

Chris Goddard  
100 Pall Mall  
London  
SW1Y 5NQ

By email

**20 May 2020**

Dear Chris,

**REQUEST FOR FURTHER INFORMATION PURSUANT TO REGULATION 25 OF THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017, AS AMENDED.**

**Application reference: 19/00097/FUL**

**Applicant: Stratford Garden Development Limited**

**Location: Land lying to the west of Angel Lane, Stratford, London, E15 1AA.**

**Proposal: Detailed planning permission is sought for the following:**

**“Development of a multi-use entertainment and leisure building comprising sphere, terraces, podium, plaza, ground and basement levels with an illuminated external display (sui generis use including flexible entertainment, assembly and leisure venue with an illuminated internal display, music venue, restaurant / members’ lounge / nightclub, bars, restaurants, cafés, retail and merchandising, hospitality and catering facilities, box office, security facilities, rehearsal spaces, back of house event facilities, offices, storage, vehicle parking, servicing and loading, external terraces with landscaping and café, bar, retail and open air entertainment facilities, and all supporting and complementary facilities for such uses) and the construction of new pedestrian and vehicular bridges, highway and access works, servicing, open space, hard and soft landscaping, demolition of existing structures, associated infrastructure, plant, utilities and other works incidental to such development.**

We write with reference to the above planning application and accompanying 'MSG Sphere Environmental Statement' dated November 2019, prepared by Trium ("Environmental Statement" or "ES"). The application was submitted together with an application for advertisement consent (reference 19/00098/ADV) The London Legacy Development Corporation Planning Policy and Decisions Team (LLDC PPDT) is of the opinion that further information is required to assess this scheme for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended ("EIA

Regulations"). As such this letter is a request for further information pursuant to Regulation 25 of the EIA Regulations

A table is attached which summarises the items we consider are "further information" as specified in Regulation 25 in the middle column. The right-hand column summarises items in respect of which clarification is sought. Further detail on each item listed is set out in the appended reports prepared by Jacobs and Arup respectively:

- Status of Traffic and Transport Concerns and Outstanding Matters for Resolution— prepared by Jacobs dated March 2020;
- Environmental Statement High Level Review – prepared by Arup dated February 2020; and
- Environmental Statement – High Level Summary of Outstanding Information (Memorandum) prepared by ARUP dated April 2020

Notwithstanding the attached summary table, the Applicant's response should address all of the further information requests and requests for clarification contained within previous correspondence.

Where any further information necessitates amendments or updates to assumptions, modelling and scenarios the Applicant should consider if this will result in any changes to related Environmental Statement topic areas.

The availability of further information provided pursuant to Regulation 25 will be advertised and we will also write to statutory consultees, as required under the EIA Regulations.

The LLDC PPDT would welcome the further information and matters for clarification to be provided by way of an update to the ES or an addendum to the ES. If the Applicant proposes to submit an updated ES it would be helpful for the further information and clarifications to be shown either with a clear explanation of the principal changes at the start of each chapter/section or in track changes/redline for ease of identification. A similar approach should be adopted for supporting documents.

Where the Applicant considers that such

- (i) further information; or
- (ii) clarification on any matter,

is unnecessary or has already been satisfactorily provided, the Applicant should provide full details in its response to the relevant request.

Where the LLDC PPDT considers that Regulation 25 further information or any clarificatory information that is received from the Applicant is inadequate, LLDC PPDT reserves the right to make additional Regulation 25 requests.

The determination of the Application shall be suspended pursuant to Regulation 25 (7) of the EIA Regulations and shall not be determined before the expiry of 30 days after the latest of:

- (i) the date on which the further information or any other information was sent to all persons to whom the Environmental Statement was sent;
- (ii) the date that notice of it was published in a local newspaper; or
- (iii) the date that notice of it was published on LLDC's website.

I would be grateful if you could confirm in writing as soon as possible your intended timescale for submitting the information requested.

Please do not hesitate to contact Daniel Davies should you have any questions or wish to discuss the matter further

Yours sincerely,



**Anthony Hollingsworth**

Director of Planning Policy and Decisions

For London Legacy Development Corporation Planning Policy and Decisions Team

Enclosed:

- **Status of Traffic and Transport Concerns and Outstanding Matters for Resolution**— prepared by Jacobs dated March 2020;
- **Environmental Statement High Level Review** – prepared by Arup dated February 2020; and
- **Environmental Statement – High Level Summary of Outstanding Information (Memorandum)** prepared by ARUP dated April 2020

<b>ES Chapter 6 (Highways, Transport and Movement) and Transport Assessment</b>		
<b>Topic</b>	<b>Regulation 25 Requests for Further Information</b>	<b>Requests for Clarification</b>
Stratford Station Impacts	<ul style="list-style-type: none"> <li>The revised assessment provides a partial view of the impacts and relies upon combining the initial and revised assessments to provide a full picture. However, these two assessments use different assumptions. An updated consolidated assessment of station impacts using the same assumptions is required, including addressing the potential overlaps between matinee and evening events.</li> </ul>	<ul style="list-style-type: none"> <li>The presentation of the impacts on changes to in-station travel times needs clarification to bring together users on common routes and clarify the number of users affected.</li> </ul>
Crowd Modelling		<ul style="list-style-type: none"> <li>The potentially higher peak impacts at Stratford Station are likely to give rise to impacts on the wider pedestrian network. As such, updated crowd modelling showing the impact of the higher peak should be provided. Ideally the station and external pedestrian modelling would be directly linked to demonstrate clearly any effect interactions. However, if this is not feasible an improved explanation of how the two models do link together and a reasoned assurance as to why you consider that there are no potential gaps in the assessment should be provided.</li> </ul>
Line capacity		<ul style="list-style-type: none"> <li>The partial reporting of line loading in the revised assessment results in a lack of clarity on available capacity. This makes it difficult to judge, in particular, late night capacities and acceptability of start/finish times. This assessment requires clarification.</li> </ul>
Parking and Drop-off/ Pick-up	<ul style="list-style-type: none"> <li>The Proposed use of the Stratford International car park needs to be formally linked to the application or a clear and robust alternative presented.</li> </ul>	<ul style="list-style-type: none"> <li>Further detail is needed of the operation of drop-off and pick-up to clarify the proposals and demonstrate all impacts have been identified.</li> <li>Mobility Assistance: further detail of its operation and interactions with visitors or the wider public realm is needed to clarify impacts</li> </ul>
Driver distraction (Road and Rail)	<ul style="list-style-type: none"> <li>The road user assessment provided is not considered robust and needs to be enhanced to address concerns expressed by LLDC, its consultants and stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>We need clarity on the acceptability of rail distraction to Network Rail and rail operators. Ideally further information should be provided to demonstrate that distraction risks have been appropriately assessed.</li> </ul>

<b>ES Chapter 6 (Highways, Transport and Movement) and Transport Assessment</b>		
<b>Topic</b>	<b>Regulation 25 Requests for Further Information</b>	<b>Requests for Clarification</b>
		However, if this is not feasible a reasoned assurance as to why there are no gaps in the current assessment should be provided and clarity on whether any additional mitigation is required to minimise or monitor likely effects.
Event Coincidences and Coordination		<ul style="list-style-type: none"> <li>Greater clarity on the operation of the Concept of Operations and how it would ensure effective management of events, coincident events and coordination with the London Stadium and other events is required to give assurance of its likely effectiveness.</li> </ul>
New Station Entrance and Montfichet Road		<ul style="list-style-type: none"> <li>Greater clarity on the proposed new Entrance on Montfichet Road, including the impact on Montfichet Road, addressing technical issues and acceptability to rail operators is required.</li> <li>Clarity is required as to any impacts of introducing the new station entrance on the design proposals for Montfichet Road, including cycle routeing</li> </ul>
Junction modelling		<ul style="list-style-type: none"> <li>Clarification is needed as to how concerns regarding junction traffic impacts will be addressed.</li> </ul>

<b>Environmental Statement (excluding Transport)</b>		
<b>Topic area</b>	<b>Regulation 25 Requests for Further Information</b>	<b>Requests for Clarification</b>
Townscape, built heritage, visual impact	<ul style="list-style-type: none"> <li>Provide an assessment of the likely effects on residential visual amenity of surrounding residents, in accordance with the Landscape Institute guidance, as a result of light intrusion and the scale/proximity of the proposed development.</li> </ul>	<p>Clarify the following:</p> <ul style="list-style-type: none"> <li>the assessment approach to visual susceptibility;</li> <li>the method for assessing sensitivity and magnitude of change/ scale of effects for townscape, built heritage and visual effects;</li> <li>how the local townscape character areas and townscape receptors have been derived;</li> <li>how the visual receptors, including residents, have been identified and assessed;</li> <li>the likely effects on townscape character, built heritage and visual receptors as a result of light;</li> </ul>

<b>Environmental Statement (excluding Transport)</b>		
<b>Topic area</b>	<b>Regulation 25 Requests for Further Information</b>	<b>Requests for Clarification</b>
		<ul style="list-style-type: none"> <li>the likely effects on the setting of heritage assets during night time, winter and when the sphere is in operational mode; and</li> <li>the likely townscape, built heritage and visual effects as a result of the revised façade material.</li> </ul>
Socio-economics	-	-
Human health	<ul style="list-style-type: none"> <li>Clearly define and distinguish the specific health determinants, receptors and receptor populations, and specific vulnerable groups, including Holden Point. Assign appropriate sensitivities and magnitudes of impact for health.</li> <li>Assess the likely health and wellbeing effects on specific health receptors, receptor populations, including specific vulnerable groups and children, and neighbourhood amenity, as a result of light, visual effects/disturbance and movement/ distraction.</li> <li>Assess the likely health and wellbeing effects relating to public transport capacity impacts on health determinants for existing receptors living/working in the study area for the health assessment. The assessment should consider physical crowd movement/dispersal, potential noise/anti-social behaviour and increased traffic flows. The health assessment should also take account effects as a result of the updated transport and crowd modelling potential changes this may have on effects for other related disciplines such as noise and air quality.</li> <li>Assess the likely effects in relation to mental health, particularly for specific vulnerable groups and children, as a result of public transport capacity impacts, light, visual effects, movement and distraction.</li> <li>Ensure any effects identified in the Equalities Impact Assessment are considered within the health assessment, where relevant.</li> </ul>	-

<b>Environmental Statement (excluding Transport)</b>		
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	<ul style="list-style-type: none"> <li>Consider the findings of the Equalities Impact Assessment, where relevant.</li> </ul>	
Noise and vibration	-	<ul style="list-style-type: none"> <li>Clarify the likely noise effects as a result of the updated transport and crowd modelling and the proposed use of Stratford International Car Park.</li> </ul>
Air quality	-	<ul style="list-style-type: none"> <li>Clarify the likely air quality effects as a result of the updated transport and crowd modelling.</li> <li>Clarify the benchmarks and floorspace assumptions applied to the air quality neutral calculation.</li> </ul>
Wind microclimate	-	-
Daylight, sunlight & overshadowing	-	-
Light intrusion, upward sky glow and light spill	<ul style="list-style-type: none"> <li>Prepare illuminance contour plans for a white sphere and typical moving image to demonstrate levels of illuminance and light spill at sensitive receptors and at varying heights above the sphere. The assessment should consider how it complies with the updated ILP Guidance 2020 and include an assessment of luminaire intensity at potentially obtrusive directions beyond the site boundaries.</li> </ul>	<ul style="list-style-type: none"> <li>Provide luminance plans with varying nit/candela levels to clarify how far light intrusion/light spill at nearby sensitive receptors can be minimised. Plans to include window reference maps.</li> <li>Clarify how the proposed luminance of the sphere compares to other existing similar venues, such as an open-roofed sports stadium.</li> </ul>
Solar glare	-	<ul style="list-style-type: none"> <li>Clarify the materials used to protect the LED diodes when in operation. Further testing may be required if these materials have not been included within the assessments.</li> </ul>
Geo-environmental	-	-
Cultural heritage (archaeology)	-	-
Ecology (biodiversity)	<ul style="list-style-type: none"> <li>Confirm the likely effects on habitats and fauna, including bats, moths/insects and migratory birds, as a result of light and sky glow. Discussions may need to be undertaken with Natural England with regards to the Habitats Regulation Assessment</li> </ul>	-

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<b>Topic area</b>	<b>Regulation 25 Requests for Further Information</b>	<b>Requests for Clarification</b>
	for the Epping Forest Special Area of Conservation once the updated sky glow information is available.	
Water, Flood Risk and Utilities	-	-
Effects interaction – residential amenity	-	<ul style="list-style-type: none"> <li>Clarify the effects on residential amenity of specific receptors and residents surrounding the proposed development. This should be informed by the residential visual amenity assessment and consider the cumulative impact of other relevant technical disciplines.</li> </ul>



