

28 August 2020

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Dear Anthony,

**MSG SPHERE (19/00097/FUL AND 19/00098/ADV)  
Land lying to the west of Angel Lane, Stratford, London, E15 1AA**

**Introduction**

We write on behalf of Stratford Garden Development Limited (the Applicant) in response to your letter dated 20 May 2020 requesting further information pursuant to Regulation 25 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended.

This request relates to the pending Full Application and Advertising Consent Application (reference: 19/00097/FUL and 19/00098/ADV) (the Applications) at land lying to the west of Angel Lane, Stratford, London, E15 1AA (the Site) for a state of the art live music and entertainment venue – MSG Sphere (the proposed development). The Applications were validated by the London Legacy Development Corporation (LLDC) on 26 March 2019 (March 2019 submission).

As you are aware, the proposed development is for a world leading, technologically advanced entertainment and music venue, which will strengthen London's position as a world class visitor destination, and deliver a wide range of significant planning benefits, including:

- Supporting Stratford's Metropolitan Centre designation and contributing towards its evolution into an International Centre classification as identified in the London Plan;
- Supporting the growth and diversification of the visitor economy and night-time economy in Stratford and London;
- Delivering substantial economic benefits, including generating and supporting a significant employment opportunities in Stratford and across the UK. In this regard, it is estimated that the proposed development will support approximately 1,000-1,100 Full Time Equivalent jobs directly on site once operational, in addition to significant employment opportunities during the construction phase;
- Providing significant financial contributions towards employment and training initiatives for local residents, which will be secured in the S106 Agreement;

- Delivering an exceptionally high quality, iconic landmark building on a land locked, vacant site;
- Unlocking the accessibility of the Site by delivering four new public connections, which will significantly improve the accessibility of Stratford town centre and provide valuable connection points between East and West Stratford.
- Delivering high quality, inclusively designed publicly accessible open space as part of the proposed development, and financial contributions towards highways and landscaping improvement works along Montfichet Road and Angel Lane;
- Delivering a community programme, including the use of the small music venue for community events; and
- Delivering a significant contribution towards Mayoral Community Infrastructure Levy.

In addition, as explained in our letter dated 29 November 2019, following detailed discussions with the LLDC, Transport for London (TfL) and Network Rail, the Applicant will fund the delivery of a new entrance to Stratford Station off Montfichet Road. The new entrance will be secured as part of the S106 Agreement and will assist in significantly easing congestion within the station during peak periods.

The LLDC support the principle of the proposed development on the Site and recognise the positive contribution it will make to the London and Stratford night time and visitor economies. The LLDC also recognise and support the substantial economic and employment benefits that the proposed development will generate in Stratford and across the UK.

These significant economic, social and environmental benefits contribute directly to important national, strategic and local planning policy objectives, and are of even greater importance in the context of global economic uncertainty.

### **The previous Regulation 25 request (August 2019)**

Since submission in March 2019, the Applications have been reviewed in detail by the LLDC and its environmental advisors (Arup). As part of the review process, on 23 August 2019 the LLDC issued requests for information and comments including:

- Request for further information and clarifications pursuant to Regulation 25 of the EIA Regulations.
- Comments on the Applications (separate to the Regulation 25 process), comprising:
  - Arup comments on the reports submitted in support of the Applications;
  - Request for additional reports.

In response to this detailed review process, in November 2019 we wrote to formally amend the Applications (November 2019 submission), respond to the Regulation 25 request, submit supplementary information and provide clarification and responses to the comments from the LLDC, and where appropriate, consultees. This comprised:

1. Proposed amendments to the Full Application and Advertising Consent Application, set out in an updated Design and Access Statement, Advertisement Design Document and the accompanying Drawings;
2. Proposed planning conditions and S106 obligations, in as far as they are relevant to the further technical work undertaken as part of the response to the LLDC Regulation 25 Request;
3. An updated Environmental Statement in response to the LLDC Regulation 25 Request;

4. A summary of the Applicant's response to comments and revisions to the standalone application documents (separate to the Regulation 25 process) submitted in support of the Applications;
5. A summary of the additional reports submitted in support of the Applications, as requested by the LLDC and its advisors; and
6. A summary of the Applicant's public engagement and meetings with stakeholders during the application determination period.

### **The current Regulation 25 request (May 2020)**

In your letter dated 20 May 2020 you requested further information in respect of the updated Environmental Statement (November 2019) pursuant to Regulation 25, in accordance with the schedule provided therein.

The letter was supported by three reports:

- i. MSG Stratford Sphere – Status of Traffic and Transport Concerns and Outstanding for Resolution - prepared by Jacobs dated March 2020;
- ii. MSG High level summary of outstanding information – prepared by Arup dated April 2020; and
- iii. MSG Sphere Environmental Statement High Level Review dated February 2020.

Collectively, the letter and three reports comprise the LLDC's May 2020 request for "further information" from the Applicant under Regulation 25 of the EIA Regulations.

In response, the Applicant is pleased to submit an updated Environmental Statement (August 2020 submission), which highlights the further information and clarifications provided and explains the principal changes made in response to the matters identified in your request. Each chapter of the Environmental Statement starts with an 'Summary of Changes – August 2020' section to explain to the reader what the updated chapter addresses.

A 'Regulation 25 and Clarifications Report' has been prepared by Trium and acts as a 'wayfinding' document to direct the reader to where in the ES the 'gaps and omissions' and 'items for clarification' have been addressed.

In addition, we submit the following reports in support of the Applications, which the updated Environmental Statement has drawn upon and cross references where relevant:

- An updated Transport Assessment (prepared by Momentum) – the report details the further extensive analysis undertaken as requested by the LLDC, TFL and Network Rail. We are confident that this fully addresses all outstanding transport matters.
- An updated Road User Safety Report (prepared by DP9 and Momentum) – the report undertakes a comprehensive assessment of the potential effects of the proposed development in relation to road user safety.
- An updated Rail Safety Report (prepared by Buro Happold) - the report undertakes a comprehensive assessment of the potential effects of the proposed development in relation to rail safety and identification of appropriate mitigation measures. As noted in our letter dated 15 June 2020 and within the Rail Safety Report, in parallel to the planning process, the Applicant is engaged with Network Rail and all other relevant stakeholders as part of the statutory process for dealing with rail safety matters. It is

noted that Network Rail (NR) has recently written to the LLDC (dated 25th August 2020), explaining that “*Network Rail considers that all relevant risks and impacts have been identified and that appropriate mitigations and controls have been proposed that are acceptable in principle.... Further work is required to translate these proposed mitigation measures in to appropriate controls in the form of planning conditions as well as S106 Obligations, and Network Rail would welcome further discussions with you on this in due course.*”

The Applicant has proposed certain planning conditions and S106 obligations (see Schedule 2) and we welcome further discussions with the LLDC, Network Rail and other consultees as necessary to finalise appropriate conditions and S106 obligations.

- An updated Concept of Operations (CONOPS) document (prepared by MSG) – the document includes the further information on event coincidences, coordination, and mitigations, as well as other matters. The amendments to the document are in blue text.
- An updated Equalities Impact Assessment (prepared by Volterra Partners) to identify the equality consequences associated with the proposed development.
- A Residential Amenity Assessment – the report comprehensively considers the effects of the proposed development on the residential amenity of occupants of the surrounding buildings (including residential visual amenity).
- A Digital Display Content Controls document – the report sets out the proposed conditions to control the content shown on the digital displays that form part of the proposed development, which are informed by the detailed assessments that are submitted in support of the Applications.
- An updated Advertisement Design Statement – the report includes updated visualisations of the proposed development. The updated visualisations have been prepared following an improved understanding of the likely appearance of the LED sphere façade following tests of material samples and are consistent with the visualisations presented in the Townscape Built Heritage and Visual Impact Assessment (Volume 2 of the Environmental Statement).

A consolidated list of the latest version of the documents submitted in support of the Applications is set out in Schedule 1. The Schedule clarifies which documents are submitted in support of the Full Application and the Advertising Consent Application.

## **Proposed Planning Conditions and S106 Obligations**

### *Planning conditions*

The Applicant has proposed a series of planning conditions as part of the November 2019 submission and August 2020 submission. The conditions relate to matters including hours of operation and event timings.

In addition, as explained above, a series of conditions are proposed to control the content shown on the digital displays that form part of the proposed development, which are set out in the submitted Digital Display Content Controls document.

For clarity, a consolidated schedule of proposed planning conditions is set out in Schedule 2 of this letter.

We welcome further discussions with the LLDC and other key consultees in relation to agreeing appropriate conditions.

#### *S106 obligations*

The Applicant has submitted a draft S106 Agreement (dated 14 January 2020). We welcome further discussions with the LLDC and other key consultees in relation to the draft agreement.

#### **Other matters**

##### *Design amendments*

For the avoidance of doubt, the August 2020 submission does not include any amendments to the design of the proposed development, which has been subject to a rigorous design review process.

The supporting Design and Access Statement demonstrates that the proposed development will deliver a building of exceptional and innovative design that will create an iconic London landmark. The TBHVIA also concludes that the proposed development delivers high-quality architecture and new public realm that would enhance the local townscape.

##### *Stratford International Station Car Park*

A separate application will be submitted by the Applicant for the change of use of 406 existing car parking spaces on the ground floor and levels 4, 5 and 6 of the multi-storey car park at Stratford International Station from the existing use to use associated with MSG Sphere.

As some of the existing standard parking bays will be converted by the Applicant to be use as Blue Badge spaces, the overall number of spaces to be operated by the Applicant will be lower than the existing number of spaces. 111 of the 348 spaces will be for Blue Badge holders, which meets the requirement for Blue Badge visitor parking set out in the Full Application.

The close proximity of the car park to the proposed development and will enable the Applicant to implement a high-quality mobility assistance service for transferring Blue Badge holders and other guests with accessibility needs to and from the proposed development.

#### **Summary and next steps**

The submission of the further updated Environmental Statement (August 2020), Transport Assessment and other additional material represents the culmination of an extensive process of consultation and detailed technical discussions with the LLDC, its environmental advisors and other key consultees.

Given that the Development Plan expressly allocates the Site for main town centre uses, which include the proposed uses, we do not consider there can be any coherent in principle objection to the proposed development.

We are confident that the detailed material submitted in support of the Applications fully addresses the further technical issues raised by the LLDC, Arup and other consultees, and demonstrates the careful thought and consideration which has gone into every aspect of the design and operation of the proposed development.

In the light of the work undertaken to date, we do not consider there are any credible outstanding matters which could constitute a reason for refusal of either application or for the LLDC to make any further requests for information. We recognise the need to agree a package of mitigation measures as part of appropriate planning conditions and the S106 agreement. We would welcome the opportunity to discuss and agree these matters with the LLDC and other key consultees.

We look forward to receiving confirmation of your timescales for considering the additional submitted material and preparation of your Committee Reports, and Committee dates at your earliest convenience.

If you require any further information, please do not hesitate to contact Chris Goddard, Chris Gascoigne or Joe Stockton at this office.

Yours sincerely,

*DP9 Ltd.*

**DP9 Ltd**

## Schedule 1 - Applications submission content

A consolidated list of the latest version of the documents submitted in support of the Applications is set out in the table below.

### Full Application

Submitted information	Date of submission
<p>Existing and proposed drawings (Populous):</p> <ul style="list-style-type: none"> <li>• Site location plan;</li> <li>• Existing site drawings;</li> <li>• Proposed site drawings;</li> <li>• Proposed bridge drawings;</li> <li>• Proposed general arrangement drawings;</li> <li>• Proposed section drawings;</li> <li>• Proposed elevation drawings;</li> <li>• Proposed design details drawings;</li> <li>• Proposed landscape drawings</li> </ul>	<p>The existing and proposed drawings were submitted as part of the March 2019 submission and the November 2019 submission.</p> <p>The application drawing list dated 31.10.19 confirms the new and updated drawings submitted as part of the November 2019 submission.</p> <p>No new or updated drawings form part of the August 2020 submission.</p>
<p>Supplementary drawings, comprising:</p> <ul style="list-style-type: none"> <li>• Proposed landscaping lighting drawings (Satore)</li> <li>• Proposed Montfichet Road and Angel Lane highways improvement drawings (Momentum)</li> </ul>	<p>The supplementary drawings were submitted as part of the November 2019 submission.</p> <p>No new or updated supplementary drawings form part of the August 2020 submission.</p>
<p>Planning Statement (DP9)</p>	<p>The Planning Statement (February 2019) formed part of the March 2019 submission and has since been supplemented by:</p> <ul style="list-style-type: none"> <li>• DP9 cover letter dated 29 November 2019 submitted as part of the November 2019 submission;</li> <li>• This letter.</li> </ul>
<p>Employment and Skills Strategy (Volterra Partners)</p>	<p>The Employment and Skills Strategy (February 2019) formed part of the March 2019 submission.</p>
<p>Statement of Convergence (Volterra Partners)</p>	<p>The Statement of Convergence (February 2019) formed part of the March 2019 submission.</p>
<p>Statement of Community Involvement (London Communication Agency)</p>	<p>The Statement of Community Involvement (February 2019) formed part of the March 2019 submission and has since been supplemented by:</p> <ul style="list-style-type: none"> <li>• Addendum to Statement of Community Involvement (December 2019).</li> </ul>

Energy Assessment (ME Engineers)	The Energy Assessment (February 2019) formed part of the March 2019 submission and has since been supplemented by: <ul style="list-style-type: none"> <li>• Addendum to Energy Assessment (November 2019).</li> </ul>
Sustainability Assessment (ME Engineers)	The Sustainability Assessment (February 2019) formed part of the March 2019 submission.
Utilities Assessment (ME Engineers)	The Utilities Assessment (February 2019) formed part of the March 2019 submission
Ventilation/Extraction Assessment (ME Engineers)	The Ventilation and Extraction Statement (February 2019) formed part of the March 2019 submission.
Security Strategy (Buro Happold)	The Security Strategy (February 2019) formed part of the March 2019 submission.
Site Waste Management Plan (Buro Happold)	The Site Waste Management Plan (February 2019) formed part of the March 2019 submission.
Operational Waste Management Plan (Buro Happold)	The Operational Waste Management Plan (February 2019) formed part of the March 2019 submission.
Design and Access Statement (Populous)	The Design and Access Statement Revision 01 (dated November 2019) formed part of the November 2019 submission.
Construction Logistics Plan (Momentum)	The Construction Logistics Plan (November 2019) formed part of the November 2019 submission.
Travel Plans (Momentum)	The Staff and Visitor Travel Plans (November 2019) formed part of the November 2019 submission.
Delivery and Servicing Plan (Momentum)	The Delivery and Servicing Plan (November 2019) formed part of the November 2019 submission.
Arboricultural Survey (Arbeco)	The Arboricultural Survey (November 2019) formed part of the November 2019 submission.
Transport Assessment (Momentum)	The Transport Assessment (August 2020) forms part of the August 2020 submission
Equalities Impact Assessment (Volterra Partners)	Equalities Impact Assessment (August 2020) forms part of the August 2020 submission.



Road User Safety Report (DP9 and Momentum)	The Road User Safety Report (August 2020) forms part of the August 2020 submission.
Rail Safety Report (DP9 and Momentum)	The Rail Safety Report (August 2020) forms part of the August 2020 submission.
Concept of Operations (MSG)	The Concept of Operations (August 2020) forms part of the August 2020 submission
Residential Amenity Assessment (DP9)	The Residential Amenity Assessment (August 2020) forms part of the August 2020 submission.
Digital Display Content Controls (DP9)	The Digital Display Content Controls (August 2020) forms part of the August 2020 submission.
<p>Environmental Statement (Trium)</p> <p><b>Volume 1:</b></p> <ul style="list-style-type: none"> <li>- Chapter 1: Introduction and EIA Methodology</li> <li>- Chapter 2: Alternatives &amp; Design Evolution</li> <li>- Chapter 3: The Proposed Development</li> <li>- Chapter 4: Enabling and Construction</li> <li>- Chapter 5: Socio-Economics and Health</li> <li>- Chapter 6: Highways, Transport and Movement</li> <li>- Chapter 7: Noise and Vibration</li> <li>- Chapter 8: Air Quality</li> <li>- Chapter 9: Wind Microclimate</li> <li>- Chapter 10: Daylight, Sunlight and Overshadowing</li> <li>- Chapter 11: Light Intrusion and Upward Sky Glow</li> <li>- Chapter 12: Solar Glare</li> <li>- Chapter 13: Geo-environmental</li> <li>- Chapter 14: Archaeology</li> <li>- Chapter 15: Effect Interactions</li> <li>- Chapter 16: Likely Significant Effects and Conclusions</li> <li>- Chapter 17: Mitigation and Monitoring Schedule</li> <li>- Chapter 18: Glossary and Abbreviations</li> </ul> <p><b>Volume 2:</b> Built Heritage, Townscape and Visual Impact Assessment</p> <p><b>Volume 3:</b> Technical Appendices</p>	The Environmental Statement (August 2020) forms part of the August 2020 submission.

<p><b>Volume 4:</b> Transport Assessment and Technical Appendices</p> <p><b>Volume 5:</b> Daylight, Sunlight, Overshadowing, Light Intrusion and Upward Sky Glow, and Solar Glare Technical Appendices</p> <p><b>Non-Technical Summary (Trium)</b></p> <p><b>Environmental Regulation 25 and Clarifications Report (Trium)</b></p>	
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Adverting Consent Application

Submitted information	Summary of changes
Drawings (Populous)	The advertisement drawings formed part of the August 2020 submission.
Advertisement Design Statement (Populous)	The Advertisement Design Statement (August 2020) forms part of the August 2020 submission.
Road User Safety Report (DP9 and Momentum)	The Road User Safety Report (August 2020) forms part of the August 2020 submission.
Rail Safety Report (DP9 and Momentum)	The Rail Safety Report (August 2020) forms part of the August 2020 submission.
<p>The updated Environmental Statement (Trium) submitted in support of the Full Application cross refers and assesses the Advertisement Application, where relevant, including:</p> <ul style="list-style-type: none"> <li>• Volume 1 Chapter 1: Introduction and EIA Methodology;</li> <li>• Volume 1 Chapter 3: The Proposed Development;</li> <li>• Volume 1 Chapter 5: Socio-Economics and Health;</li> <li>• Volume 1 Chapter 11: Light Intrusion and Upward Sky Glow</li> <li>• Volume 1 Chapter 16: Mitigation and Monitoring Schedule</li> <li>• Volume 2: Built Heritage, Townscape and Visual Impact Assessment.</li> </ul>	The Environmental Statement (August 2020) forms part of the August 2020 submission.

## Schedule 2 – Consolidation of proposed conditions

No.	Proposed condition	Relevant submission documents																																			
<i>Proposed development opening hours</i>																																					
1.	<p>The use of the Development shall not be carried out other than between the following hours:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Monday-Thursday</th> <th style="text-align: center;">Friday</th> <th style="text-align: center;">Saturday</th> <th style="text-align: center;">Sunday</th> </tr> </thead> <tbody> <tr> <td><b>Main Venue</b></td> <td style="text-align: center;">10:00 – 23:30</td> <td style="text-align: center;">10:00 – 00:15</td> <td style="text-align: center;">10:00 – 00:15</td> <td style="text-align: center;">10:00 – 22:45</td> </tr> <tr> <td><b>Smaller Music Venue</b></td> <td style="text-align: center;">10:00 – 04:00</td> <td style="text-align: center;">10:00 – 04:00</td> <td style="text-align: center;">10:00 – 04:00</td> <td style="text-align: center;">10:00 – 04:00</td> </tr> <tr> <td><b>In-Sphere Members’ Lounge</b></td> <td style="text-align: center;">10:00 – 03:00</td> <td style="text-align: center;">10:00 – 03:00</td> <td style="text-align: center;">10:00 – 03:00</td> <td style="text-align: center;">10:00 – 03:00</td> </tr> <tr> <td><b>Restaurant / Bar (level 1)</b></td> <td style="text-align: center;">10:00 – 00:00</td> <td style="text-align: center;">10:00 – 00:15</td> <td style="text-align: center;">10:00 – 00:15</td> <td style="text-align: center;">10:00 – 23:30</td> </tr> <tr> <td><b>Café (level 2)</b></td> <td style="text-align: center;">07:00 – 20:00</td> <td style="text-align: center;">07:00 – 20:00</td> <td style="text-align: center;">07:00 – 20:00</td> <td style="text-align: center;">07:00 – 20:00</td> </tr> <tr> <td><b>Retail Space (level 1)</b></td> <td style="text-align: center;">10:00 – 00:00</td> <td style="text-align: center;">10:00 – 00:45</td> <td style="text-align: center;">10:00 – 00:45</td> <td style="text-align: center;">10:00 – 23:15</td> </tr> </tbody> </table>		Monday-Thursday	Friday	Saturday	Sunday	<b>Main Venue</b>	10:00 – 23:30	10:00 – 00:15	10:00 – 00:15	10:00 – 22:45	<b>Smaller Music Venue</b>	10:00 – 04:00	10:00 – 04:00	10:00 – 04:00	10:00 – 04:00	<b>In-Sphere Members’ Lounge</b>	10:00 – 03:00	10:00 – 03:00	10:00 – 03:00	10:00 – 03:00	<b>Restaurant / Bar (level 1)</b>	10:00 – 00:00	10:00 – 00:15	10:00 – 00:15	10:00 – 23:30	<b>Café (level 2)</b>	07:00 – 20:00	07:00 – 20:00	07:00 – 20:00	07:00 – 20:00	<b>Retail Space (level 1)</b>	10:00 – 00:00	10:00 – 00:45	10:00 – 00:45	10:00 – 23:15	Concept of Operations
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<i>Digital Display Content Controls – Residential Amenity</i>																																					
2.	<p>The digital displays hereby approved shall be turned off or placed in a low luminance ‘stand by’ mode from 00:00 (Monday – Friday) and 00:15 (Saturday and Sunday) to 06:00 from 1st April – 31st August (inclusive) and to 07:00 from 1st September – 31st March (inclusive), unless otherwise agreed in advance by the Local Planning Authority.</p>	Digital Display Content Controls Residential Amenity Assessment																																			
3.	<p>The maximum illumination from the development hereby approved (including the digital displays and podium lighting in combination) measured at the surrounding residential and quasi-residential properties (Legacy Tower, Stratford Eye, New Garden Quarter, Moxy Hotel, Railway Tavern and Unite Students Accommodation) shall not exceed:</p> <p>a.25 lux from 06:00 (1st April – 31st August [inclusive]) and 07:00 (1st September – 31st March [inclusive] to 23:00; and</p> <p>b.5 lux between 23:00 and 00:00 on Sunday to Thursday;</p> <p>c.5 lux between 23:00 and 00:15 on Friday and Saturday;</p> <p>(except where existing luminance levels at the monitoring station on surrounding buildings already exceed the above levels due to existing street or other lighting sources, in which case the development hereby approved will not be deemed to increase those existing luminance levels).</p>	Digital Display Content Controls Residential Amenity Assessment																																			
4.	<p>Prior to the first operation of the digital displays hereby approved, a strategy detailing measures to monitor illuminance levels at surrounding residential and quasi-residential properties (Legacy Tower, Stratford Eye, New Garden Quarter, Moxy Hotel, Railway Tavern and Unite Students Accommodation) shall be submitted to and approved in writing by the Local Planning Authority.</p>	Digital Display Content Controls Residential Amenity Assessment																																			
<i>Digital Display Content Controls – Visual Content Management Strategy</i>																																					
5.	<p>Prior to the first operation of the digital displays hereby approved a visual content management strategy shall be submitted to and approved in writing by the Local Planning Authority. The visual content management strategy shall include:</p>	Digital Display Content Controls Health Impact Assessment																																			

	<p>a) controls to mitigate impacts on human health, including:</p> <ul style="list-style-type: none"> <li>• Restricting the display of flashing images;</li> <li>• Determining the maximum speed of moving images.</li> </ul> <p>b) controls to mitigate road user distraction, including:</p> <ul style="list-style-type: none"> <li>• Determining the maximum brightness of the digital displays;</li> <li>• Determining a minimum display time for each image/display;</li> <li>• Determining the intervals between each display;</li> <li>• Determining the maximum speed of moving images;</li> <li>• Restricting the display of flashing images;</li> <li>• Restricting the display of phone numbers, websites or e-mail addresses;</li> <li>• Restricting the display of symbols which resemble any road traffic signage or signals;</li> <li>• Measures to revert the digital displays to a default display if a malfunction occurs.</li> </ul> <p>c) controls to mitigate rail driver and station operation distraction, including:</p> <ul style="list-style-type: none"> <li>• Restricting the brightness of the digital displays;</li> <li>• Restricting the maximum speed of moving images;</li> <li>• Determining the intervals and between each display;</li> <li>• Restricting the display of symbols which resemble any rail signage or signals;</li> <li>• Restrictions on the use of certain colours in certain zones;</li> <li>• Zoning of display material.</li> </ul> <p>d) a creative strategy that displays will be required to comply with.</p> <p>The digital displays shall not be operated other than in accordance with the approved visual content management strategy.</p>	<p>Road User Safety Report</p> <p>Rail Safety Report</p>
<i>Digital Display Content Controls – Familiarisation Strategy</i>		
6.	<p>Prior to the operation of the digital displays hereby approved, a strategy detailing the phased ‘switch on’ of the digital displays to familiarise road users and rail drivers with images being shown on the displays shall be submitted to and approved by the Local Planning Authority.</p>	<p>Digital Display Content Controls</p> <p>Road User Safety Report</p> <p>Rail Safety Report</p>
<i>Digital Display Content Controls – Monitoring</i>		
7.	<p>Prior to the operation of the digital displays hereby approved, a strategy detailing measures to monitor the effects of the digital displays on road user distraction shall be submitted to and approved by the Local Planning Authority, including:</p> <ul style="list-style-type: none"> <li>• Membership of and measures to establish a monitoring group;</li> <li>• Remit of the monitoring group;</li> <li>• Contact details for a designated employee from the Applicant who will be available 24 hours a day and can be contacted by the Police or Council officers to discuss relevant incidents and accidents.</li> </ul> <p>The strategy shall be implemented as approved.</p>	<p>Digital Display Content Controls</p> <p>Road User Safety Report</p>

<b>8.</b>	<p>Unless agreed in writing by the Local Planning Authority, an operational monitoring report shall be submitted for approval every year on the anniversary of the first date of operation of the digital displays and shall include as a minimum:</p> <p>a) Monitoring data for illuminance levels at the surrounding residential and quasi-residential properties (Legacy Tower, Stratford Eye, New Garden Quarter, Moxy Hotel, Railway Tavern and Unite Students Accommodation) including details of any occurrences of the lux levels of lumens exceeding what has hereby been approved;</p> <p>b) Details of all complaints that have been received by the Applicant in relation to the digital displays;</p> <p>c) Details of any additional mitigation proposed to address information pertaining to (a) and (b) above;</p> <p>Upon approval by the Local Planning Authority of each annual operational monitoring report the digital displays shall be operated in accordance with the approved mitigation details and recommendations.</p>	<p>Digital Display Content Controls</p> <p>Residential Amenity Assessment</p>
<i>Digital Display Content Controls – Advertising</i>		
<b>9.</b>	<p>Other than the name of the venue (and any naming rights sponsor), advertisements shall only be displayed for a maximum of 50% of the time when the Sphere facade is not switched off or in ‘standby mode’.</p>	<p>Digital Display Content Controls</p>
<i>Digital Display Content Controls – Security</i>		
<b>10.</b>	<p>Prior to the operation of the digital displays hereby approved, details of hacking mitigation measures will be submitted to and approved by the Local Planning Authority and such approved measures shall be complied with at all times during the operation of the digital displays.</p>	<p>Digital Display Content Controls</p>
<i>Road user safety – junction review</i>		
<b>11.</b>	<p>Prior to the operation of the digital displays hereby approved, a detailed assessment of the following junctions will be undertaken:</p> <ul style="list-style-type: none"> <li>• Montfichet Road / Pool Street (northbound);</li> <li>• Montfichet Road / Westfield Avenue (northbound);</li> <li>• Montfichet Road / approach to TCLB (northbound);</li> <li>• Montfichet Road / International Way (southbound);</li> <li>• Leytonstone Road pedestrian crossing (westbound);</li> <li>• Pool Street / Carpenters Road (eastbound)</li> </ul> <p>to determine the requirement to alter traffic signals and/or signage in order to mitigate road user distraction shall be submitted to and approved by the Local Planning Authority. Any such alterations identified in the assessment and approved by the Local Planning Authority shall be carried out and completed.</p>	<p>Road user safety report</p>