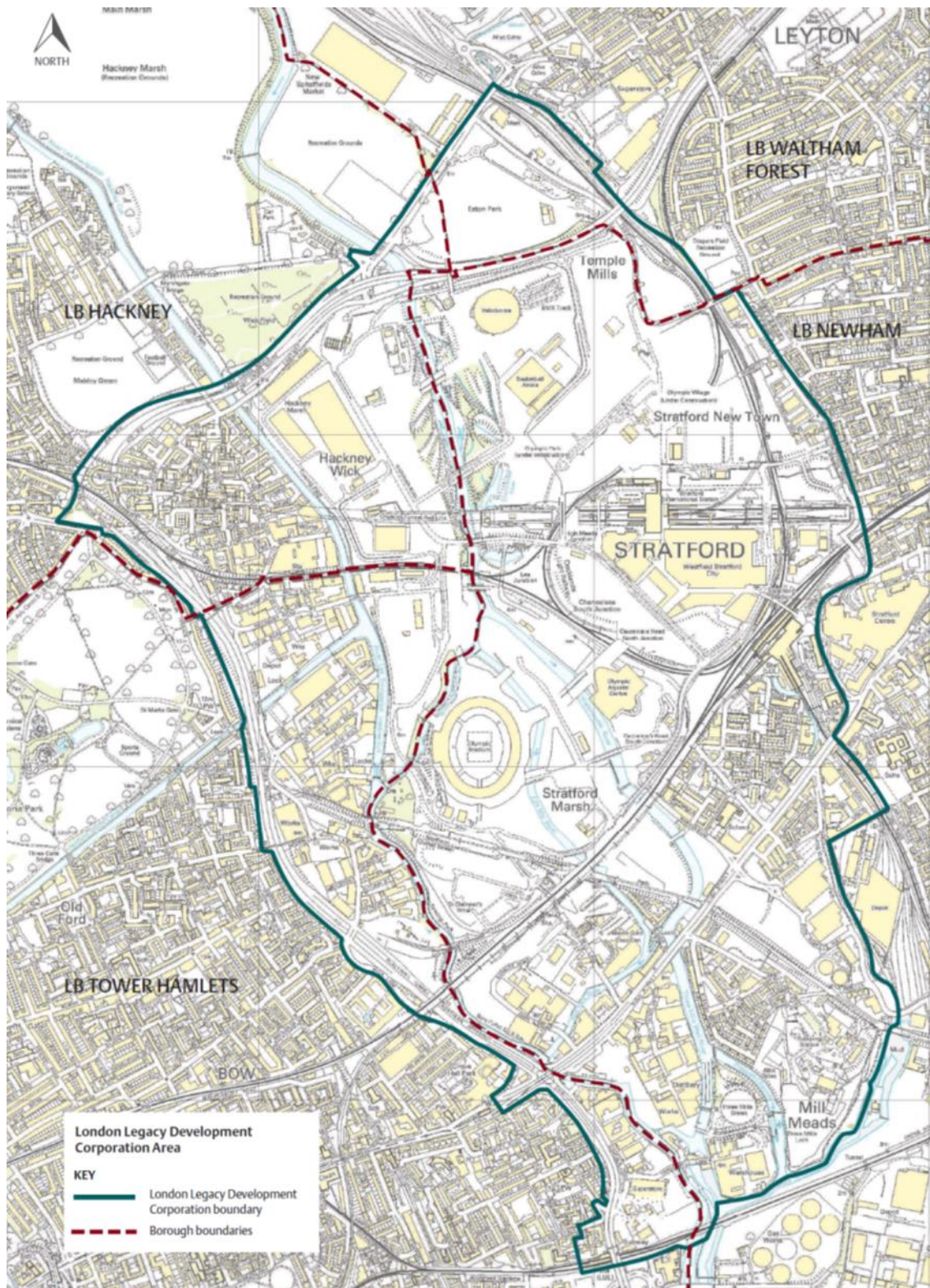
3. Financial Implications

- 3.1. The project has been approved by the Legacy Corporation's Board for submission for planning permission and has received relevant budget approvals.

4. Legal Implications

- 4.1. LLDC is both applicant and Local Planning Authority. This is not unusual and there are statutory provisions governing such circumstances to which PPDT has regard – The Town and Country Planning General Regulations 1992.
- 4.2. LLDC is both the freehold proprietor of the Pudding Mill site and the local planning authority and for these reasons it cannot enter into a bi-lateral section 106 agreement, i.e. it cannot contract with itself. In order to address this issue LLDC in its capacity as freehold owner of the Pudding Mill site will enter into a unilateral undertaking to the local planning authority under the terms of which it agrees to perform the planning obligations on the part of the developer (see heads of terms at Appendix 4) ("Landowner UU") which are contained in a draft section 106 agreement that is appended to that unilateral undertaking.
- 4.3. The LLDC in its capacity as local planning authority will, in return for the Landowner UU, at the same time enter into a unilateral undertaking under which it agrees to comply with the obligations given on the part of the local planning authority to the owner/developer and which are contained within the appended draft section 106 agreement.

- 4.4. This process of entering into reciprocal unilateral undertakings is not unusual and has been successfully employed across a number of LLDC's development sites.
- 4.5. For the application seeking to vary the Legacy Communities Scheme consent (22/00216/VAR) a similar approach will be undertaken. It is intended that as with previous variations to the LCS S106 Agreement the variations arising from the slot out of PDZ 8.2 and PDZ 8.3 should be documented by way of reciprocal unilateral undertakings appending a deed of variation to vary the LCS S106 Agreement (LCS S106 Variation). As noted above, because LLDC is both landowner and local planning authority, it is unable to secure amendments to the LCS S106 Agreement by way of bilateral agreement with itself. Accordingly, the required amendments will be secured via the same mechanism of unilateral undertakings previously used to secure amendments in relation to the Stratford Waterfront permission (ref: 18/00471/VAR).
- 4.6. It is proposed that Members agree to delegate authority to the Director of PPDT to finalise the section 106 agreements, deed of variation and the reciprocal unilateral undertakings that are required for each of the applications respectively.



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Location: Land at Pudding Mill Lane, Queen Elizabeth Park, London E15
 London Borough: LB Newham

Proposal: **Planning reference: 22/00216/VAR**
 Application made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary the Legacy Communities Scheme Outline Planning Permission (11/90621/OUTODA, as

varied by 18/00471/VAR and 20/00197/NMA by removing ('slotting out') all of Planning Development Parcels 8.2 and 8.3 (the Pudding Mill Lane Site) from Planning Delivery Zone 8 of the Legacy Communities Scheme, and to remove or vary conditions relating to Development Parcels 8.2 and 8.3, in order to allow for an alternative redevelopment of the site (as proposed by application ref: 21/00574/OUT), and an update of the description of development to reflect the updated Use Classes as per the amended Use Class Order (2020). As a result of this application the Legacy Communities Scheme will reduce the scale of development permitted by 125,860 sqm by reducing Use Class C3 (Residential) by 86,256 sqm including Sheltered Accommodation; Use Class B1(a) (reduced by 23,681 sqm); Use Class B1 (b) and (c) (reduced by 12,158 sqm); Use Classes A1-A5 (reduced by 2114 sqm); Use Class D1 (reduced by 1,482 sqm); and Use Class D2 (reduced by 169 sqm), and other supporting infrastructure works and facilities in so far as it relates to the Pudding Mill Lane Site.

Planning reference: 21/00574/OUT

Outline application for the development at Pudding Mill Lane within Queen Elizabeth Olympic Park with all matters reserved for future determination comprising residential use (Use Class C3; up to 116,533 sqm) including private amenity spaces; commercial, business and service uses (Use Class E; up to 51,738sqm); and local community use (Use Class F2; up to 273sqm); means of access; additional areas to provide associated plant, storage, circulation, servicing, car parking and cycle parking; landscaping including laying out of open space with provision for natural habitats and play space and all other supporting infrastructure works, structures and facilities

Planning reference: 22/00424/NMA

Application seeking non-material amendments to the Legacy Communities Scheme planning consent (11/90621/OUTODA, as varied by 18/00471/VAR and 20/00197/NMA and by 21/00561/VAR and 22/00216/VAR once determined); to alter the description of development and a number of definitions (including deletion of all references to PDZ8); accompanying the planning application ref: 21/00574/OUT, which seeks outline planning permission for comprehensive redevelopment at Pudding Mill Lane

Applicant:	London Legacy Development Corporation
Architects:	Gort Scott, 5 th Studio, JCLA
Planning Agent:	AECOM Limited

5. SITE AND SURROUNDINGS

- 5.1. The application site, measuring 5.1 hectares, is at the southern tip of Queen Elizabeth Olympic Park within the borough of Newham. The site currently consists of a development platform surrounded by fence and hoarding.
- 5.2. The site is bounded along its north-western edge by the Great Eastern Railway corridor and Pudding Mill station, which provides level access to the DLR at this location. To the southwest is a third-party parcel of land comprising different uses, with consent for mixed-use development up to 8 storeys and which is currently being redeveloped. The site is bounded by the Bow Back river and City Mill river to the southeast and to the northeast respectively, and to the east, the site is adjacent to another third party development parcel that benefits from consent for mixed-use developments up to 12 storeys; the early phases have been built out. Marshgate Lane bisects the site running from the southeast of the site through to the DLR station and onwards beneath the railway corridor. To the north of the site is the 'Greenway', which is a strategic pedestrian and cycle route above the northern outfall sewer owned by Thames Water. The site includes an electrical substation in the centre of the site (though this is not included within the redline boundary)
- 5.3. Temporary permission for 5 years has been granted for a theatre and supporting structures (Ref: 19/00592/FUL) located along the east of the site along Barbers Road; similarly a 5 year temporary permission has been granted for a hotel with parking and landscaping in the centre of the site (Ref:19/00104/FUL). These uses have been implemented. A temporary building housing part of the LLDC's Park depot is also currently located within the site (ref: 13/00037/FUL and 19/0030/NMA).
- 5.4. Primary vehicle access to the site is via Marshgate Lane which bisects the site between Stratford High Street to the southeast and Pudding Mill Lane DLR station to the north of the site. The site has a PTAL Rating of 3-5. Additionally, the Local Plan identifies Strategic Cycle Network and Strategic Walking Routes through the site along Pudding Mill Lane and Marshgate Lane respectively.
- 5.5. The site is contained within an allocated site as per Site Allocation Policy SA4.3 of the Local Plan (2020). The site allocation intends for a new medium-density, mixed-use area, including a significant and diverse element of new and replacement business floorspace, including spaces suitable for small- and medium-sized businesses; a new Local Centre adjacent to Pudding Mill Lane DLR Station and Pudding Mill Lane; new homes including a significant element of family housing; new Local Open Space, playspace and public realm. Detailed guidance for the site is set out within the Pudding Mill SPD (2017). Bow Back River and the City Mill River are designated as SINC's (Sites of Importance for Nature Conservation) and the site falls within Flood Zone 3.

6. RELEVANT PLANNING HISTORY

The Legacy Communities Scheme

- 6.1. The site benefits from an existing planning permission: the 'Legacy Communities Scheme' (LCS) (planning ref: 11/90621/OUTODA), a residential led mixed-use scheme, granted in September 2012, for 6,800 new homes in five new neighbourhoods across QEOP; and including business employment, financial and professional services, health, education, cultural, community and leisure uses.
- 6.2. The LCS planning permission and associated permissions divided the application area into PDZs. This included two which relate to the application site: PDZ 8.2 and 8.3. The LCS granted outline planning permission for PDZ8 to provide up to 116,530sqm of residential floorspace (Use Class C3) and up to 35,839 sq.m of B1 employment space 2114 sq.m of retail floorspace and 1651 sq.m of community and education/health use.
- 6.3. The LCS permission has since been varied and of relevance to these applications are the following:
- 6.4. An application under Section 73 of the Town and Country Planning Act 1990 (planning ref: 17/00236/VAR, the 'Second s73') was submitted to LLDC PPDT at the same time as the UCL East planning application (June 2017, planning ref: 17/00235/OUT), seeking the variation of the First s73 Permission to slot out UCL East. Both the UCL East and Second s73 applications were granted planning permission on 28th November 2017.
- 6.5. A subsequent Section 73 planning application (planning ref: 18/00471/VAR, the 'Third s73') was submitted at the same time as the Stratford Waterfront (SWFT) planning application (November 2018, planning ref: 18/00470/OUT), seeking the variation of the Second s73 Permission to slot out SWFT. Both SWFT and Third s73 applications were granted planning permission in July 2019. The Third s73 Permission resulted in an LCS permission which does not permit development on DPs 1.1a and 1.1b (i.e. the Stratford Waterfront site); being replaced by the permission granting planning the V&A, University of the Arts (LCF), BBC and Sadler's Wells buildings, along with the outline consent for residential development to the north.
- 6.6. Unilateral Undertakings accompanied both the Second and Third s73 permissions effecting changes to the LCS s106 agreement. The LCS s106 agreement (as amended) now requires that no later than 31 December 2021, "slot- in" applications should be submitted to secure permission for PDZ8 for a greater quantum of residential floorspace and to make up as much as possible the shortfall in residential floorspace arising from the SWFT (the Third s73) and UCL East permissions (the Second s73).

- 6.7. In addition, the Stratford Waterfront Unilateral Undertaking (July 2019) requires a minimum of 50% affordable housing by habitable room across the portfolio sites (Stratford Waterfront, Pudding Mill and Rick Roberts Way), comprising a minimum of 30% of affordable housing as Low Cost Rented and the remainder as Intermediate. Pudding Mill, in the context of that legal agreement, is the collective name for the Pudding Mill Lane site which is being considered under this application, plus the Bridgewater Triangle site, for which Planning Decisions Committee recently resolved to grant outline planning for residential led redevelopment, 26 July 2022; ref: 21/00403/OUT.
- 6.8. For Pudding Mill (Pudding Mill Lane and Bridgewater), the requirement is for a minimum of 40% affordable housing by habitable room, comprising at least 30% Low Cost Rented Housing by unit.
- 6.9. Other elements in the LCS Permission are summarised below.
- 6.10. PDZ 3: The secondary school initially proposed in the LCS on PDZ12 has since been developed on PDZ3 (Stadium Island) following approval of the Alternative School Site. A planning application was granted permission in May 2016 and the Bobby Moore Academy opened in 2018. The school at PDZ3 is considered an LCS development for the purpose of the assessment as it meets the needs of the LCS.
- 6.11. PDZ 4: Development on PDZ4, also known as 'Sweetwater', will include a mix of up to 770 homes including apartments and family homes with private gardens and communal green space alongside the Lee Navigation canal. The neighbourhood also provides a new primary school (ref:16/00039/REM), which opened in September 2017 as part of the Bobby Moore Academy (referred to in the LCS permission as the 'Second Primary School'), two nurseries, community space, library and health centre. A Canal Park along the Lee Navigation canal is also proposed which will improve the existing towpath for pedestrians and cyclists, providing spaces for play and recreation. The Zonal Masterplan for PDZ4 (20/00195/AOD) has been approved. A further S96A Application (20/00197/NMA) amending Condition LCS0.45 of the LCS Permission and amending certain site-wide and PDZ4 parameter plans, has also been approved. A Reserved Matters Application (ref: 13/00508/REM) and a S96A (Non-material amendment application) (ref: 14/00258/NMA) have been approved but have not yet been implemented. The site will be developed in three phases, as set out below.
- 6.12. Phase 4: plots 4.5 and 4.6 are anticipated to be complete in 2028 (construction is anticipated to start in 2026). Phase 5: construction of plot 4.4 is anticipated to start in 2027 and be complete in 2029. Phase 6: construction of plots 4.1, 4.2 and 4.3 is due to start in 2029 and be complete in 2031.

- 6.13. PDZ 5: Development at this site, also known as 'East Wick', will comprise up to 1,130 homes with a mix of housing types, including affordable housing, market housing for sale and private rented housing, framing the edge of the parklands. Alongside this, residents will benefit from a primary school (Mossbourne Riverside Academy) which opened in September 2016 fronting onto the Canal Park, with businesses and community spaces lining the route into the Park from Hackney Wick. The Canal Park (ref: 13/00508/REM) in PDZ5 has been constructed. The Zonal Masterplan for PDZ5 has been approved (ref: 15/00472/AOD) along with a S96A Application (ref: 14/00461/NMA) and a Reserved Matters application (ref: 14/00464/REM).). A further S96A Application (20/00197/NMA) amending Condition LCS0.45 of the LCS Permission and amending certain site-wide and PDZ5 parameter plans, has also been approved. The site anticipated to become operational in phases, as set out below.
- 6.14. Phase 1: Some homes are already occupied, and plots 5.4, 5.5 and 5.9 are anticipated to be complete by 2024. Phase 2: comprises plot 5.6, anticipated to be complete by 2024. Phase 3: plots 5.7 and 5.8 are expected to be complete by 2025. Phase 7: completion of construction plots 5.1, 5.2, 5.3 and 5.11 is to occur during 2033 and 2034.
- 6.15. PDZ 6: Development at this site, also known as 'Chobham Manor', provides 880 new homes, including town and mews houses, maisonettes, and flats, with 75% designed for families and 35% affordable homes. Residents will be catered for with shops, cafés, bars, and other community facilities. This development has been completed and is occupied.
- 6.16. PDZ 12: This zone currently comprises a development platform surrounded by hoarding as per the LCS permission. Proposals for interim temporary use of this site include a self-storage facility granted planning permission in September 2017 (ref: 17/00233/FUL), allowed until September 2022; a car sales facility (ref: 18/00494/FUL), allowed until 30th of April of 2024; and three padel tennis courts and associated infrastructure, allowed until June 2023. A capacity study has been undertaken by LLDC to inform the long-term redevelopment of the site for residential led development for a minimum of 450 homes and a 4FE secondary school which is used to inform the sensitivity tests in the EIA.

Land at Pudding Mill Lane

- 6.17. 19/00592/FUL - ABBA Voyage - Time limited planning permission (5 years) for the construction of a temporary theatre building (25.1m AOD) and supporting storage, retail, food stalls and bars. Permission for this use runs until April 2026.
- 6.18. 13/00037/FUL – permission for LLDC's Park depot:
- 6.19. 19/00104/FUL - Snooze Box - Application for temporary planning permission (5 years) for the erection of a two-storey hotel (Use Class C1) containing 80

bedrooms, single storey reception building with roof terrace and bar (Use Class A4); and associated coach and car parking, cycle parking and landscaping works. Permission for this use is in place until July 2024.

Bridgewater Triangle – the 4th S73 proposals

- 6.20. 21/00403/OUT - Resolution to grant Outline Planning Permission was granted on July 26th 2022 for residential led redevelopment comprising of up to 53,749 sqm of residential use (Use Class C3) including private amenity spaces; 399 sqm of commercial, business and service uses (Use Class E); 185 sqm of learning and non-residential institutions (Use Class F1); and local community use (Use Class F2); means of access; additional areas to provide associated plant, storage, circulation, servicing, car parking and cycle parking; landscaping including laying out of open space with provision for natural habitats and play space; demolition of existing and construction of new vehicular and pedestrian bridge across Waterworks River and all other supporting infrastructure works and facilities.
- 6.21. 21/00561/VAR – Resolution to grant permission for Application made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary the Legacy Communities Scheme Outline Planning Permission (11/90621/OUTODA, as varied by 18/00471/VAR and 20/00197/NMA) by removing ('slotting out') all of Planning Development Parcels 8.1 and 8.4 (Bridgewater Triangle Site) from Planning Delivery Zone 8 of the Legacy Communities Scheme, remove or vary conditions relating to Development Parcels 8.1 and 8.4, in order to allow for an alternative redevelopment of the site (as proposed by application ref: 21/00403/OUT), and an update of the description of development to reflect the updated Use Classes as per the amended Use Class Order (2020).

7. APPLICATION PROPOSALS

- 7.1. Consent is sought to slot the site out of the LCS and to slot in the newly proposed development for Pudding Mill Lane, by way of an application under s73 (plus non-material amendment application) and an outline planning application with all matters reserved for future determination comprising residential use (Use Class C3) including private amenity spaces; commercial, business and service uses (Use Class E); and local community use (Use Class F2); means of access; additional areas to provide associated plant, storage, circulation, servicing, car parking and cycle parking; landscaping including laying out of open space with provision for natural habitats and play space and all other supporting infrastructure works, structures and facilities
- 7.2. The site would be divided into 12 development parcels labelled Parcel A to L. An indicative phasing has been set out, which details that the development would be divided into 4 phases. Phase 1 would consist of parcels J, K and L.

Phase 2 would be parcels G, H and I, Phase 3 Parcels A and D and Phase 4 parcels B, C, E and F.

- 7.3. All matters (layout, scale, appearance, landscaping and access) are reserved for future consideration. As such, detailed consideration on the appearance of the proposed buildings will be developed up and reported to the Local Planning Authority under a future reserved matters application(s).
- 7.4. Whilst the detailed design and composition of the proposal is not yet fixed, the applicant has submitted a set of documents for approval which would set the controls and parameters for future development on the site. These documents are:
- Development Specification & Framework
 - Parameter Plans
 - Design Code
- 7.5. Any applications for reserved matters would be required to demonstrate that it complies with each of these documents. In addition, a reserved matters specification sets out what is required to be submitted as part of future reserved matters applications. This is set out at Appendix 2.

Development Specification

- 7.6. The Development Specification & Framework document sets out the proposed maximum land uses for the site as a whole which are shown in the table below:

Use Class	Max Amount (sqm)
C3 - Residential	116,553
E – Commercial, business & Service	51,738
F2 – Local Community	273

Parameter Plans

- 7.7. The Parameter Plans establish a 3-dimensional envelope which sets out the location and extent of development, including predominant land uses, form, footprint and height of the buildings to be constructed and their relationship to the surrounding sites, including routes through the site. Parameter plans also set out proposed uses for the site.

Design Code

- 7.8. The Design Code is a document which sets out detailed design parameters for future development on the site and are used in conjunction with the parameter plans to ensure a high standard of design is maintained and to ensure that there

is a consistent approach to character and appearance throughout the various phases of development.

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

7.10. The design codes are organised into chapters articulating different areas of control. Whilst all aspects of the design codes seek to secure important outcomes, a number of key requirements of the document are summarised as follows:

Outstanding Design

7.11. This chapter sets out the process by which detailed design should be procured and developed to meet the standards and principles set out by the Outline Masterplan. It sets out a set of codes relating to the design process that all reserved matters applications will be required to follow. In particular it requires the applicant to provide evidence that they have applied a best practice approach throughout the design process, including in the selection of a minimum of four architects to deliver the masterplan with a minimum of two architects per phase. Applicants must also appoint a play and community engagement specialist to provide advice throughout the design development process.

7.12. The code requires a mix of different residential typologies around a courtyard including ground floor duplexes. All ground floor homes must have front doors onto the street and where backing onto a courtyard must have ground floor amenity space facing the courtyards.

7.13. Communal cores serving buildings of 7 storeys or less must have sufficiently sized windows at each floor to provide views and natural daylight. The code seeks to promote dual aspect homes stating dual aspect homes must be maximised, and two bed homes should be dual aspect. All homes with three or more bedrooms must be dual aspect. All blocks must be designed to be tenure blind, including private and communal residential entrances and all homes in blocks around a courtyard must be able to access the communal amenity space.

Layout

7.14. This section sets out site-wide codes to steer the design and delivery of Pudding Mill Lane's strategic routes and spaces. The code seeks to ensure that development addresses key conditions/routes across Pudding Mill Lane, Marshgate Lane, Neighbourhood Way, Riverside Parks, Barbers Road/Viaduct

Edge, Pudding Mill Square, Pudding Mill Yard, Neighbourhood Square, Bow Back Riverside Park & City Mill Riverside Park.

- 7.15. The code sets out a street hierarchy which future Reserved Matters applications must conform to. This requires the street hierarchy to follow three tiers. Tier 1 routes are pedestrian priority routes for which allowance must be given for cycling, servicing and emergency access only. Tier 2 includes residential loop roads serving Bow Back Riverside and City Mill Riverside. These must include allowance for low volume, one way traffic only, with potential for cycle contraflow. Tier 3 routes are main vehicular through-routes and must have allowance for higher-volume general traffic.
- 7.16. The code requires access control measures to be implemented to prevent unauthorised vehicle movements in the local centre, Neighbourhood Way and riverside parks. General vehicular access to riverside areas must be prevented while providing for emergency services and maintenance access. Controls must be sensitively integrated into the overall public realm design.
- 7.17. To address access, servicing and parking the code requires that at least one accessible drop-off bay must be provided in Bow Back Riverside and City Mill Riverside residential areas in prominent and easy to access locations. Drop off bays must be located close to Later Living Housing entrances and at both ends of Pudding Mill Lane to serve non-residential uses.
- 7.18. Loading bays must be located adjacent to areas of non-residential uses away from play spaces. Bays should be provided on Marshgate Lane and Barbers Road only.
- 7.19. The code seeks to ensure that accessible parking bays are in convenient locations and sensitively integrated into the public realm design.
- 7.20. The code requires that car parking is distributed so that entrances to accessible dwellings are close to a Blue Badge parking bay. Residential parking must be located along the residential loop road and Barbers Road with parking for non-residential uses located near the Local Centre. Parking bays must only be located in medium-sensitivity public areas if they cannot be located elsewhere.
- 7.21. In order to maintain access to the Powerlines Underground (PLUG) tunnel, operational vehicle access to the PLUG tunnel entrance must be provided from Pudding Mill Lane as existing or from Marshgate Lane. Any control measured must be sensitively integrated into the public realm design and potential public access to the space must be preserved.
- 7.22. Operational vehicle access to and along the sections of wall against the Bow Back River and City Mill River must be maintained and access control measures must be sensitively integrated into the public realm design.

- 7.23. In order to maximise play potential of the site the code requires play loops to be designed to link individual playspaces across the site and must be developed in consultation with local stakeholder groups. They must be designed to allow children to choose from a number of safe pedestrian routes, must be sufficiently overlooked to allow passive surveillance, integrate safe crossing points over Marshgate Lane. Routes and access points to play loops must be level and fully accessible with cycle and scooter racks provided along play loops.
- 7.24. The code also provides specific guidance to key locations within the site including Pudding Mill Lane, Pudding Mill Square, Marshgate Lane and Neighbourhood Way. Additionally, specific guidance is provided for public areas including the riverside parks and public squares.
- 7.25. The code provides minimum widths for various streets within the development. It requires residential streets to provide a minimum of 2m wide footpaths and 2.5m wide carriageways. Along the Marshgate Lane site boundary a minimum 3m wide zone, including a minimum 2m wide footpath should be provided along the development site boundary. For Barbers Road there must be a minimum 3m footpath incorporating tree planting and loading areas.
- 7.26. To create a legible block structure, create a sense of place and ensure an active frontage, block frontages must be aligned and should be consistent along the entire length of a block frontage. Active frontages must be provided on block corners and must include windows or articulation to avoid blank walls.

Built Form

- 7.27. This section of the design code provides guidance for form and massing, including breaks in massing. It seeks to ensure the massing and urban grain of development is formed with a variety of block types. Specific guidance is given regarding the design for the Courtyard Blocks, Standalone Buildings, Central Tower, Employment Cluster and Community Pavilion. It seeks to create a coherent and legible urban grain that responds to the emerging local context.
- 7.28. Three residential courtyard blocks are proposed to be located on the southwestern edge of the site, and one on the east of Marshgate Lane. In order to maximise openness and in the interest of privacy, courtyards require a distance of at least 17m between opposing residential windows and at least 14m between opposing balconies. All courtyard blocks require a minimum of two full-height breaks in massing linking the courtyard to the street. These breaks must have a minimum width of 6m. One of the building frontages that faces onto a break in massing must be blank to avoid overlooking of residential windows. Courtyard thresholds should be designed to be open to the public during daylight hours with a visual connection to the street and must allow for out of hours access for residents.

- 7.29. To encourage residents to use and benefit from the courtyards, the Design Code requires that all communal residential entrances must be accessed both from the courtyards and the street/river side where appropriate. Lobbies of buildings should have a direct line of site between the courtyard and the street. To give a degree of variation a minimum of one pop-up block two storeys taller than the blocks of prevailing height should be provided and where provided must be anchored to a single end of a building mass.
- 7.30. A podium block with tower is intended adjacent to the Pudding Mill Lane DLR station in the local centre. The Design Code provides guidance to ensure the massing of this element is coherent and sensitively related to neighbouring buildings and the emerging urban grain. Guidance is provided to reduce the visual impact and bulk of the Central Tower.
- 7.31. The Central Tower should be anchored to the corner of the block, a mid-height element must be built along Barbers Road and a lower-height element along the Neighbourhood Way. The lower height element along the Neighbourhood Way must be at least two storeys lower than the mid-height element. The footprint of the Central Tower must be reduced at the uppermost storeys to provide an acceptable appearance.
- 7.32. The Central Tower should include an external podium courtyard at second floor or lower, this must be open along the southwest edge, with a direct and easily visible connection between the podium and ground floor entrance. To ensure acceptable levels of privacy, minimum distances of 16m are required between residential windows across the podium and 14m between opposing balconies, decks or terraces.
- 7.33. Active frontages must be maximised along Pudding Mill Square and Neighbourhood Way with retail space and the main residential entrance accessed from the Square. Bin stores, retail servicing, including deliveries and collections must be accessed directly from Barbers Road.
- 7.34. Three related buildings would form an employment cluster within the Local Centre. The Code provides guidance to ensure a shared approach to form, massing, façade treatment, and material character. Setbacks on the employment cluster buildings must be a minimum of 2m deep and setbacks must occur on at least three of the four primary facades.
- 7.35. A community pavilion is proposed as a focal point to Pudding Mill Square. To ensure the square is well defined and of an appropriate scale, the code requires the pavilion to be no more than two storeys tall, detached from any adjacent buildings by a minimum of 6m and must be offset from the substation boundary by a minimum of 12m. The frontage of the pavilion must be open, permeable and active. It must provide direct access to external amenity which is designed

to accommodate a range of uses including youth play. Boundary treatment must be integrated into the overall language of the building.

- 7.36. The Design Code seeks to provide a calm and characterful roofscape throughout the Pudding Mill Lane site and should be designed to minimise overlooking of visual clutter. On a site-wide basis any rooftop plant, lift overruns and building maintenance units must be set back from the main building façade sufficiently to be hidden from the street. The roofs of buildings 7 storeys or less should be open to the sky where private amenity is located on the roof. The roofs of mid-height buildings must have a flat parapet and any balconies on buildings of 8 storeys or more must not be cut-out volumes. The roof of the central tower must be given special articulation where it meets the sky which is integrated into the overall language and composition of the building, any rooftop stair or lift overruns must be screened and set back and the roof must not be pitched.
- 7.37. For the roofs of the employment cluster buildings the parapet must be sufficiently tall to screen plans and maintenance equipment and should be flush with the façade of the building. Any plant flues must be located within the centre of the building plan to minimise appearance from street view. The roof of the community pavilion must have an expressive roof that is unique from the other roofs across Pudding Mill Lane.
- 7.38. In order to maximise biodiversity, the code requires all green roofs to be designed to support local BAP priority species and must not be less than 100mm in depth. They must have a semi-intensive build up with a minimum of 150mm substrate. Roofs with PV panels must be designed as biosolar roofs.
- 7.39. Guidance is provided to the private amenity spaces to ensure high quality and sufficient levels of light, privacy and comfort. Any dwellings 11 storeys or higher must not have fully projecting balconies. At first floor street facing balconies should not be projecting, where projecting balconies are placed at first floor they must not be located above communal entrances onto streets. All balconies must be designed to be carefully composed and integral to the overall form and detail of the building. Privacy walls must be placed between paired balconies, and all must have a level threshold.
- 7.40. The code provides requirements to ensure appropriate defensible space is provided for dwellings. Any ground floor home must have defensible space of at least 1m in depth, except along Neighbourhood Way, where this must be at least 1.5m. Further guidance is provided for boundary treatments to the courtyard spaces. The code requires mitigation measures attached to the building and located within the public realm to be integrated into the design.

Appearance

- 7.41. This section of the Design Code provides guidance to ensure that a high quality and consistent appearance is maintained throughout the development site. Guidance is provided for several character areas including the Local Centre and Residential Neighbourhoods.
- 7.42. The Code provides advice on the colour and materials to provide a variation within a theme. The code states that a comprehensive, coordinated colour and material strategy must be developed across the site, the colour strategy must respond to and support the way-finding and place shaping strategies, and primary façade materials across the development must be complementary, calm and coherent.
- 7.43. To create a high-quality, cohesive and consistent character across the Pudding Mill Lane neighbourhood, the primary façade material for residential buildings five or more storeys must be a through-coloured material such as brick or concrete, for six storeys or more the material must be brick, concrete or ceramic. All external materials must be high quality and robust. They must be designed to avoid staining and damage. Any secondary façade materials must be subordinate in its coverage to the primary façade material.
- 7.44. In terms of fenestration the code requires that window frames must be metal or natural timber finish, must not include plastic frames or back-painted glass. All metal work must be of a complementary colour to the primary facade. Balustrades must not be glass and must be discrete to avoid clutter in the elevation designed.
- 7.45. Further specific guidance exists with regards to the façade design for the courtyards and stand-alone buildings, the central tower, employment cluster and community pavilion.
- 7.46. To ensure attractive and legible non-residential frontages, glazing should be maximised at ground floor, but must meet privacy requirements. Adhesive films to obscure glazing must not be used and any overed entrances must be integral to the overall façade. Any façade ventilation grilles, shutters and projected awnings must be designed to integrate sensitively into the frontage design.
- 7.47. A coordinated signage strategy must be established across the development and must be located in a clearly designed area.
- 7.48. To ensure a welcoming, legible and dignified communal entrance to homes, all communal entrances must be detailed in order to make a distinction in the building façade to help wayfinding. They must be recessed by a minimum of 1.2m with a width of at least 3m. The minimum width of communal entrance lobbies must be 2m. All door leaves must be high quality and residents must be

able to access their mailboxes from inside the building. The communal entrance for the Central Tower must have an internal lobby height of at least 4m.

- 7.49. The Design Code provides further guidance on residential entrances at street and deck access. This includes minimum recesses and widths of decks. It is required for all entrance doors to be constructed from robust materials and include a side or top glass panel to provide natural light. Detailing such as mailboxes, dry risers and signage must be integral to the design and materials of residential areas.
- 7.50. The Code requires details and ornaments to contribute to high quality and characterful facades. This includes advice on the use of soffits, brick detailing and building signage. Utilities and service entries are required to be distinct from residential entrances.
- 7.51. Communal long-stay cycle storage must be located within the building curtilage and not within the public realm. Private long-stay cycle storage must not be standalone, must be easy to access and provide space to manoeuvre cycles. Where provided near residential entrances, cycle stores must be integrated into the design of the entrance. Waste stores must be integrated into the buildings' footprints and must be consolidated within reasonable proximity to the entrances, but must be separated.
- 7.52. The Design Code seeks to create uncluttered facades with well-integrated services. Electrical and cable conduits must not be visible from the public realm. Rainwater drainage must be considered a part of the overall design, must be concealed in prominent locations and must be organised logically. They must be made of metal with a galvanised finish or colour matching the predominant metalwork.
- 7.53. Façade design must mitigate against overheating, external solar shading must be integral and complement the window and façade design. Any ventilation grilles must be integrated into the architecture of the building façade and must not be plastic.

Public Realm

- 7.54. This element of the design code seeks to create high quality public realm which takes account of playspace, soft and hard landscaping, and contributes to ecology and biodiversity within the site.
- 7.55. In order to provide a playable landscape of a high standard, all public realm with the exception of streets with vehicular access must be conceived as playable landscape. It must be well connected with a variety of safe pedestrian routes as part of the playable loops. It must be designed to be welcoming and safe to all ages and must include playful multifunctional features. It must be designed to

be location specific and take inspiration from the natural and historical environment.

- 7.56. Dedicated playspace must be safe, inclusive and genuinely playable. The code states that young people must be engaged within the design process of such spaces. Informal spaces must include prompts for imaginative and creative play, must be defined by a boundary and must be designed to be inclusive, accessible and offer play opportunities for children of all abilities and cultural background. They must be sufficiently overlooked and must be located in response to microclimate analysis.
- 7.57. Playspace should be well located and distributed throughout the site. The code requires all dedicated playspace to be provided on ground floor or podium levels. A minimum of 1,000sqm must be provided in the City Mill Riverside neighbourhood and 2,000sqm in the Bow Back Riverside neighbourhood. Informal playspace must be integrated along Neighbourhood Way. A formal youth play space, centred around sport, must be provided south of the Community Pavilion. An informal youth play space must be integrated into the linear space next to the southwestern boundary of the UKPN.
- 7.58. The Code provides guidance on the character of play area for each area within the development. For Pudding Mill Lane, the code requires that the Pudding Mill Yard must include a playful intervention that draws character from the history of the site, incorporating water to reference the historical route of the lost Pudding Mill River. Play opportunities must seek to tie in with social and natural histories of the site.
- 7.59. Playspaces on Neighbourhood Way must be designed to form a continuous play trail, they must be designed to encourage children to participate in creative and imaginative play.
- 7.60. Along riverside parks and paths play spaces must include opportunities for nature play and must be designed to minimise impacts on river ecologies. On the courtyards and podiums, doorstep play spaces must be designed to encourage exploratory, sensory and nature play.
- 7.61. Within soft landscaping, BAP habitat provision must be composed of multiple different categories including trees and scrub; species rich grassland and built environment. A long-term management strategy must be submitted, and the loss of any habitat must be mitigated by providing BAP areas of equal ecological value. Species proposals for plant and trees within BAP habitat areas must include 70% native species. Opportunities for urban greening must be maximised.
- 7.62. The code seeks to maximise biodiversity gains within the site. A soft landscape strategy must be designed to respond to the local and wider ecological contexts

and must be designed in collaboration with a qualified ecologist. Species proposals for plants and trees must include at least 30% native UK species and a diverse range of opportunities for nesting must be integrated into the site at ground and roof level.

- 7.63. Tree planting opportunities must be maximised with larger trees prioritised where space allows, with smaller trees reserved for smaller locations. All trees must be planted in tree pits which follow further design code specifications. All trees along trafficked streets must have a minimum 2m crownlifted canopy height. Trees planted in rain gardens must be comprised of suitable species and there must be consistency in the specification of trees across the delivery phases. Works around existing trees must take into account and protect valuable trees and any works around trees for retention must be accompanied with an Arboricultural Method Statement.
- 7.64. Further specific guidance is given to the use of trees in soft landscaping within the specific character areas and for the use of street trees. This includes the requirement of very large (>20m height) trees along Marshgate Lane.
- 7.65. Site-wide soft landscaping codes include the requirements for soft landscaping to be location-specific, designed to respond to local environmental conditions. Planting design must include thematic planting palettes, considered in terms of future maintenance and provide seasonal interest. Rain garden planting mixes must be suitable to deal with fluctuations in moisture levels. As with trees, there must be consistency within the specification of soft landscaping across the delivery phases. Design codes are provided with regards to the planting pit design.
- 7.66. More guidance is given toward the specific character areas and wider guidance given towards public realm play spaces and streets. This includes the requirements to avoid poisonous or harmful species and to maximise opportunities for greenery alongside streets, including the use of robust and resilient species.
- 7.67. The code provides requirements on the use of sustainable, durable and low maintenance materials to be used in hard landscaping. Codes are also provided with specific regard to types and layout of paving. On a site-wide basis the code requires hard landscaping to be carefully integrated into existing materials and edges, and must achieve consistency in the specification across development phases.
- 7.68. With regards to hard landscaping in the public realm, this must be specified to reflect functional requirement of roads, and variation in colour and tone must be used to differentiate between the pedestrian, cycle and vehicular uses. Specific guidance on the height, design and widths of kerbs for each character area is also provided.

- 7.69. In order to provide legible vehicle bays, the code requires clearly marked bays to avoid ambiguity. To ensure safe and inclusive pedestrian crossings, raised tables must be provided at all crossing locations with all kerbs flush with raised tables and showing visual delineation of pedestrian only areas and cycle areas.
- 7.70. All parking bays must be accessible and blue-badge compliant, provided on street, level with the footpath, and prioritising parallel parking. The maximum continuous run of bays must be four, and parking areas must be accompanied with tree planting or soft landscaping and routes through parking runs must coordinate with building entrances.
- 7.71. The code provides requirements for dormant parking bays during the phased delivery of blue-badge parking. The code requires interim public realm treatment including planting, street furniture or playscape to be provided for all dormant bays. These must be of a good design which complements their surroundings, be robust and easily relocated; providing adequate separation for areas used for vehicles and cycles.
- 7.72. With regards to street furniture the design should be simple, clear and robust. It must provide consistency across the delivery phases and must be located to avoid visual clutter and obstructions. Seating must be concrete and timber, draw on the site's industrial past, and rest opportunities must be provided every 50m.
- 7.73. Short stay external cycle parking must be located in key site thresholds, major public spaces and all entrances. They must be located in easily visible, accessible locations and be well lit, not located within courtyards. Five per cent of spaces must be dedicated to large-size cycles. They must stand alone and integrated into public realm. Camden or Sheffield stands must be used and they must be metallic self-finished. The type and materiality of bollards must respond to context and self-finished where steel is used.
- 7.74. To provide coherent and appropriate lighting the code specifies requirements for any lighting throughout the site. This includes the need for functional design standards and performance requirements, avoiding moving shadows caused by trees, consider what is appropriate for placemaking and feature-making, and avoid light overspill to ecological areas and nearby homes. Due regard must be given to maintenance and serviceability of installations, sustainable design and performance must be considered in material selection, and it must be coordinated with the footpath. It should reflect best practice with regards to impacts of BAP species.
- 7.75. Further specific guidance is given for lighting on public square columns, quiet streets and park columns, low-level lighting, street columns and highway columns.

7.76. The code provides further specific advice on materials, street furniture and lighting with regards to specific areas in order to provide a consistent and coherent character. This includes specifications on the types of materials and types of lighting to be used in Pudding Mill Lane, Marshgate Lane & Barbers Road, Neighbourhood Way, Riverside Parks, Residential Streets and Residential Courtyards.

7.77. To ensure coherent and effective wayfinding across the neighbourhood, integrated wayfinding must be provided within the public realm and architectural elements. Signage must be consistent and coordinated to avoid clutter and obstruction and there must be a consistent approach to the design and fixings of street name signage.

Illustrative scheme

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

7.79. The illustrative scheme establishes three-character areas, The Local Centre, Bow Back Riverside and City Mill Riverside. The Local Centre would be organised around Pudding Mill Square and would consist of employment uses, a new health centre, community pavilion and space for a cycle way and bus stops. Bow Back Riverside would consist of three residential blocks on the western side, split with neighbourhood streets and ground level courtyards. A riverside park would be included at the southern side of this area (Bow Back Riverside Park). City Mill Riverside would be located on the north-east side and would include non-residential uses at ground floor with residential properties at first floor level. A riverside park would be located on the eastern side of the site (City Mill Riverside Park).

7.80. The illustrative scheme includes a range of typologies with the tallest sections located in the Local Centre and along the northern edge of the site. A Central Tower would be located in the Local Centre, adjacent to Pudding Mill Lane DLR Station, to create a focal point for the scheme in terms of height.

7.81. The illustrative scheme was able to demonstrate that inclusive design can be achieved within the design of the entire site, including accessible public spaces, entrances and 10% of homes meeting Part M4(3); and the remaining 90% meeting Part M4(2). The illustrative scheme is car free, except for Blue Badge parking provision for 7% of the total unit number – 3% of which are delivered from the outset with potential for a further 4% to be delivered if demand arises. The illustrative scheme would include a significant amount of soft

landscaping, open space and playspace throughout the site. This would include street furniture and cycle parking for visitors.

Section 73 Application: 22/00216/VAR (PDZ 8.2 & 8.3 LCS Slot Out)

- 7.82. The outline application, if approved, would result in the grant of a new permission which will supersede the LCS Permission as far as it relates to the Pudding Mill plots 8.2 and 8.3 (excluding the Bridgewater Triangle parcels which have separately been resolved to be slotted out) (PDZ 8.1 & 8.4) due to the 'slotting out' of those sites from the LCS planning permission as proposed by this Section 73 application.
- 7.83. There have been four revisions to the LCS permission granted in 2012. These have included both the Stratford Waterfront variations to accommodate UCL East and the cultural and education quarter in PDZs 1 and 2 and most recently, the proposed fourth s.73 (21/00561/VAR) which slotted out plots 8.1 and 8.4 in relation to the proposed 'slot in' of the Bridgewater Triangle development which was resolved to be approved by PDC in July 2022.
- 7.84. This 5th s.73 application has the effect of varying the extant LCS permission to remove the remaining Pudding Mill plots in PDZ8 and make consequential amendments to the LCS permission, including planning conditions, informatives and s.106 obligations to reflect a reduction in overall floorspace permitted by the LCS planning permission. The changes to the 106 obligations are summarised at Appendix 4.
- 7.85. The related Non-Material Amendment application (22/00424/NMA) amends the description of development of the LCS planning permission to appropriately dovetail with the s.73 application to vary the LCS planning conditions.

8. POLICIES AND GUIDANCE

- 8.1. Planning law requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise (s.38(6) Planning and Compulsory Purchase Act 2004 taken with section 70(2) of the Town and Country Planning Act 1990).
- 8.2. One such material consideration is the National Planning Policy Framework ("NPPF") (current version July 2021). However, the presumption in favour of sustainable development expressed in the NPPF does not alter the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan, permission should not be granted unless material considerations indicate otherwise.
- 8.3. Section 149 of the Equality Act 2010 contains the public sector equality duty. LLDC's obligations in this regard are set out in more detail in the section on Equalities later in this report.

8.4. A local planning authority is also required to act compatibly with human rights as set out in the Human Rights Act 1998. The requirements in this regard are set out in more detail in the section on Human Rights later in this report.

National Planning Policy Framework

8.5. The revised National Planning Policy Framework (NPPF) was published in 2021. This document sets out the Government's planning policies for England including the presumption in favour of sustainable development. The policies in the NPPF are therefore material considerations in the determination of all applications.

8.6. The following sections of the NPPF are relevant to this application:

- 2. Achieving sustainable development
- 4. Decision making
- 5. Delivering a sufficient supply of homes
- 6. Building a strong, competitive economy
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

8.7. For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the adopted 'Development Plan' for this site current is The London Legacy Development Corporation's Local Plan 2020-2036 (July 2020) and the London Plan (2021).

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

The London Plan (2021)

8.9. The most relevant Policies of the London Plan are listed below:

Policy Number	Policy Name
D2	Infrastructure requirements for sustainable densities
D3	Optimising site capacity through design-led approach
D4	Delivering Good Design
D5	Inclusive Design

Policy Number	Policy Name
D6	Housing quality and standards
D7	Accessible Housing
D8	Public Realm
D9	Tall buildings
D11	Safety, security and resilience to emergency
D12	Fire safety
D13	Agent of Change
D14	Noise
E2	Providing suitable business space
E8	Sector growth opportunities and clusters
E9	Retail, markets, and hot food takeaways
E11	Skills and opportunities for all
G1	Green Infrastructure
G4	Open Space
G5	Urban Greening
G6	Biodiversity and access to nature
G7	Trees and woodlands
G8	Food growing
GG1	Building strong and inclusive communities
GG2	Making the best use of land
GG3	Creating a healthy city
GG4	Delivering the homes Londoners need
GG5	Growing a good economy
GG6	Increasing efficiency and resilience
H1	Increasing Housing supply
H4	Delivering affordable housing
H5	Threshold approach to applications
H6	Affordable housing tenure
H10	Housing size mix
H13	Specialist older person housing
HC1	Heritage conservation and growth
HC3	Strategic and Local Views
HC4	London View Management Framework
S1	Developing London's Social Infrastructure
S2	Health and social care facilities
S3	Education and childcare facilities
S4	Play and informal recreation
SD1	Opportunity Areas
SI1	Improving Air Quality
SI2	Minimising greenhouse gas emissions
SI3	Energy infrastructure
SI4	Managing heat risk
SI5	Water infrastructure
SI6	Digital connectivity infrastructure

Policy Number	Policy Name
SI7	Reducing waste and supporting the circular economy
SI12	Flood risk management
SI13	Sustainable drainage
S16	Waterways-use and enjoyment
S17	Protecting and enhancing London's waterways
T1	Strategic approach to transport
T2	Healthy Streets
T3	Supporting transport schemes
T4	Accessing and mitigating transport impacts
T5	Cycling
T6	Car Parking
T7	Deliveries, servicing and construction

The Legacy Corporation Local Plan (2020)

8.10. The Legacy Corporation Local Plan is the relevant Local Plan for the Legacy Corporation area. The most relevant policies are listed below:

Policy Number	Policy Name
B.2	Thriving town, neighbourhood and local centres
B.5	Increasing local access to jobs, skills and employment training
BN.1	Responding to place
BN.2	Creating distinctive waterway environments
BN.3	Maximising biodiversity
BN.4	Designing development
BN.5	Proposals for tall buildings
BN.6	Requiring inclusive design
BN.8	Improving Local Open Space
BN.9	Maximising opportunities for play
BN.10	Protecting key views
BN.11	Air Quality
BN.12	Noise
BN.13	Protecting archaeological interest
BN.14	Improving the quality of land
BN.17	Conserving or enhancing heritage assets
CI.1	Providing new and retaining existing community infrastructure
H2	Delivering affordable housing
H3	Meeting accommodation needs of older person households
S.1	Health and wellbeing

Policy Number	Policy Name
S.2	Energy in new development
S.3	Energy infrastructure and heat networks
S.4	Sustainable design and construction
S.5	Water supply and wastewater disposal
S.6	Increasing digital connectivity, safeguarding existing communications provision and enabling future infrastructure
S.8	Waste reduction
S.9	Overheating and urban greening
S.10	Flood Risk
S.11	Sustainable drainage measures and flood protections
S.12	Resilience, safety and security
SP.2	Maximising housing and infrastructure provision within new neighbourhoods
SP.3	Integrating the natural, built and historic environment
SP.4	Planning for and securing transport infrastructure to support growth and convergence
SP.5	A sustainable and healthy place to live and work
Site Allocation SA4.3	Pudding Mill
T.2	Transport improvements
T.3	Supporting transport schemes
T.4	Managing development and its transport impacts to promote sustainable transport choices, facilitate local connectivity and prioritise pedestrians and cyclists
T.5	Street network
T.6	Facilitating local connectivity
T.7	Transport Assessments and Travel Plans
T.8	Parking and parking standards in new development
T.9	Providing for pedestrians and cyclists

8.11. Other relevant material considerations

Mayor of London – Housing (2016)

Mayor of London – Accessible London: Achieving an Inclusive Environment (2014)

Mayor of London – Control of Dust & Emissions (2014)

Mayor of London – Sustainable Design and Construction (2014)

Mayor of London – Play and Informal Recreation (2014)
Mayor of London – Affordable Housing and Viability SPG (2017)
LLDC Planning Obligations SPD (2022)
LLDC Net Zero carbon SPD (2022)
LLDC Pudding Mill SPD (2017)
LLDC Design Quality Policy (2019)

9. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 9.1. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended in 2018 (the ‘EIA Regulations’), require certain types of development that are likely to have significant effects on the environment to be subject to the process known as Environmental Impact Assessment (‘EIA’). As explained by Planning Practice Guidance (‘PPG’): ‘The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process’.
- 9.2. LLDC Planning Policy and Decisions Team (‘PPDT’) deemed the Proposed Development to be EIA development and accordingly the Applicant has provided an Environmental Statement (‘ES’) and updates. The scope of the ES has been informed by a formal EIA scoping process which involved feedback from PPDT and stakeholders including the local boroughs and statutory bodies.
- 9.3. The ES includes:
- a description of the proposal and the expected emissions during the construction and operation phases;
 - an outline of the main alternatives studied by the Applicant and an indication of the main reasons for selecting the chosen option, taking into account a comparison of the environmental effects;
 - a description of the current environmental baseline and the likely effects if the proposed development was not implemented;
 - a description of the likely significant effects of the development on the environment and the methods used to identify and assess the significant effects on the environment, including details of difficulties and the main uncertainties involved;
 - a description of the measures envisaged to avoid, prevent, reduce or if possible, offset any identified significant adverse effects and any proposed monitoring arrangements; and
 - a non-technical summary.

- 9.4. Officers have reviewed the submitted Environmental Statement and application documents in consultation with PPDT's technical advisors, alongside statutory advice. Overall, it is considered that there are no significant adverse impacts as a result of the development, and any impacts that do result can be adequately mitigated through planning conditions and obligations.
- 9.5. In relation to the s.73 application, following consideration of a Screening Opinion, officers consider that an environmental impact assessment was not required for the s73 application to amend the LCS permission. The development proposed is a change to the LCS scheme development (11/90621/OUTODA), which is EIA development. However, on the basis of the information provided by the applicant and the mitigation measures that would remain secured by way of condition or planning obligation, should planning permission be granted, PPDT confirmed its opinion that the changes to the LCS development, as is proposed to be changed by this s73 application, would not have significant adverse effects on the environment.
- 9.6. The conclusion of the Screening Opinion is conditional upon a section 106 agreement being entered into, between the applicant and the LPA, which the LPA considers is adequate to support the conclusion, so that the amended LCS development would not result in any significant adverse effects on the environment. Officers are satisfied that the unilateral undertakings to be given by the LLDC, as landowner and as local planning authority, to secure amendments to the LCS s106 Agreement in order to reflect the slot out of PDZs 8.2 & 8.3 from the LCS Permission are sufficient, and support the conclusion that the amended LCS development would not result in any significant adverse effects on the environment

10. CONSULTATIONS

Statement of Participation

- 10.1. Statements of Participation (SoP) have been submitted in support of the proposal. Within it, the applicant describes the pre-application involvement process by outlining the methodology used, presenting the information collected throughout the consultation process, and explaining how the findings were considered during the further development of the proposals.
- 10.2. The SoP submitted states that the applicant undertook consultation with a range of stakeholders at pre-application stage. The document explains that three rounds of consultation took place between August 2019 and November 2021. This included consultation with the following community and public stakeholders:
- Local residents and members of the public living and/or working around QEOP;
 - Staff, pupils and parents from local schools;

- Young people from the local area including Legacy Youth Voice;
- Other stakeholders including faith groups and local businesses etc.

10.3. The submitted SoP explains that the pandemic affected the approach to consultation, but that community and public stakeholder consultation took place via a dedicated website, public meetings, workshops, flyers, email and an online public exhibition. As a result, information about the project was circulated to over 200 local residents and businesses and 13,540 flyers were also distributed.

10.4. A wide range of technical stakeholders were also consulted at pre-application stage in order to inform the proposals. These included:

- LLDC Planning Policy & Decisions Team;
- LLDC Built Environment Access Panel;
- LLDC Quality Review Panel;
- London Borough of Newham;
- Greater London Authority;
- Environment Agency;
- Canal & River Trust;
- Historic England;
- Transport for London;
- Network Rail;
- Thames Water;
- London Fire Brigade;
- ENGIE;
- National Grid; and
- UK Power Networks.

10.5. The application has been subject to public consultation.

10.6. A press notice was published in the Newham Recorder and several site notices were erected in the area on 27th January 2022.

10.7. A total of 666 letters were sent to nearby businesses and occupiers of neighbouring residential buildings including Otter Close, Stratford High Street, Central House, George Hudson Tower, Thomas Frye Court, John Wetherby Court and Edward Heylin Court.

Neighbour Responses

10.8. At the time of writing no objections have been received from residents.

External consultees

10.9. An extensive consultation process was undertaken with respect to a range of external stakeholders on both the outline application and the s.73 application for amendments to the LCS.

10.10. The table below summarises the comments received on the outline application. For the s.73 responses have been received from TfL, LBTH, LBWF, LB Hackney, Newham LLFA, CRT, Historic England, London Underground and the Metropolitan Police. All confirming no objection (where specific comment has been made about conditions by consultees, these are not being amended under the revisions to the LCS permission proposed in the s.73 application).

Consultee	Response
Arriva Rail London	No Response
Arup - PPDT environmental/EIA Consultants	<p>Clarifications were sought on a number of environmental matters, including daylight and sunlight, wind, townscape and visual assessment, noise and urban greening.</p> <p><u>Officer comments:</u></p> <p>Following receipt of additional information, ARUP have confirmed that the main issues have been resolved and subject to the conditions and planning obligations proposed being secured they have no objections to the proposal.</p> <p>Discussed in further detail in the main body of the report</p>
British Gas	No Response
British Transport police	No Response
BT Group plc	No Response
Canal & River Trust	<p>CRT has raised comments in relation to the impact on structural integrity of the waterway, the towpath, the drainage strategy and impact on the character, appearance and the environment of the waterway.</p> <p>Officer Comments: the applicant has confirmed that no works in the Bow Back River or to the River Wall are proposed and that standard mitigation measures associated with noise, dust and light spill on the River are secured by planning condition. CRT has sought clarification on the number of visitors to and occupants of the development on the waterway walking and cycling network. In response the applicant has confirmed that there will be significant improvement to the river edges as well as improved access to the riverside for new and existing communities as a result of the development. Further details in relation to drainage, landscaping and lighting are secured by planning conditions.</p>

Consultee	Response
	<p>In response to CRT requests for a financial contribution towards towpath resurfacing and maintenance, the provision of resurfacing to CRT towpaths within the application site will form part of the landscape works. As part of the scope of the proposed connectivity enhancements to the Greenway from the application site proposed to be secured via the s106 legal agreement, the applicant has agreed to review options to deliver improvements to towpaths outside but adjoining the application site.</p>
Crossrail Limited	<p>No objections given however applicants are to be made aware that proposals will need to take account of TfL/DLR freehold ownership boundaries and buried assets</p>
Docklands Light Railway	<p>No Response</p>
East London NHS Foundation trust	<p>No Response</p>
East London Waste Authority	<p>No Response</p>
Engie Limited	<p>No Response</p>
Environment Agency	<p>No objections subject to conditions for the submission of flood defence strategies and ecological management plan for each phase of development.</p>
Greater London Authority (GLA)	<p>Stage 1 response received, with matters set out within the relevant sections of the report</p>
Greater London Archaeological Advisory Service (GLAAS)	<p>Objected to the proposal, with comments in relation to the documentation submitted. Limited information on heritage assets have been provided. The geoarchaeological model provided is limited and should consider additional data from boreholes. Further information on piling would be required.</p> <p><u>Officer Comments:</u></p> <p>The applicant has provided a letter in response to GLAAS' comments clarifying that the desk-based assessment (DBA) and the Environmental Statement (ES) have made a thorough assessment of the heritage assets. Additionally, it was clarified that there is no justification to undertake additional modelling, as</p>

Consultee	Response
	sufficient information has already been obtained from several sources. The below ground impact by the development is still not clear and any further boreholes could be taken following detailed design. Conditions to this effect have been included as part of the recommendation.
Historic England	No objections
Jacobs - PPDT Transport advisors	<p>Clarifications were sought on a number of transport matters, including the status of on-street loading, the management of delivery and servicing, car club spaces, cycle hire, blue badge parking, cycle parking and the and nature of highway works proposed.</p> <p>Following receipt of additional information, PPDT's Transport advisors have confirmed that their main comments have been addressed and there are no outstanding.</p>
LB Newham – LLFA (Flood Authority)	<p>Partial objection to the proposal. Pumped discharge into watercourse is not a SUDS approach. LLFA would require further details.</p> <p>A condition is suggested requiring details of Surface Water Drainage to be submitted and approved.</p> <p><u>Officer Comments:</u></p> <p>SUDS clarification was provided, and a condition is suggested requiring details of Surface Water Drainage to be submitted and approved. A condition to this effect is included as part of the recommendation.</p>
LB Newham – Network Management	No Response
LB Newham – Transport	No Response
LB Newham – Cycling	No Response
LB Newham – Education	No Response
LB Newham – Environmental Health	No objections to the proposal subject to conditions to deal with potential land contamination, air quality impacts, noise impacts, dust impacts and for a Construction Management Plan to be submitted.

Consultee	Response
	<p>ROSPA (Royal Society for the Prevention of Accidents) should be consulted regarding waterway safety</p>
<p>LB Newham – Highways & Traffic</p>	<p>No objections subject to conditions requiring car parking provision for Blue Badge Parking; parking allocation; mobility scooter parking and charging points; cycle parking; car clubs; Service management plan; Construction Logistics Plan and Travel Plan.</p> <p>Additionally, a s106 agreement should be secured to provide contributions to reduced car parking; pedestrian cycle connection improvements; RPZ contributions; Travel Plan monitoring and changes in TMOs.</p> <p>Lastly, it is recommended that the applicant enters a S278 agreement with the council to deliver highways works.</p> <p><u>Officer Comments:</u></p> <p>Relevant conditions and obligations are included within the recommendation. The applicant met with LBN Highways to clarify the s.106 ask above and no specific funding request was made at or subsequent to that meeting.</p>
<p>LB Newham - Greenspace</p>	<p>No Response</p>
<p>LB Newham – Planning</p>	<p>No Response</p>
<p>LB Newham – Public Realm</p>	<p>No Response</p>
<p>LB Newham – Regeneration</p>	<p>LBN Community Wealth Building are supportive of the general principles of development on this significant site and its impacts on employment and culture.</p> <p>They have indicated that a higher proportion of affordable housing on this site would reduce the amount of affordable homes needed on Rick Roberts Way, and secure greater social integration whilst delivering viability.</p> <p>Propose that sustainability should be maximised to support net zero carbon objectives and that steps should be taken to overcome severance in the locality and improve connectivity.</p>

Consultee	Response
	<p><u>Officer comments:</u></p> <p>The proposed level of affordable housing proposed would exceed the requirement secured under the Stratford Waterfront UU and would enable the distribution of affordable housing to be more equitable than originally envisaged, with the number of affordable homes that need to be provided on Rick Roberts Way reduced.</p> <p>Sustainability considerations, including net zero obligations have been secured in the design code and through planning obligations.</p>
LB Newham – Waste management	<p>A swept path analysis is required to show that refuse collection vehicles can turn around for plot 4 and 6.1</p> <p>A bus stop would prevent collection from stopping on Marshgate lane. The bin store for Plot 7 should be moved so access is from Barbers Road</p> <p>Further info is required on the number and size of bins proposed and where residents should leave bulky items for collection.</p> <p><u>Officer comments:</u></p> <p>Appropriate design guidance and details have been secured as part of the design code and this level of detail is considered appropriate for an outline scheme. Mitigation plans are in place for Plot 7, with refuse using the loading bay to the south and tugs moving bins into place at time of collection. In any event, further details and information will be provided as part of a reserved matters application which will need to undergo design development and consultation with stakeholders.</p>
LLDC – Design	No Response
LLDC – Development	No Response
LLDC – Policy	No Response
London Campaign (Head Office)	No Response

Consultee	Response
London Fire Brigade	No Response
London Overground	No Response
London Underground Infrastructure Protection	No Response
Metropolitan Police – North east region	<p>Officers confirm that engagement with the applicants has taken place prior to the submission of the application.</p> <p>No objections to the proposal which appears to have been positively engaged with Secure by Design (SBD) principles.</p> <p><u>Officer comments:</u></p> <p>Condition is included, as recommended, for the implementation of SBD principles.</p>
National Grid	No Response
Natural England	No Response
Network Rail	<p>Objection to the proposal. Concerns are raised that the proposal would result in a sensitive use close to the Bow East Goods Yard which is safeguarded for continued use.</p> <p>Further mitigation measures should be provided. Suggested the use of amendments to the Design Code and suggested conditions to ensure effective noise mitigation for the residential units is provided.</p> <p><u>Officer comments:</u></p> <p>The applicant engaged with Network Rail to address their concerns. Additional clarification was provided regarding the ES, amendments were made to the design code and conditions agreed to ensure appropriate noise mitigation. Officers are satisfied that the main issues have been resolved and that there are no outstanding matters.</p>
Purcell - PPDT Heritage Advisors	No significant impacts on heritage assets are likely.
Sport England	It is unclear if sports facilities are proposed or if provision for sports facilities will be funded by CIL contributions or via a s106 agreement.

Consultee	Response
	<p>No objections to proposal provided contributions are secured via one of these methods</p> <p><u>Officer Comments:</u></p> <p>The applicant has clarified that the Environment Statement submitted with the application assesses the existing sporting provision in the inner and outer impact area around the site. The applicant has identified within the Design Code that a youth play space focused on sport, is to be provided.</p> <p>The applicant has applied benchmarks to the scheme details, according to the Sports England Sport Facility Calculator, to estimate the recommended provision of facilities required to meet the needs of the additional population, it was confirmed that there is sufficient existing provision</p>
Thames Water Authority	<p>No objections to the proposal. Conditions recommended to ensure that existing infrastructure is protected.</p> <p><u>Officer comments:</u></p> <p>Suggested conditions have been secured.</p>
Transport for London (TFL)	<p>No objection in principle subject to conditions for details to be submitted in consultation with DLR to mitigate any impacts on DLR infrastructure</p> <p>Conditions are requested to provide Parking and Design Management Plan, blue badge and EVCP provision; Delivery and Servicing Management Plan; Details of long stay and short stay cycle parking and facilities; Construction Transport Management Plan; DLR and railway infrastructure protection</p> <p><u>Officer Comments:</u></p> <p>Conditions agreed to relating to Transport Infrastructure Protection, Delivery and Servicing Strategy, Construction Transport Management Plan, cycle parking, car parking (including blue badge) design and DLR Radio System surveys.</p>

Consultee	Response
	<p>Additionally in order to comply with the transport policies of the London Plan appropriate obligations should be included in Heads of Terms, including:</p> <ul style="list-style-type: none"> • Stratford station enhancement Contribution • Bus Infrastructure Contribution • Construction Transport Mitigation Contribution • Marshgate Lane Bridge Contribution • Travel Plan • Car Club
UK Power Networks Services	No Response

GLA Comments

10.11. The GLA are supportive of the principle of development and agree that the level of affordable housing would be sufficient for the fast-track process. In terms of urban design, they consider that the overall outline masterplan is appropriate in terms of massing and consider that the public benefits outweigh the less than substantial harm to conservation areas and heritage assets.

10.12. Some further clarification is requested regarding the rail line loading impacts and the design codes should include a cycle hire docking station.

10.13. Finally, further information was requested with regards to energy, whole life carbon, circular economy, green infrastructures and flood risk.

10.14. In the interim period officers have been working with the applicant and GLA officers to resolve the identified issues. The applicant has provided the requisite level of details to address comments raised by the GLA. Officers are satisfied that there are no outstanding issues to be resolved.

10.15. The proposals will be reported back to the GLA for consideration at Stage 2, prior to the issuing of any decision.

Quality Review Panel (QRP)

10.16. LLDC's Quality Review Panel (QRP) reviewed the proposed development three times at pre application stage and on two occasions since the application was submitted. Their most recent report from August 2022 is included as Appendix 3.

10.17. The panel have commended the applicant's team on the masterplan for Pudding Mill Lane stating that the design code is well thought through,

comprehensive and detailed. They support the general arrangement and layout of buildings and streets, public realm and are generally supportive of the guidance on built form and appearance.

10.18. The principal concern to the panel across all of its reviews has been the height of the Central Tower. In its most recent comments, the panel acknowledges that a point of height at the location of the proposed tower is acceptable but is unable to support the proposed 25 storey height. Whilst the Design Code and Parameter Plans give confidence of good quality design, the Panel is not convinced that this height is appropriate. In particular, the panel feels that the height of the tower is not aligned to the vision of the Pudding Mill SPD and although the panel acknowledges that in terms of microclimate there would be limited impact, its positive contribution to townscape and public realm remains unclear.

10.19. The panel confirmed that it feels that the Central Tower should be no more than 20 storeys as a better height transition with the remainder of the neighbourhood. The panel does though acknowledge that there needs to be a balance between its concerns on this point and the delivery of high quality affordable homes in the masterplan as a whole. The panel also concludes that the use of s.106 obligations, in particular to require a design competition for the central tower and with further refinements to the design code will give officers confidence that the exceptional design quality test in policy BN.5 will be met.

Built Environment Access Panel (BEAP)

10.20. LLDC's Built Environment Access Panel, which is made up of people with expertise in inclusive design, reviewed the scheme at pre-application stage. The panel made comments in relation to shared surfaces, parking and play. Officers have taken the views of BEAP into account and assessed the acceptability of the applicant's response to their comments. Officers are satisfied that inclusive design is embedded within the design codes, and that any matters that cannot be addressed at the outline stage and are more appropriate for approval as part of a future Reserved Matters Applications are appropriately governed by the Design Code and the RMA specification. Officers are therefore satisfied that an appropriate level of detail has been provided at this stage and that the requisite level of detail would be provided at an appropriate stage for an RMA to demonstrate compliance with the LLDC's Inclusive Design Standards.

Planning Decisions Committee (PDC)

10.21. The Applicant presented their proposals to Members of the Planning Decisions Committee during the pre-application stage of the planning process. Key comments made were:

- Further consideration was needed regarding the justification of height and quality of housing typologies;
- Language around entrances and general design should ensure that the scheme is tenure blind;
- Issues regarding the level of daylight, sunlight and overshadowing to public and communal courtyard spaces;
- Affordable housing provision;
- Height of the central tower;

10.22. Officers are satisfied that design quality is secured within the Design Code and commend the proposals for supporting cohesive communities through the delivery of high-quality homes with tenure blind design. The proposals have been informed by extensive daylight, sunlight and overshadowing analysis with particular attention given to the public open space and play areas. Whilst the residential courtyards are more challenged in terms of daylight, all the main community spaces (Pudding Mill Square, City Mills Riverside Park and Bow Back Riverside Park) would exceed BRE guidance in terms of sunlight received on 21st March. The local streets, which are playable, would also generally perform better than the courtyards. The Design Code responds appropriately by providing guidance for future Reserved Matters Application on how to maximise daylight to courtyards and streets at the detailed design stage. The acceptability of the height of the development is considered in further detail below, including an analysis against Local Plan Policy BN.5, which requires outstanding design. Officers are satisfied that the controls secured are robust and can be improved upon at the RMA stage.

11. ASSESSMENT OF PLANNING ISSUES

11.1. As discussed, there are three applications relating to the proposals for the Pudding Mill Lane development. The first is for changes to the approved LCS consent in connection with the above outline application (reference: 22/0216/VAR – a section 73 application and referred to as ‘the fifth section 73 application’ or ‘the fifth section 73 proposal’). The second related application is an Outline Planning Application for the residential led redevelopment of PDZ’s 8.2 and 8.3 (ref: 21/00574/OUT). There is also an accompanying application which seeks non-material amendment, 22/00424/NMA.

11.2. This section for the report summarises officers’ assessments of planning issues of all of these applications.

11.3. The key issues considered in the report are:

- Principle of the land uses proposed;
- The housing development and how this fits within the wider LCS development, including the portfolio approach to affordable housing delivery and the requirement for ‘slot in’ applications to provide additional residential floorspace;

- The quality of the proposed design of the outline proposals, including public realm and open space;
- Inclusive design and access;
- The impact of the proposals on residential amenity;
- The transport and connectivity impacts of the proposals; and
- The environmental impact of the development including energy and sustainability.

Principle of Development

Fifth s73 Application – ref: 22/00216/VAR and the S96A Non-Material Amendment application.

- 11.4. The LCS Permission provided for 86,256 sqm of residential floorspace in PDZs 8.2 & 8.3, together with 35,839 sqm of employment floorspace (Use Class B1), 2,114 sqm of retail (Use Class A1 – A5) and 169sqm of community floorspace (Use Class D2), as well as 1,482 of education/health floorspace (Use Class D1). By slotting out this area from the LCS Permission, the Fifth s73 proposal therefore has the effect of reducing the quantum of housing to be delivered under the LCS by approximately 956 homes (based on the applicant's indicative scheme) thereby reducing the LCS scheme's contribution towards the Legacy Corporation's strategic housing targets.
- 11.5. However, the replacement outline application is proposing up to 116,533 sqm of residential development (Class C3), which would indicatively provide 948 residential units. As such, subject to the approval of the related 'slot in' outline application, there would be no loss of residential floorspace provision on the site, and the proposed 'slot out' would comply with Policy SP.2 of the Local Plan, which seeks to safeguard existing residential land.
- 11.6. Furthermore, the application complies with paragraph 14.2 of the Third LCS Unilateral Undertaking which requires the submission of 'one or more Slot-in Applications to secure planning permission for PDZ 8 which permits a greater quantum of residential floorspace than is permitted in PDZ 8 by the Original Planning Permission ... in order to make up as much as possible of the shortfall in residential floorspace resulting from the implementation of the UCLE Slot-in Permission and the Stratford Waterfront Slot-in Permission.' It is noted that the replacement outline planning permission represents an uplift of 30,297 sqm in residential floorspace in comparison to the LCS permission. This uplift in residential floorspace complies with the 3rd s73 application to the LCS permission and is considered to be consistent with the strategic changes to housing capacity requirements from 2012, when the LCS scheme was first consented. Given there was no LLDC Local Plan at this time, or specific LLDC targets set out in the then London Plan that was published in 2011, housing delivery within the LLDC area at that time would have counted towards host borough targets. The application site falls within LB Newham and to illustrate the

point about the change in the strategic approach to housing capacity it should be noted that the annualised LB Newham target in 2012 was 2,500 new homes per year. This has substantially increased by 31% to 3,280 units per year as per current London Plan requirements

- 11.7. This change in the strategic approach to housing capacity is also reflected in the fact that the Local Plan (2015) had an annual target of 1,471 new homes. However, the Local Plan (2020) sets an increased target of 2,154 new homes per year, an increase of 46%. As such it is possible to conclude that there has been an increasing policy requirement to deliver more new homes over the course of the 10 year period from when the LCS was first consented. The increased residential floorspace on the application site in comparison to the LCS permission would therefore help meet these increased housing targets.
- 11.8. It is also considered that the proposed approach to deliver additional housing on the site accords with the portfolio approach to housing delivery across the Stratford Waterfront, Bridgewater Triangle, Pudding Mill and Rick Roberts Way sites that was agreed under application ref: 18/00470/OUT. The proposed housing floorspace would help generate sufficient value so that the required level of affordable housing that was agreed as part of the portfolio approach, can be delivered. The proposed additional housing would also help address the net loss of housing from the LCS permission, 146,200 sqm or approximately 2,000 homes, that was agreed as part of the UCL East and Stratford Waterfront Permissions, and was resultant from the introduction of the cultural and education uses.
- 11.9. As set out within the Planning Decisions Committee Report for applications ref: 18/00470/OUT and 18/00471/VAR, the reduction in housing on the Stratford Waterfront site 'would be absorbed by the LLDC area-wide delivery of housing numbers across both Legacy Corporation owned and other sites within the Legacy Corporation's administrative area.' This is supported by paragraph 14.2 of the 3rd s73 to the LCS permission which requires the developer to submit a slot in application for PDZ8 "which permits a greater quantum of residential floorspace than is permitted in PDZ8" which is to "make up as much possible of the shortfall in residential floorspace resulting from the implementation of the UCLE slot-in permission and the Stratford Waterfront slot-in permission." Proposals for development plots 8.1 and 8.4 (Bridgewater Triangle and Warton Road) within PDZ8 were approved by Planning Decisions Committee in July 2022 (21/00403/OUT) leading to a net uplift of 29,696 sqm in residential floorspace. This proposal for development plots 8.2 and 8.3 has a net increase of 30,297 sqm of residential floorspace, or 59,993sqm across PDZ8 as a whole. However, despite this uplift, it is considered that in environmental assessment terms that the effect on social infrastructure, such as education and healthcare facilities, would be negligible (not significant) noting there would be no net uplift against the LCS permission as a whole.

11.10. It is also noted that the proposed increase in housing density would accord with the principles of London Plan Policy G2 which seeks sustainable mixed-use places that make the best use of land. Specifically, it states that those in planning and development must proactively explore the potential to intensify the use of land to support additional homes and workspaces and promote higher density development. Given the above, the 'slotting out' of the existing LCS consent from PDZs 8.2 & 8.3, and 'slotting in' the proposed replacement outline planning permission, is considered to be acceptable in principle.

11.11. The Fifth Section 73 application would necessitate amendments to a number of conditions imposed on the LCS Permission (as varied by the Fourth Section 73 Permission) to reflect the 'slot-out' of the LCS permitted development within the application site. The proposed amendments to the conditions within the LCS consent include the following:

- Removal of conditions that relate specifically to PDZs 8.2 & 8.3;
- Amendments to floorspace figures to reflect the removal of PDZs 8.2 & 8.3 from the LCS consent;
- Amendments to LCS BAP habitat provision to reflect the removal of PDZs 8.2 & 8.3 from the LCS consent;
- Amendments to LCS playspace provision to reflect the removal of PDZs 8.2 & 8.3 from the LCS consent;
- 'Removal of the condition relating to the Population Review to reflect the significant reduction in housing across the LCS area since its original consent, and associated population forecast.

11.12. In conjunction with this, the applicant is also seeking variations to a number of planning obligations in the LCS s106 legal agreement to reflect the 'slot-out' of the LCS permitted development within the application site. Details of the proposed changes to the LCS S106 agreement are set out within the Heads of Terms at Appendix 4 and would be secured through Reciprocal Unilateral Undertakings (each appending an agreed form of Deed of Variation to the LCS s106 agreement. In summary the proposed amendments to the obligations within the LCS s106 agreement include the following:

- Amendments to LCS financial contributions including those for Bus Infrastructure Contribution, Car Club and Offsite Junctions Contribution to reflect the proportionate reduction in LCS housing figures;
- Removal of references to PDs 8.2 & 8.3 to reflect their removal from the LCS consent;
- Amendments to site-wide requirements in relation to Affordable Housing and Family Housing Percentages to reflect the slot-out of DPZ8.2 & 8.3.
- Removal of the Sheltered Housing Facility schedule (Schedule 16) to reflect the reciprocal provision within Outline application 21/00574/OUT.

- Removal of the Viability Review schedule, as this no longer applies to any of the remaining PDZs on which Reserved Matters Applications pursuant to the LCS consent could be implemented. Provisions within the Stratford Waterfront Unilateral Undertaking restrict development coming forward other than in accordance with the Portfolio approach and therefore precludes the current LCS permission from being implemented on LLDC land at PDZ12, Rick Roberts Way.
 - Removal of the provisions relating to the Population Review and associated Education and Social Infrastructure Consultation, including the Social Infrastructure Contribution, to reflect the significant reduction in housing across the LCS area since its original consent, and associated population forecast.
- 11.13. Officers consider that the amendments proposed to both the LCS conditions and the s.106 legal agreement principally reflect the reduction in development as approved under LCS permission as well as consequential amendments to approved floorspace and removal of site-specific conditions and obligations for PDZs 8.2 & 8.3.
- 11.14. Agreement has been reached with the applicant on revised triggers and officers are satisfied that each condition and s106 obligation amendment is proportionate and does not result in a delayed or adverse impact on the secured infrastructure and other measures necessary to make the LCS a sustainable form of development. The applicant has submitted a s96A Non-Material Amendment application to amend the description of the LCS development and to make changes to definitions within the permission (including removal of all references to PDZ8). These appropriately dovetail with the Fifth s.73 application and accordingly is considered acceptable and recommended for approval.

Population Review and Social Infrastructure provision

- 11.15. The Legacy Communities Scheme planning application, was accompanied by an Environmental Impact Assessment (EIA).
- 11.16. Part of the EIA review at the time of consideration of the LCS planning application included a request for further sensitivity testing of population forecasts and social infrastructure requirements arising from the proposed development. The conclusion of this additional sensitivity test was that the population arising from the LCS development could range from the initial population figure of 13,513 with a mid-range population forecast of 15,391 and an upper bound forecast of 17,253 but this would depend on the dataset used. Given that it would not be appropriate to 'pick and mix' datasets, it was agreed that population reviews would be undertaken at key triggers within the LCS development, the outcome of which would inform discussions on how to allocate a Social Infrastructure Contribution (SIC) of £1.9m (indexed) in the event that the population forecast exceeded the LCS baseline. This is set out in Schedule 8 (Education) of the LCS Unilateral Undertaking (LCS UU).

- 11.17. Notwithstanding this, it was also concluded that the social infrastructure being provided as part of the LCS development adequately met the needs arising from the development, save for the Acute and Social Care Beds and Emergency Services. For both, it was concluded that no on-site provision was required given that the demand generated from the LCS development was not considerable when compared to the full scale or capacity of the facility which would normally provide these services, and which would, in any event, be funded by central government on the basis of a broader geography and assessment.
- 11.18. As such, it was considered that any allocation of the Social Infrastructure Contribution, if triggered, would prioritise primary education.
- 11.19. There have been a number of amendments since the LCS was originally consented in September 2012. Notably, a number of Planning Delivery Zones (PDZs) have been, or are due to be, slotted out of the LCS permission, i.e. PDZ1, PDZ2, PDZ8 and PDZ12.
- 11.20. The Second and Third LCS S73s (August 2018 and July 2019 respectively) slotted out PDZs 1 and 2 to enable the East Bank developments at Stratford Waterfront and UCL East. The East Bank developments have resulted in a significant reduction in housing (c.2,000 units).
- 11.21. The accompanying Deed of Variation to the LCS placed new obligations on LLDC to submit slot-in applications for its remaining sites at PDZ8 and PDZ12 (the Portfolio Sites) to increase additional residential floorspace. These PDZs will therefore be slotted out of the LCS permission and replaced by the new slot-in applications. Whilst the obligation is to make up as much as possible the shortfall arising from the East Bank developments, the increase in homes at PDZ8 and PDZ12 is limited to approximately 250 homes (subject to planning permission), far short of the loss of 2,000 homes arising from East Bank.
- 11.22. The table below provides a summary of the estimated evolution of housing numbers across the LCS area, appraised using the updated HSIS methodology with the 2011 Census data:

PDZ	LCS 2012 consent		LCS following the 5 th S73 and RRW slot-out		Combined LCS and 'slotted-out' sites	
	Unit	Population	Unit	Population	Unit	Population
PDZ 1	1,787	2,321			600	1,269
PDZ 2	878	1,522				
PDZ 4	651	1,840	772	1,786	772	1,786
PDZ 5	887	2,126	1,087	2,599	1,087	2,599
PDZ 6	960	2,313	880	2,474	880	2,474
PDZ 8	1,311	2,516			1,523	3,463

PDZ	LCS 2012 consent		LCS following the 5 th S73 and RRW slot-out		Combined LCS and 'slotted-out' sites	
PDZ 12	398	864			398	988
Total	6,872	13,513	2,739	6,859	5,260	12,579
Difference with LCS 2012 consent	0	0	- 4,133	-6,654	-1,612	- 934

- 11.23. Once PDZ 1, 2, 8 and 12 have been slotted-out, the forecasted LCS population is 6,859, which represent a reduction of 6,654 compared to the original 2012 consent. When accounting for the new slot-in applications and permissions on the Portfolio Sites, the total population forecast across the original LCS area increases to 12,579, however still resulting in a reduction of 934 compared to the original 2012 consent.
- 11.24. Furthermore, using the more recent GLA population yield calculator, the forecasted population after the 5th S73 and RRW slot-out is 6,512, a reduction of 7,001; and the forecasted population taking into account the combination of the LCS and 'slotted-out' sites is 11,836, a total reduction of 1,677.
- 11.25. Despite the reduction in the scope of the LCS and the amount of development and homes to be provided across the original LCS sites, the applicant has not sought to reduce the amount of principal social infrastructure provision and provided social infrastructure earlier than the LCS triggers (in particular, schools provision). Further social infrastructure provision is also due to come forward as Reserved Matters consents are implemented on PDZs 4 and 5; East Wick and Sweetwater. As such, officers consider that based upon meeting the assessed needs of both the LCS and slot in developments across the PDZs, there would be an over- provision of social infrastructure.
- 11.26. Given the reduction in overall unit numbers to be delivered across the LCS area, and thus the reduction in the population expected to be generated by the development, it is considered that there is no longer a need for the Population Review as set out in Schedule 8 (Education) of the LCS UU and planning condition LCS0.252 of the LCS planning permission.
- 11.27. Furthermore, given the resulting over-provision of social infrastructure across the original LCS sites, it is also considered that the Social Infrastructure Contribution (£1.9M indexed) that would have been utilised to fund any additional social infrastructure be identified out of the population reviews is also no longer required. However, officers have sought to utilise this funding for other infrastructure directly related to the slot in development at Pudding Mill. This is captured in the heads of terms for the Pudding Mill s106 agreement set out in Appendix 4.

Outline application – ref: 21/00574/OUT

11.28. The application site is located within Sub-Area 4 (Bromley-by-Bow, Pudding Mill, Sugar House Lane and Mill Meads) of the Local Plan (2020). The application site forms part of Site Allocation SA4.3, which set out the principles for a residential-led mixed-use development on the Site.

11.29. The site allocation seeks to create a new medium-density, mixed-use area, including a significant and diverse element of new and replacement business floorspace, including spaces suitable for small- and medium-sized businesses; a new Local Centre adjacent to Pudding Mill Lane DLR Station and Pudding Mill Lane; new homes including a significant element of family housing; new Local Open Space, play-space and public realm. Cumulatively across the Pudding Mill Site Allocation, 25 per cent non-residential floorspace should be achieved, with intensified industrial floorspace in the area to the west of Cooks Road and around the Crossrail portal. This is in line with the Pudding Mill SPD (adopted 2017) which sets out further guidance for development in this area.

11.30. It should also be noted that the application has been submitted in the context of an extant planning permission, namely the Legacy Communities Scheme (LCS), which includes outline consent for residential led development on the application site.

11.31. The application proposes the following uses and amounts of floor space:

Use Class	Gross External Area
Residential – C3	Up to 116,553sqm
Commercial – E	Up to 51,738sqm
Local Community and Learning – F.2	Up to 273sqm

11.32. The exact number of homes will be determined as part of the reserved matters applications following this outline permission. However, the applicant has stated that the floorspace could indicatively provide for a maximum of 948 units at a density of 545 habitable rooms per hectare.

11.33. Given the above, the principle of residential development, as proposed by this application, is considered to accord with Site Allocation SA4.3 in the Local Plan at and is also consistent with the overall objectives both within the Pudding Mill SPD and the LCS permission for a mixed use development which would establish a new Local Centre adjacent to Pudding Mill station.

11.34. Each of the proposed uses is further assessed below.

Housing Mix and Affordable Housing Provision

- 11.35. Policy H1 of the London Plan sets a target of 21,540 new homes over ten years which equates to 2,154 per annum for the LLDC area. Strategic Policy SP.2 of the Local Plan seeks to exceed these targets through optimising housing delivery on suitable sites.
- 11.36. In the context of the above housing delivery planning policies, it is considered that the provision of approximately 948 residential units would in principle represent a welcome delivery of housing, significantly contributing to targets for the wider LLDC area, delivering 44% of LLDC's annual housing target.
- 11.37. Policy H10 of the London plan states that schemes should generally consist of a range of unit sizes. To support this Policy H.1 of the Local Plan seeks to diversify the range of housing provision to meet identified requirements. Developments are expected to provide a mix of one, two and three-bedroom units. Half of all proposed units should have two bedrooms or more.
- 11.38. The application is for outline permission only and as such the details of the final housing mix will be assessed under a future Reserved Matters application. However, in order to provide comfort that a policy compliant mix will be achieved as part of a future application, an obligation for unit mix is recommended to be secured as part of this approval (see Heads of Terms at Appendix 4). This requires at least 51% of units within the final scheme to have two-bedrooms or more in compliance with the Local Plan requirements.
- 11.39. It is also noted that the illustrative scheme has been provided which demonstrates one way in which a suitable mix could be achieved. The illustrative scheme is for 948 units, which includes the following mix:
- 4 X studio units;
 - 328 X 1 X bed units;
 - 435 X 2 X bed units;
 - 181 X 3 X bed units
- 11.40. Notwithstanding the above, the site allocation SA4.3 identifies that a significant proportion of family homes should be provided. The Local Plan defines family housing as 'A dwelling that by virtue of its size, layout and design is suitable for a family to live in and generally has three, four, five or more bedrooms'. In this regard, the illustrative scheme demonstrates that the site can accommodate a significant portion of family-sized housing, particularly 3-bed homes which, when measured on a habitable room basis, accounts for 28% of the entire development. Larger units have sought to be delivered in the affordable tenures where a higher need is identified, with 3-bed homes amounting to 40% of the total.

- 11.41. Policy H4 of The London Plan sets a strategic target for 50% of all new homes to be affordable. Affordable housing should be provided on site. Off-site provision or cash in lieu will only be accepted in exceptional circumstances. Policy H5, supported by the mayor's Affordable Housing and Viability SPG (2017), sets a threshold approach to affordable housing whereby applicants are not required to demonstrate viability where schemes meet or exceed a threshold of 35% affordable housing without public subsidy or 50% for schemes where there is a subsidy.
- 11.42. The SPG also states that where a public landowner has an agreement in place with the Mayor to provide 50% affordable housing across a portfolio of sites, individual sites which meet or exceed the 35% affordable housing threshold and the required tenure split, may be considered under the Fast Track Route.
- 11.43. This 'portfolio approach' is reinforced within Policy H5 of the London Plan which provides a target for development on public sector land of at least 50% affordable housing across its portfolio. Therefore, public sector landowners with an agreement with the Mayor, may provide 50% affordable housing across a portfolio of sites, provided at least 35% affordable housing is provided on each site, with the required affordable housing tenure split on the initial 35%.
- 11.44. The portfolio approach is also supported within the Local Plan, which states that the Legacy Corporation shall deliver development across remaining undeveloped sites including Stratford Waterfront, Rick Roberts Way, Bridgewater Road and Pudding Mill, which will achieve 50 per cent affordable housing across these sites.
- 11.45. In terms of tenure mix, Policy H6 of The London Plan seeks affordable products to be split with a minimum 30% at London Affordable rent (LAR) or Social Rent, 30% intermediate products including London Living Rent and London Shared Ownership. The remaining 40% to be determined by boroughs as low-cost rented homes or intermediate products based on identified need.
- 11.46. In response to the above policies, Strategic policy SP.2 and policy H2. of the Local Plan applies the threshold levels of 35% and 50% on a habitable room basis with a split of 60% low-cost rented and 40% intermediate products.
- 11.47. The portfolio approach to affordable housing delivery on this site was established under the Stratford Waterfront consent (ref: 18/00407/OUT), which bound affordable housing delivery across Stratford Waterfront, Pudding Mill, Bridgewater Triangle, and Rick Roberts Way in order to collectively provide 50% affordable housing across these sites.
- 11.48. This portfolio approach to affordable housing approach has been discussed in detail with the Mayor of London and the Mayor has subsequently provided written confirmation of the acceptability of the portfolio approach. This letter is

appended at Appendix 8. The portfolio approach would therefore be compliant with the objective of delivering 50% affordable housing across the portfolio of sites.

- 11.49. The overall collective percentage of affordable housing is therefore considered to be consistent with relevant policy requirements, including the Affordable Housing and Viability SPG requirements to qualify for the 'Fast Track' approach to viability. This is confirmed within the Mayor's letter which states:

'This letter constitutes an agreement between the Mayor and the LLDC for the purposes of the draft London Plan and the SPG that the sites can be considered under the Fast Track Route provided that at least 35% affordable housing is proposed [in the first phase] and satisfactory measures are put in place to secure 50% affordable housing at the required tenure split across the portfolio.'

- 11.50. The proposals are considered to comply with the agreed approach for affordable housing delivery on Pudding Mill Lane (which includes the Bridgewater Triangle site and Pudding Mill Lane site) as set out with the Stratford Waterfront s106 agreement. This requires a minimum of 40% affordable housing to be provided. Across both the Pudding Mill and Bridgewater sites cumulatively 48% affordable housing would be provided, in excess of this requirement with Pudding Mill delivering 45% affordable housing. Both sites will also secure a minimum of 30% of the affordable homes as Low Cost Rented (by units). A range of triggers have been agreed with the applicant to ensure the early delivery of the affordable housing in comparison to the open market housing (see Heads of Terms at Appendix 4).

- 11.51. In comparison to the originally agreed portfolio approach that secured a minimum of 40% affordable housing on this site, Officers welcome the uplift in affordable housing noting this would reduce the need for affordable housing delivery on the remaining site at Rick Roberts Way. The commitment to a minimum provision of 45% affordable housing on the current application site, measured on a habitable room basis as per London Plan policy, is secured in the s106 for this application (see Heads of Terms at Appendix 4). The indicative housing numbers and tenure split across the portfolio sites are also included at Appendix 5 for reference.

- 11.52. In terms of affordable housing tenure, the application proposes the delivery of a minimum of 30% Low-Cost Rent and the remainder as Intermediate housing in accordance with the agreed approach set out in the Stratford Waterfront s106 and is also consistent with the flexible approach to affordable housing tenures as set out within the Mayor's Affordable Housing & Viability SPG. This would be secured within the s106 and noted in the Heads of Terms at Appendix 4.

- 11.53. For the purposes of clarification, Low-Cost Rent would be defined within the s106 agreement as London Affordable Rented Housing and/or Social Rented Housing which in turn would be defined in accordance with the description of

these tenures as set out within the London Plan and the Stratford Waterfront permission. Details of whether Low-Cost Rent element would be provided as London Affordable Rent and/or Social Rent will be forthcoming as part of future reserved matters applications for the relevant part of the scheme.

11.54. In terms of housing need, the greater need is for larger sized units of two bedrooms or more, falling within the low-cost rent tenures. The illustrative scheme demonstrates one way in which the affordable housing offer can address this need. Specifically, it weights the 115 Low-Cost Rent units towards larger units as shown in the below mix which includes 83% family sized housing of three bedrooms.

- 4 x 1 bed units;
- 15 x 2 bed units; and
- 96 x 3 bed units.

11.55. The final details of how affordable housing addresses housing need will come forward within future Reserved Matters applications. However, in order to provide some comfort on this point, The scheme would have 35% of the low cost rented accommodation as 3bed+ homes.

11.56. The London Plan states that Intermediate ownership products such as Shared Ownership should be affordable on income caps of up to £90,000. As set out in the Heads of Terms at Appendix 4 this income cap of £90,000 would be secured for the two (or more) bedroom units noting that these are more expensive due to their size and the application of the maximum cap is therefore considered acceptable. However, the studio and one-bedroom units are considered to be more affordable and as such a lower income cap of £66,000 has been negotiated for these units in order to help provide some comfort on affordability. This also reflects the existing position in the Stratford Waterfront s106 agreement. Intermediate tenure also allows the possible inclusion of London Living Rent units within the affordable housing mix. These homes would be secured at lower rental rates.

11.57. In terms of review mechanisms, given that the tenure split would not accord with Local Plan guidance, it is considered that an early stage review mechanism should be applied. This have been secured through the Stratford Waterfront s106 agreement (as the site forms part of the affordable housing portfolio) and would continue to remain bound by its provisions relating to affordable housing and viability.

11.58. The details of the appearance and quality of the affordable housing provision will come forward as part of future Reserved Matters applications. However, in order to provide comfort that a 'tenure blind' approach is appropriately 'baked in' from the outset of design development, the Design Codes for the proposed scheme state that blocks must be designed to be tenure blind, and

that private and communal entrances must also be tenure blind with no visual differences between communal and private entrances as a result of tenure.

- 11.59. The details of the location of affordable housing within the scheme, including any possible mixed tenures within individual blocks, will come forward as part of future Reserved Matters applications. However, to avoid affordable housing being focused on any one area within an individual phase or wider scheme, an obligation is recommended to be secured which requires the applicant to use reasonable endeavours to ensure that affordable housing is dispersed throughout the development, including each phase of the Development (as set out in the Heads of Terms). Furthermore, the Design Code requires that all homes, regardless of tenure, around a courtyard must be able to access the communal amenity space to ensure that social mixing can occur in these locations.
- 11.60. The s106 agreement would also require that at least 10% of the affordable housing units should be designed as wheelchair accessible homes and that this should include a range of appropriate home sizes. The wheelchair homes would be constructed and fitted out in compliance with requirement M4(3)(2)(a) under Part M of the Building Regulations which ensures that the dwellings would be easily adaptable to meet the needs to wheelchair users.
- 11.61. In light of the above assessment, it is considered that the proposed development would be consistent with the approved 'portfolio approach' to affordable housing secured by the Stratford Waterfront s106 agreement, and in accordance with Policies H5, H6 and H7 of the London Plan and Policy H2 of the Local Plan.
- 11.62. It is noted that a requirement to reflect First Homes in planning applications was introduced by a Written Ministerial Statement in May 2021. The application does not include First Home provision; however, the GLA's First Homes Planning Practice Note sets out that London Plan requirements, housing need and deliverability and affordability issues clearly favour the provision of low-cost rent, London Living Rent and London Shared Ownership products over First Homes in London. As such, the proposal would be consistent with both London Plan and Local Plan policies on meeting local housing need and, on balance, Officers consider the absence of First Homes to be acceptable.

Employment and Commercial Uses

- 11.63. As noted above, the site allocation SA4.3 requires that cumulatively 25% of floorspace across the entire site allocation should be non-residential floorspace.
- 11.64. The Pudding Mill SPD provides further guidance on this noting that Local Plan policies direct non-residential uses to specific locations. As such, the

25% requirement is not considered a requirement across each part of the site and will depend on character, context and overall mix of uses being proposed.

- 11.65. The Pudding Mill SPD identifies the intention to create a new Local Centre adjacent to Pudding Mill DLR station extending southwards along Marshgate Lane and Pudding Mill Lane. Appropriate uses for the Local Centre are identified as small-scale retail uses, restaurants, cafes and offices. Barbers Road West will be prioritised for office or light industry with a movement away from office towards light industrial use as distance from the local centre increases. The remainder of the site is expected to be residential in nature, though small-scale ground floor commercial units may be acceptable where well-integrated with the residential uses.
- 11.66. Up to 51,738sqm of commercial use in Use Class E is proposed to be located primarily along Barbers Road West and along the central square opposite Pudding Mill DLR station (the new Local Centre), stretching down in the strip of land between Pudding Mill Lane and Marshgate Lane. In particular, three Development Parcels (G, H and I) are proposed to accommodate commercial uses only. This will deliver an intensity of commercial uses within the proposed Local Centre identified in site allocation and therefore also fulfilling the vision set by the SPD.
- 11.67. A mix of smaller integrated Class E units are proposed to be mixed in with residential floorspace towards the south of the site (Parcel F on the Illustrative plans) and along key proposed open spaces, providing active frontage and activation at ground floor.
- 11.68. The proposed location of non-residential uses in the new local centre and along Barbers Road West would be consistent with the requirements set out in the SPD. It is noted that the SPD refers to specific use classes which are now encompassed by Use Class E. Although the exact uses and unit sizes will be assessed at the reserved matters stage, a condition is recommended requiring the Developer to submit a Commercial Workspace Strategy to ensure the commercial workspace is designed, managed, allocated and marketed to meet the needs of local companies and business. The proposals would be in accordance with policy B.2 in the Local Plan on town centre development given the range of uses proposed, including office and research and development space identified for Pudding Mil Local centre. The draft s.106 Heads of Terms at Appendix 4 set out obligations for Local Employment measures in accordance with Local Plan policy B.5.
- 11.69. The illustrative scheme helps demonstrating how a variety of uses can be provided within the maximum Use Class E floorspace applied for and has been used for the purpose of the environmental impact assessment as follow:

- 3, 292 sqm Retail (Use Class E(b))
 - 46, 963 sqm Employment (Use Class E(g))
 - 479 sqm Nursery (Use Class E(f))
 - 1,004 Healthcare (Use Class E(e))
- 11.70. The provision of healthcare and nursery floorspace is consistent with the approach established for PDZ 8.2 and 8.3 under the LCS permission, which included similar uses alongside office and retail floorspace.
- 11.71. As demonstrated the proposed development of a new Local Centre within the site is entirely consistent with the adopted Local Plan, including site allocation SA 4.3 s. In this context, no sequential site and/or impact assessment is required as part of the planning application. The site is in a local centre location and forms part of the centres retail hierarchy in the Local Plan. Nonetheless, the applicant has prepared and submitted a Retail Impact Assessment as part of the submission, including a sequential assessment and examines the potential impact of the proposals on a range of centres within the surrounding area including the Stratford Metropolitan Centre, Hackney Wick, East Village, and the proposed local centres and Bromley-by-Bow to ensure a fully robust policy response.
- 11.72. The Retail Impact Assessment, which has been reviewed and considered acceptable by Officers, concludes that the proposed retail floorspace would be proportionate and locally appropriate. The commercial floorspace would not be delivered as a separate entity elsewhere and would serve local needs on site, providing 'essential top-up; shopping and service requirements, assisting with social integration, with the aspiration for a fully sustainable and inclusive community, and supporting place-making. A condition is recommended to ensure that any retail floorspace provided beyond the amount assessed as part of the Retail Impact Assessment requires the submission of a revised assessment to ensure it still meets the objective set out in the Local Plan.
- 11.73. The amount of non-residential floorspace across the development equates to approximately 30% of the total floorspace provided. The SPD notes that cumulatively 33,000sqm of employment floorspace is required across the entire site allocation. By providing for up to 51,738sqm of employment floorspace, the proposals would contribute significantly to the overall target, and comply with the SPD vision for an intensity of commercial use within the Local Centre.

Social infrastructure and community uses

- 11.74. Policy D2 of The London Plan requires development to consider and be linked to the provision of future planned levels of infrastructure. S1 states that development proposals providing high-quality, inclusive social infrastructure that addresses a local or strategic need should be supported.

Policy S2 further states that proposals for the provision for high quality, new and enhanced health and social care facilities to meet identified demand shall be supported. Policy S3 states that proposals for education and childcare facilities should be located in areas of identified need and in accessible locations.

- 11.75. Local Plan Policy CI.1 requires the provision of new community infrastructure as part of new major development proposals. New community facilities should be available for use by other sections of the community for other uses when not being used by the main user.
- 11.76. The Pudding Mill SPD states a general objective to provide a new mixed-use neighbourhood which includes community uses. It notes that the new Local Centre would be the most appropriate location for community uses.
- 11.77. The proposal includes up to 273sqm of Use Class F.2 (Local Community and Learning). This is shown as being primarily located on the southern side of the new Pudding Mill Square, within Development Parcel E, at the heart of the new Local Centre. However, the Land Use Parameters Plans also enable Local Community and Learning floorspace to be delivered at ground floor within the two residential neighbourhood, providing activation and door-step provision for the new residents.
- 11.78. The exact location, layouts and sizes of these uses would be determined at the Reserved Matters stage, when the relevant details are provided, however a number of design codes set parameters for the delivery of the community floorspace within Development Parcel E as a characterful public pavilion, providing a focal point to Pudding Mill Square. The codes indicate that the pavilion must be a standalone building of no more than two storeys, providing open, permeable and active frontage onto Pudding Mill Square. Finally, the codes also require the provision of communal external amenity attached to the pavilion.
- 11.79. It is considered that the proposed location and quantum of community floorspace would accord with policy objectives and is acceptable in principle. The parameters set out in the Design Code will ensure the quality of the space to be provided.

Specialist older persons housing

- 11.80. Policy H13 of The London Plan states that boroughs should work positively with providers to identify sites which may be suitable for specialist older persons housing.
- 11.81. Policy H.3 of the Local Plan states that the Legacy Corporation will support the provision of new specialist older persons' accommodation to meet the identified benchmark of 17 homes per annum within C2 or C3 use classes

(self-contained sheltered or care homes or residential care homes where there is a significant level of support provided on site). They should be located close to transport modes, social infrastructure and centres.

- 11.82. The Pudding Mill SPD identifies that specialist older persons accommodation may be appropriate at the site. It advises that such homes should be located close to the DLR station, bus routes through the site and along Stratford High Street and close to facilities within the local centre. Such uses should be well-integrated with other forms of residential development and located within quieter parts of the site away from heavier industrial uses.
- 11.83. The proposal seeks to provide a minimum of 40 Later Living Units within the overall development (Use Class C3). This is considered consistent with the requirement set in the LCS permission for PDZ 8.2 and 8.3 to accommodate not less than 4,000 sqm and a minimum of 40 beds for Sheltered Housing (Use Class C3), defined then as “older people’s accommodation”. Although terminology has evolved since the LCS was granted, the intention is for the homes proposed as part of the development to be made available for people over 55 and their spouse and/or carer – fulfilling the requirement to meet assessed scheme needs as set out in the 2012 permission. Obligations are recommended to be secured as part of this approval (see Heads of Terms at Appendix 4), to ensure units are let to qualifying persons and delivered in accordance with the latest applicable best practice.
- 11.84. The submitted Design Code sets out that all Later Living units must be located in parcels A and B overlooking Neighbourhood Way to ensure that they are located in the quieter areas within the development but still in close proximity to the DLR station and adjacent to a mix of uses. This would allow good access to the Local Centre and its amenities. Additionally, the Design Code requires the accessible drop-off locations to be located in close proximity to these Later Living Units.
- 11.85. The Design Code also requires development to provide homes designed to meet the needs of older people (for example by meeting HAPPI standards) and consider the provision of parking spaces for mobility scooters within the public realm.
- 11.86. Overall, it is considered that the location of the later living homes is acceptable in principle and that the submitted Design Code provides sufficient guidance on ensuring that such units are designed to a high standard which meets the specific needs of future occupiers.

Quality of Residential Accommodation

Minimum Space Standards

- 11.87. Policy D6 of The London Plan states that all new dwellings must meet the minimum gross internal area (GIA) stated in Table 3.1 of the London Plan.
- 11.88. Policy BN.4 of the Local Plan deals with the quality and design of residential development and seeks to ensure an appropriate standard of accommodation is provided, and that schemes are built to the highest environmental standards. In terms of space standards, the policy requires all development to meet the National Technical Standards which have been adopted as part of the Mayor's Housing SPG
- 11.89. Policy BN.4 also requires new residential and mixed-use development to take account of the guidance and standards in the recently updated 2019 LLDC Design Quality policy. The Design Quality Policy (2019) sets a higher standard and expects floorspaces which are larger than those contained within the National Technical Standards. Whilst the detailed size and layout of the residential accommodation will be submitted and assessed at Reserved Matters stage. it should, however be noted that the final design of the residential building, as a project on LLDC land, will be required to comply with this higher standard of the Design Quality Policy. The final design would also be required to provide private amenity space in accordance with the standards set out within the Design Quality Policy, thereby ensuring that the scheme would include amenity space requirements to help deliver an 'outstanding' scheme. Compliance with the LLDC Design Quality is included a requirement within the Reserved Matters Specification (Appendix 2). It is noted that LLDC intends to enter into a joint venture partnership with a developer to bring forward the redevelopment of the site. This will ensure that LLDC retain key influence over design matters including the provisions of the LLDC Design Quality policy.
- 11.90. In addition, the Design Code sets out a number of requirements for the design process to achieve outstanding architecture, including the need for a competitive selection process for appointments between RIBA Works Stages 1-6, with specific appointments for play and community engagement specialists, which were recommended by the QRP. Further design controls will be exercised by the LLDC, including a requirement for a Design Manager to be appointed and such appointment to be approved by the LPA (secured by condition). The Design Manager will be responsible to ensure design quality is maintained. Overall, officers are satisfied that through a combination of the Design Code and the recommended conditions and planning obligations, a high quality of residential accommodation will be secured in accordance with Local Plan policy BN.4.

Access

- 11.91. Details of residential access would be assessed at Reserved Matters stage. However, the Design Code requires all ground floor homes to be accessed directly from the street, except where site levels would make this impossible, in which case homes could be accessed from the courtyard or communal cores. All communal residential entrances must be accessed both from the courtyards and the street/river side (where relevant). This approach is supported by Officers given that it would help provide activity and surveillance to the surrounding public realm and courtyards, and would also prevent any convoluted access routes for residents. The Design Code would also secure a generosity of residential entrances to make them clearly distinguishable and assist with wayfinding, for instance by requiring lobbies of buildings around courtyards to have a direct line of sight between the street and the courtyard. This includes a requirement for communal cores serving up to 7 storeys to be naturally lit.
- 11.92. The scheme allows for the provision of deck access arrangements in order to provide access to residential units on the upper floors and dual aspect dwellings. Officers welcome the Design Code setting out a number of requirements in relation to this approach which includes stating that bedrooms should avoid facing onto deck access, that deck access must be courtyard facing, not facing the street and must have a minimum width of 1.2m.
- 11.93. In terms of units per core, this again would be assessed in detail at Reserved Matters stage. However, it is noted that average units per core as shown within the illustrative scheme is 7. This demonstrates that the majority of the development can be delivered without exceeding the 8 units per core guidance that is contained within the Mayor's Housing SPG. Three cores exceed the guidance of 8 units by providing between 9-10 units, however, it should be noted that this occurs mostly on lower floors with the number of units per core reducing as the building step back on upper floors.

Amenity Space/Playspace

- 11.94. Policy D6 of the London Plan requires new residential development to include outside amenity space. The policy sets out minimum standards and is supported by the Mayors Housing SPG which replicates these standards. Local Plan policy BN.4 states that new development must incorporate sufficient, well designed and appropriately located communal and private amenity space. The Design Quality Policy sets out local minimum standards for amenity space which are required to be met in future submissions.
- 11.95. As the exact amount of amenity space required is dependent on the number and size of the units, the overall amount of amenity space required for the development would be assessed at Reserved Matters stage. However, it is

noted that the control documents require communal outdoor amenity space to be provided across the development, including the provision of soft landscaping. The Design Codes includes requirements for these spaces to meet the minimum sizes and depths set out in the policies outlined above, and to be designed to be easily accessible and well-lit throughout the year.

- 11.96. Analysis of the information submitted in relation to the public realm within the outline scheme is discussed in the Urban Design section of this report. However, in terms of quantum it is noted that the Development Specification Framework sets out that a minimum of 0.63ha of open space would be provided across the development, which has been secured by the recommended conditions. This is considered to be an acceptable quantum for a development of this scale and exceed the minimum provision required in the LCS permission for PDZs 8.2 and 8.3.
- 11.97. The submitted Open Space and Playspace Parameter Plan establishes how the open space should be laid out including the provision of three key Open Space areas throughout the site that would become focal points for the masterplan. The Design Code provides a rigorous set of requirements and guidance for these spaces including hard and soft landscaping and play to ensure that these would come forward as high quality, inclusive and usable spaces within future Reserved Matters applications. Amenity space is also provided in the form of courtyards within six of the development parcels and the principle of this is also established within the aforementioned parameter plan with quality of these courtyards secured through the Design Codes.
- 11.98. In terms of playspace, Policy S4 of the London Plan sets out that all development should increase opportunities for play and enable children and young people to be independently mobile. Residential developments should incorporate good-quality, accessible play provision for all ages and at least 10sqm of playspace must be provided per child.
- 11.99. The Development Specification & Framework sets out the minimum requirements for future Reserved Matters applications. It requires a minimum of 1,480 sqm of Doorstep Playspace to be provided across the development, together with 1,639 sqm of Local Playspace and 950sqm of Youth Play space for children in the 12+ age group. The locations of these playspaces are secured through the Open Space and Playspace Parameter Plan which would include the courtyards and the three key open spaces throughout the development. The locations of these play spaces accord with the play space strategy for the development to include play loops through communal courtyards and publicly accessible open spaces in the form of parks and squares. In addition, provision have been made to locate the Youth Playspace adjacent to the proposed Community Pavilion in Parcel E, which the Design Code requires to be centred around sport. The Design Code also sets out that the play loop strategy within future Reserved Matters application

must be developed in consultation with local stakeholders and a play specialist to ensure inclusivity, that routes and access points to play loops must be level and fully accessible and that there must be variety of equipment. These are specific requirements as set out within the Design Code and will therefore need to be included within future Reserved Matters applications.

11.100. The number of children a development should cater to is based on the GLA's Child-Yield Calculator. This will be dependent on the exact amount of floorspace provided in the final development. The applicant has used the illustrative masterplan to estimate the total number of children in the proposed development. The illustrative calculations show a total of 280 0-11 yr olds, 157 children under 5 yrs old and 123 over. This creates a requirement of approximately 2,639sqm of playspace (accounting for a deduction from private spaces). The illustrative masterplan demonstrates how 1,480 sqm of Doorstep Play space and 1,235 sqm of Local Play space can be accommodated on the Site, as per the requirements set out in the Development Specification & Framework, which exceed the minimum requirement set out above. In terms of older children, the proposals secure 950sqm of Youth Playspace, exceeding the minimum onsite requirement of 913sqm for the 12+ age group based on the child yield generated by the illustrative scheme. Final details of play provision will come forward within future Reserved Matters applications; however, Officers are satisfied that there is a sufficient spread and quantum of playspace across the site in order to address doorstep, local and youth play requirements for children.

11.101. It should also be noted that QRP welcomed the approach to play, particularly the strategy for play loops which they felt promises to work well to connect the courtyards to the site's wider context. QRP also considered that the proposed play space is sufficient. Given this, and the assessment set out above, it is considered that the open space and play space principles are acceptable for an outline scheme.

Aspect

11.102. Policy D6 of the London Plan, supported by the Mayor's Housing SPG seeks to ensure that dual-aspect dwellings are maximised to provide sufficient outlook, daylight and ventilation while avoiding overheating.

11.103. The submitted details indicate that the proposed blocks are designed and laid out to maximise dual aspect properties within each block. Additionally, the Design Code requires the number of dual aspect units to be maximised, that 2 bed homes should be dual aspect and that all 3 bed homes must be dual aspect.

11.104. The exact layout of each unit, including aspect, will be assessed at the reserved matters stages of development. However, the submitted

information demonstrates that this has been taken into consideration during the overall design phase and that steps have been taken to maximise dual aspect units.

Inclusive Design

- 11.105. Policy GG1 of The London Plan states that good growth is inclusive growth and states that all development, including new units and public realm should be designed to reinforce or enhance the identity, permeability and inclusivity of neighbourhoods and should be resilient and adaptable to changing community requirements. Policy D7 of The London Plan and Local Plan Policy BN.6 requires all development to be inclusive and accessible. New residential development should provide 90% of new units in accordance with requirement M4(2) (adaptable) of the Building regulations with 10% being M4 (3) (wheelchair accessible).
- 11.106. The proposed development has been presented to LLDC's Built Environment Access Panel (BEAP) and comments have been addressed where possible. The proposals have been designed to provide 10% of dwellings as wheelchair accessible units in accordance with Optional Requirement M4(3)(2)(a) under Part M of the Building Regulations which ensures that the dwellings would be easily adaptable to meet the needs to wheelchair users. The remaining 90% of the units have been designed to comply with M4(2) Category 2 of Part M of the Building Regulations (2015).
- 11.107. Given that this is intended to be a LLDC joint venture led scheme, located on LLDC land, the Reserved Matters applications will need to be compliant with LLDC's Inclusive Design Standards. This will ensure that all aspects of the development will be fully accessible and that all floors will be served by at least two lifts. Compliance with LLDC's Inclusive Design Standards is secured through the Reserved Matters Specification (see Appendix 2).
- 11.108. The Development Specification Framework Specification also requires the minimum provision of 7% onsite Blue Badge parking spaces to be provided; 3% prior to occupation and 4% passive provision if demand arises. The merits of this are discussed in the report below.
- 11.109. The Design Code includes requirements for all public spaces to have level access and for the building to be designed to meet the needs of future occupiers. In addition, the proposal includes the provision of later-life living units which are to be located in safe, quiet and accessible areas within the development site.

Privacy/Overlooking

- 11.110. Policy BN.1 of the Local Plan requires new development to minimise impact on existing development by preventing an unacceptable loss of privacy.

- 11.111. The detailed impacts of the development will be assessed at the reserved matters stage. However, the Design Codes include minimum distances between facing residential windows and balconies to avoid direct overlooking. The Design Code requires suitable defensible space for units on the ground floor to be provided to ensure that the privacy of these units would not be compromised by their location. Privacy screens between adjacent balconies are also a requirement. Overall, it is considered that the Design Codes provide sufficient guidance to avoid direct overlooking or any adverse impact on privacy of residents within and near to the development site.
- 11.112. It is considered that the positioning of the respective blocks across the development would ensure adequate separation distances between them noting that all blocks would be separated by the width of internal streets or public open space. The Design Code is considered to incorporate robust measures to ensure that any future scheme would provide adequate levels of privacy to habitable rooms in accordance with the Mayor's Housing SPG noting that it sets out a minimum street width, including pedestrian comfort zones and defensible space to building edges, of 11m between blocks. Furthermore, where the blocks are separated by public open space, the Open Space and Play Space Parameter Plan would ensure a minimum separation distance of 31m.
- 11.113. At ground floor level, the Design Code states that bedroom should be avoided, and that suitable green buffers must be provided to provide privacy to residential units. It states that full height glazing facing streets should be avoided and that street facing ground floor glazing should incorporate a smaller opening light in windows to allow for ventilation whilst ensuring privacy and security.
- 11.114. In terms of courtyard conditions, the Design Code states that ground floor units within courtyards should have private amenity spaces, which should generally be a minimum 2.5m deep, except in cases where units are located at corners where geometry might not allow for this. The Design Code also ensures that courtyard must have a distance of at least 17m between opposing windows and 14m between opposing balconies.
- 11.115. As already discussed, the Design Code includes privacy measures relating to access decks and adjacent homes. There are also a series of codes which deal with defensible space including a requirement that all ground floor homes must have a minimum 1 metre deep planted defensible space. Defensible space long street where the width is less than 17m must be 1.5m, reflecting the increased need for privacy where roads are narrower.

- 11.116. The Design Code also sets out guidance in relation to balconies. Projecting balconies should not be located on street fronting elevations and balconies belonging to two different homes should not be positioned next to each other where there would be a lack of privacy between units. Where balconies are located next to each other, the Design Code specifies they must have a solid wall between them to ensure privacy.
- 11.117. Given the above measures, which would be secured through the control documents, it is considered that there are robust measures in place to ensure that future Reserved Matters applications will come forward with sufficient regard to ensuring adequate privacy levels for future residents of the development.

Overheating

- 11.118. Future Reserved Matters applications will be required to demonstrate that the proposed residential units would have an acceptable performance with regards to overheating. However, it is considered that the Design Codes provide sufficient measures to ensure that this will be appropriately addressed. Importantly this concludes a requirement that façade design must mitigate against overheating. Where shading devices are to be included, the Design Code states that these must be designed in a way which is integral to the façade design. Particular attention is given in the Design Code the need to consider overheating mitigation and appropriate ventilation where façade might be affected by higher noise level.
- 11.119. Further guidance is provided in relation to how this could be achieved including increased window reveals or external solar shading devices. Officers are satisfied that this allows a solid basis for mitigating overheating effects and that the Design Code is carefully considered to ensure that any mitigation is required to be successfully integrated into the architecture of the building. In addition, a condition is recommended for an overheating assessment to be undertaken for all habitable rooms potentially affected by noise from the Bow East Goods Yard, to ensure that the amenity of future resident is protected.

Daylight, Sunlight & Overshadowing – Proposed Development

- 11.120. Local Plan Policy BN.4 states that residential development should receive acceptable levels of daylight and sunlight.
- 11.121. A detailed analysis of daylight, sunlight and overshadowing performance will be put forward with Reserved Matters applications once the detailed design of the scheme evolves and key matters such as footprint, massing, window locations and public realm layout are finalised.
- 11.122. However, daylight, sunlight and overshadowing analysis has been undertaken on the Illustrative Scheme. This analysis, which is discussed in

more detail in the paragraphs below, has been reviewed by Officers and their Environmental Consultants and the findings are considered to be robust.

- 11.123. With respect to sunlight, indicative window positions were automatically generated across the facades to allow daylight and sunlight availability across the illustrative masterplan to be quantified. The analysis includes a Vertical Sky Component ('VSC') assessment on these windows together with a sunlight availability assessment. It demonstrates that 90% of window positions meet the 15% threshold for VSC, such that there would be an expectation that adequate daylighting in dwellings could be achieved. The circa 10 % of window positions having a VSC of between 5 and 15 % are mostly located on the ground and first floors to parcels A, plots A, B, C and K. These parts of the illustrative masterplan are adversely impacted by taller surrounding buildings located close to the site.
- 11.124. This has been reviewed by Officers and their Environmental Consultants and it is considered that this is an acceptable level of performance noting that the analysis has focused on rooms which are likely to receive lower levels on daylight and that daylight performance will significantly improve on upper levels.
- 11.125. In terms of overshadowing, analysis has been undertaken with respect to the key open spaces and proposed courtyards within the illustrative scheme against BRE sunlight guidance. Those spaces would achieve the following results with respect to the overall percentage of communal areas which would receive at least two hours of sunlight on the March equinox as follows:
- City Mills Riverside Park – 84%
 - Bow Back Riverside Park – 100%
 - Pudding Mill Square – 74%
 - Parcel A Courtyard – 45%
 - Parcel B Courtyard – 35%
 - Parcel C Courtyard – 38%
 - Parcel K Courtyard – 24%
- 11.126. It is acknowledged that, although all three public spaces in the form of riverside parks and Pudding Mill Square exceed the 50% target in the BRE Guidance, all of the four residential courtyards would fail the BRE test for sun on the ground on the March equinox. However, it is noted that all of the courtyard spaces would pass this threshold when measured on in April, with the courtyard to Development Parcel K increasing to 78%. Results for June have also been produced, which shows excellent sunlight access to all courtyards, and the overall public realm provision across the masterplan.
- 11.127. It should also be noted that the Design Code requires refinement of massing in order to maximise sunlight access to courtyards and improve on these results where possible. Amongst other things, codes require the designer to

consider the blocks' orientation and provide a minimum of two full-height breaks for each courtyard blocks.

- 11.128. All of the key areas of publicly accessible open space within the Illustrative Scheme, including the playspace within them (as secured by the control documents) would receive at least two hours sunlight at the March equinox meaning that there would be sunny amenity spaces in close proximity even if there is shadow to the courtyards. It should also be noted that the courtyards would be secured as publicly accessible spaces during daylight hours further ensuring that there would be a range of well-lit amenity spaces available to all residents of the proposed development. Regarding the play streets proposed within the scheme, these are also below the March equinox guidance with 28-38% of their area receiving two or more hours of sunlight. Most of the play spaces and equipment will be capable of being accommodated within the more sunlit areas.
- 11.129. Officers acknowledge that the courtyards and some of the streets within the development would not meet the BRE sunlight guidance for March. In any masterplan of this scale and particularly one which proposes a lot of 'heavy lift' on key policy objectives such as affordable housing provision, optimising the residential use of the site, a substantial amount of new employment space and the creation of a new local centre for Pudding Mill, a balanced approach to achieving relevant guidance may need to be taken. In this case, QRP gave clear direction to the applicant to tighten the grain of the streets and buildings within the masterplan to better reflect the objectives of the Pudding Mill SPD. Heights around the courtyards have been sensitively distributed insofar as possible to ensure that the taller buildings are minimised and are located within the local centre boundary, to align with both policy BN.5 in the Local Plan and the SPD. The masterplan as now proposed is commended by QRP.
- 11.130. On balance, therefore, Officers are satisfied that the masterplan provides for a high-quality living environment, where there would be an acceptable level of daylight and sunlight performance across all major publicly accessible open space throughout the year, even if the courtyards and some streets do not meet the 50% two hour BRE guidance at the March equinox. Appropriately careful design at Reserved Matters stage can ensure that doorstep play will be located in those areas of the play streets and courtyards that do meet the BRE guidance. In addition, it is expected that massing will be further refined at Reserved Matter stage and ensure sunlight exposure to the courtyards is appropriately maximised. Whilst the criteria in policy BN.4 which relates to meeting the BRE guidance would not be achieved in this case, Officers are satisfied that the development meets the other criteria in the policy, including that which respects the scale and grain of its context.

Urban Design

- 11.131. Strategic Policy SP.3 of the Local Plan sets out that new development should create a high-quality built and natural environment. Central to the achievement of this objective is that proposals give primary consideration to the creation of place, enhance its surroundings, maintain and promote local distinctiveness, support the delivery of priorities for the various sub-areas and respect LLDC's Design Quality Policy in accordance with policies BN.1, BN.2, BN.3, BN.4, BN.5, BN.6, BN.7, BN.8, BN.9, BN.10, BN.11, BN.12, BN.13, BN.14 and BN.17.
- 11.132. Good design is also central to the achievement of London Plan Good Growth objectives. Key considerations include ensuring: existing and planned infrastructure can support the proposed growth; the design of the buildings and public realm is inclusive (Policies D1, D2, D3, D4, D5, D8), the development is safe and resilient (Policies D11, D12); that potential adverse effects on the surroundings of the development are minimised (Policies D13, D14), the significance of affected heritage assets is conserved (Policies HC1, HC2, HC3, HC4, HC5, HC6); and, appropriate elements of green and sustainable infrastructure are incorporated (Policies G1, G5, G6, SI 1, SI 2, SI 3, SI 4, SI 4, SI 5, SI 7, SI 12, SI 13).
- 11.133. The Pudding Mill SPD establishes guiding principles for the new neighbourhood and four main design objectives. These are for redevelopment proposals to:
- 1 Create a new, mixed use neighbourhood with smaller character areas each with their own identity and function enabling the creation of a safe environment
 - 2 Provide high quality and sustainable development, building upon the industrial heritage, incorporating a green network of street trees and public open spaces, well integrated with the waterways
 - 3 Promote a high-quality streetscape, a network of fine grain streets and public spaces, with a clear hierarchy to promote pedestrian and cycle movement
 - 4 Improve connections between the site, Queen Elizabeth Olympic Park and the surrounding area
- 11.134. The SPD envisages a medium density development delivering approximately 2000 homes with higher densities achieved within a centrally located Local Centre adjacent to the Pudding Mill DLR Station. Larger office spaces are promoted in within the Local Centre to take advantage of the links to and proximity of the East Bank Development with retail, leisure, and community uses promoted at ground floor level to activate the frontages along key routes. The SPD promotes a conventional street grid layout with a new

centrally located East West route extending towards Cooks Road to the west and City Mill River side to the east. The east-west street, Barbers Road and new north south connections are envisaged as being the main pedestrian and cyclist routes in the new neighbourhood with the east-west street also being a focus for non-residential uses.

- 11.135. Outside the non-residential focused areas the reminder of Pudding Mill is envisaged to be residential-led with a focus on lower densities, family housing and some specialist housing accommodation. The scale and massing of buildings across the new residential neighbourhoods is generally expected to be up to 21 metres however the SPD anticipates variation in height and massing to create a distinctive and interesting townscape. Improved bus, cycle and pedestrian connectivity and landscaped open spaces are key aspirations of the SPD and Local Plan Site Allocation.

Masterplan approach

- 11.136. The application follows an intensive period of pre-application discussion with the applicant on all aspects of the scheme. During these discussions the design code and parameter plans that will manage layout, scale, form, appearance and landscaping has evolved to in Officer's view, better respond to the SPD, Local Plan site allocation objectives, QRP comments and the opportunities and constraints of the site. Following a number of improvements to the outline proposals as a result of those pre-application discussions, largely refinements of the parameter plans and Design Codes, Officers are satisfied that the masterplan approach to the redevelopment of the site is a positive response to the brief for the site to incorporate a higher quantum of housing than was previously consented under the LCS permission.
- 11.137. Officers are supportive of the core design principles of the masterplan which include:
- Create a distinctive, enjoyable neighbourhood centre with a range of commercial uses that connects to Stratford High Street and improves movement through the site
 - Supporting a high quality of life by creating opportunities for cohesive community through public parks, squares communities facilities and retail amenities
 - Ensuring safe, inclusive and diverse opportunities for play – following the Child Friendly City ethos, ensuring that strategies for play are embedded in the core narrative of the scheme
 - Excellent Family Housing achieved through a diverse range of housing typologies and connected to a cohesive, playable and green public realm

- An inclusive neighbourhood suitable for people of all ages and mobility needs
- Unlocking a wider network of connections – including along the tow paths and via the Greenway
- Outstanding architecture on a prominent site within the Queen Elizabeth Olympic Park
- Supporting a high quality of life and wellness by enhancing usable green spaces and parks and supporting movement on foot and bicycle
- Coherent and integrated environmental design approaches to achieve a sustainable development.

11.138. These core design principles are consistent with the Pudding Mill SPD objectives in so far as they would deliver a Local Centre, improve east west and north-south connectivity and anchor new residential uses alongside the riverside edges and in this respect. Officers are supportive of the Design Code objectives.

11.139. As discussed further below, QRP has raised an issue with the height of the tall building element on Parcel D (the Central Tower), however, more generally, QRP offered clear support for the proposals and made the following comments on the strategic response and masterplan:

- “The Quality Review Panel finds much to admire in the masterplan for Pudding Mill Lane, and thinks the design code is well thought through, comprehensive and detailed.”
- “The panel strongly supports the revised plan and layout of the masterplan. This establishes a finer grain and allows a stronger sense of the character of the neighbourhood to come through.”
- “The greater height and density within the Pudding Mill local centre, adjacent to the Pudding Mill Lane DLR station, aligns with the vision in the Pudding Mill Supplementary Planning Document (SPD).”

Layout

11.140. The parameter plans and design code draw on the principles in the SPD for there to be a simple gridded layout but has further refined during design development and following review by the QRP by introducing smaller urban blocks which bring a finer grain to the residential neighbourhoods. The new north-south and east west connections have created a clear and legible hierarchy of streets which promote pedestrian and cycling activity and improve connectivity within the site, to its adjacencies and towards the currently underutilised riverside areas.

- 11.141. Pudding Mill Lane will provide the civic focus for the new neighbourhood and local high street providing the main north south route for pedestrian and cyclists. A key consideration during the design development of the proposal was the location of over 35,000 sqm dedicated employment space. Various permutations were explored and a centrally located 'spine' of employment use was considered to be an appropriate response to site and its position between UCL East campout to the north and Stratford High Street to the south. Officers support this approach and consider this move to be consistent with the strategic intent of the local centre for it to take advantage of its proximity and links in the local context. This move will enable the necessary intensity of use and activity that is needed to support growth in the new centre to be achieved.
- 11.142. Neighbourhood Way, a centrally located east west street, through its pedestrian focused design will connect the new Bow Back Riverside residential neighbourhood in the west and the new City Mill Riverside neighbourhood to the east of Pudding Mill Lane. The distinctiveness of the route will in part be the character of its soft landscaped strip which extends along its length and will incorporate informal play features and seating. Raised tables provided at crossings will reinforce the legibility and pedestrian focus of this link in line with the SPDs objectives to improve pedestrian connections and access to the riverside edges and waterfront.
- 11.143. Ground floor frontages will be a mixture of commercial uses but also residential uses which is acknowledged to be a reinterpretation of the non-residential focus envisaged in the site allocation and SPD. However the parameter plans allow flexibility between commercial and residential frontages and so officers are satisfied that masterplan approach is not deviation from the SPD but rather provides sufficient flexibility for the character of this street to respond to the needs of the new neighbourhood over time and would not preclude it from being a focus for smaller commercial and service related uses at ground floor level.
- 11.144. Marshgate Lane will have a strategic role in the new neighbourhood providing the main north-south vehicular link through the site that will continue to serve as one of the primary access routes for Heavy Good Vehicles (HGV's) accessing Bow East Goods Yard. Active frontages are required along the length of Marshgate Lane to promote passive surveillance and to create a high street feel to this frontage. Land has been safeguarded either side of the existing carriage way for a two-way segregated cycle routes that will come forward in the event TfL deliver their aspiration for a new bus and cycle bridge between Marshgate Lane and the junction of the High Street and Sugar House Lane. Officers are satisfied that the guidance in the design code provides the requisite assurance that the minimum carriageway and footway widths needed to accommodate bus stops, improved cycle

infrastructure and soft landscaping can support TfL's strategic objectives for the bridge and secure appropriate separation between HGV's and cyclists.

- 11.145. Barbers Road will be improved along its southern edge through the incorporation of tree planting and creation of a 3 metre wide footpath. As one of the existing primary vehicular routes it will be a focus for parking, loading and servicing, however, active frontages would be maximised along its edge.
- 11.146. The junction between Barbers Road and the new proposed Bow Back Street is not included within the application red line boundary as it comprises adopted highway land and as such, works will be delivered via a s278 agreement between the Applicant and the Highways Authority. Nonetheless, an obligation for the developer to enter into such agreement is recommended to be secured as part of this approval (see Heads of Terms at Appendix 4). Officers consider the general approach Barbers Road to in accordance with the SPD.

Built Form

- 11.147. The massing approach has built upon the principles established in the SPD. Taller buildings and a greater intensity of uses are provided in the Local Centre.
- 11.148. The tallest elements are focused along Barbers Road in the Local Centre or adjacent to new public spaces, with the Central Tower on Parcel D being the tallest proposed building at 95m AOD, or 25 storeys. It is designed as a marker, aiding wayfinding to and within the Local Centre and the Pudding Mill Lane DLR station. It is also strategically located on the frontage to Barbers Road, and the DLR elevated rail line beyond, less sensitive to overshadowing and overlooking. A taller element in this location acts as a point of orientation from the Park and helps in navigating a complex topography. Further assessment of the proposed tall buildings are detailed below.
- 11.149. The lower massing of the Community Pavilion, with a maximum height of 15m (AOD) (c.2 storeys) (Parcel E), terminates Pudding Mill Square to the south, and provides active frontage along the square's edge. It also defines a south-facing zone for play amenity, which has been coordinated with safeguarded UKPN access requirements. A lower massing has been strategically located to introduce a lower scale at the junction of the Neighbourhood Way and Pudding Mill Lane, and to open up the southern edge of Pudding Mill Square.
- 11.150. The proposed massing of the employment buildings (Parcels G, H and I) establishes a datum of 49 metres (AOD) or 9 commercial storeys which contributes to the creating a local high-street character. Officers are satisfied

that this appropriately responds to the height of the adjacent Marshgate Lane Workspace scheme (46.5 AOD) giving a consistency along Pudding Mill Lane and Marshgate Lane. The tallest elements are focused along Barbers Road in the Local Centre or adjacent to new public spaces. Officers are satisfied that this approach is consistent with the SPD and supports legibility in the new neighbourhood.

- 11.151. Lower densities and heights are achieved in the City Mill and Bow Back Riverside neighbourhoods where the prevailing height is between five to seven storeys (25-28 metres AOD). This is in line with the expectations set out in the SPD when existing site levels are taken into account. The massing of residential blocks has been informed by microclimate testing to optimise daylight exposure to facades, podiums and to improve the visual connection between courtyards, public spaces and the riverside.
- 11.152. Residential Blocks in Bow Back Riverside are arranged around communal courtyards and amenity space, reflecting the more intimate character of this neighbourhood. To give a sense of generosity and openness to the courtyards the design code requires a minimum distance of 17 metres between residential windows and lower massing on the south side of blocks to maximise sunlight into the central amenity spaces. Breaks in the massing of courtyard blocks are encouraged to encourage pedestrian movement through shared courtyards and to allow views through creating a visual connection to the courtyard from the street.
- 11.153. The scale and massing of blocks in this neighbourhood responds appropriately to the evolving Legacy Wharf development and would create a coherent and legible frontage to the new riverfront route and Bow Back Riverside Park. The stepping down of massing along the Bow Back riverside edges reflects the intention for the tow path route to provide opportunities for children's play and pocket parks.
- 11.154. The massing and character of the City Mill Riverside also has a fine grain with frontages onto the river. The heights of buildings stitch into the existing and local context aligning with the consented Marshgate Lane development to create a consistent relationship along the river edge. The taller element within City Mill (Parcel J) is located on the northernmost point to minimise its microclimatic effects on the public realm and where it aligns with new plots consented as part of the Bridgewater Triangle development.
- 11.155. Overall, officers are satisfied that the proposed urban grain responds appropriately to the Pudding Mill SPD objectives, the principles in the Local Plan Site Allocation and policies BN.1, BN.2 and BN.4 on designing new development and would create a visually varied and interesting skyline. The massing proposed would reinforce the prevailing heights established in the

SPD and include stepped taller elements with the tallest buildings acting as a marker for the local centre.

Public Realm and Playspaces

- 11.156. The approach to public realm and playspace builds upon the strategic intent of the SPD which sets an expectation for there to be large space within the Local Centre which provides a focal point for the community and workers in the area and for there to also be a variety of smaller spaces scattered across the site with opportunities for play and parks along the canals and towpaths.
- 11.157. Pudding Mill Square will be a focal point in the new local centre that will function as a gathering space and an area for community events and other civic activities. The layout of the square has been optimised for greening and amenity through the creation of an intensively planted green space and adjacent to this hard landscaped spill out areas adjacent to ground floor commercial uses which would encourage activity and support the aspiration for it to be a vibrant place. The Design Code requires extensive soft landscaping and tree planting including clusters of trees, seating and play provision. Outdoor amenity space and play features are also required to be provided adjacent to the Community Pavilion. An amount of hard landscaping is also required to support events, community and pop-up uses with appropriate provision made to support access to services and utilities.
- 11.158. The Parks at Bow Back Riverside and City Mill Riverside will provide the main neighbourhood level amenity spaces with formal play equipment and seating. To create new opportunities for wildlife, the design codes require Reserved Matters proposals to maximise soft green buffers between the river edges and the urban context. Planted species are required to be drought tolerant and to be designed to for natural irrigation to support efforts to tackle sustainability and climate resilience in the new neighbourhood.
- 11.159. To support the creation of a network of trees that maximise canopy cover the Design Code establishes guidance around the height, girth and species of tree and tree pit design as well as providing guidance around the protection of existing trees that will be retained. To create a sense of character in the new neighbourhood the guidance is area-based covering Pudding Mill Lane, the Riverside Parks and Paths, Street trees and within the residential courtyards and podiums.
- 11.160. To ensure the hard landscaped areas in the public realm are coordinated and of sufficient quality, there is detailed guidance and requirement set out in the Design Code concerning the materiality in the public realm and street furniture. It sets out how the new areas being provided should integrate with existing and emerging conditions and this is reflected in the palette. Area based design expectations are established in the Design Code which

differentiate, for example, the approach to the lighting columns in Pudding Mill square to the residential streets and parks in the new neighbourhood.

11.161. Overall, officers are satisfied that the Design Code and Parameter Plans are appropriately coordinated to deliver a network of spaces aligned with the vision set out within the SPD. Furthermore, the applicant has built upon the SPD aspirations to support families by maximising opportunities for children's play throughout the masterplan through the delivery of 'Play loops' in the public realm. These would manifest as playable landscapes on pedestrian priority routes and new residential streets linking courtyards, formal and informal play across the site. The requirements and guidance in the Design Code go far beyond standard practise and the level of consideration normally accompanied by detailed proposals, for example, through the Design Code requirement for Play loops to be developed in consultation with and tested with local stakeholder groups, and a play specialist, to ensure that they are inclusive. Overall, Officers are satisfied that the design code on play supports the objective for the neighbourhood to support families and are sufficiently detailed to ensure future Reserved Matters proposals will provide a variety of play spaces that are context specific, characterful and of a high standard.

Tall buildings - Policy BN.5 Assessment

11.162. There are a range of policy considerations in relation to the assessment of the design quality of the development, including Local Plan Policy BN.2: Creating distinctive waterway environments; Policy BN.4: Designing development; Policy BN.6: Requiring inclusive design; Policy BN.8: Improving Local Open Space; and Policy BN.9: Maximising opportunities for local play. The below assessment of urban design matters makes reference to these policies where relevant; however, the assessment is structured around Local Plan Policy BN.5 which deals with proposals for tall buildings and requires a comprehensive assessment of a range of relevant issues including those covered within the aforementioned policies.

11.163. Policy BN.5 establishes that tall buildings will be considered acceptable where they exhibit exceptionally good design demonstrating this through independent design review undertaken by a panel appointed by the Local Planning Authority. To achieve this, tall buildings must, in addition to meeting the requirements of Local Plan Policies BN.1 and BN.4, demonstrate:

1. An appropriate proportion, form, massing, height and scale in context with the character of its surroundings;
2. Use of material appropriate to the height of the building;
3. Acceptable access and servicing arrangements;
4. A positive contribution to the public realm at ground level;
5. A positive contribution to the surrounding townscape, and;

6. Creation of new or an enhancement to existing views, vistas and sightlines where there is an opportunity to do so.

11.164. Proposals for tall buildings that are likely to have a significant adverse effect on one or more of the following will be considered unacceptable:

1. Micro-climatic conditions (specifically down-draughts and lateral winds over public or other amenity spaces);
2. Amenity of the surrounding area (including open spaces and other buildings and waterways) that relate to overlooking, daylight, overshadowing, light spill/reflection and wider amenity impacts. Existing views of landmarks, parkland, heritage assets, waterways, and views along street corridors.

11.165. Tall buildings are defined in the London Plan as being no less than six storeys or 18 metres measured from the ground to floor level of the uppermost storey. As identified in LLDC Local Plan Policy BN.5, anything above a Sub Area's prevailing height or generally expected height will be considered a tall building. The LLDC Local Plan indicates that on Site Allocation SA4.3 the prevailing and generally expected heights is 21m from ground level. The Pudding Mill SPD specifies that it is however anticipated that there will be variation in scale, height and massing across the site allocation, creating distinctive and interesting townscapes.

11.166. As this is an outline application there is no fixed design but rather an illustrative scheme which gives an indication of the type of development that could come forward under the proposed Parameter Plans and Design Code. The Maximum Building Height Parameter Plan indicates that development parcels would exceed the generally expected height of 21 metres (circa 26m AOD) in the Pudding Mill area and for this reason tall building policies BN.5 and London Plan policy D9 are engaged. The tall buildings proposed are generally within the boundaries of the new Local Centre in accordance where the acceptability of tall buildings is established in the Local Plan but it is acknowledged there are also taller elements adjacent to but outside the local centre on Parcels J and K.

11.167. A breakdown of the maximum heights within each of the plots is set out below. Officers reiterate that the below heights are measured on above ground level basis, not AOD, and therefore takes the topography of the site into account and provides a direct comparison to the 21m threshold which is discussed above.

Development Parcel	Taller Built Element Maximum Height (Above Ground Level)
A	44.4
B	27.4

Development Parcel	Taller Built Element Maximum Height (Above Ground Level)
C	27.1
D	90.5
E	47.4
F	44
G	44.6
H	44.5
I	44.1
J	58.1
K	36.4
L	30.2

Table 2: Maximum building heights (measured above ground level)

- 11.168. To enable an assessment to be made of whether an exceptionally good design will be achieved policy BN.5 states that proposals in outline will only be considered acceptable where the application has been accompanied by a sufficiently detailed Design Code, coordinated with Parameter Plans, with these secured as part of any planning permission.
- 11.169. The starting point for the assessment of the scheme under Policy BN.5 is the location for tall buildings, with a requirement that they are located within the centre boundaries identified within the Local Plan, which include the designated Pudding Mill Local Centre which forms part of the application site. Parcels D, E, F, G, H and I are located within the Local Centre boundary. Other development parcels are located in very close proximity to the Local Centre (c.130-160 metres).
- 11.170. Nonetheless, for tall buildings outside the local centre boundaries the policy requires the proposal to demonstrate that in addition to meeting the criteria in policy BN.5, BN.1 and BN.4 that the tall building would achieve significant additional public benefit. The benefits need to be relevant to the proposal and relate to the specific requirements in the policies and site allocations in the Local Plan. Officers consider that the scheme would provide significant additional public benefit including:
- The provision of 45% (by habitable room) affordable housing,, which is in excess of the minimum 40% provision as required under the ‘portfolio approach’ set out in the Stratford Waterfront consent;
 - An affordable housing offer which seeks to address local housing need, including the provision of 35% of the low cost rented accommodation being three bedroom or more;
 - A new employment cluster, providing office and research and development space building on links with the cultural and education institutions being established in QEOP and creating c. 2,000 additional permanent jobs for local residents;
 - A minimum of 0.63ha of high quality open space to be provided across the development, including the publicly accessible play spaces, green

spaces, towpath areas and the five public squares, with the on-site playspace for 0-11 age groups significantly exceeding GLA minimum requirements. The Design Code and Parameter Plans are considered to ensure that the details of these spaces to come forward as part of future Reserved Matters applications would be of high quality;

- The delivery of highly sustainable new homes meeting increased sustainability standards since the LCS permission;
- A minimum of 0.57ha of new BAP habitat to make a significant improvement making a significant improvement to the biodiversity of the site;
- A dedicated community building and adjacent youth play space, benefitting new residents and the existing local community
- New and improved connections to the local area and QEOP, including enhanced towpath and pedestrian routes along the river edges;
- Increased permeability in the area via the creation of new routes connecting through to adjacent development, including land safeguarded to enable the delivery of a new cycle and bus bridge by TfL, connecting to Sugar House Island; and

Design review

- 11.171. It is noted that Policy BN.5 places an emphasis on the independent review of the proposals that is undertaken by QRP. Specifically, it states that “.... proposals for tall buildings will be considered acceptable where they exhibit exceptionally good design, demonstrating this through independent design review undertaken by a panel appointed by the Local Planning Authority.”
- 11.172. The proposals were subject to independent design review early in the planning process and also post submission by the LLDC’s Quality Review Panel, PPDT’s design officer, and separately by the Built Environment Access Panel.

Quality Review Panel (QRP)

- 11.173. The QRP is supportive of the Pudding Mill masterplan and remarked that it would provide a clear hierarchy of routes, establish a fine grain in the neighbourhood, arrive at building heights and public realm that is appropriate for a family environment. The panel commented that the distribution of commercial space is sound and that the location of taller buildings within the masterplan adjacent to the Pudding Mill Lane DLR Station and at the north-east corner to be well judged.
- 11.174. However, the panel raised concerns in relation to the proposed height and form of the Central Tower within the Local Centre, which as per the Maximum Building Heights Parameter Plan would have a maximum height of 90.5m above ground level (95m AOD). The QRP report, although acknowledging that the building has relatively limited negative impact in terms of microclimate, states that its positive contribution to the surrounding

townscape and the public realm remained unclear. The QRP resolved that taller building elements in the Local Centre aligns with the vision in the Pudding Mill SPD, but recommended that the height of taller elements should be limited to around 20 storeys in order to respect the medium density character sought by the Pudding Mill SPD.

- 11.175. The Panel remarked that the Design Code and Parameter Plans sets a clear vision and are comprehensive but encouraged independent testing of the code to give confidence of their potential to provide good quality placemaking and achieve exceptional design quality.

Scheme evolution in response to QRP Comments

- 11.176. The Applicant has made various changes to the proposal in order to respond to the comments of the QRP following each review.

- 11.177. The layout of the masterplan and proposed buildings has been refined to respond to concerns raised early in the design process that the initial proposed layout with larger courtyard blocks and a greater number of taller buildings did not align with the SPD vision for a finer, more intimate, grain. Following QRP feedback, the scheme was redesigned to propose a tighter, more intimate grain, and to focus height more strategically to promote wayfinding and improve vistas, while minimising negative impacts. The importance of a tall marker building remained, and 25-storeys was considered appropriate, considering sufficient height to provide a sufficient marker and to provide an elegant proportion, but the second and third tallest buildings were reduced to 15 and 13 storeys, better distributing height across the development. Two 12 storey high buildings were also more sensitively located to reduce impacts. QRP comments were generally supportive, apart from the height of the central tower.

- 11.178. QRP later queried daylighting to Pudding Mill Square. In response, QRP was provided with comparative information including sunlight testing for 25, 14 and 8 storey versions of the central tower. This study showed that the lowest floors were primarily responsible for the sunlight and overshadowing results – taller heights did not make a material difference.

- 11.179. The environmental impacts of the taller building elements were presented to QRP in August 2022, and it was acknowledged that the level of overshadowing caused by the building at its maximum parameter is not excessive and would be acceptable in terms of the BRE 'sun on the ground test'. It is acknowledged that this would address concerns that the building could be harmful to the public realm proposed. This was acknowledged by QRP in their response, noting the limited impact of the building in terms of microclimate, but recommending refinements to the Design Code to ensure that Pudding Mill Square and the public realm at the base of the central tower is activated.

- 11.180. As a response to the last Quality Review Panel's comments, some further changes have been made to the proposed scheme. Design codes have been added which will promote privacy and the requirement to maximise dual aspect dwellings has been strengthened. The sustainability requirements were also integrated within the Design Code and Development Framework and the applicant committed to a design competition to select the architect for the central tower with design quality having a 70% weighting in the assessment process, which would be secured by legal agreement (see Heads of Terms at Appendix 4).
- 11.181. Independent testing of the design codes was also undertaken in response to QRP comments during the pre-application stages. These resulted in refinements to the design codes which secure the quality of Later Living Units. However, the independent review generally concluded that codes applicable to Parcel D and the proposed Central Tower are well-considered and extensive in depth.
- 11.182. The panel's comments on the height of the central tower are fully acknowledged. However, officers are satisfied that the Parameter Plans and design code are sufficiently detailed and coordinated, with the parameters providing reassurance that future Reserved Matters schemes would be acceptably designed in terms of their proportion, form, massing, height and scale in the local and wider context. Officers also consider that the taller elements of the scheme would have a largely positive contribution to the local townscape and adjacencies.
- 11.183. It should also be noted that Policy BN.5 states that outline planning applications for tall buildings will only be considered as an acceptable approach where the application is accompanied by a sufficiently detailed Design Code, coordinated with parameter plans, with these secured as part of any planning permission. In relation to this, Officers consider that the proposals are fully compliant with this requirement, noting that the design codes, which are considered to sufficiently coordinate with the parameter plans, are also considered to have a significant level of detail, care and consideration to ensure that future Reserved Matters applications will ensure exceptionally good design as required by policy BN.5 and acknowledged by QRP.
- 11.184. As set out below, Officers are satisfied that the proposals would be acceptable against the relevant criteria of Policy BN.5, and that the limited identified harm, including environmental impacts would be capable of mitigation and that overall the proposed development would have significant additional public benefits.

11.185. In addition to the above, an assessment has been made against each of the criteria of Policy BN.5 below.

BN.5 (1): An appropriate proportion, form, massing, height and scale in context with the character of its surroundings.

11.186. The detailed form, siting, and materiality of the proposed development will be assessed at Reserved Matters stage when the final design is submitted to the LPA for approval. However, Officers consider that the Development Specification and Framework, Parameter Plans and the Design Codes, considered as the 'control documents', together with the illustrative scheme which these documents have informed, collectively provide a robust framework to ensure that the proportion, and form, would be appropriate within the surrounding context and would have the potential to deliver buildings of outstanding architectural and residential quality. Matters of scale (height and mass) are considered in the paragraphs below.

11.187. In terms of the urban form of the proposals, the proposed control documents would result in the development taking the form of twelve separate development parcels, A-L, with a series of spaces between them to form the street network and open spaces to serve the development, defining three character areas. A new Local Centre would be created, with a range of uses and density at the heart of Pudding Mill Lane, with two lower-scaled and finer-grain riverside residential neighbourhoods to the north and south, knitting into adjacent developments and creating a coherent piece of urban fabric across the peninsula.

11.188. The layout of these character areas is considered to positively respond to the geography of the Pudding Mill Lane site and objectives set in the Pudding Mill SPD, creating a logical hierarchy of circulation routes, locating height adjacent to new public spaces in areas where there is the most benefit for placemaking and responding sensitively to the immediate existing and emerging built context, with massing that creates coherence across the peninsula and is respectful of the river.

11.189. The control documents would also ensure that the buildings on the respective development parcels would take four different approaches to form and massing: courtyard blocks on Development Parcels A-C, K & L; standalone blocks on Development Parcels E, F & J; the 'employment cluster' on Development Parcels G, H and I, as well as the Central Tower on Development Parcel D. In terms of the courtyard approach, Officers support this form, noting that it maximises the site area, creates a series of perimeter blocks which define the streets within the masterplan, and creates communal amenity spaces within them to allow opportunities for safe play and social integration. They are considered well-suited to provide a family-focus within the masterplan, with a more intimate scale and finer urban grain. The

approach to the massing of the courtyard blocks, as set out within the control documents, is supported. This includes a requirement that there must be a combination of different building heights around the courtyards and that the massing of the courtyards must be designed to provide suitable levels of daylight to the communal amenity space within.

- 11.190. The massing of the courtyard blocks would also be successfully broken up through the Design Code requirement that courtyards must have breaks between buildings. This not only would assist with the generosity and quality of the courtyard but would also help break down massing along the respective streets within the development. The Design Code specifies different types of visual breaks between buildings and states that upper floor breaks between buildings should be incorporated on the southern side of blocks to improve sense of openness and views of the sky. Importantly, it also requires two full-height street level breaks in each courtyard.
- 11.191. It is noted that QRP are generally satisfied with the buildings heights arrived at in the new neighbourhoods, and consider its form and massing is appropriate to the SPD aspirations for a new medium density neighbourhood. It also supports the variety in residential typologies that the control documents would secure for future Reserved Matters applications. It is welcome that the scheme has the ability to provide the full range of these various typologies, including the provision of town houses, maisonettes and duplex units at ground and lower floor levels around each courtyard. This is an explicit requirement of the Design Code and is considered to be a key contributor to ensuring that one of the key characteristics of the development will be the creation of two new family orientated neighbourhoods.
- 11.192. In terms of the Central Tower and other standalone tall buildings, the control documents are considered to ensure these would take appropriate form and massing. The Central Tower (Parcel D) is the tallest building within the masterplan. Located within the Local Centre, it acts as a marker for the adjacent Pudding Mill Square and Pudding Mill Lane DLR Station, and identifies the new Local Centre within the site and from further afield. The other tall buildings identified here are standalone buildings, located in line with the site wide massing strategy. They provide legibility and aid wayfinding throughout the site. Standalone buildings are subordinate to the Central Tower in height and are at a scale suited to their location away from the Local Centre. They have important roles in marking key thresholds into and within the site, and framing new public park spaces.
- 11.193. The Design Code ensures that the form of the Central Tower is coherent and sensitively related to neighbouring buildings and the emerging urban grain, supporting the legibility of the Local Centre. The Design Code requires, the Central Tower to be anchored to the corner of a block, to give a prominent presence and activate the public realm. Codes also require Development

Parcel D to comprise a range of heights, with lower elements along the Neighbourhood Way to reflect the more intimate nature of this new street. Officers particularly welcome the requirement for the footprint of the Central Tower to be reduced at the uppermost storeys to provide an elegant silhouette formed in response to long range views.

- 11.194. In terms of proposals for the employment cluster buildings, the height and massing of these reinforces the legibility and identity of the Local Centre. The three buildings are of similar scales and proportions, ensuring a strong and coherent identity. The Design Code sets requirements for the upper levels of the employment cluster to be set back to reduce visual perception from Pudding Mill Square and Marshgate Lane. A shared approach to how these setbacks are articulated, and the datum at which they occur, is adopted across all three buildings.
- 11.195. Regarding the height of buildings, Officers consider that the control documents ensure that the maximum heights would be appropriate in design terms. However, it is important to note that the majority of frontages to internal streets would be formed of the lower elements of the courtyard blocks on Development Parcels A – C, K and F. The Maximum Building Heights Parameter Plan establishes these at a maximum height of 25m AOD (or 28m in the case of Development Parcel K) which, given that this would capture elements such as parapets, plant and lift overruns, would equate to a maximum of 6 storeys when the existing site topography is taken into account.
- 11.196. The Local Plan establishes the prevailing building height for Sub-Area 3 as 21m above ground level. However, in contrast the submitted Maximum Building Heights Parameter Plan expresses heights in AOD. As such these 6 storey elements would generally range between 20.4m and 23.5m above ground level.
- 11.197. The application of the Design Code will ensure that the height and massing of these blocks is controlled. This includes a requirement for courtyards to have a combination of different building heights, characterized by 'pop-up' of minimum two storeys above the block's prevailing height which, if to the maximum height, would limit heights on the remainder of the block. For instance, if the maximum height is 6 storeys and achieved through a 'pop-up' element as required in the Design Code, then the height of the rest of block would be limited at 4 storeys. There are also additional constraints on the height of the courtyards block, such that they must be designed to provide suitable levels of daylight to the communal amenity spaces within. Furthermore, as discussed below the Design Code also includes requirements for breaks between buildings.

- 11.198. In light of the above, Officers consider that the application of the Design Code would help ensure that there would be significant variety in heights throughout the masterplan ranging from two storeys up to the ten to sixteen storeys of the taller elements and the twenty-five storey height of the Central Tower.
- 11.199. In terms of these taller elements, the proposed control documents include provision of tall buildings, in excess of the 21m above ground level prevailing building height, across Development Plots A – L. The proposed maximum heights (above ground level) for these buildings are set out above within Table 2. The taller elements on Development Plots A – C and K would form part of the perimeter courtyard blocks within these plots, whilst the buildings on Development Parcels E, F, J and L would be standalone tall buildings. The building on Development Parcels G, H and J are the Employment Buildings and, finally the tallest building on Development Parcel D is the Central Tower.
- 11.200. QRP has generally accepted the distribution of heights across all Development Parcels, noting their location at key sites thresholds and the benefits they bring in improving legibility around the area. However, the panel raised specific concerns in relation to Development Parcel D and the Central Tower. Although it acknowledged the suitability of Development Parcel D to accommodate a tower as the point of primacy for the area, it considers that the proposed height of 25 storeys is too high and not justified in townscape terms. The panel considered the height of the tower should be reduced to 20 storeys, which would represent a better transition with the prevailing height for the neighbourhood.
- 11.201. The comments made by QRP are acknowledged; and officers have sought a reduction in height of this block in order to try and address these comments. The applicant has indicated that a reduction in height would not be able to be re-distributed across the masterplan without significant detrimental impact in terms of daylight, sunlight and overshadowing over the public realm; and that any floorspace reduction overall would have a significant impact on the overall viability, and ability to deliver the increased amount of residential floorspace and affordable homes, above the minimum requirements set out in the 'portfolio approach'.
- 11.202. Officers consider that, on balance, the proposed development, including the height of these taller elements, is acceptable. This is noting the various safeguards and requirements within the control documents which would secure architectural and residential quality within future Reserved Matters applications, ensuring that these outline proposals, which importantly would achieve significant additional public benefit, and would have the potential to comply with the requirements of Policy BN.5.

- 11.203. The proposed maximum heights of the Central Tower across the site would equate to 25 storeys on Development Parcel D, and proposed maximum heights of 12, 13, and 16 storeys (standalone building) on Development Parcels F, E and J respectively., Officers consider these heights to be acceptable in the context of surrounding development. The 12, 13 and 16 storey high buildings would be in very close proximity to, the new Local Centre; and they would not be out of keeping with the heights of a number of existing or consented developments within the immediate vicinity including Vulcan Wharf (14 storeys), Marshgate Business Centre (12 storeys) or at Bridgewater Triangle (up to 11 storeys).
- 11.204. In this context of existing and proposed development, it is considered that the proposed standalone buildings would appear as an intermediary scaled development within this part of Pudding Mill. It is considered that the blocks, would provide a degree of transition from the taller elements nearby to the both the lower scaled blocks within the proposed development and the more significant height of 25 storeys within the new Local Centre. It is considered that this variation in scale would ensure that future development on this site would significantly differentiate itself from other development in the wider area and would therefore be successful in establishing a new Local Centre in this location.
- 11.205. It is acknowledged that the proposed maximum height of 25 storeys on Development Parcel D would be significantly above other consented taller buildings in the area. Whilst Officers acknowledge the concerns raised by QRP about the height, it is not considered that a building of such a height would be harmful when assessed against the criteria in BN.5, in particular in terms of townscape, heritage assets, amenity or environmental factors, as considered as relevant below.
- 11.206. The composition of the tall buildings is also considered to be acceptable. The tall buildings would largely be positioned adjacent to new open spaces including Pudding Mill Square (Development Parcel D and E), City Mill Riverside (Development Parcel J), and Bow Back Riverside (Development Parcel F), where there is a greater degree of spaciousness and tall elements are therefore more suitably accommodated. In turn this helps ensure that the streetscape within the development would largely be of a lower scale. As demonstrated by the illustrative scheme, the positioning of tall buildings would ensure separation distance between them and therefore allow visual breaks with key views, creating an undulating roofscape across the development.
- 11.207. The siting of tall buildings within the masterplan is also considered to provide a strategic wayfinding function. The tall buildings that would be most visible in longer views would be those located on Development Parcels D, F and J, which in turn would also provide the key thresholds to the site in terms of

walking and cycling journeys to and from Pudding Mill Lane DLR station, Stratford High Street, QEOP and the Greenway. These buildings would therefore help assist with legibility by acting as a marker to these key routes into the site, particularly given the variation in levels to the north-east of the site.

- 11.208. Officers are also satisfied that the Design Codes provide a significant level of control in relation to these tall buildings to help ensure that the Reserved Matters applications will deliver buildings which exhibit exceptionally good design. This includes requirements to ensure appropriate positioning when part of courtyard blocks, layout arrangements to maximise dual aspect provision, and requirements on form to respond to way finding and maximise key views.
- 11.209. In terms of detailed design, the Design Codes also set out a range of requirements that would influence the final design of facades and roofs. This includes a change in façade treatment, articulation or parapet details at 12 storeys to mark out a ‘tall building datum’ to help break down massing of taller elements and provide more visual interest, requirements over setting out and modulation of facades to ensure an elegant and composed character. There are a number of additional requirements for the Central Tower to have a legible and articulated base to give a human scale, with the potential provision of frame or colonnade and for the roof to be given special articulation where it meets the sky, which must be integrated into the overall language and composition of the building, in order to create a distinct and elegant top.
- 11.210. Given the above, Officers are satisfied that the proposals would be acceptable in terms of proportion, form, massing, height and scale and that part (1) of Policy BN.5 has been suitably addressed.

BN.5(2): Use of material appropriate to the height of the building:

- 11.211. Officers consider that the requirements and guidance provided within the Design Codes provide sufficient assurances that the material palette within future Reserved Matters applications would be acceptable in terms of the character of the site and wider area, and the height and scale of the tall buildings.
- 11.212. The Design Code includes a section on appearance and character. In terms of the approach to materiality, this is split into four sections: primary façade materials, quality, sustainable materials and secondary façade material.
- 11.213. In terms of the primary façade material, the Design Code stipulates that brick, concrete and ceramic must be the predominant façade material across all buildings above six storeys. It also requires a simple and coherent palette of

brick and masonry to be used throughout the development. Officers support this approach noting that this would ensure that future Reserved Matters applications would have a cohesive and distinct character which would be substantially different from the glass and clad dominate schemes that already exist in the surrounding area. The Design Code would ensure that the design and materiality of the tall buildings across the application site would also be sufficiently articulated to provide visual interest and animate the public realm.

- 11.214. In terms of secondary façade material, the Design Code specifies that no more than one secondary façade material should be used across the scale of a building and materials should be complementary but subordinate to the primary materials.
- 11.215. It is considered that the proposed approach to materiality will enable a cohesive, yet distinctive character come forward within future Reserved Matters applications for the Pudding Mill Lane site. This would ensure the delivery of a family of buildings around courtyards blocks, which would include the use of complementary materials and variations in tone and texture which can be employed across buildings and the public realm, but also enable non-residential building to be considered as opportunities characterful difference and expression.
- 11.216. Overall, the proposals have a well-considered approach to materiality, as demonstrated through the Illustrative Scheme. The use of predominantly brick and masonry facades, with appropriate detailing, would ensure that these buildings would have a robust appearance, appropriate for the height of the respective buildings and also lend the development a distinctive character in the context of the surrounding area. As such part (2) of Policy BN.5 has been suitably addressed.

BN.5(3): Acceptable access and servicing arrangements:

- 11.217. Officers consider that the provisions of the control documents would ensure an acceptable approach to access and servicing.
- 11.218. In terms of the residential access strategy the Design Code requires all ground floor homes to be directly access from the internal streets which is considered to be an acceptable approach in terms of legibility as well as increasing activity within the streets and improving passive surveillance.
- 11.219. Communal residential entrances are also required to have through-cores which provide access from the street network and the courtyard. This is supported as it allows natural light into the core at ground floor level whilst also allowing for ease of access to the courtyards and the play spaces that would be provided within them. The Design Code also has specific

requirements for communal entrances to ensure legibility and generosity of lobby space which are measures which are supported by Officers. Guidance is also provided in relation to signage to ensure these elements are appropriately incorporated into the architecture.

- 11.220. The control documents are also considered to ensure a suitable approach to servicing and deliveries, as discussed in the transport assessment, and would also ensure provision of vehicular access to the allotments once constructed.
- 11.221. Given the above, it is considered that part (3) of Policy BN.5 has been suitably addressed.

BN.5(4): A positive contribution to the public realm at ground level:

- 11.222. Officers consider that the control documents ensure that the open spaces and streetscape would be of high quality.
- 11.223. The control documents require the application site to deliver three new significant open spaces in the form of two riverside park and a new public square in front of the Pudding Mill DLR station. In addition, it also provides for smaller pocket of open space at key intersection of pedestrian and cyclists priority routes (e.g., Pudding Mill Yard and the neighbourhood square), which will amount to 0.63 hectares of publicly accessible open space being delivered. The control documents would ensure that those spaces would be linked by a network of high-quality streets and Play loops. The control documents would ensure that these streets and open spaces would consist of high quality hard and soft landscaping and that the open spaces and courtyards would include the provision of play space.
- 11.224. The Open Space and Play Space Parameter Plan and Ground Floor Uses Parameter Plan are also considered to be suitably coordinated to ensure activity and overlooking to the key spaces in the public realm. This is noting that the proposed commercial and community uses would be located at ground floor and in key corner locations to activate the adjacent public open spaces and provide passive surveillance to the play space within.
- 11.225. The control documents are therefore considered to ensure that future development will make substantial improvements to the public realm in this part of Stratford. The proposals are therefore compliant with part (4) of Policy BN.5.

BN.5(5): A positive contribution to the surrounding townscape & BN.5(6): Creation of new or an enhancement to existing views, vistas and sightlines where there is an opportunity to do so:

- 11.226. Officers consider that the proposed control documents would ensure that the final form of development would assist with the creation of views and improved sightlines between the application site and its surroundings. This has been an explicit consideration of where tall buildings have been positioned within the masterplan and it is considered that the Illustrative Scheme demonstrates how future proposals could have a positive impact upon the setting of the Bow Back and City Mill River and the Greenway, as well as the general legibility in the approach to the Pudding Mill Lane DLR Station.
- 11.227. In terms of townscape, as set out above, the proposed character areas would be cohesive in appearance whilst having distinct specificities relating to their context, location and key focus. Within each character areas, the Design Codes will ensure a variation in heights, subtle differences in form which would respond to form and legibility, and a complementary palette of materials based on the primary use of brick and masonry. It is considered that this approach ensures that this would be a positive new piece of urban fabric within this part of Stratford that would relate well to the emerging proposals in the wider Pudding Mill area and the existing townscape on Stratford High Street.
- 11.228. The Townscape and Visual Assessment chapter within the Environmental Statement assesses a range of views based on the Illustrative Scheme including those which potentially impact upon designated heritage assets, including listed buildings and conservation areas. Officers are satisfied that the methodology and analysis of the submitted TVIA is robust and that the proposals would not result in any harm to the setting of any nearby listed buildings/structures or the setting or any nearby conservation areas.
- 11.229. It is therefore considered that the proposals are therefore compliant with parts (5) and (6) of Policy BN.5.

BN.5(7): Microclimate and BN.5(8): Amenity:

- 11.230. The application has been subject to environmental testing with respect to microclimate. This is assessed in further the Environmental impacts section of this report, but Officers are satisfied that with mitigation measures secured through planning conditions and control documents regarding the detailed design at reserved matters, there would be no adverse impacts on microclimate as a result of the tall buildings proposed. QRP has in particular reviewed this in some detail, particularly for the central tower and concluded, in its response of August 2022, that it was satisfied there would be no harm. The proposals would therefore comply with BN.5 (7).
- 11.231. Regarding BN.5 (8) on amenity, again this is covered in further detail below in terms of the impact of the development on the amenities of buildings

adjoining and near to the site and in respect of heritage and other impacts. Officers are satisfied that there would be no harm to amenity of the surrounding area or to heritage assets as a result of the development.

Public Realm and Open Space

- 11.232. Policy G4 of The London Plan states that developments should not result in the loss of protected open space and where possible create areas of publicly accessible open space, particularly in areas of deficiency.
- 11.233. Policy BN.8 of the Local Plan states that proposals for major development will be expected to consider the provision of new, high-quality and publicly accessible open space within the scheme where there is an identified qualitative or quantitative deficiency in that location.
- 11.234. The Pudding Mill SPD seeks to provide a large open space within the site to provide a focal point in close proximity to the facilities of the Local Centre. It is expected to offer a gathering place, an area for community events, play space and elements of urban greening providing shade and assisting biodiversity of enhancement of the area. Remaining open space should be provided through multiple smaller green enclaves across the site and enhancement of open space along the towpath is encouraged to serve local residents and neighbouring communities.
- 11.235. The submitted application seeks to provide a minimum of 0.63ha of publicly accessible open space, in excess of the extent LCS consent for 0.6ha. The Design Code and Parameter Plans provide greater detail in how this would be distributed throughout the site. The Open Space and Play Space Parameter Plan requires the delivery of three key open space:
- A new public square: Pudding Mill Square
 - Two new riverside parks: City Mills Riverside Park and Bow Back Riverside Park.
- 11.236. The design code seeks to ensure that additional open space is distributed throughout the site alongside river paths and in locations suitable for small green enclaves. Codes are provided to ensure that these spaces are well lit, easily accessible and contain suitable provisions of playspace, biodiversity enhancements and relate to the historical and biological context of the area. These codes are considered to be suitable to ensure that the open space in the development is of a high quality which would meet the needs of future residents and visitors.

Heritage

- 11.237. Policy HC1 of the London Plan states that development proposal affecting heritage assets, and their settings, should conserve their significance. Developments should avoid harm and identify enhancement opportunities in the design process. Proposals should identify assets of archaeological

significance and use this information to avoid harm or minimise it through mitigation.

- 11.238. Policy BN.13 of the Local Plan states that proposals for development will only be considered acceptable where they protect archaeological remains that will be affected by development on sites that include or have the potential to include archaeological interest. Policy BN.17 confirms that development should conserve or enhance heritage assets and their settings.
- 11.239. The submitted Environmental Statement includes a chapter on Cultural Heritage. It notes that a scoping process was undertaken to identify any potential impacts on heritage assets including those of an archaeological nature. The primary effects assessed were those resulting from construction and those from operational impacts.
- 11.240. The study focussed on a 500m area around the application site and notes 130 heritage assets within this location in addition to 5 Archaeological Priority Areas (APA) including the River Lea (tier III). 3 non-designated Heritage Assets are located within the study area and a Grade II listed boundary marker (BH2) and the Westbridge Hotel grade II listed building (BH4) are also included within the 500m zone. No designated heritage assets are located within the application site boundary itself.
- 11.241. The study has assessed the impacts of the proposal on the nearby listed buildings and non-designated heritage assets and notes that the impacts of the development on these would be either neutral or negligible. Officers in consultation with their heritage advisors are also of the view that there would be no harm to the conservation areas at Fish Island and Hackney Wick, Sugar House Lane and Three Mills and the Stratford St Johns conservation areas as a result of the development.
- 11.242. With regards to the APAs, the study took into consideration archaeological findings from the site and adjacent including data from exploratory holes. It considers that there would be minimal impacts on archaeological assets in the area.
- 11.243. It is noted that an objection has been received from GLAAS in particular raising concerns that insufficient consideration has been given to the medieval water mill which stood within the site. They consider the geoarchaeological model provided to be limited in scope and that insufficient detail has been provided regarding the impacts of the development including hydrology and arising from pilings.
- 11.244. The applicants have provided a detailed response which notes that the Environmental Statement does include reference to the Medieval Mill but

also notes that there is no firm evidence for such a mill on the historical record or in historical mapping.

- 11.245. The Environmental Statement has been assessed by Arup advising PPDT. They note the applicant's response, as well as the objection from GLAAS. They consider that some issues remain outstanding and that the requests from GLAAS are reasonable. However, they note that these issues can be addressed via suitable conditions, which have been recommended at Appendix 1.

Ecology and Urban Greening

- 11.246. Policy G5 of The London Plan states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design. The Mayor recommends an Urban Greening Factor (UGF) target score of 0.4 for predominantly residential developments and a target score of 0.3 for predominantly commercial developments.
- 11.247. Strategic Policy SP.5 of the Local Plan encourages the use of urban greening through planting in the public realm and private spaces and green and brown roofs. Policy S.9 states that opportunities to introduce planting of trees in private and public spaces, including streets, along with those for including green roofs, green walls and other planting opportunities.
- 11.248. The application states that a UGF score of 0.32 would be achieved across the application site. This would be achieved via the use of public open spaces (including 0.63ha of publicly accessible open space), trees, soft landscaping and green roofs. Category A trees existing on the site would be retained where possible with significant tree planting proposed as part of soft landscaping proposals.
- 11.249. It is noted that the UGF falls below the 0.4 target required for residential-led developments. However, it is acknowledged that the site at present (with an industrial history) features a poor level of urban greening and the proposal would be a significant improvement over the existing circumstances. The applicant has provided justification for the shortfall, noting that the UGF has been maximised considering the utilities constraints and easements on the site, when considering space for access, servicing and parking. On balance, and taking into account the site constraints, proximity to green space at QEOP and that significant new public open space is being provided to meet scheme needs, Officers consider that the UGF is acceptable in this case.
- 11.250. Policy G6 of The London Plan states that Sites of Importance for Nature Conservation (SINCs) should be protected. Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. Policy G7 also states that existing trees of value should be retained. Where

permission is granted including the loss of trees, there should be adequate replacement based on the existing value of the benefits of the trees removed.

- 11.251. Policy BN.3 of the Local Plan states that development proposals should seek to maximise and enhance biodiversity.
- 11.252. The proposal includes a Biodiversity Action Plan (BAP) which includes the creation of 0.57ha of BAP habitat located near existing ecological corridors with a net biodiversity gain equivalent to 174% and as such would accord with the requirements of policy BN.3 of the Local Plan.
- 11.253. Conditions are recommended requiring detailed soft landscaping, Green Infrastructure Phasing and details of biodiverse green roofs to be approved during each phase of development to ensure the impacts on biodiversity are effectively managed.

Transport and Traffic

- 11.254. Policy T1 of The London Plan states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes and ensure that any negative impacts on London's transport networks and supporting infrastructure are mitigated. Policy T2 requires development to deliver improvements that support Healthy Streets indicators, reduce the dominance of vehicles on London's streets and be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport. Policy T4 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.
- 11.255. Policy T.4 of the Local Plan seeks to promote sustainable transport choices and minimise reliance on private cars. Policy T.5 seeks to ensure that new development makes appropriate connections to the existing street network and to increase journeys undertaken through walking, cycling and public transport. Policy T.6 states that developments should be designed to integrate into the area and should facilitate improvements to local connectivity. Pedestrian and cycle connectivity will be given a greater priority than vehicular connectivity. Policy T.7 requires referable developments to be submitted with a Transport Assessment.

Pedestrian and Cyclist connections

- 11.256. London Plan Policy T2 sets out ten Healthy Streets indicators used to reflect the experience of walking on streets and to create a healthy, inclusive environment which people choose to walk, cycle and use public transport. These indicators are:
- Pedestrians from all walks of life
 - Easy to cross
 - Shade and shelter

- Places to stop and rest
- Not too noisy
- People choose walking, cycling & public transport
- People feel safe
- Things to see and do
- People feel relaxed
- Clean air

11.257. The applicant has provided a Healthy Streets Transport Assessment which indicates the primary walking and cycling routes throughout the site. A Healthy Streets Assessment has been carried out on the proposed layout.

11.258. This assessment identifies key routes from the site to nearby transport hubs including Stratford Station, Pudding Mill Lane DLR station and nearby bus stops, as well as high streets, Westfield Shopping Centre and schools. It notes areas where nearby streets fall short of Healthy Streets indicators and offers suggested improvements for the wider area.

11.259. Within the site itself it notes that the development would provide several benefits. This includes increased permeability of the site between Stratford High Street and Pudding Mill Lane DLR station, car free-development, provision of mixed land uses and public space, increased pedestrian and cycle crossings and connections and integrated delivery and servicing facilities.

11.260. The proposal identifies the primary routes through the site as Pudding Mill Lane and Marshgate Lane. Pudding Mill Lane itself is envisioned as being designed around the pedestrian and cycle environments. Marshgate lane is identified as being the primary vehicular route through the site and has been identified as a potential location for a segregated cycle path.

11.261. PPDT's Transport consultants have queried why the cycle lane has not been provided at the outset of development.

11.262. The applicants have responded noting that the land for the cycle route is to be safeguarded for future connections. It is noted that the intention of the route is to connect the development along Sugar House Lane and the Park in the event of a sustainable modes bridge being delivered between Marshgate Lane and the junction of High Street/Sugar House Lane.

11.263. Officers consider this response reasonable as the cycle lane will be dependent on the delivery of the bridge by TfL. TfL have been consulted on the application and raise no objections to this approach. In addition, a financial contribution towards the production of a feasibility study for the proposed Marshgate bridge has been secured as part of the s106 Heads of Terms (see Appendix 4).

- 11.264. The London Borough of Newham has provided comments regarding the potential segregated cycle lane along Marshgate Lane. They note that Marshgate Lane is currently served by HGVs accessing the nearby concrete plant to the north. This is expected to continue and as such concerns have been raised regarding the level of segregation between the proposed cycle path and the main road serving these HGVs.
- 11.265. These comments are acknowledged. The specific layout and details of the cycle route would be determined at the reserved matters stage. It is considered that at this stage further consideration to the segregation of the route can be given.
- 11.266. Notwithstanding this, it is noted that in the interim Pudding Mill Lane will form the primary cycle and pedestrian route through the site. Pudding Mill Lane will feature controlled vehicular access, directing HGVs away onto Marshgate Lane and as such would provide a greater degree of segregation between cyclists and HGVs in the site.

Car Parking

- 11.267. Policy T6 of The London Plan states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport. Policies T6.1, T6.2 and T.6.3 set out the maximum car parking standards for residential, office and retail uses. Where car parking is approved, electric vehicle charging points should be provided. Appropriate levels of parking for Blue Badge holders should be provided for all the development. This requires 10% of units to be provided with one Blue Badge parking space, with 3% provided at the outset.
- 11.268. Policy T.8 of the Local Plan aims as a starting point for car-free development in areas with high public transport accessibility. Where on street parking is provided it shall be designed not to compromise other potential street-level uses or dominate street frontages
- 11.269. Both the London Plan and Local Plan set out car parking standards based on the number of homes. As the exact number of homes is not yet known at this stage, it is not possible to define an acceptable maximum level of car parking. However, based on the illustrative scheme, up to 67 Blue Badge spaces could be provided for the residential units, with an initial provision of 29 bays (which equates to the expected initial 3%). This would be supported by further provision of Blue Badge bays for the non-residential and Health Centre land uses. The exact number of car parking spaces will need to be assessed in the reserved matters applications.
- 11.270. However, the Transport section of the applicant's Environmental Statement indicates that the proposal would have a constrained parking provision with

all car parking spaces for Blue Badge parking only, except for space to potentially provide for two car club spaces.

- 11.271. As such, the proposal has demonstrated compliance with the principle of working from the principle of 'car-free' as a starting point and minimising the amount of parking on site. The proposal would take advantage of the strong public transport links, and would be acceptable in this regard. Controlled Parking Zones (CPZ) are present in the nearby area and residents would be prevented from applying for permits via a condition and as part of the s106 obligations.
- 11.272. However, both PPDT's Transport consultants and TfL have noted that the applicants propose a maximum of 7% Blue Badge parking throughout the development; which equates to 28 less blue badge parking spaces than the maximum required.
- 11.273. In response the applicants have indicated that extensive design reviews were undertaken and the provision of additional parking had the greatest potential impact on the level of open space on the wider site and has further implications on the urban greening of the area. The applicant considers that limiting the maximum to 7% would provide the best balance between parking spaces and the amount of public realm and open space. They also note that Pudding Mill Lane station provides step-free access and accessible bus services serve Stratford High Street. The submitted Design Code shows that Blue Badge parking spaces will be located close to the entrances to accessible housing.
- 11.274. Early analysis of blue badge provision at Chobham Manor suggests that 1 of 68 blue badge bays are leased to blue badge holders, equating to just 1.5% of total provision. Monitoring of the blue badge bays will be undertaken as part of the car park management plan. On balance, officers can agree to the 7% maximum provision, in this instance.
- 11.275. Officers have considered this position and note that the proposal would comply with policy requirements in respect to having 3% of Blue Badge spaces available at the outset of the development with a further 4% Blue Badge parking should the demand require it. During the interim phase, the further 4% Blue Badge bays would be delivered as dormant bays which could come into use depending on demand, which would be designed to make a positive contribution to the streetscape through planting and/or street furniture. The management of these bays would be controlled via a Car Park Management Plan which is recommended to be secured via condition. It is also noted that the site is located in an area of high public transport accessibility.

11.276. It is also noted that the GLA in their stage 1 response consider the shortfall to be 'robustly justified'.

11.277. On balance, it is considered that the overall benefits of the scheme, including open space and public realm in conjunction with the high accessibility of nearby public transport would outweigh the relatively low shortfall of blue badge car parking spaces that may need to be provided.

Cycle Parking

11.278. Policy T5 of the London Plan states that new proposals should help remove barriers to cycling and create a healthy street environment. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards. The Policy sets out minimum numbers of cycle parking spaces required for developments.

11.279. Policy T.9 of the Local Plan promotes and supports the provision of well-designed routes for cycling which integrate well with the street environment, minimising conflict with other modes wherever possible. Cycle parking provisions should be safe, secure, preferably sheltered and should meet or exceed minimum standards set out in the London Plan.

11.280. As with car parking, cycle parking standards are based on the size and number of homes proposed within development and, as such, the exact number of spaces will need to be assessed in the reserved matters applications. However, using an illustrative scheme, the applicant has noted the potential for 2,391 long-stay spaces and 166 short-stay spaces to be provided.

11.281. Long stay parking would be located in communal covered stores, accessible directly from the street or communal courtyards within 20m of entrances. Short-stay spaces would be incorporated into the public realm. 5% of spaces would be suitable for non-standard cycles.

11.282. The Design Code includes requirements to ensure that cycle parking is located suitably and is of a secure, covered nature which respects the character and appearance of the surrounding area.

11.283. The proposed cycle parking is considered to be acceptable and has been assessed by TfL and PPDT Transport consultants, who raise no objections. A condition is attached requiring the details of cycle parking to be provided and approved prior to the commencement of each phase of development.

Environmental Matters

11.284. An Environmental Statement (ES) was submitted with the application as it is EIA development. The ES has been reviewed by PPDT's environmental

consultants, who have found it to be robust in its assessment, and agree that the scheme would not have any adverse significant environmental effects taking into account the mitigation measures secured through conditions and the s106.

Sunlight, Daylight and Overshadowing – External Impact

- 11.285. This section discusses sunlight and daylight impacts to nearby existing and future residential properties, existing open space and public amenity areas. Further discussion on the internal sunlight and daylight performance of the scheme can be found within the residential quality section of this report.
- 11.286. Policy D6 of the London Plan states that new development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst minimising overshadowing and maximising the usability of outside amenity space. Policy D9 also specifically notes that applications for tall buildings should assess the daylight and sunlight conditions of nearby buildings and should not compromise the enjoyment of open spaces.
- 11.287. In response to the above, Policy BN.1 of the Local Plan states that new development should minimise impact within proposed and upon existing development by preventing overshadowing. Policy BN.4 states that schemes should demonstrate that new development would not result in an unacceptable loss of sunlight and daylight to nearby existing development. Applications should demonstrate compliance with Building Research Establishment (BRE) guidance. Policy BN. 5 states that tall buildings will be unacceptable where they result in unacceptable impacts on the amenity of neighbouring properties in terms of daylight or overshadowing.
- 11.288. The Mayor’s Housing SPG encourages compliance with BRE guidance. However, it notes that “An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new developments on surrounding properties. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations. This should take into account local circumstances; the need to optimise housing capacity, and scope for the character and form of an area to change over time. The degree of harm on adjacent properties should be assessed, drawing on broadly comparable interfaces of residential development found in London.”
- 11.289. The Pudding Mill SPD (2017) states that daylight and sunlight considerations will have a particular impact on the design of buildings in certain locations. Development schemes should consider positioning in relation to daylight and sunlight to avoid overshadowing. Daylight and sunlight assessments will determine impacts on an application-by-application basis.

11.290. A final assessment of sunlight, daylight and overshadowing impacts on surrounding receptors will take place at Reserved Matters stage once the final form of the development, including the massing and siting of blocks, is finalised. However, for the purposes of the outline stage, the applicant has undertaken an analysis based on the 'worst case scenario' based on the maximum parameters. The assessment uses a range of BRE methodologies including Vertical Sky Component (VSC), No Sky Line (NSL), Average Daylight Factor (ADF) and Annual Probable Daylight Hours (APSH). However, it should be noted that this is not the massing that would be delivered noting the effects of the application of the Design Code which would result in a more articulated form. The Illustrative Scheme is an example of what could come forward when the Design Code is applied and is therefore used as a demonstration of mitigated outcome with respect to this assessment.

11.291. The submitted Daylight and Sunlight assessment notes several potential receptors which may be impacted by the proposals around the site which includes:

- 9-68 Otter Close
- Central House
- George Hudson Tower
- Legacy Wharf
- Regional Waste Recycling Office

11.292. The report provides an assessment on impacts based on the illustrative scheme.

11.293. It shows that only 6.5% of windows in Otter Close would have reductions below good practice thresholds but these windows are expected to retain a VSC of at least 26.5% which is close to the 27% benchmark. All windows that are not facing north will retain good sunlight levels throughout the year.

11.294. Central House would have some windows at ground and 1st floor levels impacted by the development. However, it is noted that these windows already suffer adverse conditions due to the built form of the existing building itself. It is also noted that the affected windows at these levels are in office use and as such have a lower sensitivity to daylight reductions.

11.295. Windows on the lower floors of George Hudson Tower would experience in improvement of daylight levels compared to the assessment of the maximum parameters. It notes that the ground and 1st floor windows serve non-residential uses and as such are less sensitive to daylight reduction. Those residential windows affected are noted to have inset balconies and have windows set back from the primary façade of the building.

- 11.296. Windows on Legacy Wharf would also experience an increase to daylight access. Those windows failing guidance would be located in close proximity to the new development block and are obstructed by protruding or inset balconies.
- 11.297. Amenity areas outside of the proposed development would retain good levels of sunlight.
- 11.298. The Daylight and Sunlight section of the ES has been assessed by Arup advising PPDT. They consider that the report follows established BRE methodology and is acceptable in its conclusions.
- 11.299. Additionally, each phase of development will be required to re-test at the reserved matters stage and opportunities to improve of daylight and sunlight impacts will be explored at that stage once the detailed designs are known.
- 11.300. Overall, the impact of the development on daylight and sunlight is considered to be acceptable.

Noise

- 11.301. Policies D13 and D14 of The London Plan states that development should be designed to ensure that established noise-making uses remain viable when located close to new sensitive development. New development should manage noise and other potential nuisances for future occupiers by providing suitable mitigation measures.
- 11.302. Policy BN.12 of the Local Plan states that development proposals should contribute towards minimising the effects of noise on amenity of the occupiers of existing and planned new development in the area. New development should be constructed to minimise exposure to the adverse impacts of noise and designed to minimise the effects of noise.
- 11.303. Chapter 11 of the Environmental Statement includes an Noise Assessment which has been thoroughly reviewed by officers and their Environmental Consultant, together with key stakeholders including the EA and LB Newham's Environmental Health Officer.
- 11.304. It notes that the main concerns regarding noise and vibration resulting from construction would be vibration and noise associated with piling and construction traffic. The report sets out appropriate mitigation measured to minimise the impacts of this on nearby residences which will come forward during the construction phases of the development.

- 11.305. In terms of operational impacts, these would be primarily due to changes in road and traffic flows. However, these are considered not to be significant and no mitigation measures are considered necessary.
- 11.306. In addition to the above, the massing and layout has been designed to ensure that sensitive uses are located way from noise sources, and the promotion of more sustainable methods of transport, and minimal reliance on cars, would further contribute to quieter environments. A condition is attached to ensure that the proposed units would be built to an acceptable level of sound insulation prior to first occupation.
- 11.307. PPDT's environmental consultants note that the Bow East Goods Yard nearby has potential to result in noise impacts on future occupiers. A condition has been recommended requiring an assessment of impacts from this site to be taken into consideration prior to the occupation of each phase. Additionally, they note that the electrical substation in the centre of the site also has potential to result in noise and/or vibration impacts above the average for the site. The assessment of this impact is to be secured via the same condition.
- 11.308. An objection has been received from Network Rail as the freehold owners of the Bow East Goods Yard. NR notes that the site is safeguarded by existing policy and as such is likely to continue to operate in an industrial capacity. They raise concerns that the introduction of nearby sensitive uses (residential) has the potential to generate noise complaints which may impact the functioning of the site. Their objection recommends several amendments to the Design Code to address these concerns and additionally recommends conditions to ensure that suitable mitigation is employed to the residential units.
- 11.309. The applicant has responded to these objections by incorporating amendments into the Design Code to ensure that Marshgate Lane continues to provide access to Bow Goods Yard HGV traffic, to ensure there is mandatory separation between cyclists and vehicles on Marshgate Lane, to ensure that the layout and design of any raised tables minimises any potential noise emissions from HGVs and to ensure any facades directly affected by higher noise levels have enhanced ventilation and cooling provisions. In addition, the wording of planning conditions has been agreed with Network Rail to ensure the future use of Bow Goods Yard is protected and any noise impacts associated with it are properly mitigated in those residential units closest to the site.

Flooding/Drainage

- 11.310. Policy SI 12 of The London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is

addressed. This should include setting development back from water courses.

- 11.311. Policy S.10 of the Local Plan supports the above and states that flood risk assessments should be submitted with applications which demonstrate that the proposal does not increase flood risk to third parties and, where possible, reduces flood risk. Development must be designed to reduce vulnerability to climate change and be flood resilient and resistant.
- 11.312. As part of the Environmental Statement, the applicant has provided a Flood Risk Assessment (FRA) which notes that the site is within Flood Zone 3, areas benefitting from defences. A sequential test has been undertaken to determine the suitability of the land for development compared to reasonably available alternative sites. Both the Sequential Test and FRA conclude that the site would be at low risk from flooding from all sources and would not increase flood risk in other areas within the Lower Lea Valley. It notes that existing defences provide adequate protection from flooding including a +35% allowance for climate change.
- 11.313. The site is not within a Critical Drainage Area and the proposal includes a drainage strategy which includes sustainable drainage methods to help increase the permeability of the site as a whole. Additionally, the proposed development would provide a significant amount of soft landscaping and other permeable surfaces which would serve as an improvement over the existing situation.
- 11.314. The FRA has been reviewed by Officers, together with their Environmental Consultants, the EA and LB Newham as the Lead Local Flood Authority. Conditions are recommended requiring each phase to provide details of surface water drainage systems and subsequently verification reports to ensure that the development effectively deals with these concerns. Further conditions are proposed in relation to an Emergency Flood Management Plan and in relation to Thames Water consent to diverting the combined sewer as one of their assets. Subject to these conditions, officers and our environmental consultants are satisfied that satisfactorily addressed.

Air Quality & Odour

- 11.315. Policy SI 1 of The London Plan states that development proposals should demonstrate that they are air quality neutral and should demonstrate that design measures have been implemented to reduce air quality impacts for nearby residents. Developments should also account for the impact on air quality during the construction and demolition phases.
- 11.316. Policy BN.11 of the Local Plan supports the above. It states that new development should be constructed and designed, including appropriate use of green infrastructure, in a manner that minimises emissions of pollutants to

the air. Development is required to be air quality neutral and comply with the requirements of the London Plan. Applications for major development proposals must be at least air quality neutral and include an air quality assessment where they are located in areas identified in the most recent strategies and guidance as being significantly affected by poor air quality. The site is located within LB Newham, the entirety of which has been designated as an Air Quality Management Area (AQMA).

- 11.317. Chapter 6 of the Environmental Statement includes an Air Quality Neutral Assessment has been undertaken which notes that the proposed development would have no building emissions and would be air neutral in regards to this. In terms of transport impacts it is noted that the proposal would also be air quality neutral. The applicants acknowledge that air quality positive would not be possible in this instance due to the provision of blue badge parking spaces provided as part of the scheme.
- 11.318. The proposal has taken air quality considerations into the overall design. This includes providing a car-free development, encouraging sustainable methods of transport and using permeable design objectives to maximise walking and cycling and mixed land uses to encourage shorter journeys. All of this would help to encourage sustainable modes of transport, reducing the impact of vehicles on the local air quality.
- 11.319. Additionally, conditions have been attached requiring Travel Plans and Delivery & Servicing Plans to be provided for each phase of the development to further minimise the impacts of transport on local air quality.
- 11.320. The report notes that the nearby Regional Waste Transfer Station has potential to result on odour impacts. However, this has now closed and the operation relocated from April of this year. Bellway owns the site and has submitted an application for a residential led mixed use redevelopment of this site as part of phase 3 of its Legacy Wharf development. A planning condition is proposed which manages the issue of the extant permission for waste management uses in the unlikely event that the lawful use of the site for such purposes recommences.
- 11.321. The document notes that the Bow East Goods Yard has potential to result in dust impacts during dry conditions due to the nature of the works at the site. This has been assessed in the report and notes that in order for dust impacts to be significant there would need to be higher wind speeds from a northerly direction coinciding with dust generating activities on the site. Current complaints regarding dust originate from Bobby Moore Academy which is to the north of the development site, and to the east of Bow East Goods Yard. The report concludes that dust events would be limited considering the location to the yard and the prevailing winds.

Wind and Micro-climate

- 11.322. Policies D8 and D9 of the London Plan seek to ensure that development and tall buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly in relation to wind and microclimate. This is reiterated within Policy BN.4 of the Local Plan which states that proposals for tall buildings should consider the impact on microclimate and wind, including down-draughts and lateral winds across public spaces and communal amenity spaces.
- 11.323. Policy BN.5 of the Local Plan states that proposals for tall buildings which have a significant adverse impact on Micro-climate conditions will be unacceptable.
- 11.324. A final assessment of wind impacts will come forward at Reserved Matters stage once the final design of the scheme is developed. However, Chapter 15 of the submitted Environmental Statement analyses the effects of wind based on an assessment of the maximum parameters of the outline scheme with no features such as vegetation and street furniture which would reduce wind speeds within the public realm. This therefore establishes a 'worst-case' scenario which would be expected to be substantially improved upon at Reserved Matters stage with further design development and landscaping detailing. The assessment is made using the 'Lawson Comfort Criteria' (which determines the acceptability of wind conditions for pedestrian safety and comfort) together with the 'Lawson Safety Criteria'. Modelling has been undertaken for five scenarios, including the proposed development in isolation and in conjunction with other cumulative developers nearby.
- 11.325. The proposed outline design seeks to include embedded mitigation measures into the design of the outline permission. This includes via the overall massing and layout to avoid negative impacts or discomfort for users of the public realm.
- 11.326. The report identifies potential for several impacts for users of public spaces which range from minor adverse effects to major beneficial effects. Where the effects are adverse, mitigation measures are suggested or provided with justification. It notes that in some adverse areas no mitigation is required due to the proposed uses of these parts of the site.
- 11.327. Additionally, it notes that some adverse effects are likely resultant from the maximum parameters used to assess impacts (i.e. a worst-case scenario). It is acknowledged that at the reserved matters stage, the detailed design will in practice have a lesser impact on the local microclimate and wind conditions. Further mitigation measures can be built into the design of each phase as it occurs. Conditions are proposed to ensure that appropriate wind

conditions are achieved within the site including further wind analysis to be undertaken, submitted and approved in writing by the LPA. Subject to these conditions, PPDT and their environmental advisors are satisfied that wind conditions have been satisfactorily addressed.

Contamination and ground conditions

- 11.328. Policy BN.14 of the Local Plan states that development shall be required to carry out necessary site investigations and land remediation measures in order to prevent harm to health and the environment from the release of pollutants and to bring land affected by contamination into beneficial use.
- 11.329. The application site has historically been used for a variety of industrial uses which only ceased as part of the redevelopment of the wider area in the run up to the 2012 Olympic Games.
- 11.330. The submitted ES contains a section assessing land contamination and geology. This notes that the site has been extensively assessed for contamination as part of the Pudding Mill Global Remediation Strategy which provides extensive data on the site and its surroundings. Additionally, it notes that the land was extensively remediated as part of the Olympic site preparations. As such, significant remediation works are not expected to be required as part of future development. The GRS has been reviewed by officers, their Environmental Consultants, LB Newham and the EA.
- 11.331. Conditions have been attached relating to the quality of imported fill, and a strategy to deal with remediation works, where necessary, to be carried out on site with verification of works to be submitted and approved by the LPA). Officers consider that these conditions would robustly mitigate against any contamination risks and as such the outline proposals are therefore considered to accord with Local Plan Policy BN.14.

Sustainability and Energy

- 11.332. Policy SI 2 of The London Plan requires all major development to be net zero-carbon. Developments should include a detailed energy strategy which demonstrates how the zero-carbon target will be met within the framework of the energy hierarchy. A minimum on-site reduction of at least 35% beyond Building Regulations shall be required. Residential development should achieve 10% and non-residential 15% reductions through efficiency measures. Where it clearly demonstrates that net zero-carbon cannot be achieved on-site, any shortfall should be provided in agreement with the borough through a cash in lieu contribution to the borough's carbon offset fund or off site provided that an alternative proposal is identified, and delivery is certain. These requirements are replicated in Policy S.2 of the Local Plan.
- 11.333. Policy S.4 of the Local Plan requires proposals to achieve the highest standards of sustainable design and construction. Non-domestic space

within development to demonstrate that it meets a minimum BREEAM score of 'Very Good'.

- 11.334. Policy SI 3 of The London plan states that new development should prioritise connecting to existing heat networks. This is supported by Local Plan Policy S.3 which also states that major development should demonstrate that opportunities to connect to existing energy networks or construct and connect to new networks have been fully maximised.
- 11.335. Policy SI 7 of The London Plan states that referable applications should promote circular economy outcomes and aim to be net zero-waste. This is supported by Policy S.8 of the Local Plan which requires new development to contribute to the reduction of waste during construction and once operational, by minimising the amount of waste produced. Maximising reuse, recycling and promoting circular economy will be encouraged.
- 11.336. The application includes standalone Energy and Sustainability Statements which have been reviewed by Officers, their Environmental Consultant and the GLA as part of their Stage 1 review. The information discusses how future development would follow the London Plan energy hierarchy.
- 11.337. In terms of 'be-lean' measures, the submitted Energy Strategy demonstrates that the London Plan emissions target of 35% can be met through the energy saving measures alone on the Illustrative Scheme, including a 16% saving.
- 11.338. In terms of 'be clean' measures, the proposals include an energy strategy with a preference to connect to the offsite Olympic Park District Heating Network on the basis that decarbonisation of this network is achieved prior to the commencement of the detailed design of future Reserved Matters applications. Connection to this network would result in an approximate reduction in CO₂ emissions of up to 33% in comparison to the baseline. Connection to the Olympic Park District Heating Network would be secured through the s106. In the event that an alternative approach is sought, which would likely be based on a heat pump solution, then the s106 also requires an alternative energy strategy to be submitted to and approved by the LPA.
- 11.339. In terms of 'be green' measures, a portion of the Olympic Park District Heating Network is provided from biomass boilers which are fuelled by wood chip and therefore considered to be a renewable fuel in the London Plan energy hierarchy. Additional renewable energy would also be provided through rooftop PV systems noting that the Design Code provides guidance on where these should be located and how they should be integrated within the roof form. Such measures could result in on-site reductions in CO₂ emissions of up to 17% in comparison to the baseline.

- 11.340. Finally, in terms of 'be seen' measures, the proposed development would undertake a monitoring regime of energy performance. This would be secured through the s106.
- 11.341. It is considered that the submitted Energy Strategy, which has been reviewed by PPDT's Environmental Consultants, demonstrates through the Illustrative Scheme that significant carbon reductions can be achieved in excess of the 35% reduction in regulated CO2 emissions contained within the London Plan. The submitted Energy Strategy identifies a reduction of up to 55% in comparison to the baseline.
- 11.342. Additionally, a Whole Life-Cycle Carbon Assessment (WLCA) has been submitted to demonstrate that waste would be minimised and materials re-used where possible.
- 11.343. Conditions have been attached requiring the new homes to be carbon-zero homes meeting the 35% reduction target and to make use of the mitigation measures identified in the submitted energy strategy.
- 11.344. Furthermore, whilst it is acknowledged that the Code for Sustainable Homes has now been withdrawn, a condition is recommended which requires the residential units within the development to be designed and constructed to an equivalent standard of Code for Sustainable Homes Technical Guidance Level 4 (achieving a minimum overall credit level score of 75 for each dwelling). This would ensure an equivalent high standard of design and construction to the previous LCS consent.

Fire Safety

- 11.345. Policy D12 of The London Plan states that all new developments must achieve the highest standards of fire safety. All major development proposals are required to be submitted with a Fire Statement, produced by a third party which details how fire risk has been assessed and mitigated within the design of the development.
- 11.346. A fire strategy has been provided within the Design and Access Statement. This indicates that all units will include a sprinkler system and the proposed highway network has been designed to provide sufficient widths and space for emergency vehicles.
- 11.347. The control documents would ensure that the minimum width of carriageways within the development would be exceeded. As demonstrated within the illustrative scheme, there are also a number of points within the masterplan where a fire vehicle would be able to perform a three-point turn.
- 11.348. The strategy has been reviewed by both PPDT's Environmental Consultant and the GLA who consider that this level of information is sufficient for an

outline application. Further detail on fire safety will come forward as part of future Reserved Matters applications.

Health

- 11.349. Policy S.1 of the Local Plan deals with health and wellbeing. It requires major development schemes to explain how the scheme will contribute to the health and wellbeing of those who will live and/or work within the development proposed and that it would not significantly adversely affect those who live and/or work within the vicinity of the proposed development. This should include information on access to schools, health services, community facilities etc.
- 11.350. Chapter 10 of the ES reports the findings of an assessment of the likely effects of the proposed development on health relating to the site and surrounding areas. The assessment defines two study areas; an Inner Impact Area (IIA) and Outer Impact Area (OIA). The population of the IIA and OIA has a relatively large working age population and is more ethnically diverse than regional and national averages. These areas are characterised by relatively good general health of the population and low rates of long-term health or disability issues. Both the IIA and OIA suffer from high levels of overall deprivation however, and suffer relatively high rates of certain health indicators, including incidence of tuberculosis in adults, smoking related deaths and child poverty.
- 11.351. The assessment also identifies a number of existing and proposed future community facilities in the local area, including GPs, dentists, places of worship, community centres and open space. As part of the LCS, additional educational and health facilities, as well as open spaces, will be delivered within the impact areas, which will contribute towards catering the needs of the residents living at the proposed development.
- 11.352. In terms of the construction, the assessment concludes that there would be no adverse effects on health during this phase. In terms of the operational phase, the assessment includes a wide-ranging consideration of the effects of the outline scheme. This includes the following positive effects, secured through the control documents, which are supported by Officers and their Environmental Consultants:
- Provision of a range of high quality and attractive open spaces and streetscape, including play space, which will encourage social interaction, relaxation and provide a healthy environment.
 - Improved biodiversity and urban greening.
 - Minimising car-use, which will reduce noise and pollution, benefiting mental and physical health.
 - Promotion of walking and exercise through the provision of a policy compliant approach to cycle parking and increased connectivity through the site.

- Local employment opportunities and healthy workspaces.
 - Provision of healthy and accessible housing, as well as an appropriate housing mix and affordable units.
 - Access to local shops and services.
- 11.353. In terms of access to healthcare facilities, the ES concludes that the proposed development would have adequate access noting the committed future resources planned in the impact area up to 2031 which would accommodate the additional demand proposed by the development. This includes facilities which would be delivered as part of the LCS social infrastructure provision which had intended to accommodate the LCS development as originally consented, i.e. for 6,800 units across all PDZ's including PDZ8. However, since the LCS consent in 2012, there have been a number of variations including the 'slot out' of PDZ1 and PDZ2 as a result of the UCL East and Stratford Waterfront developments and an overall reduction in housing provision.
- 11.354. The socio-economic assessment of primary and secondary education provision concludes that the additional demand for primary and secondary education places arising from the proposed development will have a negligible impact on provision within the impact areas in that there is likely to be capacity to accommodate additional demand.

Climate Change

- 11.355. Local Plan Policy SP.5 seeks to create a sustainable healthy place to live and work. This includes requiring development to mitigate and manage the effects of climate change. Chapter 7 of the ES reports on the effects on the climate from Greenhouse Gas (GHG) emissions arising from the proposed development.
- 11.356. In terms of the construction phase, the majority of GHG emissions associated with this phase are linked to embodied carbon in materials. As such, the formal assessment of this will only be possible as part of future Reserved Matters applications when the final design and materiality of the buildings are known. However, based on the quantity of likely material used in the illustrative scheme, the GHG assessment calculated the amount of carbon in these materials and found that the resultant significance on GHG emissions was not significant in EIA terms.
- 11.357. For the operational phase, the majority of GHG emissions will be associated with vehicle journeys, both from residents and service vehicles. However, given the 'car free' nature of the development it is considered that the scheme would not promote car journeys. Of the car and servicing journeys that would take place, these would be increasingly undertaken by electric vehicles, and the development includes a London Plan complaint approach

to electric vehicle charging. Given this, it is considered the effect of the proposed development in terms of GHG is not significant.

- 11.358. Considering the above, PPDT's environmental advisors and officers conclude that the assessment of the impact of the development on climate change is considered to be robust, and would comply with relevant policy.

Environmental Statement Conclusion

- 11.359. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended in 2018 (the 'EIA Regulations'), require certain types of development that are likely to have significant effects on the environment to be subject to Environmental Impact Assessment ('EIA'). As explained by Planning Practice Guidance ('PPG'): "The aim of Environmental Impact Assessment is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision making process".
- 11.360. Officers deemed the Proposed Development to be EIA development and accordingly the applicant provided an Environmental Statement (ES) to enable PPDT, as Local Planning Authority, to examine and take into account the environmental information in it and representations received about that information in determining the applications. The scope of the ES has been informed by a formal EIA scoping process which involved feedback from PPDT and stakeholders including the local boroughs and statutory bodies.
- 11.361. Officers have reviewed the submitted Environmental Statement and application documents in consultation with PPDT's technical advisors, alongside statutory advice. Overall, it is considered that there are no significant adverse impacts as a result of the development, and any impacts that do result can be adequately mitigated through planning conditions and obligations.

12. PLANNING OBLIGATIONS

- 12.1. The Draft Heads of Terms are contained within Appendix 4.

Community Infrastructure Levy (CIL)

- 12.2. The site is liable for both Mayoral and LLDC CIL.

13. HUMAN RIGHTS AND EQUALITIES IMPLICATIONS

- 13.1. Members should take account of the provisions of the Human Rights Act 1998 as they relate to the application and the conflicting interests of the Applicants and any third party opposing the application in reaching their decisions. The

provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report. In particular, Article 6 (1), of the European Convention on Human Rights in relation civil rights and a fair hearing; Article 8 of the ECHR in relation to the right to respect for private and family life and Article 1 Protocol 1 of the ECHR in relation to the protection of property have all been taken into account.

13.2. In addition, the Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender reassignment, pregnancy and maternity, race, religion, or beliefs and sex and sexual orientation. It places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. Officers have taken this into account in the assessment of the application and Members must be mindful of this duty inter alia when determining all planning applications. In particular, Members must pay due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

13.3. Officers are satisfied that the application material and Officers' assessment has taken into account these issues. Officers consider that the effects of the proposal would not be so adverse as to cause harm and justify a refusal of consent or permission.

14. CONCLUSION

14.1. In accordance with section 38(6) of the 2004 Act and section 70(2) of the 1990 Act, this application should be determined in accordance with the development plan unless material considerations indicate otherwise.

14.2. The proposals, for a medium density, mixed use area including significant new commercial space in a new local centre adjacent to Pudding Mill Lane DLR Station gains support from site allocation policy SA4.3. It would deliver new open space, playspace, public realm and a significant amount of housing in line with what was envisaged in the Pudding Mill SPD, improving connectivity with the surrounding area and with appropriate regard given to the amenity of future occupiers and the operation of the nearby Bow East Goods Yard.

14.3. The proposed control documents would secure new high-quality housing and an uplift in residential floorspace from the LCS baseline, which would make a significant contribution towards affordable housing and LLDC's housing targets. The proposed increase and tenure mix would comply with the obligation in the

portfolio Unilateral Undertakings for a greater quantum of residential development floorspace to delivered than permitted by the original LCS planning permission. Officers welcome the level of affordable housing proposed, which exceeds the minimum requirements for the site that were secured under the Stratford Waterfront consent. Specifically, this would include an increase in overall affordable housing provision from 40% to 45%, whilst the tenure split would remain as per that previously agreed.

14.4. The proposals would deliver a significant quantum of new public open space, including play space provision which would significantly exceed the on-site requirements. Officers are satisfied that the quality of these public squares, streets and courtyards would be of high quality as per the detailed requirements set out within the Design Code. It is also considered that the respective control documents would also ensure that future development would be one with high standards of residential amenity and quality.

14.5. LLDC's Quality Review Panel (QRP) are generally supportive of the proposals and have expressed that there is much to admire in the masterplan for Pudding Mill Lane, and they consider the design code to be well thought through, comprehensive and detailed. The panel expressed the view that a central tower of 20 storeys would represent a better transition with the prevailing height for this family neighbourhood. Officers have assessed this building against the tests in Local Plan policy BN.5 and are of the view that it would not result in significant harm in the locality including on views, amenity and heritage assets or on microclimate, and that with refinements to the design code and a requirement for there to be a design competition to select the design team for the tower, that there would be sufficient assurance in the Design Code and other control documents that a central tower, at 25 storeys, could contribute positively to the townscape, public realm and exhibit exceptionally good design.

14.6. In terms of environmental impacts, it is acknowledged that the illustrative scheme would result in overshadowing within the residential courtyards and the impacts of this are considered to be, on balance, acceptable taking account of the feedback and clear direction for a tighter grain of buildings and streets provided by QRP during the design development. The proposed development has been subject to environmental testing and officers are satisfied that there would be no significant adverse environmental effects and that any residual impacts are capable of being appropriately mitigated as part of the design development of future reserved matters applications and that this mitigation is appropriately secured through the control documents, planning conditions and planning obligations.

14.7. The Section 73 application (ref: 21/00561/VAR) and the non-material application (2200424/NMA) are also considered to be acceptable and would facilitate the delivery of the replacement scheme. In order to reflect the 'slot out' from the LCS permission, a series of conditions have been updated and

consequential changes made to the s106 agreement. A summary of the changes proposed is set out in Appendix 4

- 14.8. It is therefore recommended that planning permission should be granted for both the s.73 and s96A applications, and the outline application, as set out in the recommendation subject to the conditions, reserved matters specification and heads of terms of the s106 legal agreements contained as appropriate in the Appendices to this report.

List of Appendices

1. Draft conditions
2. Reserved Matters Specification
3. Quality Review Panel report – August 2022
4. Draft Heads of Terms
5. Indicative Affordable Housing Delivery Across the LLDC Portfolio Sites
6. Section 73 Explanatory Note
7. Development Parcels Parameter Plan
8. GLA portfolio letter
9. Parcel Limits of Deviation Parameter Plan
10. Open Space and Play Space Parameter Plan
11. Predominant Land Use Ground Floor Parameter Plan
12. Maximum AOD Building Heights Parameter Plan
13. Indicative Phasing
14. Design Code Extract – Built Form - Courtyard Blocks
15. Design Code Extract – Built Form - Central Tower