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# Review of the Environmental Statement for Canada Water Masterplan

## Final Review Report

Prepared by LUC in association with Clewlow Consulting, Delva Patman Redler, Ricardo Energy Environment, and Xi Engineering

November 2018

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Design  
Landscape Planning  
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# 1 Introduction

- 1.1 Land Use Consultants (LUC), in association with Clewlow Consulting, Ricardo Energy Environment, Delva Patman Redler and Xi Engineering Consultants Limited, has been commissioned by London Borough of Southwark (LBS) to provide a critical review of the Environmental Statement (ES) prepared by Waterman Infrastructure & Environment (Waterman IE), on behalf of BL CW Holdings Ltd (the Applicant) in support of a hybrid planning application (hereafter referred to as 'the Masterplan Application') made to the LBS in respect of the Canada Water Masterplan, the redevelopment of an area of land at Canada Water in the Rotherhithe and Surrey Docks area (hereafter referred to as 'the Site').

## The Masterplan Application

- 1.2 The Site is located on the Rotherhithe Peninsula within the LBS administrative boundary and covers approximately 18.6ha (46 acres). The site is bounded by Surrey Quays Road, Canada Water Library, and the Former Mulberry Business Park site (currently a vacant site) and the Sellar development site to the north, Quebec Way to the east, Redriff Road to the south and residential properties associated with Lower Road, Hothfield Place, Hithe Grove.
- 1.3 The Site is currently occupied by:
- Surrey Quays Shopping Centre;
  - Former Dock Managers Office and 1 – 14 Dock Offices;
  - SE16 Printworks Site;
  - Surrey Quays Leisure Park;
  - Canada Water Dock; and
  - A parcel of land separate from the main Site adjacent to Roberts Close.
- 1.4 The existing buildings on site range in height from one storey (the petrol station to the west of the Site) to approximately 34m above ground level at the Printworks site. Most of the buildings immediately adjacent to the site are low to medium-rise, between two and nine storeys tall, except some taller residential towers to the south-west which stand at 11–22 storeys.
- 1.5 The site location and indicative planning application boundary is illustrated on Figures 1 and 2 of the ES.
- 1.6 The proposed Development forms a principal part of the wider Canada Water Opportunity Area which is the subject of the Canada Water Area Action Plan (AAP). The AAP was adopted in 2012 and updated in 2015.
- 1.7 The Development will comprise the phased demolition of all buildings and structures on the site except for the Grade II Listed Dock Offices and potentially the press hall of the Printworks site, with phased redevelopment to provide a mixed-use development, comprising the following:
- Circa 3,500 residential dwellings (including a proportion of affordable housing) (Use Class C3),
  - Assisted Living (Use Class C2) and Student Accommodation (Sui Generis);
  - Circa 5,300 sq.m. hotel (Use Class C1);
  - Circa 252,000 sq.m. of office (Use Class B1);
  - Circa 69,000 sq.m. retail including shops and restaurants (Use Classes A1 – A5);
  - Circa 9,700 sq.m. community uses (which could include educational facilities) (Use Class D1);
  - Circa 20,500 sq.m. leisure uses (Use Class D2);

- Sui Generis including energy centres and substation.
- 1.8 Together with associated landscape, infrastructure, plant, transport works, car parking and energy centres, the Development would contain a variety of built form typologies, distributing a mixture of low (up to 5 storeys), medium (6 to 10 storeys), high (11 to 15 storeys) and tall (15 to 30 storeys) buildings across the site.
- 1.9 In addition, it is proposed that the Development would comprise significant new public spaces, a new town centre located to the north of Surrey Quays Station, and a new park within the east of the Site and a link between the park and Southwark Park in the east and Russia Dock Woodland to the west. It is also proposed to include two pedestrian walkways and cycle paths across Canada Water Dock and a boardwalk at the Dock edges. A number of sustainability measures and ecological enhancements are also under consideration.
- 1.10 It is noted from the SR that it is the Applicant's intention to submit an outline planning application, comprising a component with no reserved matters for what is known as Phase 1 of the Development, and a number of other subsequent phases with all matters reserved.

## Review Report

- 1.11 The structure of the report is as follows: Section 2 checks for Regulatory Compliance<sup>1</sup>; Section 3 details review findings on the EIA Context and Influence (Scoping, Alternatives and Consultation)<sup>2</sup>; Section 4 provides commentary on the presentation of the ES and Non-Technical Summary<sup>3</sup>; Sections 5-16 are topic specific reviews relating to each topic covered in the ES, including cumulative effects<sup>4</sup>.
- 1.12 A criteria-based approach, developed by the Institute of Environmental Management and Assessment (IEMA) hereafter referred to as 'the IEMA criteria', was used to undertake the review<sup>5</sup>. The criteria include general criteria looking at the information contained in the ES, including the presentation of the results and the non-technical summary. Issue-specific criteria address:
- the baseline conditions;
  - assessment of impacts; and
  - mitigation measures and management.
- 1.13 Each section of this report provides a list of clarifications required from the Applicant and a summary of any potential Regulation 22<sup>6</sup> information requests to be made to the Applicant, as appropriate.
- 1.14 Once the Applicant has received the clarifications and potential Regulation 22 requests from LBS they are invited to submit further information to address the points raised.
- 1.15 The Applicant provided a response to the issues raised in this review (dated August 2018 and October 2018). This information has been reviewed and conclusions drawn as to whether the additional information is satisfactory and whether any Regulation 22 matters remain. These conclusions are included at Section 17 of this report, and the document has been completed as the Final Review Report (FRR).

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<sup>1</sup> IEMA EIA Quality Mark - ES Review Criteria, COM3: EIA Regulatory Compliance

<sup>2</sup> IEMA EIA Quality Mark - ES Review Criteria, COM4: Context and Influence.

<sup>3</sup> IEMA EIA Quality Mark - ES Review Criteria, COM6: EIA Presentation.

<sup>4</sup> IEMA EIA Quality Mark - ES Review Criteria, COM5: EIA Content.

<sup>5</sup> This review is based on the IEMA criteria which were updated as part of the new IEMA 'Quality Mark' launched in April 2011.

<sup>6</sup> Under Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

## 2 Regulatory Checklist

- 2.1 This section checks for the presence or absence of each item below, in accordance with IEMA EIA Quality Mark – ES Review Criteria, COM3: EIA Regulatory Compliance. Criteria A-I represent the minimum information which must be provided to constitute an Environmental Statement.
- 2.2 It should be noted that the table below only confirms whether or not the information required has been provided in its most basic form and does not confirm regulatory compliance. Further detail is provided in the following sections in relation to the way each aspect of the EIA has been undertaken and is presented in the ES.

Criteria		Y/N
A	Does the ES contain a clear section, or sections, providing a description of the development comprising information on the site, design and size of the development during construction and operation?	Y (Chapters 3, 5 and 6)
B	Does the ES contain a section, or sections, that outline the main alternatives studied by the developer and an indication of the main reasons for his choice, taking into account the environmental effects?	Y (Chapter 4)
C	Does the ES contain a clear section, or sections, that provides the data required to identify and assess the main effects which the development is likely to have on the environment?	Y (Chapters 3-17)
D	In the light of the development being assessed has the ES identified, described and assessed effects on: <ul style="list-style-type: none"> <li>- Population</li> <li>- Fauna &amp; Flora</li> <li>- Soil</li> <li>- Water</li> <li>- Air</li> <li>- Climatic factors</li> <li>- Landscape</li> <li>- Cultural Heritage</li> <li>- Material Assets</li> <li>- Other</li> </ul>	Y (Chapters 6-17)
E	Does the ES attempt to set out the interaction between the factors set out in COM3 D) above?	Y (Chapter 17)
F	Does the ES contain a section, or sections, that describe the likely significant effects of the proposed development on the environment, including as reasonably required: direct, indirect, secondary, cumulative, short, medium, long-term, permanent and temporary, positive and negative effects?	Y (Chapters 5-17)

Criteria		Y/N
G	Does the ES contain a clear section, or sections, that provides a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects?	Y (Chapters 7-17)
H	Has a Non-Technical Summary been produced containing an outline of the information mentioned in COM3 A) to G)?	Y (ES Vol. 5, NTS)
I	Does the ES contain a section, or sections, that outline any difficulties encountered by the developer in compiling the information presented in the ES?	Y (chapter 2)

Code	Summary of Clarifications Required from Applicant
N/A	None
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
N/A	None

## 3 EIA Context and Influence

### Scoping

- 3.1 An EIA Scoping Report was submitted to the LBS on 15<sup>th</sup> May 2017 and is provided in Appendix 2.1 of the ES Volume IV, with a formal EIA Scoping Opinion (Appendix 2.4 of the ES), issued on 27<sup>th</sup> April 2018, following the provision of additional information in July, August and November 2017, and informed by the EIA Scoping Review Report prepared by LUC in January 2018.
- 3.2 Section 2.9 provides details of the Scoping Process, which identified four issues that were determined to be unlikely to give rise to significant environmental effects as a result of the Proposed Development:
- 3.3 Waste Management has been scoped out of the EIA on the basis that the ES will report on the disposal or reuse of waste materials during demolition and construction, and any operational effects will be set out within the corresponding chapter i.e. vehicle movements, noise, air quality, as recommended in the Scoping Opinion. Waste Management is considered within ES Chapter 10: Air Quality, Chapter 11: Ground Conditions and Contamination and Chapter 12: Water Resources and Flood Risk. It is noted that the Scoping Opinion recommended that the SWMP and Waste Management Strategy should be appended to the ES. Neither of these are included within Volume IV - Technical Appendices therefore clarification is sought as to whether these documents have been included.
- 3.4 Aviation has not been included in the formal EIA on the basis that consultation will take place with London City Airport (National Air Traffic Services (NATS) and the Civil Aviation Authority (CAA) where relevant) and an Aviation Report will be produced and submitted as a standalone document with the planning application). The Scoping Opinion recommended that the Applicant should ensure that the relevant consultees were contacted to inform the Aviation Report. The list of consultations and notifications for application 18/AP/1604 (submitted in support of the application) confirms that the appropriate consultees were contacted.
- 3.5 Assessment of telecommunications was scoped out of the EIA on the basis that a standalone Electronic Interference Assessment and Utilities, Services and Infrastructure Strategy which considers telecommunication will be submitted as stand-alone documents with the planning application. There were concerns at Scoping stage that the proposed scope of the report would not be comprehensive enough and it was advised that a comprehensive assessment of electronic communications was included. A Utilities and Services Infrastructure Strategy has been submitted with the application, which includes assessment of telecommunications.
- 3.6 For the reasons noted above it is considered that the provisions for scoping out the above issues have been addressed sufficiently.

### Alternatives Including Iterative Design

- 3.7 The issues of alternatives and iterative design are addressed within the ES in Chapter 4: Design Evolution and Alternatives. Section 4.1 of the ES states that the Site is designated under the adopted London Plan 2016 as falling within the wider Canada Water Opportunity Area, which is the subject of the Canada Water Area Action Plan (AAP) adopted in 2012 and updated in 2015. The draft London Plan (2017) identifies Canada Water as a 'District Centre' with the future potential network classification being a 'Major Centre' within the Town Centre Network defined within the plan. As such alternative locations for the Development have not been considered; therefore Chapter 4 of the ES focuses on alternative designs only.
- 3.8 Accordingly, a "no development" alternative scenario whereby the site is left in its current state has not been considered either, because, as identified in section 4.9 of the ES, "no development"

on the Site would leave the Site to remain car-oriented, disconnected and out of town, leaving a significant part of the Site vacant, and would not realise the vision of the Canada Water AAP. This approach is considered to be appropriately justified within the ES, given the policy context of the Site.

- 3.9 Section 4.16- 4.25 of the ES describes the Masterplan design as it evolved each year from 2014-2017 in response to environmental surveys and consultation with the public, LBS and statutory consultees. This is followed by further sections detailing the decision making behind the massing of tall buildings, basement depth and location, and the leisure centre location. Figures 4.1-4.5 illustrate the layout and use evolution from 2014-2017. Further description of the design evolution of Plots A1, A2 and K1, for which detailed proposals have been submitted with no matters reserved is also provided within Chapter 4.
- 3.10 Tables 4.3 and 4.4 describe the rationale behind the design of the flood risk and drainage water strategy; sections 4.43-4.48 detail the opportunities for ecological and arboricultural enhancement incorporated into the Masterplan design in response to public consultation and consultation with statutory bodies; and sections 4.49-4.50 describe the iterative process behind the design of the Development with reference to transport, air quality, noise and vibration.
- 3.11 The consideration given to design evolution and alternatives is considered to be acceptable.

## Description of Development

- 3.12 Sections 5.1-5.7 describe the context of the application. The hybrid planning application seeks outline planning permission with all matters reserved for later determination for most of the Site, referred to as the 'Outline Proposals', whilst Plots A1, A2 and K1 are submitted with no matters reserved and so full details are provided, referred to as the 'Detailed Proposals'.
- 3.13 Table 5.1 lists the Parameter Plans for the Outline Proposals as they appear within Volume 2 of the ES. For the Detailed Proposals, detailed planning application drawings are also presented in Volume 2, showing access, layout, scale, landscaping and appearance of the proposed buildings. Sections 5.9-5.64 describe the development in detail with reference to these plans.
- 3.14 Tables 5.2 and 5.3 clearly set out the proposed use class and floorspace for the outline and detailed proposals. Further details are then given regarding the proposed public realm, play space and private amenity space, highways and junction improvements, cycle and car parking, materials, façade treatments and finishes for the detailed proposals, and details of the arboricultural, green infrastructure, ecological enhancement, lighting, drainage, energy and waste management strategies.
- 3.15 The description of the development is considered to be acceptable in terms of EIA context and influence, subject to any comments outlined within the topic specific sections of this report.

## Consultation

- 3.16 The EIA Scoping Report is included as Appendix 2.1, and LUC's Review of EIA Scoping Report is included as the Scoping Opinion as Appendix 2.3 and is referred to throughout the ES introductory chapters and topic specific chapters. Additionally various Statement of Community Involvement documents have been submitted along with planning application (but not as part of the EIA).

Code	Summary of Clarifications Required from Applicant
ECI1	Clarify whether the SWMP and Waste Management Strategy have been submitted as requested in the Scoping Opinion.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant

Code	Summary of Clarifications Required from Applicant
N/A	None

## 4 EIA Presentation

### Overall Presentation (ES Quality)

- 4.1 The length of the main body of the ES is appropriate for the type and scale of the development and the sensitivity of the receiving environment. The ES is well structured overall, and a glossary and list of acronyms provided at the beginning of ES Volume I.
- 4.2 The ES makes good uses of figures and tables throughout to aid the reader in understanding the proposed development.
- 4.3 The presentation of the ES is considered acceptable, subject to any other points noted in the reviews of the individual topic chapters.

### Non-Technical Summary

- 4.4 The NTS is provided as a standalone document. The language used is non-technical and figures and tables are used to complement the text.
- 4.5 The presentation of the NTS is considered acceptable, subject to any other points noted in the reviews of the individual topic chapters.

<b>Code</b>	<b>Summary of Clarifications Required from Applicant</b>
N/A	None

  

<b>Code</b>	<b>Summary of Potential Regulation 22 Information Requests to be made to Applicant</b>
N/A	None

## 5 Review of Chapter 7: Socio-Economics

### Scope of EIA

- 5.1 Appendix 2.3 within Technical Appendices Part 1 of ES Volume IV contains the LBS Scoping Opinion and Review of the Scoping Report (January 2018), undertaken by LUC on behalf of LBS, which sets out the information the socio-economic assessment should consider in addition to that listed within the EIA Scoping Report (May 2017), provided in Appendix 2.1 within Technical Appendices Part 1 of ES Volume IV.
- 5.2 Section 4.2.3 of the Scoping Report requires that 'a review of relevant planning policy at national (England), regional (London), borough (LBS) and local levels (local defined as the two ward area of Rotherhithe and Surrey Docks)' be included to inform the assessment. This review is not presented within ES Chapter 7 and does not appear to be included elsewhere in the ES documents. The reason for this should be clarified.
- 5.3 The Scoping Opinion requires that 'the assessment of new residential units should specifically assess the provision of affordable housing, and how this compares with the Council's affordable housing target, i.e. 35%, and London Plan targets (60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale – London Plan Policy 3.11)'. Although the provision of affordable housing is considered at paragraphs 7.121-7.123, it is not specifically compared to these policies and this comparison should be provided.
- 5.4 The Scoping Opinion also states that if affordable housing targets cannot be met onsite, but will instead be secured through financial contributions and/or offsite locations, the ES should consider the effect of this. It is noted in Paragraphs 7.124-7.127 that the housing mix and proportion of affordable housing is not known at this stage. LBS should be satisfied that the Applicant will make financial contributions should the affordable housing provision not be met onsite.
- 5.5 The Scoping Opinion requires that 'consideration should also be given to the potential effects of the development upon other nearby services [beyond the schools, healthcare, open space and child space referred to in the Scoping Report], including leisure facilities if relevant.' This has not been included within ES Chapter 7 and details of the effects on such facilities should be assessed.
- 5.6 The consultee comments included within the Scoping Opinion include that 'any effects on the relocation of businesses are properly assessed, particularly in terms of impacts of relocation on rent levels'. Although the displacement of existing employment onsite is considered, the effects of relocation and rent levels is not considered and should be included.
- 5.7 The consultee comments included within the Scoping Opinion include that '*the scope of this assessment should be agreed with the Public Health Officer.*' It is not stated within ES Chapter 7 whether the scope of the assessment has been agreed with the Public Health Officer. This should be included.
- 5.8 The requirements outlined within the Scoping Opinion, including the consultee comments within this, should be listed within ES Chapter 7, or elsewhere within the ES, to identify where these comments have been addressed within the ES and justification as to why any have not been addressed.
- 5.9 The remainder of the scope outlined within the Scoping Report and Scoping Opinion is within ES Chapter 7 is considered to be appropriate.

### Baseline

- 5.10 The 'Baseline Conditions' section in paragraphs 7.36-7.104 provides an overview of the site and summarises the socio-economic characteristics of the local area (Rotherhithe ward and Surrey

Dock ward), LBS and the wider London region. This includes demographic profile (population, age and ethnicity), employment profile (employment and economic activity, qualifications, occupation of residents and business structure), housing (housing type, tenure and occupancy), community infrastructure (education facilities, including nurseries, primary schools and secondary schools), healthcare facilities, open space and playspace, leisure provision, and deprivation.

- 5.11 Paragraph 7.7 provides a list of the data sources used to capture the baseline information.
- 5.12 Clarification is sought regarding the spatial levels that should be listed following Paragraph 7.37. It is assumed that this should repeat the bullet point list provided at Paragraph 7.5.
- 5.13 Clarification is also sought as to whether the open space and play space referred to in Paragraphs 7.89-7.96 and Table 7.9 are all publically accessible and if not this should be distinguished.
- 5.14 The 'Baseline Conditions' section, subject to clarifications, is considered to be acceptable to inform the scope of the assessment.

## Assessment

- 5.15 The methodology for determining the baseline conditions, the significance criteria and specific methodologies used are set out in paragraphs 7.3-7.35.
- 5.16 Paragraphs 7.107-7.119 provide an assessment of the demolition and construction effects of the Development. Although Paragraphs 7.107-7.109 make consideration of the displacement of existing employment onsite, the impact of relocation of businesses, particularly in terms of rent levels, is not considered. This was raised by consultees and included within the Scoping Opinion, and therefore consideration should be made of this effect or justification made as to why this effect has not been assessed.
- 5.17 Additionally, Paragraph 7.109 states that 'the Development would increase the quantum of commercial floorspace that would support employment on this Site.' Clarification is sought as to the quantum of net additional commercial floorspace that the Development would provide in order to justify this statement.
- 5.18 Table 7.20 sufficiently outlines the residual effects of the Development.

## Secondary, Cumulative and Combined Impacts

- 5.19 The assessment of Type 1 and Type 2 cumulative effects is set out in ES Chapter 17: Cumulative effects. These are considered in Chapter 15 of this ES Review.

## Mitigation and Management

- 5.20 Potential mitigation measures and the likely residual effects of the Proposed Development are considered in paragraphs 7.222-7.234. As few significant negative effects were identified, limited mitigation has been proposed.
- 5.21 The loss of existing employment onsite was assessed to have a temporary moderate adverse effect at the Site level. To mitigate these impacts, the Applicant and LBS are committed to supporting local businesses through the Social Regeneration Charter. The residual effects of loss of employment resulting from the Development are therefore considered to be negligible.
- 5.22 The effect of the Detailed Proposals alone upon increasing healthcare and education pressures is assessed to be temporary adverse at the local level. To mitigate these impacts, financial contributions via S106 of CIL are proposed and the residual effects are considered to be negligible.
- 5.23 All residual effects range between negligible at all scales to permanent significant beneficial at the borough level.

- 5.24 Table 7.20 sufficiently outlines the proposed mitigation and the residual effects of the Development.

## Non-Technical Summary

- 5.25 The NTS sufficiently outlines the effects identified within ES Chapter 7 and the proposed mitigation in the form of support to local businesses through the Social Regeneration Charter and the alleviation of pressures on healthcare and education through financial contributions via S106 of CIL. The NTS should be updated if any changes to the assessment are required as a result of this review.

Code	Summary of Clarifications Required from Applicant
SE1	Clarify the reason for not including planning policy relevant to socio-economics in the ES.
SE2	It should be stated if the scope of the assessment has been agreed with the Public Health Officer.
SE3	Clarification is sought regarding the spatial levels that should be listed following Paragraph 7.37. It is assumed that this should repeat the bullet point list provided at Paragraph 7.5.
SE4	Clarification is sought as to whether the open space and play space referred to in Paragraphs 7.89-7.96 and Table 7.9 area all publically accessible and if not this should be distinguished.
SE5	Clarification is sought as to the quantum of net additional commercial floorspace that the Development would provide in order to justify the following statement in Paragraph 7.109: <i>'the Development would increase the quantum of commercial floorspace that would support employment on this Site.'</i>
SE6	The requirements outlined within the Scoping Opinion, including the consultee comments within this, should be listed within ES Chapter 7, or elsewhere within the ES, to identify where these comments have been addressed within the ES and justification as to why any have not been addressed.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
SE7	<p>The assessment of new residential units for the Detailed Proposals should specifically assess how the provision of affordable housing compares with the Council's affordable housing target, i.e. 35%, and London Plan targets (60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale – London Plan Policy 3.11), as required in the Scoping Opinion.</p> <p>The assessment of new residential units for the Development should state if the Applicant plans to make financial contributions should the affordable housing provision not be met onsite, as required in the Scoping Opinion.</p>
SE8	The potential effects of the development upon other nearby services, including leisure facilities, should be assessed, as required in the Scoping Opinion.
SE9	The effects on the relocation of businesses, particularly in terms of impacts of relocation on rent levels, should be explicitly assessed, as required in the Scoping Opinion.
Potential Planning Conditions	

None

## 6 Review of Chapter 8: Transportation and Access

### Scope of EIA

- 6.1 On behalf of the Applicant, Waterman submitted its Scoping Report in May 2017 and LBS issued its Scoping Opinion for the Proposed Development on 27<sup>th</sup> April 2018.
- 6.2 An independent review informed the Scoping Opinion and included comments on the approach proposed to be taken regarding certain aspects of the Transportation and Access assessment. The review recommended further detail be provided on the geographical extent of walking and cycling trips, quantitative assessment of these trips, and detail on the construction traffic, assessment methodology and mitigation. A clarification letter in response to a draft of the review was submitted by Waterman on 6<sup>th</sup> February 2018 commenting on how the Transportation and Access chapter of the ES would incorporate further details. The letter noted which aspects would be covered in the Transport Assessment (TA) or in the Transportation and Access chapter of the ES, which aspects would be considered elsewhere in supplementary documents or, alternatively, were not considered relevant. The ES at Para 8.10 acknowledges the comments made in the review and clarification letter.
- 6.3 In parallel with the submission of the EIA Scoping Report, Arup produced a TA Scoping Report for discussion with LBS and Transport for London (TfL). The TA Scoping Report was discussed at a formal pre-application meeting with TfL in December 2017. TfL issued its response to the TA Scoping Report by letters dated 27<sup>th</sup> December 2017 and 19<sup>th</sup> February 2018. The ES states at Para 8.9 that the TA Scoping Report is appended to the TA, however there is no reference to the TA Scoping Report in the TA (TA Para 1.3.3). The two letters from TfL are however appended to the TA and provide comprehensive advice to Arup regarding the scope and methodology to be adopted for the TA. A representative from LBS took part in the formal pre-application process overseen by TfL which covered local as well as strategic matters. As such the two letters from TfL appear to provide a collective view from both LBS and TfL on matters relating to the TA.
- 6.4 No specific advice has been issued by TfL or LBS with regard to the scope of the Transportation and Access chapter of the ES. TfL has indicated in its consultation response appended to the Scoping Opinion that it is satisfied with the proposed scope and methodology of the TA as the basis for the preparation of the EIA.

### Baseline

- 6.5 The baseline situation is comprehensively set out in the ES with existing and future baseline scenarios described. The future baseline references the Canada Water Strategic Transport Study (STS) which is being undertaken by TfL and LBS.
- 6.6 The Canada Water STS looks to assess the impact of development across the whole of the Canada Water Opportunity Area (CWOA), including proposals by other developers as well as the Applicant. The STS provides a 'Do-Minimum' scenario for 2031 which assumes no additional development in the CWOA (but assumes London Plan (2016) growth forecasts are achieved elsewhere). This represents the 2031 'future baseline' for the ES, i.e. the future conditions if no development was brought forward within the CWOA.

## Assessment

- 6.7 Paragraph 8.37 sets out the approach adopted for assessment. It states that assessment is based on considering the implications of two development scenarios to determine whether different mixes of key land uses would produce different transport effects and to identify mitigation accordingly. One development scenario represents a 'maximum residential' land use mix, with the greatest possible residential population; the other development scenario represents a 'maximum employment' land use mix, with the greatest possible number of jobs within the Site.
- 6.8 The focus of assessment is the morning peak period and the two scenarios are considered in terms of their respective trip generation, distribution and assignment. Taking into account either a higher proportion of residential space or a higher proportion of commercial space, their differing effects on peak hour volumes and direction of flow are assessed. This approach is considered sound for identifying impact for the purposes of the ES.
- 6.9 Paragraphs 8.57-8.62 consider the significance criteria to be adopted for effects and thresholds to determine the scale of effects. Table 8.2 includes reference to the receptors of these effects. There does not however appear to have been any process undertaken through which the relative sensitivity of any receptors might have been identified. Nor is there any reference in the Transportation and Access chapter of the ES as to the impacts that these effects will have on any of the receptors. The IEMA guidelines refer to severance; delay; amenity; fear and intimidation; accidents and safety; and hazardous loads. None of these effects are considered explicitly.
- 6.10 The thresholds included in the first two columns of Table 8.2 may be appropriate for one or more of the effects referred to above however at present the approach adopted is too vague. The thresholds adopted in the third column of Table 8.2 are too imprecise and it is not clear why the same thresholds as stated in the first two columns would not in fact be more applicable. The effect which was being considered would however still have to be identified.
- 6.11 As a consequence of the above there is confusion in respect of the judgements made on the significance of effects. Whereas the assessment of impact by comparison with the baseline is sound, e.g., in the assessments made in Tables 8.12 and 8.13, there is then a *non sequitur* in respect of the conclusions drawn. If the increase in traffic flow is high enough for the effect to be one of major adverse significance on the highway network then it should follow that the users of the network, particularly vulnerable users such as cyclists and pedestrians, should also be the recipients of an adverse effect of major significance. The judgement as set out in Para 8.158 is therefore challenged.
- 6.12 It may be noted in Para 8.156 that reference is made to effects on the highway network. Effects on the highway network are a matter for the TA whereas the ES is concerned with effects on users of the network, not the network *per se*. Judgements therefore should be made on the effect on receptors, in particular any receptors deemed sensitive. This pattern is repeated in Paras 8.162 – 8.167, 8.289 – 8.291, 8.294 – 8.296.
- 6.13 In Paras 8.277 – 8.282 a judgement is made in respect of parking supply and demand however parking supply and demand has not previously been identified as a matter for which significance criteria apply. Similarly Paras 8.283 – 8.285 refer to Access and Servicing Arrangements. Reference to Parking Supply and Servicing Arrangements, if these are considered to involve receptors of environmental effects, should be included earlier in the chapter under the heading 'Assessment of Likely Effects' and further explanation provided.
- 6.14 The conclusions of the chapter should be reformatted so that it is clear which receptor is subject to what effect and to what degree.

## Secondary, Cumulative and Combined Impacts

- 6.15 The cumulative impact of two schemes is considered in conjunction with the phased construction of the Proposed Development. Rather than being considered in the Transportation and Access chapter, the cumulative impact for transportation and access is considered in Chapter 17 of the ES. A worst case is considered in which both the two schemes identified and the first phase of the Proposed Development are constructed concurrently. The assessment shows that considering the

cumulative impact does not alter the scale of the adverse effects during implementation of the Proposed Development on its own. The judgement that effects on pedestrians, cyclists and road users will only be of 'Moderate' significance (in Para 17.34) compared to the effect of the increase in the number of HGVs being of 'Major' significance (in Para 17.33) does however prevail and this judgement is accordingly challenged for the same reasons as stated above.

- 6.16 The applicant has provided an assessment of the cumulative impact of the Proposed Development and the two other completed schemes. The judgements made in respect of the cumulative effect of the three completed schemes are considered sound.
- 6.17 With regard to cumulative assessment it is noted that an updated planning application for the proposed Biscuit Factory scheme has been submitted and that consideration should be given as to whether its scale together with that of the Proposed Development gives rise to an alternative scenario for cumulative assessment.
- 6.18 No secondary or combined impacts are identified in the ES. However, in the context of the proposal for the site, no secondary or combined transport impacts would be expected.

## Mitigation and Management

- 6.19 The proposed mitigation measures include identified provision for improved connectivity to public transport and cycling facilities, as referred to in the Transport Assessment and ES, together with a commitment to put into effect the findings of the Canada Water STS as these relate directly to the Proposed Development.
- 6.20 All of these elements need to be identified and/or costed so that they can be secured either by condition or through appropriate contributions to strategic transport improvements via a Section 106 Agreement involving TfL.
- 6.21 In addition it is proposed that, based on the submitted Framework Travel Plan, Travel Plans are prepared for residential and commercial elements of the proposal. A Delivery and Servicing Management Plan has been submitted and a future town centre estate management plan is proposed.
- 6.22 Mitigation and management of the construction phase includes the submission of a Framework Construction Management Plan and preparation of a detailed Construction Management Plan as each part of the Proposed Development is delivered.
- 6.23 The preparation of detailed versions of each of the above Plans can be secured by condition.
- 6.24 The mitigation measures are considered proportional and appropriate.

## Non-Technical Summary

- 6.25 The Non-Technical Summary should be updated following review of the clarifications and Regulation 22 requests in this review.

Code	Summary of Clarifications Required from Applicant
TA1	Include updated Biscuit Factory scheme in cumulative assessment
TA2	Explain how Parking Supply and Servicing and Access are to be considered in the assessment and which receptors are affected by these matters.
TA3	Clarify if TA Scoping Report is or is not included as part of application documentation
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant

TA4	Identify receptors clearly and determine sensitivity of receptors
TA5	Identify which effects are likely to be experienced by receptors and determine which thresholds are appropriate for determining significance of each effect
TA6	Review judgements made on significance of effect on receptors (ref Paras 8.156 – 8.158, 8.162 – 8.167, 8.289 – 8.291. 8.294 – 8.296 and 17.33-17.34)
TA7	Reformat conclusions so that it is clear which receptor is subject to what effect and to what degree.
TA8	The Non-Technical Summary should be updated following review of the clarifications and Regulation 22 requests in this review.

### Potential Planning Conditions

The preparation and implementation of the Construction Management Plans, Workplace Travel Plans, Residential Travel Plans and Framework Delivery and Servicing Plan (together with a future town centre estate management plan) should be secured

## 7 Review of Chapter 9: Noise and Vibration

### Scope of EIA

- 7.1 All matters relating to noise and vibration identified within the Scoping Report and matters identified by the EHO in the Scoping Opinion have been adequately addressed.

### Baseline

- 7.2 Baseline monitoring of ambient noise and vibration has been adequately carried out at relevant positions as described in Tables 9.1 and 9.2. The survey methodology was agreed in consultation with the LBS Environmental Health Officer and the noise monitoring results are shown in Table 9.10.

### Assessment

- 7.3 No reference is made to national and local planning policy guidance on noise and vibration issues. The reason for this should be clarified.
- 7.4 Relevant sensitive receptors have been identified and shown in Table 9.9. The assessment establishes the magnitude of the noise and vibration effects of the scheme during construction and operation using established British Standards and methodologies.
- 7.5 Consistent descriptors are used for the significance criteria for noise and vibration effects due to construction and demolition noise and vibration, construction traffic, building services plant noise and operational traffic noise.
- 7.6 Construction and demolition noise and vibration levels have been predicted at sensitive receptors, showing effects ranging from insignificant to major adverse with the highest adverse effects occurring for limited periods at receptors within 15m of the works.
- 7.7 Adequate consideration has been given to noise from construction traffic, showing insignificant effects on Jamaica Road and Rotherhithe Old Road but temporary minor to moderate effects on Surrey Quays Road.
- 7.8 Operational noise levels due to building services plant have been assessed and adequate procedures suggested to ensure that the effects are not significant. Operational noise levels due to changes in traffic flows have been assessed and moderate adverse effects are predicted on Redriff Road and Deal Porters Way.
- 7.9 The potential impact of entertainment noise from the former Harmsworth Quays Printworks venue has been assessed and is not likely to have significant effects on occupiers of the initial phases of the development.
- 7.10 Based on the measurement survey, the potential impact of vibration from underground trains has been adequately assessed, showing insignificant effects of tactile vibration and of vibration induced groundbourne noise.
- 7.11 The effects of noise on external amenity areas have been assessed including the effects on balconies. It is acknowledged that approximately half of the balcony areas would be affected by noise levels above the guidelines of BS8233:2014, however, the Standard recognises that the guideline cannot always be achieved in urban areas of high background noise and suggests that the best practicable means of mitigation should be implemented. In addition, alternative amenity areas that do meet the Standard are provided in the Park and Town Square as recommended in

ProPG Planning and Noise. Adequate consideration for this hybrid application has therefore been given to noise in external amenity spaces.

## Secondary, Cumulative and Combined Impacts

- 7.12 The effects of demolition and construction noise from developments at Canada Water Sites C and E and Mansion Wharf House have been considered and would have the potential to result in cumulative effects of the same magnitude as identified for the proposed development, which is from insignificant to major significance, depending on receptor location.
- 7.13 The cumulative effects of construction traffic noise are likely to be insignificant but as a worst case minor adverse effects could occur.
- 7.14 The operational effect of noise from building services at more than one development is likely to be insignificant as the same planning condition requiring meeting the guidance of BS4142:2014, would apply to both developments. The cumulative effects of operational traffic noise are not likely to be any worse than those predicted for the proposed development.

## Mitigation and Management

- 7.15 Measures to control construction noise and vibration are described in some detail but moderate and major adverse residual effects would remain following mitigation for short periods of time at some locations close to the works. These impacts should be taken into account by the planning officer when determining the application.
- 7.16 Mitigation of operational noise at the proposed dwellings due to external traffic has been adequately assessed through the inclusion of acoustic glazing measures together with an appropriate ventilation strategy. The measures should be controlled through planning conditions and confirmed during detailed design.

## Non-Technical Summary

- 7.17 The noise and vibration summary in the NTS adequately reflects the findings of the assessment.

Code	Summary of Clarifications Required from Applicant
NV1	Clarify the reason for not including planning policy on noise and vibration in the ES.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
NV4	None
Potential Planning Conditions	
Measures to control construction noise and vibration and the mitigation measures identified in the ES including Table 9.25 should be secured through planning conditions.	
Measures control building services noise should be subject to a planning condition.	
Approval of the mitigation measures identified in the chapter for acoustic glazing and ventilation strategy should be subject to a planning condition.	
Measures to control construction noise and vibration should be included in a CEMP and be subject to approval by the LPA in advance of development commencing.	

## 8 Review of Chapter 10: Air Quality

### Scope of EIA

- 8.1 The ES includes an assessment of construction and operational phase impacts, and consideration of potential cumulative effects on air quality. In addition, the proposed air quality methodology within the "Canada Water masterplan; Environmental Impact Assessment scoping report" has been followed in full.
- 8.2 It can be seen in Table 10.33 that a monitoring regime for the construction period has been identified for the Construction Environmental Management plan. Clarification is required that the EHO agreed to particulate monitoring only occurring at this stage. The need for this is reinforced by the email dated 21/03/2018 from Southwark Borough Council on page 22 of Appendix 10.2.
- 8.3 The Applicant has addressed earlier comments made to the Applicant's scoping report and assessed the energy centres impact on nearby receptors. Although there remain queries on the assessment methodology, see paragraph number 8.16.
- 8.4 The Applicant has addressed earlier comments made to the Applicant's scoping report and incorporated a sensitivity test for cleaner vehicles in the future fleet mix. Further clarification is required on consideration of the proposed Tesco store relocation. The scoping consultation and remaining clarifications raised on the scoping report have been carried through to the ES chapter.

### Baseline

- 8.5 Southwark Council's 2016 monitoring data has been correctly transcribed into the report, in addition Southwark's air quality management areas (AQMA) and air quality focus areas (AQFAs) have been identified. The scheme specific diffusion tube survey undertaken by Waterman exceeds the minimum monitoring requirements set out within LAQM.TG(16) and baseline monitoring surrounding the scheme consists of diffusion tube monitoring carried out to an appropriate standard.

### Assessment

- 8.6 In section 1.1.42 of Appendix 10.2 it is mentioned that the Defra background concentrations are available between 2015-2030. However, with a likely scheme opening of 2033, 2031 has been set as the year of assessment, to represent the likely opening year, as an assessment closer to present is likely to be more conservative. While this approach is appropriate in principle, further clarification is required on how the 2031 concentrations were estimated when background concentrations are only available up to 2030.
- 8.7 The Elephant and Castle modelled concentration within Defra's background maps is 33.9  $\mu\text{g}/\text{m}^3$  and the measured background concentration at the Elephant and Castle continuous analyser is 39  $\mu\text{g}/\text{m}^3$ . Clarification is required on why the background maps were not adjusted following a comparison of Defra modelled background and Elephant and Castle measured concentrations.
- 8.8 Defra's modelled background concentrations contain contributions from different modelled sources e.g. road, rail, point and many more. Certain sources can be removed through a process called 'sector removal' to prevent double counting of sources included in the dispersion modelling. It is not clear whether any sectors have been removed from Defra's background maps. Further clarification is required on any sector removal methodology applied.

- 8.9 In section 1.1.61 of Appendix 10.2 it is mentioned that Waterman's monitoring survey diffusion tubes were used in model verification. Further clarification is required on the reason for excluding Southwark's diffusion tubes from model verification.
- 8.10 With the exception of the above clarification, model verification has been reviewed and it meets the requirements of LAQM.TG(16). Agreement is reached with the consultant in Appendix 10.2 section 1.1.65 that there is no systematic under or over-prediction and there appears to be no justification to develop model zones to improve the root mean statistical error (RMSE). Clarification is required on whether the RMSE of 5.1 could cause a risk of exceeding the AQS objective at R17 in all the completed development scenarios in table A9 of Appendix 10.3.
- 8.11 The applicant's consultant has satisfactorily captured the sensitive receptors introduced with the detailed planning application. In addition, a comprehensive set of existing receptors have been captured to include, human health and ecological features. However, further information will be required on the predicted concentrations at land uses within the outline planning application.
- 8.12 It is agreed that the outcome of the IAQM construction dust assessment should be classed as "High Risk" in paragraph number 10.108. The necessary mitigation proposed for the construction dust generated should be adopted as a planning condition. However, it is not clear what EURO standard vehicles have been assumed for the emission calculations of construction vehicles in section 10.109 of the ES, this is especially important given the EURO standard requirements within the GLA's supplementary planning guidance on construction. Further clarification is required on the EURO standards assumed for the construction traffic during dispersion modelling.
- 8.13 As it stands, agreement cannot be reached that construction impacts are negligible as the current construction assumptions result in a moderate impact. This outcome was reached using a very conservative scenario of peak daily construction vehicles operating for a whole year, as mentioned in section 10.17 of the ES. It is common during air quality assessment to use realistic assumptions to demonstrate whether there is a negligible impact. However, a negligible impact cannot be concluded on the basis of the current modelling. More realistic assumptions may result in a negligible result, but this can't be concluded until demonstrated through modelling evidence.
- 8.14 It appears that the concentrations have only been predicted at existing receptors and proposed receptors within the detailed planning application. This was determined as there is only 1 figure for receptors (Figure 10.3, which refers to existing receptors). Further information is required on what the predicted energy centre concentrations are at the proposed developments sensitive receptors in 2031, to include predicted concentrations at the closest floor level to the energy centre and ground floor.
- 8.15 In section 10.148 of the ES it is mentioned that the largest increase of NO<sub>2</sub>, a "moderate adverse" increase of 4.0 µg/m<sup>3</sup>, would occur in the max residential scenario along the Lower Road Air Quality focus area. This increases to 4.5 µg/m<sup>3</sup> in the max office scenario. In both scenarios receptor 17 is at risk of exceeding the NO<sub>2</sub> annual mean in an area targeted for air quality improvements. Whilst efforts have been taken to demonstrate a conservative methodology with CUREDv3, conservative projections should stand and optimistic reductions in fleet should not be assumed to achieve better air quality predictions, particularly in view of the history of inaccurate clean fleet projections. As such, an increase in this area is not acceptable and further information is required on how scheme contributions along Lower Road can be reduced and mitigated to a level which does not constitute a "moderate adverse" impact.
- 8.16 From reviewing the "Heating and Energy Strategy" chapter in Appendix 10.2, clarification is required on the operating duration of the energy centres included in the detailed and outline planning application.
- 8.17 Based upon the floor space provided in the AQ neutral assessment in appendix 10.4, there is agreement that the detailed planning application is air quality neutral. However, no air quality neutral assessment has been completed for the outline planning application and the requirement to undertake such an assessment as part of subsequent reserved matter / details submissions should be included as a planning condition.

## Secondary, Cumulative and Combined Impacts

- 8.18 Clarification is required on inclusion of energy centres/CHP/Gas boilers in the detailed planning scenario concentrations in table A1 Appendix 10.3.
- 8.19 The construction vehicle emissions related to the outline planning application has not been considered along with the detailed planning operational scenario. Consideration should be given to a planning condition to require a detailed construction dispersion model for any reserved matter / detailed planning applications made subsequent to the outline planning application. This should demonstrate that the cumulative impact of the detailed operational scenario and outline construction planning application do not result in any exceedance of air quality standards. In addition, this should also demonstrate that no material change (>1%) in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> occur in areas with an exceedance of air quality standards (current standards at time of assessment).

## Mitigation and Management

- 8.20 The construction dust mitigation measures are considered appropriate. Following on from comment 8.15, further information is required on how the outline planning road NO<sub>2</sub> contributions from the maximum office and residential scenarios can be reduced.

## Non-Technical Summary

- 8.21 The Non-Technical Summary should be updated to reflect changes required as a result of this review.

Code	Summary of Clarifications Required from Applicant
AQ1	Particulate monitoring does not appear to feature within the ES, clarification is required that Southwark Borough Council agreed to no particulate monitoring.
AQ2	Further clarification is required on consideration of the proposed Tesco relocation.
AQ3	Further clarification is required on how the 2031 concentrations were estimated when background concentrations are only available up to 2030.
AQ4	Clarification is required on why the background maps were not adjusted following a comparison of Defra modelled background and Elephant and Castle measured concentrations
AQ5	It is not clear whether any sectors have been removed from Defra's background maps, further clarification is required on any sector removal methodology applied.
AQ6	Further clarification is required on the reason for excluding Southwark's diffusion tubes from model verification.
AQ7	Further clarification is required on the EURO standards assumed for the construction traffic during dispersion modelling.
AQ8	Clarification is required on the operating duration of the energy centres included in the detailed and outline planning application.

AQ9	Clarification is required on whether the RMSE of 5.1 could cause a risk of exceeding the AQS objective at R17 in all the completed development scenarios in table A9 of Appendix 10.3.
AQ10	Clarification is required on inclusion of energy centres/CHP/Gas boilers in the detailed planning scenario concentrations in table A1 Appendix 10.3.
<b>Code</b>	<b>Summary of Potential Regulation 22 Information Requests to be made to Applicant</b>
AQ11	Given that the conservative construction impacts demonstrate a moderate impact, further information is required on impacts with a more realistic scenario and/or appropriate mitigation, to demonstrate acceptable mitigation of construction impacts on air quality.
AQ12	Further information is required on what the predicted energy centre concentrations are at the proposed developments sensitive receptors in 2031, to include predicted concentrations at the closest floor level to the energy centre and ground floor.
AQ13	Further information is required on pollutant contributions from road and energy centre, both individually and cumulatively, to understand whether air quality is suitable for the proposed land use in the outline planning application.
AQ14	Further information is required on how the forecast moderate adverse impacts of the scheme at Lower Road Air Quality Focus Area can be mitigated in the "max office" and "max residential" outline planning scenarios, to demonstrate acceptable mitigation of operation phase impacts on air quality.
AQ15	The Non-Technical Summary should be updated to reflect changes required as a result of this review.
<b>Potential Planning Conditions</b>	
<ol style="list-style-type: none"> <li><b>1.</b> Include construction dust mitigation measures as a planning condition.;</li> <li><b>2.</b> Consideration should be given to a planning condition to require a detailed construction dispersion model for any revisions to the outline planning application. This should demonstrate that the cumulative impact of the detailed operational scenario and outline construction planning application do not result in any exceedance of air quality standards. In addition, this should also demonstrate that no material change (&gt;1%) in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> occur in areas with an exceedance of air quality standards (current standards at time of assessment);</li> <li><b>3.</b> A condition for the outline planning application should be, during any subsequent reserved matter applications on the outline consent, that an air quality neutral assessment is undertaken.</li> </ol>	

## 9 Review of Chapter 11: Ground Conditions and Contamination

### Scope of EIA

- 9.1 The EIA assesses the likely effects of land contamination, including groundwater contamination, on identified receptors. Effects arising from ground conditions associated with geological and geotechnical issues are not included in the assessment. This is in accordance with the Scoping Report.
- 9.2 The assessment is undertaken in accordance with Defra and the Environment Agency's 'Model Procedures for the Management of Land Contamination' (CLR11). The assessment makes no reference to the legislative and regulatory context, nor to the wealth of statutory and non-statutory guidance that informs contaminated land assessment and the reason for this should be clarified.

### Baseline

- 9.3 Much of the site comprises infilled former dock, with Made Ground to depths of up to 13m. Elsewhere, Made Ground is anticipated to be present to depths of 3m bgl. Natural Strata underlying the Made Ground comprise alluvium (3 – 4m), the Kempton Park Gravel (2 – 5m), the Lambeth Group (6 – 14m), the Thanet Formation (11 -13m) and the Chalk (>100m). The alluvium is a secondary (undifferentiated) aquifer, the Kempton Park Gravel, Lambeth Group and Thanet Formation are secondary (A) aquifers, and the Chalk is a Principal aquifer.
- 9.4 The site was used primarily as a dock, with associated warehouses, yards, factories, timber works and railway lines. Subsequent potentially contaminative land uses include the Harmsworth Quay Printworks, the Surrey Quays shopping centre, a petrol station, and electrical substations.
- 9.5 Two disused boreholes are located within the site boundary, formerly abstracting groundwater from the Chalk Aquifer. There are several groundwater abstractions within 1km of the site, the nearest of which is 264m from the site.
- 9.6 The London Underground Line and London Overground Line both underlie the site, and the route of the Thames Tideway Tunnel also underlies the site.
- 9.7 Risks of Unexploded Ordnance across the site range from high to low.
- 9.8 Local surface waters are identified as the River Thames. There is no mention of the surface water bodies observed in Southwark Park c.470m southwest and in the Russia Dock Woodland c. 330m northeast of the site. Artificial water bodies are identified as the Albion Channel, linking the Surrey Quay 475m north, and the Greenland Dock 50m south. There is one surface water abstraction within 1km of the site, 783 m to the northeast. The water bodies in Southwark Park and Russia Dock woodland should be included in the assessment and this is sought as further information.
- 9.9 Previous site investigation reports are available for parts of the site which indicate that there are elevated concentrations of lead, mercury and hydrocarbons in soil, and asbestos is also present in soil. Groundwater is impacted by cyanide, sulphur, phenol and total petroleum hydrocarbons. Sediment at the base of Canada Water is impacted with arsenic, cadmium, copper, lead, mercury, zinc and polycyclic aromatic hydrocarbons.

## Assessment

- 9.10 The significance criteria by which the assessment is undertaken is set out in Table 11.1. These criteria are highly qualitative and would benefit from some objective definitions, for example 'exceedance of drinking water standards' or 'would result in the land being capable of being designated as Contaminated Land under part 2A of the Environmental Protection Act'. Examples can be found in CIRIA C552 (2002) 'Contaminated Land Risk Assessment, A Guide to Good Practice'. This is sought as a clarification.
- 9.11 The significance criteria in Table 11.1 include an assessment of whether the site is 'high', 'medium' or 'low' risk, but there is no definition of what constitutes a high, medium or low risk site, and the site itself has not been categorised as high low or medium risk within the assessment. This is sought as a clarification.
- 9.12 The significance criteria in Table 11.1 do not include a description of significance of effects on the built environment; when effects on underground railway structures are assessed, it is unclear how the significance of effects has been evaluated. Inclusion of significance criteria for the built environment would also assist an assessment of effects on buildings due to ground gases, which has been omitted from the assessment. These details are sought as clarifications and further information.
- 9.13 Potential pollutant linkages are identified (11.45 and 11.46), prior to environmental receptors being identified (11.47). It is usual to identify sources, pathways and receptors prior to assessing which sources may be linked to which receptors, and describing the resultant potential pollutant linkages (CLR11). The potential pollutant linkages described are often descriptions of sources, or sources and pathways but do not always identify the relevant receptor. This leads to difficulty mapping the potential contaminant linkages onto the assessment of effects in paragraphs 11.49 to 11.142. The definition of sources, pathways and receptors and identification of potential pollutant linkages to include a source, pathway and receptor, in accordance with CLR11 (11.45 and 11.46) is sought as a clarification.
- 9.14 Potential receptors are identified as construction workers and visitors, off-site residents (including residents occupying completed parts of the development whilst other parts are under construction), buried structures and services, vegetation in soft landscaping, secondary aquifers, the Principal Chalk aquifer, flora and fauna present within the site, at Canada Water Dock, Greenland Dock, Russia Dock Woodland and Southwark Park.
- 9.15 The Chalk is not considered to be a receptor during the development phase, although no explanation is given. As there are abstraction boreholes on the site creating potential pathways to the Chalk Aquifer, and as piling will be ongoing throughout the construction phase, the Chalk aquifer should be included as a receptor effects assessed in the construction phase. This is sought as further information.
- 9.16 The only controlled waters receptors identified are the secondary and principal aquifers below the site; surface water bodies (including those in Southwark Park and Russia Dock Woodland) and groundwater and surface water abstractions should also be included. This is sought as further information.
- 9.17 Buildings should be included as receptors as they may be subject to migration of explosive ground gas or vapour. This is sought as further information.
- 9.18 The effects of ground gas and vapour on off-site human health receptors (including residents of completed parts of the development whilst other parts are under construction) is not considered and should be provided as further information.
- 9.19 The effects of contamination on construction workers are considered to be insignificant, as they will be protected by health and safety regulations. It is not clear that risk assessments undertaken to protect site workers will be informed by the results of site investigations, and this is considered necessary to evaluate the types of contamination present and the health and safety measures required. This is sought as a clarification.
- 9.20 The assessment of the effects of exposure to contaminated soils by inhalation of dust and vapour is of minor significance (11.55, 11.58). Given that soils may be impacted with asbestos, and that

the site may be impacted with carcinogenic vapours, the effects are considered potentially of major significance. This is sought as a clarification.

- 9.21 The potential risk of vapour migration and risks to human health and buildings arising from leaks and spills during decommissioning and demolition of the petrol station are not considered and is sought as further information.
- 9.22 Effects on underground railway infrastructure are assessed, although they are not identified as a receptor in 11.47, nor is there any information regarding the significance criteria to be applied to underground railway infrastructure in Table 11.1. Clarification is sought regarding the significance criteria used to evaluate railway infrastructure, and identification of railway infrastructure as a receptor is sought as further information.

The effects of migration of groundwater contamination on aquatic ecological receptors in designated sites of ecological importance should be included in the assessment. This is sought as further information.

- 9.23 It is not clear in paragraph 11.98 whether topsoil will be imported to the existing soft landscaping area within the Dock office Courtyard. If not, the effects on human health due to exposure to potentially contaminated soils should be considered. This is sought as a clarification.

## Secondary, Cumulative and Combined Impacts

- 9.24 The combined effects of ground conditions and ecology have been assessed for the Canada and Surrey Waters SINC as moderate adverse to moderate beneficial during construction and as minor to major beneficial for the completed development.
- 9.25 Cumulative effects of the proposed development with other developments in the vicinity have not been considered for Ground Conditions and Contaminated Land. This is considered an omission, as site boundary monitoring for dust (including asbestos) is likely to be required during the construction phase, and the setting of safe limits will need to take into consideration exposure of the public to multiple sources of dust. This is sought as further information.

## Mitigation and Management

- 9.26 Mitigation is identified as site investigation and development of a detailed remediation strategy for each phase. Consideration should be given to mobile contamination that may migrate across phase boundaries, such as gas, vapour, and groundwater contamination. This is sought as further information.
- 9.27 A construction management plan will control dust, prevent run-off from stockpiles, ensure safe and environmentally protective means of handling and storing hazardous liquids/materials, and provide procedures for environmental protection.
- 9.28 The chalk abstraction boreholes will be investigated and decommissioned if appropriate. There will be management of UXO risks during underground works, and a foundation works risk assessment (FWRA) is proposed to protect the Chalk aquifer. The FWRA should include consideration of the effects of contaminated sediment at the base of Canada Water on risks to the secondary and Chalk aquifers when piling in this area. The secondary aquifers will require protection as well as the Chalk Aquifer.
- 9.29 Mitigation for the effects of sediment mobilisation by the surface water drainage system is not discussed, although Table 11.6 suggests that sediments may be removed from the site. Clarification is required.
- 9.30 There is a copy and paste error in Row 3 of the 'Completed Development' 'Detailed Proposals' section of Table 11.6. The mitigation measures proposed here to deal with groundwater contamination actually deal with ground gas. This error should be rectified as a clarification.

- 9.31 There is a copy and paste error in Row 3 of the 'Completed Development' 'Detailed Proposals' section of Table 11.6. The mitigation measures proposed here to deal with groundwater contamination actually deal with ground gas. This error should be rectified as a clarification.

## Non-Technical Summary

- 9.32 The non-technical summary is broadly an appropriate summary of Chapter 11, however ground gases are omitted. Ground gases and vapour should be included as potential contaminants, and the likely need for gas protection measures should also be included.
- 9.33 Investigation and potential decommissioning of existing boreholes on site should be included in the non-technical summary
- 9.34 Decommissioning of the petrol station should be included in the non-technical summary. These items are sought for the NTS as further information.
- 9.35 The Non-Technical Summary should be updated to reflect changes required as a result of this review.

Code	Summary of Clarifications Required from Applicant
GC1	Clarification is required of the regulatory context of the assessment, and the statutory and non-statutory guidance that has informed the assessment.
GC2	Clarification is required of the qualitative descriptions of significance criteria in Table 11.1, for example 'improvement' 'acceptable levels' 'moderate', 'minor' 'reduction' with reference to legislation or guidance such as the Water Framework Directive or Contaminated Land Regulations (see CIRIA C552 for examples).
GC3	Clarification of what constitutes a low, medium or high risk site classification in Table 11.1 and how/whether the site has been classified.
GC4	Clarification is sought to be provided with regard to the significance criteria for the built environment. This detail should be included in Table 11.1, so that it is clear how effects on underground railway infrastructure have been assessed.
GC5	Sources, pathways and receptors should be defined. Potential pollutant linkages should then be identified to include a source, pathway and receptor, in accordance with CLR11 (11.45 and 11.46)
GC6	It is not clear that risk assessments undertaken to protect site workers will be informed by the results of site investigations, and this is considered necessary to evaluate the types of contamination present and the health and safety measures required. Clarification is required.
GC7	Clarification is required of why the assessment of exposure to contaminated soils by inhalation of dust and vapour is of minor significance (11.55, 11.58) when this may entail exposure to asbestos and carcinogenic vapours.
GC8	It is not clear in paragraph 11.98 whether topsoil will be imported to the existing soft landscaping area within the Dock office Courtyard. If not, the effects on human health due to exposure to potentially contaminated soils should be further considered.
GC9	Clarification is required that the FWRA will include consideration of the secondary aquifers as well as the Chalk aquifer, and will consider risks due to contaminated sediment if piling through Canada Water.

GC10	The copy and paste error in Row 3 of the 'Completed Development' 'Detailed Proposals' section of Table 11.6 should be rectified.
<b>Code</b>	<b>Summary of Potential Regulation 22 Information Requests to be made to Applicant</b>
GC11	Clarification is required as to how the phased site remediation strategy will deal with mobile contaminants which may migrate across phase boundaries
GC12	Water bodies in Southwark Park and Russia Dock woodland should be included in the assessment and identified as receptors.
GC13	The Chalk Aquifer should be included as a receptor in the construction phase. Surface water bodies and surface water and groundwater abstractions should be included in the assessment.
GC14	The built environment, including buildings and underground railway infrastructure, should be included in the list of receptors (11.47, 11.48) and effects of ground gases on the built environment should be included in the assessment.
GC15	The effects of ground gas and vapour on off-site human health receptors (including residents of completed parts of the development whilst other parts are under construction) should be considered.
GC16	The potential risk of vapour migration and risks to human health and buildings (including off-site) arising from leaks and spills during decommissioning and demolition of the petrol station should be considered
GC17	The effects of contaminated groundwater on aquatic ecological receptors in designated sites of ecological importance should be included in the assessment.
GC18	Cumulative effects with other demolition and construction projects in the vicinity should be considered, due to the potential for off-site receptors to be affected by dust generated from multiple sites.
GC19	Mitigation of the effects of surface water drainage on mobilisation of contaminated sediment in the completed development should be discussed to clarify the measures outlined in Table 11.6
GC20	The following should be included in the non-technical summary: <ul style="list-style-type: none"> <li>• Ground gases and vapour and the likely need for gas protection measures</li> <li>• Investigation and potential decommissioning of existing boreholes on site</li> <li>• Decommissioning of the petrol station</li> <li>• The Non-Technical Summary should be updated to reflect changes required as a result of this review.</li> </ul>
<b>Potential Planning Conditions</b>	
<p>A pre-commencement planning condition requiring site investigation, risk assessment, remediation and verification for each phase of the site is required. Consideration should be given to how mobile contamination such as groundwater, gas and vapour that may cross phase boundaries will be dealt with. Each stage of site investigation, risk assessment, remediation and verification should be approved by the Local Authority prior to the next stage commencing.</p>	
<p>A pre-commencement planning condition requiring a Foundation Works Risk Assessment is required. The foundation solution for the site should be approved by the Environment Agency and Local Authority in writing prior to implementation.</p>	

Measures to control impacts on ground conditions including the mitigation measures identified in Table 11.7 of the ES should be secured through planning conditions.

Measures to control impacts on ground conditions should be included in a CEMP and be subject to approval by the LPA in advance of development commencing.

# 10 Review of Chapter 12: Water Resources and Flood Risk

## Scope of EIA

- 10.1 Chapter 12: Water Resources and Flood Risk and Chapter 17, cumulative effects, were reviewed along with associated figures and Appendix 12.1 Flood Risk Assessment.
- 10.2 The scope of the chapter covers the likely significant effects on water resources and flood risk from the Development. The chapter focuses on effects to water quantity (in regard to surface waters and ground waters) but does not cover water quality for these receptors. Paragraph 12.3 states that the likely significant effect on surface and groundwater quality is assessed separately in Chapter 11: Ground Conditions and Contamination. This approach is considered acceptable.
- 10.3 A list of documentation is provided that informs the assessment however this list makes no reference to the legislative and regulatory context and associated statutory and non-statutory guidance (with the exception of reference to the Southwark Council SFRA). The reason for this should be clarified.
- 10.4 The scope covers the potential impact of the development on flood risk to the site and offsite, and potable water demand and existing storm water and foul water drainage infrastructure capacity. Water supply to Canada Water has been a primary consideration in the drainage strategy.
- 10.5 Section 12.10 of the ES acknowledges the scoping responses to the scoping report. There is however still some uncertainty in regard to whether the existing licence for groundwater abstraction to 'top up' Canada Water will be used (a point raised in the scoping response). It should be clarified whether additional groundwater abstraction is proposed as part of the development, what the abstraction rate would be and likely impact of this additional abstraction on the underlying Chalk Principal Aquifer which has a Water Framework Directive classification of Poor.

## Baseline

- 10.6 The hydrology of Canada Water is appropriately described. It is noted that Surrey Water is tidally influenced but Albion Channel is not. As a primary route for flood risk, clarification as to its hydraulic connectivity. i.e. how is Surrey Water tidally influenced (and defended) and what is the level of the weir between Surrey Water and the Albion Channel that prevents tidal influx to the Albion Channel and Canada Water is sought from the applicant.
- 10.7 Section 4.24 of the FRA included in Appendix 12.1 states that: "*In line with the drainage hierarchy, where possible, surface water runoff from the Site would discharge to Canada Water Dock and Greenland Dock*". There is no baseline description (in terms of hydrology, operation and flood defences) of the Greenland Dock despite its proximity to the site and the approval from the Southwark Council Harbour Master for unrestricted discharge to this feature. This is sought as further information.
- 10.8 The site hydro-geology, surface and foul water drainage and water supply are appropriately described. As is the surface water, ground water and pluvial flood risk.

## Assessment

- 10.9 The impact of the proposed basement construction on groundwater flows has been assessed during construction and operation. Section 12.77 states that the proposed basements have the

potential to displace existing groundwater flows in the Kempton Park Gravel Member however the existing dock walls are likely to be influencing groundwater levels and therefore impacts are considered insignificant. Further monitoring is stated as being required.

- 10.10 Section 12.77 conflates the mitigation with the assessment – the effect is deemed to be negligible because groundwater monitoring and detailed design will be undertaken to ensure groundwater flows can be maintained around the structure. The pre-mitigation effect should be stated, and the monitoring and detailed design (effectively a basement impact assessment) should be explicitly stated as mitigation.
- 10.11 The potential impact of construction activities on surface water drainage, and water supply is appropriately described.
- 10.12 The impacts of a breach in flood defences on the detailed application during the life of the development is assessed in Section 12.89 of the ES. Deal Porter Way provides high ground that prevents flooding to Plot A1 from a flow route via Canada Water. This therefore provides a key defence and a planning condition is recommended to ensure that this road embankment maintains such a level of protection.
- 10.13 The impacts of a breach in flood defences on the wider outline application during the life of the development is assessed in Section 12.91 of the ES and subsequent paragraphs. The ES reports that Development Zone M could potentially be affected by up to 0.97m of flooding in a breach scenario. Uses within this zone include a clinic, a health centre, crèche or day nursery classified as 'More vulnerable' by the NPPF. Mitigation is offered in the form of safe access to upper levels and to adjacent higher ground.
- 10.14 The ES also reports that in order to tie into the existing ground levels of the underpass the finished flood levels of the adjacent Development Zone E would need to be set at a minimum of 3.90m AOD in this location and could therefore potentially be affected by up to 1.37m of flooding in a breach scenario. Here the ES states that where 'more vulnerable' uses could be included within the breach flood risk areas, they would be designed appropriately to ensure safety of occupants. To pass the exception test, a sequential approach should be taken to development site layout, such that within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location. Additional information is requested as to the overriding reasons for locating 'More Vulnerable' development within areas at risk of flooding from flood defence failure.
- 10.15 The FRA states that this has been approved by the EA and Southwark Council and refers to meeting minutes included in Appendix F. Appendix F appears to be missing from the FRA and this is sought as further information. The assessment of Development Zone E (And M) states that such flooding would be insignificant. Considering the depth of flooding, it is likely that such flooding, if to occur, would be of high significance to those occupants and businesses if required to evacuate and there were not appropriate flood warning and evacuation measures in place and appropriate resistance and resilience measures provided to minimise damage and aid recovery. Consequently these should be included where it is not possible to raise floor levels or re-allocate more vulnerable uses to areas of lowest flood risk. This is sought as additional information and is needed to demonstrate that the Exception Test is passed.
- 10.16 The need to provide resistance and resilience measures is emphasised in the Council's SFRA (to pass the Exception Test), in Section 5.1 of Southwark Council Developers' Guide for Surface Water Management and in the consultation documentation with the Environment Agency. Consequently it is recommended that finished floor levels are raised for these plots at risk (as per SFRA guidelines), or at a minimum, appropriate flood resilient and resistant measures and a flood warning and evacuation plan are provided. It is recommended that this is specified as a planning condition. A statement clarifying whether or not the plots at risk of flooding include basements should be provided with the specification of basement access threshold level where relevant.
- 10.17 Section 12.98 to 12.103 of the ES assesses the impact of the detailed application and wider development during the lifetime of the development on groundwater flows. It states that groundwater monitoring would inform basement design which would mean that changes to groundwater flows would be insignificant. Further justification should be provided for this statement as the requirement for monitoring would suggest that impacts are at this stage are unknown and there is a possibility they could be significant.

- 10.18 Section 12.104 to 12.123 of the ES describes the proposed impacts on surface water drainage. Although impacts on water quality are not included in this chapter, Section 12.110 and 12.121 of the ES states that SuDS would be incorporated to ensure water quality is acceptable, particularly when discharging direct to Canada Water and Greenland Docks. Thus impacts are insignificant. It is recommended that for an insignificant conclusion, a least two SUDS treatments are implemented including a Downstream Defenders to separate out pollutants from storm water discharge when discharging direct to surface waters. It is recommended that this is specified as a planning condition.
- 10.19 The ES reports that a significant reduction in surface water runoff (at least 50% but not to greenfield runoff standards) will occur resulting in an insignificant impact to surface water drainage.
- 10.20 Impacts on foul water drainage capacity and potable water demand are appropriately assessed.

## Secondary, Cumulative and Combined Impacts

- 10.21 Cumulative effects have been adequately assessed in Chapter 17 Sections 17.62 to 17.66 of the ES.

## Mitigation and Management

- 10.22 The water chapter has mostly discussed mitigation as an integral element of the scheme design (i.e. the use of SUDS and other flood risk management measures).
- 10.23 A Construction Management Plan (CMP) will be provided to mitigate the risk of groundwater and surface water flooding during construction. This should be specified as a planning condition and provided to the council for approval prior to construction.
- 10.24 Groundwater monitoring is also specified as a mitigation measure to inform the detailed method of construction. Further information should be provided as to what mitigation measures will be provided in the event that monitoring shows groundwater pathways to be impacted. Basement waterproofing is specified as mitigation to prevent groundwater flooding of basements. It is recommended that a planning condition is specified for a basement impact assessment to evaluate the effects of the proposed basements on groundwater levels and enable detailed design of the basement to minimise impacts.
- 10.25 Water consumption reduction measures are specified to reduce water demand during construction and for the lifetime of the development including a commitment to meet the Southwark Council Sustainable Design and Construction Supplementary Planning Document (SPD)17 minimum and preferred standards of 105 l/person/day and 85 l/person/day. This should be specified as a planning condition.

## Non-Technical Summary

- 10.26 The Non-Technical Summary effectively summarises the chapter however a specific reference should be added to those sites at risk of flooding with a commitment to the provision of appropriate mitigation (including resistance and resilience measures and flood warning and evacuation plan where finished floor levels are below breach levels).
- 10.27 The Non-Technical Summary should be updated to reflect changes required as a result of this review.

Code	Summary of Clarifications Required from Applicant
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WR1	Clarification is required of the regulatory context of the assessment, and the statutory and non-statutory guidance that has informed the assessment.
WR2	Document ref: CWM_Minutes of meeting with LBS 2.2.16 FINAL.pdf states that an existing abstraction point may be used. Please clarify whether additional groundwater abstraction is proposed as part of the development, what the abstraction rate would be and likely impact of this additional abstraction.
WR3	Please clarify how Surrey Water is tidally influenced and what is the level of the weir between Surrey Water and the Albion Channel that prevents tidal influx to the Albion Channel and indeed Canada Water?
WR4	Section 12.77 conflates the mitigation with the assessment – the effect is deemed to be negligible because groundwater monitoring and detailed design will be undertaken to ensure groundwater flows can be maintained around the structure. The pre-mitigation effect should be stated, and the monitoring and detailed design (effectively a basement impact assessment) should be explicitly stated as mitigation.
<b>Code</b>	<b>Summary of Potential Regulation 22 Information Requests to be made to Applicant</b>
WR5	Provide a baseline description (in terms of hydrology, operation and flood defences) of the Greenland dock and assess potential impacts to this waterbody.
WR6	To pass the exception test, a sequential approach should be taken to development site layout, such that within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location. Additional information is requested as to the overriding reasons for locating 'More vulnerable' development within locations at risk of flooding from flood defence breach.
WR7	Provide Appendix F of the FRA.
WR8	For plots at risk of flooding from defence breach, very specific and robust mitigation measures should be specified to reach an insignificant impact conclusion. These should be specified (for example specification of raising of floor levels, resistance and resilience measures and flood and evacuation plan). A statement clarifying whether or not the plots at risk of flooding include basements should be provided with the specification of basement access threshold level where relevant. This should also be added to the Non-Technical Summary.
WR9	Provide further justification and clarify the level of certainty over the insignificant conclusion from the impact of the proposed basements on groundwater flows, in light of the stated need for additional monitoring. Please specify potential mitigation measures if groundwater pathways are shown to be impacted.
WR10	Further information should be provided as to what mitigation measures will be provided in the event that monitoring shows groundwater pathways to be impacted. Basement waterproofing is specified as mitigation to prevent groundwater flooding of basements.
WR11	The Non-Technical Summary should be updated to reflect changes required as a result of this review.
<b>Potential Planning Conditions</b>	

Groundwater monitoring at Plots A1, A2 and K1 and Foundation Works Risk Assessment. It is recommended that a planning condition is specified for a basement impact assessment to evaluate the effects of the proposed basements on groundwater levels and enable detailed design of the basement to minimise impacts.

Deal Porter Way road levels adjacent to plot A1 should be retained at a level that exceeds 5.61mAOD to ensure that no new flow routes are created that would cause flooding from Canada Water to Plot A1 in the event of a breach.

Plots that are at a residual risk of flooding should either have raised floor levels above the breach flood level or be provided with flood warning and evacuation plans and designed to include flood resistance and resilience measures as described in *Section 5.2.7 Flood Resistance and Resilience* within the Southwark Council SFRA.

At least two SUDS treatments including a Downstream Defenders should be included in the design to separate out pollutants from storm water discharge when discharging direct to surface waters.

A Construction Management Plan should be provided, which would include temporary measures to control surface water runoff from the site and adequately treats any polluted water discharging direct to surface waters from the construction site.

# 11 Review of Chapter 13: Ecology

## Scope of EIA

- 11.1 Table 13-2 clearly sets out the relevant parts of the EIA Scoping Opinion and how these have been responded to within the EIA. The issues identified in the ecology section of the EIA Scoping Opinion have been addressed within the ES.

## Baseline

- 11.2 The baseline is considered adequate to support the EIA. In line with the EIA Scoping Opinion, further information has been provided in Volume IV of the Technical Appendices, comprising the following reports: Preliminary Ecological Appraisal; Dock Offices Bat Survey Report; Canada Water Masterplan Bat Survey Report; Breeding Bird Survey Report; and Canada Water Dock Environmental Surveys Report (APEM).
- 11.3 These reports provide clear descriptions of the methodology used, with confirmation of adherence to appropriate best practice guidance where relevant and confirmation that surveys were led by experienced and suitably qualified surveyors. The baseline data collected is considered relevant and appropriate for the site and scale of development.
- 11.4 It is noted that an extended Phase 1 Habitat Survey of an additional parcel of land was carried out on the 19<sup>th</sup> December 2017, which is a sub-optimal time of year for identifying plant species. However, given the largely artificial nature of the site's habitats this is considered acceptable.
- 11.5 It is also noted that an additional bat emergence survey of Rotherhithe Police Station has been recommended for 2018; the results of which are not currently provided and it is not clear whether this survey has yet taken place. The ES provides appropriate justification, stating that the building is considered to be of low suitability for roosting bats and that considering the location of the site and the low levels of bat activity that were previously recorded within the vicinity of the building, any bat roosts if present are likely to be of low conservation significance. The absence of this survey data is therefore not considered to represent a significant constraint to the EIA.

## Assessment

- 11.6 Generally the assessment is broadly considered adequate. However, the approach to the assessment of significance deviates from the CIEEM EcIA guidance. This recommends that the allocation of a level of significance (such as minor or moderate) is not appropriate for ecological receptors, but that the geographical level at which an impact is deemed significant is identified. The approach taken therefore needs further justification with further clarification as to how this approach relates to the approach recommended in the guidance in terms of geographical significance.
- 11.7 The assessment scopes out receptors of below local value, however, impacts relating to features valued at site level have the potential to be significant, particularly in the highly urbanised context of Southwark. For example, the loss of a number of trees within the site would potentially be significant, given that these currently provide potential "stepping stones" for wildlife between Russia Dock Woodland and Stave Hill Nature Park LNR to the east, Southwark Park SINC to the west and Canada Water Dock (part of the Canada and Surrey Waters SINC) within the site. A Green Link incorporating a Tree Planting Strategy is proposed which would mitigate for this loss of trees and provide a potential enhancement for the site as a whole. This therefore does not affect the conclusions of the ES, however the proposals should be secured through an appropriately worded planning condition.

- 11.8 The mosaic of woodland and scrub habitats within the western edge of the Canada Water Dock was not assessed to be of geographical or legal importance, despite their location within the Canada and Surrey Waters SINC. Further justification is required for this level of value for the mosaic as it is considered that this is an important component of the SINC such that a higher value may be warranted. Currently no justification is provided as to why this would be valued at the Local level.
- 11.9 The assessment of habitats within the SINC is not consistent; for example in paragraph 13.76 the standing water is assessed to be of Borough value, given that it supports foraging and nesting birds, foraging bat species and given its status as a London BAP priority habitat and a key habitat of ecological importance in the Southwark Council BAP. Woodland and scrubland are also listed as habitats of key ecological importance in the Southwark Council BAP, provide opportunities for birds and bats and are likely to add to the ecological value of the SINC.
- 11.10 The proposed reprofiling of the western edge of the dock (as detailed in paragraphs 5.109 – 5.112 of the ES) will involve an increase in wetland habitats and is likely to result in the loss of some of the woodland and scrub mosaic. These proposals however are considered to represent an overall enhancement to the SINC. Furthermore, the creation of a Green Link is likely to provide sufficient mitigation for the small loss in woodland and scrub habitats within the site. However, the woodland and scrub mosaic currently provides a buffer between the wetland within the SINC and the adjacent roads, and it is not clear how the reprofiling works will affect this buffer. If the buffer is to be lost, then this is an impact that needs to be identified and appropriate mitigation provided.

## Secondary, Cumulative and Combined Impacts

- 11.11 The ES adequately discusses cumulative impacts associated with the scheme.

## Mitigation and Management

- 11.12 Mitigation measures are discussed for both demolition/construction and the completed development stages. Table 13.5 provides a clear summary of the likely significant and residual effects, and corresponding mitigation measures, which are considered to be appropriate.
- 11.13 To safeguard habitats and designated sites, environmental controls will be provided within a Construction Management Plan (CMP) and these are outlined in sections 13.134 and 13.138 of the ES. These measures are considered to be sufficient and appropriate given the nature of the site and the proposals.
- 11.14 Enhancement measures are provided in Chapters 5 and 13 of the ES. These include: the creation of a Green Link to improve connectivity between the Russia Dock Woodland and Stave Hill Nature Park LNR and Southwark Park SINC, incorporating habitat creation, planting for pollinators and tree planting to improve biodiversity; the incorporation of features for bats and birds; the incorporation of extensive green and brown roofs; a range of Sustainable Drainage Systems (SuDS); and habitat enhancement of the Canada Water Dock. The enhancement of the Canada Water Dock will be maintained through a Landscape Habitat Management Plan (LHMP), which would conform with BS 42020:2013 Section 11.1.
- 11.15 Further mitigation may be required if the reprofiling of the western edge of the Canada Water Dock will involve the removal of the existing buffer provided by the woodland and scrub mosaic.
- 11.16 The detailed design of these mitigation and enhancement measures should be provided prior to the commencement of development and secured through appropriately worded planning conditions.

## Non-Technical Summary

- 11.17 The NTS sufficiently outlines the effects identified within the ES Chapter 13: Ecology and the proposed mitigation and enhancement measures. The Non-Technical Summary should be updated to reflect changes required as a result of this review.

Code	Summary of Clarifications Required from Applicant
ECO1	Further justification and clarification is sought as to why the CIEEM significance criteria were not used and how the significance criteria used in the ES relates to the CIEEM EcIA guidance.
ECO2	Further justification is sought for the valuation of the woodland and scrub mosaic within the Canada Water Dock.
ECO3	Clarification is sought as to how the reprofiling of the western edge of the Canada Water Dock may affect the existing buffer provided by the woodland and scrub mosaic.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
ECO4	None.
Potential Planning Conditions	
Submission, approval and implementation of a CMP, which should be worded to make specific reference to the protection of ecological receptors, including designated sites and breeding birds. If possible, a single CMP should cover the entire development.	
Provision of detailed landscaping design.	
Provision of full details of the enhancement measures specified in Chapters 5 and 13 of the ES.	
Provision of long-term habitat management detailed within a LHMP.	
Provision of a detailed lighting design.	

## 12 Review of Chapter 14: Archaeology (Buried Heritage)

### Scope of EIA

- 12.1 Both the chapter and the Historic Environment Assessment (HEA) which inform it were prepared by qualified archaeological professionals at the Museum of London Archaeology (MOLA). Paragraph 14.6 indicates that the HEA and subsequently the chapter were carried out in accordance with the relevant planning and discipline specific guidance.
- 12.2 The chapter provides an overview of the assessment methodology, relevant baseline conditions, likely significant environmental effects and proposed mitigation measures. The assessment is limited to environmental effects resulting from the demolition and construction of the proposed development and does not include effects from the operational phase.
- 12.3 The consultee comments in relation to archaeology (ES vol. IV part 1 Technical Appendices paragraph 3.93) state that if geotechnical works are undertaken during the preparation of the ES, the results of geoarchaeological monitoring are to be included within the Archaeology (Buried Heritage) chapter as this will allow the most informed decision possible to be taken. None appears to have been done since receipt of this consultee response<sup>7</sup> and paragraph 14.8 states that the Archaeological Advisor required no pre-determination archaeological evaluation be undertaken in support of the ES.
- 12.4 This scope is broadly appropriate.

### Baseline

- 12.5 Full details of the baseline conditions are presented in the HEA and they are summarised in the ES chapter.
- 12.6 A 700m study area was reviewed in relation to archaeological assets. A list of the sources consulted is included in the HEA paragraphs 2.1.2 - 2.1.3 and in the main chapter in paragraph 14.7. The sources consulted are appropriate.
- 12.7 Although focusing on archaeological assets (e.g. buried remains) the baseline also includes listed buildings within 100m of the site, as well as registered parks and gardens. Given the scope of the chapter, the reason for inclusion of these assets is unclear and it would have been beneficial if they had been more clearly excluded from the baseline and assessment (it is acknowledged that this is partially done in paragraph 6.2.2), or if any related archaeological potential had been articulated.
- 12.8 A gazetteer of all of the assets in the study area is included in section 8 of the HEA. It is accompanied by a map of the assets (Figure 2) to which all assets may be cross-referenced.

### Assessment

- 12.9 The assessment methodology is set out in paragraphs 14.6 – 14.15 and tables 14.2-14.6. Table 14.1 provides a summary of the significance of heritage assets. It is welcomed that all designated heritage assets are treated as being of high/ very high significance.

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<sup>7</sup> Ground investigations were undertaken at the site in 2011, seemingly prior to the consultee response being received.

12.10 Significant effects prior to mitigation are discussed in paragraphs 14.14 – 14.56 and are usefully summarised in Table 14.6. Residual effects are stated in paragraph 14.62 and summarised in Table 14.7. It is stated that following mitigation all residual effects would be insignificant. The Applicant is asked to provide further justification for the reduction of all effects – especially those of major significance – to insignificant following mitigation, or to revisit how they have explained the way in which the proposed mitigation reduces all foreseeable or potential effects to this level. This clarification should be carried through to the NTS.

## Secondary, Cumulative and Combined Impacts

12.11 There is no discussion of cumulative effects. Whilst it is accepted that effects to archaeological assets are generally site specific so cumulative effects may not arise, some information on this is required within the ES. The applicant is to review the treatment of cumulative effects and add appropriate statements regarding them to the ES.

## Mitigation and Management

- 12.12 The HEA and ES suggest a phased mitigation strategy comprised of the geoarchaeological monitoring of geotechnical boreholes to clarify the depth and nature of any *in situ* alluvium and to refine the potential for prehistoric remains (paragraphs 14.58- 14.60 and 7.1.8).
- 12.13 Depending on the results, the next stage is suggested to comprise a targeted investigation (for remains of higher significance) and/ or an archaeological watching brief. It is indicated that these investigations would need to take place during the excavation of the proposed basements and that all works would need to be undertaken in accordance with an approved Written Scheme of Investigation (WSI) (paragraphs 14.60-14.61 7.1.10).
- 12.14 This mitigation strategy has been agreed with the Southwark Archaeological Officer who has stated that it may be secured via planning condition.

## Non-Technical Summary

12.15 The NTS provides a succinct summary of the archaeological potential of the site, the likely development impacts and the proposed programme of archaeological mitigation. It makes clear that there would be no effects on archaeological assets during operation. The Non-Technical Summary should be updated to reflect changes required as a result of this review.

Code	Summary of Clarifications Required from Applicant
ARC1	The Applicant is asked to provide further justification for the reduction of all effects – especially those of major significance – to insignificant following mitigation, or to revisit how they have explained it. This clarification should be carried through to the NTS.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
ARC2	The Applicant should provide a statement concerning cumulative effects on archaeological assets.
Potential Planning Conditions	
A phased archaeological investigation.	

## 13 Review of Chapter 15: Wind

### Scope of EIA

- 13.1 The wind microclimate chapter of the ES clearly describes the methodology used to conduct the EIA at the proposed development. The applicant has shown depth and understanding of wind microclimate theory and explains in detail why certain methods have been used in the assessment.
- 13.2 The applicant has built a 1:400 scale model of the proposed development and the surrounding infrastructure up to a radius of 480m from the centre of the proposed development. The model has then been tested in a boundary wind tunnel to recreate the expected wind microclimate conditions at the site. Wind tunnel assessments are a very robust method of replicating the wind microclimate conditions and the supporting technical report has outlined a sound methodology for conducting the wind tunnel assessment.
- 13.3 The applicant has ensured that both existing and new sensitive receptors such as thoroughfares, bus stops and entrances have all been captured in the EIA as well as public amenity, roof terraces and sitting areas. Amenity spaces and sitting areas have been assessed for the summer wind conditions, as this is when these spaces are expected to be utilised, which is a fair assumption for assessing the wind microclimate conditions at the site.
- 13.4 All meteorological data for wind speed and direction has been collected from surrounding airports and then adjusted to fit the expected conditions at the proposed development. The assessment will consider the wind microclimate in the summer months and in the winter (worst case) months.
- 13.5 The demolition and construction phase of the project has been assessed using the results of the baseline assessment and the professional judgement of a wind engineer. This is a standard process for developments in the London area and is satisfactory for the wind microclimate analysis of the proposed development.
- 13.6 All the wind data has been compared to the Lawson Comfort Criteria (LCC) for pedestrians in and around the proposed development. This is the industry standard practise and the LCC provides a ranking system for comparing wind speed data with pedestrian comfort. An analysis on strong winds compared against the Beaufort scale has also taken place, to rate wind speed against pedestrian safety.
- 13.7 Depending on the changes in LCC value between the baseline and completed developments the significance criteria will rate the change as either beneficial or adverse on a major to minor scale.
- 13.8 The EIA has considered the following configurations:
  - Configuration 1: Existing Site with existing surrounding buildings;
  - Configuration 2: Detailed Proposals (Plots A1, A2 and K1) with existing surrounding buildings including the buildings currently present within the wider Site;
  - Configuration 3: The Development (i.e. Detailed Proposals (Plots A1, A2 and K1) with Outline Proposals) and existing surrounding buildings. No roof level, terrace or balcony testing has been undertaken for the Outline Proposals; and
  - Mitigation (C2): Detailed Proposals (Plots A1 and A2) with existing surrounding buildings including the buildings currently present within the wider Site, landscaping and mitigation.
- 13.9 The baseline conditions of the assessment have included several cumulative developments in the surrounding area instead of as a cumulative assessment. This is because these developments will likely have been completed before construction on the proposed development begins and can be considered part of the existing surrounding infrastructure.

- 13.10 A detailed analysis of the Outline Proposals (such as balconies etc) has not been included in this assessment as final layout and locations have not been confirmed. Also, the Harmsworth Quays Printworks development is assumed to have been demolished as this is the worst case scenario. Not all possible configurations have been considered, however the most likely and worst case scenarios have been assessed. The initial configurations have also been considered without any landscaping to provide a worst case scenario for the assessment.

## Baseline

- 13.11 The majority of locations in the existing baseline conditions are suitable for their intended purposes throughout the area of the proposed development. There is one receptor, the entrance to the existing Ontario Point apartment building to the north of the site, which is one category windier than required for its intended purpose according to the LCC.
- 13.12 In the baseline conditions there were 2 occurrences of strong winds in excess of Beaufort Force 6 in the baseline configuration along Quebec Way adjacent to the Quebec Quarter development. However, it was considered that as the exceedance was marginal, and that these receptors represent a thoroughfare, that they were acceptable as the nuisance caused would be minor.

## Assessment

- 13.13 The wind microclimate effects during the demolition and construction phase are predicted to be insignificant, as the current and relatively calm wind speeds are not expected to increase after the demolition of the relatively low-rise structures. However, as the proposed development starts construction, it is expected that the wind microclimate values will move towards those of the completed development and mitigation should be constructed appropriately throughout the construction phase.
- 13.14 The results for the completed development generally show an increase in wind speed compared to the baseline levels, with some isolated receptors showing a reduction in wind speed. The thoroughfares throughout the proposed development remain satisfactory for intended purposes and are considered to have a beneficial to insignificant effect.
- 13.15 Most of the entrances throughout the proposed development also satisfy their LCC requirements and the wind microclimate is considered to have a beneficial to insignificant effect. There is one fire exit which is breaching the LCC requirements (receptor 182); however as this is a fire escape it is considered insignificant due to only being used in an emergency. Also, the entrance to the Ontario Point apartment to the north remains above the LCC requirements for an entrance but this remains consistent with the baseline conditions.
- 13.16 There are several receptor locations in the public amenity and terrace spaces throughout the proposed development which will require mitigation to satisfy the LCC requirements. Without mitigation they have a permanent adverse effect on the wind microclimate at these locations. There are also several locations throughout the proposed development which exceed Beaufort Force 6 wind speeds and may cause concern with pedestrian safety if appropriate mitigation is not installed.

## Secondary, Cumulative and Combined Impacts

- 13.17 In general, the results of the wind microclimate for the proposed development without the inclusion of the Outline Proposals remains the same with the inclusion of the Outline Proposals. However, there are some additional areas which now also require mitigation.
- 13.18 The location of entrances and public amenity spaces for the Outline Proposals is not known so the intended use of all receptors at the Outline proposals is not known with accuracy. There are many locations throughout the Outline Proposals which would satisfy the criteria for entrances, so it is

concluded that there should be no trouble in selecting suitable entrances for the Outline Proposals at a later date or through additional testing when the final designs have been confirmed.

- 13.19 The thoroughfares at the Outline Proposals all satisfy their LCC requirements apart from the passageway between Zone B and Zone C which requires additional mitigation to satisfy the LCC requirements for the thoroughfare. The ground amenity spaces at the Outline proposals are largely suitable for their intended uses, however there are several minor adverse impacts which will require mitigation to satisfy their LCC requirements. These locations, along with several other locations in the Outline Proposals, require additional testing once the detailed designs and massings have been confirmed to determine to what extent mitigation is required. These locations include the unconfirmed raised and ground amenity spaces, including entrances, roof terraces and balconies.
- 13.20 There are 30 occurrences of strong winds throughout the proposed development with the inclusion of the Outline Proposals. The analysis shows a number of receptors breaching Beaufort Force 6, 7 and even up to Beaufort Force 8. Winds at this speed pose a high threat to pedestrian safety and must be appropriately mitigated.

## Mitigation and Management

- 13.21 The demolition and construction phase does not specifically require any mitigation according to the applicant, as the wind microclimate effects during demolition and construction are predicted to be insignificant. However, the permanent proposed mitigation must be constructed before the proposed development can be occupied.
- 13.22 Mitigation at the completed proposed development (detailed proposals and existing surrounding buildings) was undertaken to ensure satisfactory wind microclimate conditions throughout the proposed development.
- 13.23 The seating at ground amenity area (receptor 129 – 131) have been relocated to areas with a calmer wind microclimate, removing the need to provide a physical barrier or mitigation measure.
- 13.24 The A1 podium terrace requires the following mitigation measures to ensure that each receptor satisfies their required LCC requirements. With the inclusion of all the proposed mitigation the A1 podium terrace should have an insignificant residual effect from the change in wind microclimate.
- 50% porous pergola on northeast of terrace
  - Two 3 m high potted trees on northwest of terrace
  - Six 3 m potted trees to the southeast of the terrace
  - Canopy to extrude 3 m out from the western and southern facades of the Plot A1 tower over the A1 podium terrace
  - 1.5m high screening required where seating is provided on the terrace
  - The south of the terrace should be inaccessible and turned into a planted or green roof space
- 13.25 Clarification is sought on the final design of the proposed mitigation measures as their description is not very detailed, for example should the 50% porous pergola cover the entirety of the northeast side of the terrace? Also, how high should the canopy be from the level of the podium terrace. A detailed description and or an illustrated drawing should be provided of all proposed mitigation in the chapter.
- 13.26 The applicant has concluded that areas subject to the strong winds (above Beaufort Force 6) do not require any permanent mitigation, as they are located in an area where they are unlikely to cause nuisance. Some of the locations noted for strong winds are in thoroughfares, others are only accessible to maintenance staff who, the applicant has suggested, should put a management scheme in place to reduce any safety risk to maintenance staff whilst operating in these areas.
- 13.27 For the cumulative analysis (Detailed Proposals + Outline Proposals) the applicant has suggested including a mixture of canopies, porous screening, tress, and landscaping to help mitigate the high wind conditions on the site. However, the applicant has stated that additional wind testing would be required to confirm the effectiveness of this once the Outline Proposals have a

completed and detailed design. LBS should request wind testing for all reserved matters applications.

- 13.28 Based on current predictions and massing calculations, the applicant does conclude that the expected wind microclimate impact of the Detailed Proposals + Outline Proposals would be insignificant, as there is sufficient space to provide adequate mitigation for any areas of high wind.

## Non-Technical Summary

- 13.29 The NTS is sufficient in describing the above results from the wind tunnel testing. The NTS also highlights all the major areas of concern, including a discussion that further wind testing is required to satisfy all the mitigation requirements for the Outline Proposals.

Code	Summary of Clarifications Required from Applicant
WM1	Clarification is sought on the final design of the proposed mitigation measures as their description is not very detailed, for example should the 50% porous pergola cover the entirety of the northeast side of the terrace? Also, how high should the canopy be from the level of the podium terrace. Detailed description and or an illustrated drawing should be provided of all proposed mitigation in the chapter
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
	None
Potential Planning Conditions	
<p>Many alterations are required to the A1 Plot podium and tower. These should be secured by way of a condition.</p> <p>Request wind testing for subsequent reserved matters applications.</p>	

# 14 Review of Chapter 16: Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare

## Scope of EIA

- 14.1 The EIA assesses the likely significant effects of the proposed development on daylight and sunlight to existing neighbouring residential properties, sunlight and overshadowing to existing surrounding amenity spaces and public open space, reflected solar glare on road users, and light pollution from the proposed office buildings within the detailed elements on the proposed outline elements within the proposed development. The scope of the EIA is considered appropriate.
- 14.2 Internal daylight and sunlight within the proposed development is treated as a design issue and covered in a separate report, rather than within the ES. That report is outside the scope of this ES chapter review.
- 14.3 Paragraph 16.6 notes that a separate standalone Daylight and Sunlight Report has been produced by the applicant's consultant, which considers the daylight and sunlight effects that "do not comply with the relevant guidance and policy explained in the methodology to this Chapter of the ES". The standalone report "considers those effects alongside other relevant factors as part of the planning balance judgement for the purpose of determining the application. [It] does not contain any additional technical information that has not been assessed as part of the ES and does not form part of the ES". The separate standalone Daylight and Sunlight Report is outside the scope of this ES chapter review.
- 14.4 The assessment scenarios (i.e. baseline condition and proposed development, being a combination of the detailed proposals (plots A1, A2 and K1) and outline proposals for the remainder) are considered appropriate. As the outline proposals are based on maximum parameters massing, the resulting impacts are a worst-case scenario. At paragraph 16.94 of the ES it is proposed that a condition be imposed on any planning permission requiring a subsequent submission at the reserved matters stage of further information to demonstrate whether a deviation within the permitted parameters would result in any variance to the impacts identified in the ES.

## Baseline

- 14.5 The existing levels of daylight, sunlight and overshadowing have been calculated in the baseline condition using the appropriate BRE assessment methodology. The baseline assessment is considered acceptable, although see comments below regarding the Alternative Target Values that have been adopted.

## Assessment

- 14.6 The methods of assessment used are in accordance with relevant guidelines and are appropriate, as is the scoping of the assessments.
- 14.7 The significance criteria adopted for the assessment of the potential impacts on daylight and sunlight to existing surrounding dwellings, summarised in Table 16.3, are not agreed. The agreed significance criteria were put forward in Waterman's Environmental Briefing Note No. 32 (June 2017), which were to be based on the initial numerical criteria (insignificant = BRE adherent or 0% to 20% change, minor = 21% to 30% change, moderate = 31% to 40% change, major =

>40% change) plus use of professional judgment and consideration of the proportion of rooms/windows affected in a property, the percentage alteration in light, absolute changes, and any other relevant or mitigating factors, such as balconies, overhangs or design features which may also affect the determination of assigning the criteria.

- 14.8 Instead, the ES has adopted very different significance criteria for impacts on daylight and sunlight to neighbouring buildings, stated in Table 16.3, which are largely based around adherence to 'Alternative Target Values' that are up to 45% lower than the BRE standard numerical guidelines. The basis for and use of these Alternative Target Values is not accepted. In support, the following observations are made:
- Appendix I of the BRE guide provides advice on using its guidelines for EIAs. This sets out a range of factors that may influence the significance of the impacts, including the number of impacts that are outside the BRE guidelines, the margin by which they are outside, the sensitivity of the receptors in terms of the strength of their requirement for daylight and sunlight, whether the receptors have other sources of light and whether there are particular reasons why an alternative, less stringent, guideline should be applied (see Appendix F of the BRE guide).
  - Appendix F provides advice on setting alternative target values for daylight and sunlight. This notes that the numerical target values are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. Such alternative targets may be generated from the layout dimensions of existing development or be based on an extant planning permission. Table F1 of the BRE guide gives various building-to-building angles of long, uniform obstructions and their corresponding VSC values. An example is given of a narrow mews in an historic city centre where the VSC values derived from the obstruction angle could be used as a target value for development in that street if new development is to match the existing layout. The guide notes that a similar approach may be adopted in cases where an existing building has windows that are unusually close to the site boundary and taking more than their fair share of light. In that case, to ensure that new development matches the height and proportions of existing buildings, the VSC and APSH targets for the relevant windows could be set to those for a 'mirror-image' building of the same height and size, an equal distance away on the other side of the boundary.
  - Nowhere do Appendices I or F of the BRE guide support the hypothesis advanced in the ES that in high-density urban areas it is generally appropriate to adopt alternative target values that are significantly lower than the standard BRE numerical guidelines, without at least demonstrating that the alternative target values are derived from building-to-building angles that are typical of the area in question.
  - The guidance in the Mayor of London's Housing SPG (2016) relating to application of the BRE guidelines is acknowledged; in particular, the advice that the degree of harm on adjacent properties should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London and that decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm. However, those are arguments that may be used in seeking to justify that impacts, whilst significant, are nonetheless acceptable. The separate standalone Daylight and Sunlight Report is the correct medium for making those arguments. They do not provide justification for the Alternative Target Values adopted within the ES.
  - It is questionable whether the Alternative Target Values adopted are reflective of broadly comparable residential typologies within the area or other areas of a similar nature. It is submitted that the surrounding area does not have the character a high density urban area of the type that the adopted Alternative Target Values might be representative of.
- 14.9 For the above reasons it is suggested that the parts of the ES chapter that deal with impacts on daylight and sunlight to existing surrounding dwellings should be re-drafted based on the agreed significance criteria contained in Waterman's Environmental Briefing Note No. 32 (June 2017) and the advice given in Appendices I and F of the BRE guide.

- 14.10 The significance criteria adopted for the assessment of the potential impacts on sunlight and overshadowing to existing surrounding amenity spaces, reflected solar glare on road, and light pollution from the proposed office buildings are considered acceptable.
- 14.11 The ES Chapter clearly describes the impacts on the surrounding receptors. Where these relate to daylight and sunlight to existing surrounding dwellings, they are described by reference to both the BRE 'base' or standard numerical guidelines and to the adopted Alternative Target Values and significance criteria. As a consequence, the significance attributed to the some of the impacts is likely to be lower than it would be, had the agreed significance criteria been adopted. The description of the likely significant daylight and sunlight effects is therefore not accepted and should be re-presented based on the agreed significance criteria.
- 14.12 No comments are raised on the significance of the impacts on sunlight and overshadowing to existing surrounding amenity spaces and public open space, reflected solar glare on road users, or light pollution to the outline parts of the proposed development.

## Secondary, Cumulative and Combined Impacts

- 14.13 ES Chapter 17 considers the potential cumulative effects of the proposed development with other consented schemes in the vicinity of the site. No comments are made on the cumulative impacts assessment methodology.
- 14.14 Clarity should be sought as to whether the same significance criteria, based on the above-mentioned Alternative Target Values, have been used when assessing the significance of the cumulative effects on daylight and sunlight to dwellings. If they have, then it is likely to be appropriate to for the chapter to be re-drafted based on an application of the agreed significance criteria.

## Mitigation and Management

- 14.15 No mitigation measures are proposed for the impacts on daylight and sunlight or overshadowing on the basis that numerous alternative scheme proposals were considered during the pre-application design development, with massing alterations made so as to minimise the potential effects, whilst ensuring scheme viability.
- 14.16 No mitigation measures are proposed in respect of light pollution or solar glare resulting from the detailed elements as the effects are considered of negligible and minor adverse significance respectively. Should adverse impacts be identified at the reserved matters stage, mitigation measures could be implemented as part of the detailed design of those elements.

## Non-Technical Summary

- 14.17 The non-technical summary provides a summary of the potential impacts identified within the ES chapter; however, as the chapter is not based on the agreed significance criteria, the non-technical summary is also not agreed. It is suggested that a revised non-technical summary should be provided once the ES chapter has been amended.

Code	Summary of Clarifications Required from Applicant
DS1	Clarify the significance criteria used in the cumulative impacts assessment.
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant

Code	Summary of Clarifications Required from Applicant
DS2	Submit an amended ES chapter, non-technical summary and cumulative assessment based on the agreed significance criteria contained in Waterman’s Environmental Briefing Note No. 32 (June 2017) and the advice given in Appendices I and F of the BRE guide as regards impacts on daylight and sunlight to existing surrounding dwellings.
<b>Potential Planning Conditions</b>	
A condition requiring a subsequent submission at the reserved matters stage of further information to demonstrate whether a deviation within the permitted parameters would result in any variance to the impacts identified in the ES.	

# 15 Review of Chapter 17: Cumulative Effects

## Scope of EIA

- 15.1 Appendix 2.3 within Technical Appendices Part 1 of ES Volume IV contains the LBS Scoping Opinion and Review of the Scoping Report (January 2018), undertaken by LUC on behalf of LBS. This sets out the information the cumulative effects chapter should consider and present in addition to that listed within the EIA Scoping Report (May 2017), provided at Appendix 2.1 of the Technical Appendices Part 1 of ES Volume IV.
- 15.2 The Scoping Opinion states at paragraph 3.105 that information relating to demolition and construction as well as operation of the Development should be included in relation to the Type 2 cumulative assessment. Paragraph 17.7 of the ES Volume I Part I identifies that Type 2 cumulative effects have been considered in relation to these stages.
- 15.3 The ES in relation to the Type 2 cumulative assessment includes those schemes (see Appendix 2.4) which meet the criteria and have been agreed to in correspondence with Southwark Council through the EIA Scoping process which is considered to be appropriate. Those schemes identified as part of the EIA Scoping Report which have since been completed (Quebec Way Industrial Estate, 24-28 Quebec Way and Tavern Quay Commercial Centre) have now been considered as part of the baseline as opposed to being part of the cumulative assessment. Two further schemes (Rear of Albion Primary School (southern end) and Mansion Wharf House) which have come forward since the publication of the EIA Scoping Report are now considered as part of this list. A map showing the location of the schemes considered is presented at Figure 17.1 with further details provided on each scheme in Appendix 17.1. This is in line with the recommendations of the Scoping Opinion at paragraph 3.110.
- 15.4 Within Appendix 17.1, Table 17.1, the Biscuit Factory ("Tower Bridge Business Complex (The Biscuit Factory)" application reference 12/AP/2737) is listed as one of the committed developments included within the cumulative effects assessment. Clarification is sought to confirm that this is the correct reference for the Biscuit Factory Development, and if so, why the cumulative assessment was not based on the more recent Biscuit Factory application of October 2017 (17/AP/4088).

## Assessment

- 15.5 Type 1<sup>8</sup> and Type 2<sup>9</sup> cumulative effects are considered separately in Chapter 17 of the ES. Only likely residual effects have been considered as part of the cumulative effects. That is to say, mitigation for the Development as set out in the technical assessment chapters is taken to be implemented and where a negligible effect would thereby result the effect has not been considered further.
- 15.6 Type 1 cumulative effects have been considered individually in relation to sensitive receptors identified through the relevant individual technical assessment chapters. Where no cumulative effects have been identified for potentially sensitive receptors these have not been detailed in the Type 1 cumulative effects assessment at Chapter 17.
- 15.7 Table 17.1 presents the findings of the Type 1 cumulative effects assessment in relation to each sensitive receptor during the demolition and construction period and once the Development is complete. The table details whether residual effects are likely to be minor, moderate or major

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<sup>8</sup> Type 1 effects – The combined effect of individual effects arising as a result of a proposed development, for example effects in relation to noise, airborne dust or traffic on a single receptor (i.e. a residential property).

<sup>9</sup> Type 2 effects – The combined effects of a proposed development with other development schemes which may, on an individual basis be insignificant but, together, (i.e. cumulatively), have a significant effect.

and also the overall potential cumulative effect in the final column. A summary of the Type 1 cumulative effects findings is presented from paragraphs 17.18 to 17.28. This includes an appropriate level of detail and separates findings between different types of receptors.

- 15.8 The Type 2 cumulative effects assessment has been presented from paragraphs 17.29 to 17.128 of this chapter. The Type 2 cumulative effects have been split to cover the topics covered in the individual assessment chapters of the ES (i.e. Socio-Economics, Transportation and Access, Noise and Vibration, Air Quality, Ground Conditions and Contamination, Water Resources and Flood Risk, Ecology, Archaeology, Wind and Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare). Type 2 cumulative effects relating to demolition and construction as well as operation of the Development have now been covered for each of these topics as per the recommendations of the Scoping Opinion which has been alluded to previously in this review.
- 15.9 The full cumulative assessment for townscape, visual and built heritage effects are presented separately from Chapter 17 in Volume 3 of the ES (Townscape, Built Heritage and Visual Impact Assessment). This has been detailed in Chapter 17 and the approach has been taken to allow for viewing of the Accurate Visual Representations of the Development alongside the committed developments together with the resulting cumulative assessment.

## Non-Technical Summary

- 15.10 The NTS contains an overview of the Type 1 cumulative effects identified through the ES from section 6.12. The NTS lists all relevant committed developments considered as part of the cumulative assessment and states that these are detailed at Figure 5. The schemes are actually detailed at Figure 6.
- 15.11 An overview of the Type 2 cumulative effects are presented in bullet points on Page 21 of the NTS. Only the cumulative effects relating to the operational Development have been included. As such it is recommended that the cumulative effects relating to the demolition and construction periods should also be included.

Code	Summary of Clarifications Required from Applicant
CU1	Clarification is sought to confirm that 12/AP/2737 is the correct reference for the Biscuit Factory Development, and if so, why the cumulative assessment was not based on the more recent Biscuit Factory application of October 2017 (17/AP/4088).
Code	Summary of Potential Regulation 22 Information Requests to be made to Applicant
CU2	Summary of Type 2 effects in the NTS should be updated to include effects relating to the demolition and construction periods
Potential Planning Conditions	
None	

# 16 Review of Volume III: Townscape, Built Heritage and Visual Impact Assessment

## Summary

- 16.1 The Townscape, Built Heritage and Visual Impact Assessment (TBHVIA) is presented in Volume III of the Environmental Statement (ES). This section of the review is split into Townscape and Visual, and Built Heritage sections.
- 16.2 The TBHVIA has been prepared by Tavernor Consultancy with supporting accurate visual representations (AVRs) prepared by Millerhare and architectural drawings prepared by architect Allies and Morrison LLP.
- 16.3 The stated methodology makes reference to relevant industry guidance and generally appears to be appropriate in the context of the ES. There are cases though, particularly in relation to visual amenity, where guidance references do not appear to have been carried through into the methodology or the assessment.
- 16.4 The structure of reporting and the quality and clarity of graphic material presented in Volume III is good and straightforward to interpret. However, some terminology and some of the statements and judgements made in relation to this material could benefit from further detail; this is described in greater detail in the following sections of this review.

## Scope of EIA

### Townscape and Visual

- 16.5 It is good practice for a townscape and visual impact assessment (TVIA) to be carried out and presented separately from a Built Heritage Assessment. Volume III is set out using separate headings and appropriate cross-referencing, making this distinction clear. This approach is considered appropriate in the context of the ES.
- 16.6 Information relating to consultation undertaken by the Applicant is contained in ES Volume IV, Part 1 (Technical Appendices 2.1, 2.2, 2.3 and 2.4). The Scoping Report (Technical Appendix 2.1) states, at Section 4.9.2 Likely Significant Effects (Page 29), that the TBHVIA will address the following likely effects:
  - *"Temporary visual intrusion during demolition and construction works;*
  - *Permanent changes to the character, context and quality of the Site and the local townscape;*
  - *Visual effects on selected key views including designated LVMF views which would be visible; and*
  - *Effects on those elements of setting that contribute to the significance of heritage assets".*
- 16.7 At Section 4.9.3 Approach and Methodology (Pages 29-31), the Scoping Report provides a list of long and medium distance views which are stated to have been agreed with London Borough of Southwark (LBS) for inclusion in the assessment. It appears that the majority of these have been provided but no reference can be found to Dundee Wharf – southwest of Rotherhithe in Volume III. The Applicant should clarify if this viewpoint has been omitted or replaced, along with justification for this.
- 16.8 At Paragraph 1.3 (Volume III, Section 1), the TBHVIA states that it is intended to assess the likely significant effects of the Development on:
  - Townscape character and quality; and

- Distant, mid-distance and local views.

16.9 The assessment methodology, at Paragraph 3.3 (Volume III, Section 3), cites one of the available guidance documents as '*Guidelines for landscape and Visual Assessment Third Edition*' (GLVIA3). A TVIA which is intended to accord with GLVIA3 should include assessment of potential effects upon landscape and visual receptors, i.e. people (GLVIA3 Paragraphs 2.21 and 2.22). The scope, methodology and assessment does not include for potential effects upon the visual amenity experienced by people.

### Built Heritage

- 16.10 The built heritage assessment is not clearly structured, e.g. it has assessment methodology information in the baseline section etc. (see paragraph 4.16-4.17), and is presented concurrent with, rather than separately to, the townscape and visual assessments. This presentation makes the assessment difficult to follow, especially in relation to understanding what methodology has been used for assessment of effects to heritage assets.
- 16.11 Whilst a broadly appropriate range of planning and discipline-specific guidance is referenced in the assessment, the assessment methodology appears to be primarily based upon Historic England's 2011 guidance '*Seeing the History of the View*' (e.g. paragraph 3.5). As previously highlighted in the LUC scoping review (Jan 2018, paragraph 3.79) and noted in the Waterman scoping opinion response (June 2018, p.16), this guidance has now been superseded and formally cancelled by Historic England's 2017 '*Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets*' (aka GPA3). It is acknowledged that GPA3 is also referenced, but it does not change the fact that obsolete guidance appears to form the basis of the assessment methodology. The Applicant is to clarify their assessment methodology as regards heritage assets and to provide an explanation for the use of obsolete guidance.
- 16.12 It is highlighted in paragraph 5.1 that Historic England (HE) was pre-application consultees; however, the advice that they provided does not appear to be reiterated, meaning that it is unclear as to whether it has been actioned. Nor is there any further information in relation to the LUC scoping response request (Jan 2018, paragraph 3.81) that the applicant undertakes consultation with Historic England to ensure that the viewpoints, and any visualisations from them, answer the issues raised by this consultee in their comments on the SR about effects to specific heritage assets. The Applicant is to clarify if HE was consulted and to provide further information detailing how those views which relate to heritage assets pertain to their significance. The Applicant is also asked to differentiate via colour in the cumulative views, which schemes are already consented and which are pending.
- 16.13 The scope of the Built Heritage assessment appears to be wholly concerned with indirect effects on setting. The applicant is reminded that setting is not, in itself, a heritage asset so any reference to change in or impact to setting should be related to how this change affects the significance or perception of a heritage asset.
- 16.14 Discussion of any heritage assets within the site, which may be subject to direct effects, does not occur until paragraph 4.27, where the discussion again sees assessment criteria conflated with baseline data. This discussion mentions an asset not included in the baseline – the former Harmsworth Quays Printworks. Given that a Certificate of Immunity was issued in 2017, this asset is shown to not be of high importance but the actual significance of the asset is not explained, although in paragraph 4.29 that the asset is described as having some interest for '*its scale, postmodern architectural expression and post print works uses*'. In paragraph 4.29 it is stated that this asset will either be wholly or part demolished, yet there is no assessment of the effect of this. The Applicant should clarify whether this asset is a non-designated asset or not and, if so, provide a description of it, its significance and setting, and potential effects to it. Furthermore, if a thorough study of the asset's significance was undertaken - as stated in paragraph 4.29 - it should be added as an Appendix.
- 16.15 Another non-designated asset that is not discussed is the historic dock walls, which the Applicant was requested to assess effects to these in the LUC scoping review. It is acknowledged that the Applicant response was that there would be no physical effects and so they were scoped out. However, the Applicant response did not cover potential effects to setting and for the sake of completeness and reader transparency, it would be beneficial if some consideration were given to this asset.

- 16.16 The scope of the built heritage assessment is also unclear with regards to the type of heritage assets that are being considered e.g. Scheduled Monuments, Listed Buildings, Conservation Areas, etc. The Applicant should clarify what categories of asset are being assessed.

## Baseline

### Townscape

- 16.17 The TBHVIA contains a section outlining baseline conditions (Volume III, Section 4) which includes the following:
- A history of development at the site and the surrounding area (using text and historic mapping/diagrams);
  - Description and table relating to heritage assets;
  - Description of townscape character areas; and
  - Comment on the significance of heritage assets at the site.
- 16.18 The townscape baseline is described as four character areas in Paragraphs 4.18 to 4.26 (Volume III, Section 4) and mapped on Figure 4.11. Character areas are described to a reasonable level of detail and each ascribed levels of 'townscape quality' and 'sensitivity to change'. However, the text descriptions relating to Townscape Character Area 1 and Townscape Character Area 2 are identical; it is assumed that this is a drafting error but the Applicant should provide the correct baseline information and judgements and confirm that the findings of the TBHVIA are correct.

### Visual

- 16.19 It is noted that there is brief comment on the composition of views included in the assessment alongside the existing or baseline photograph for each (Volume III, Pages 56 to 267). Aside from this, it appears that there is no visual baseline information provided. There is therefore no identification of visual receptors and no judgement provided relating to value, susceptibility or sensitivity of view for those receptors.
- 16.20 Paragraph 6.24 of GLVIA3 requires that the baseline report includes *"the type and relative numbers of people (visual receptors) likely to be affected, making clear the activities they are likely to be involved in"*. In order to undertake a visual assessment in line with GLVIA3, the Applicant should identify or clarify the type and relative numbers of people likely to be affected by the proposed development.
- 16.21 The methodology described in the Applicant's Scoping Report (Technical Appendix 2.1, Section 4.9.3) suggests that *"baseline text will be prepared describing the existing visual context of the Site and the area for development, noting key receptors and assigning levels of sensitivity"*. This is highlighted in Paragraph 3.74 of the review of the Scoping Report which accompanies the Scoping Opinion (Technical Appendix 2.3).
- 16.22 However, the TBHVIA methodology explains that the *"assessment of likely significant visual effects describes changes to the content and character of views"* and does not acknowledge receptors. The assessment presented therefore does not accord with GLVIA3, with the Applicant's Scoping Report or with the Scoping Opinion.
- 16.23 At Paragraph 3.29 (Volume III, Page 19), the visual assessment states that *"public views are generally attributed greater value than views from private property because they are experienced by a greater number of people and can be more accurately assessed through the use of surveyed viewing points. All verified views have therefore been taken from publicly accessible land. The likely visual effects on views from inside buildings that are not publicly accessible or from private land have not been considered in this assessment"*.
- 16.24 In the context of GLVIA3, value of a view ought to be a judgement made on a case-by-case basis rather than a defined judgement for each receptor type and so, if taken as read, the statement is in contradiction with GLVIA3. Assuming that the Applicant uses the term 'value' here instead of 'susceptibility' (the other determinant of receptor sensitivity), this statement is still in

contradiction with GLVIA3 which, at Paragraph 6.33, explains that *"visual receptors most susceptible to change are generally likely to include [amongst others] residents at home"*.

- 16.25 An assessor being unable to access a privately obtainable view is not a reason to exclude that visual receptor from assessment. GLVIA3 provides guidance on the means for assessing visual effects upon users of private property (GLVIA3, Paragraph 6.17).
- 16.26 The TBHVIA should include an assessment of potential effects upon visual receptors, i.e. people, and the visual amenity, existing and in the future, should be given proper consideration. This is a requirement of the Scoping Opinion issued prior to preparation of the ES.

### **Built Heritage**

- 16.27 The baseline is stated to comprise Conservation Areas within 500m and Listed Buildings within 250m based on the fact that Conservation Areas may contain open spaces and street alignments and are larger than listed buildings (paragraph 3.20). The selection of a 250m study area for built heritage is not considered appropriate for a development reaching 30 stories in height, with extensive visibility as evidenced by the visual representations provided. The Applicant was requested by Historic England to utilise their guidance on tall buildings<sup>10</sup>, and in accordance with that guidance the Applicant is requested to provide a Zone of Theoretical Visibility (ZTV) map – which ideally utilises building height data in addition to topography – to provide an indication of the extent of visibility of the proposed development. The ZTV should be overlaid with heritage asset data, and justification provided for scoping out assets at greater distance so as to provide transparency for the decision maker.
- 16.28 It is acknowledged that non-designated assets and listed structures further from the site are also considered, but this is only in their contribution to the relevant Conservation Area, Townscape Character Area, or View. The effects of the proposed scheme on the significance of heritage assets perceptible within these views (e.g. the Grade I listed Tower Bridge, the Grade I listed St Pauls Cathedral and the World Heritage Site - Greenwich Park) is not undertaken. As such, the heritage assessment does not appear complete and does not fulfil the requirements stated by Historic England in their consultee response dated 23 June 2017. The Applicant is to provide further information describing these assets, their setting and heritage significance and the manner in which the proposed development may affect them.
- 16.29 It is unclear as to what sources have been consulted for information and the Applicant should provide further detail on this point, as previously agreed in the Waterman response to the scoping opinion (June 2018, p. 17).
- 16.30 The NHLE numbers for designated assets are not included in the report. This does not allow transparent interrogation of the assessment by the reader. The Applicant is to add NHLE references to discussion of these assets and tables where they appear to aid interrogation of their conclusions.
- 16.31 A map of the conservation areas and listed buildings is provided in Figures 4.9 and 4.10 respectively. There is no study area shown on either figure, nor is there a key on Figure 4.9 and the key on Figure 4.10 is incomplete. Figure 4.10 also depicts some non-designated built heritage assets, but these do not have numbers and cannot be cross-referenced to the text. It is also noticeable that a larger number of non-designated assets appear to be included on the map than in the text, although no justification for their scoping out is readily apparent. The Applicant is to revisit how they have presented heritage asset information on the accompanying figures and improve their legibility and ability to cross-reference with the text.
- 16.32 There are no images of any of the heritage assets assessed. The Applicant should include an appropriate number of images to aid the readers understanding of the assets and the assessment.

## **Assessment**

### **Townscape**

- 16.33 Between Paragraphs 6.17 and 6.27 (Volume III, Pages 47 and 48), the TBHVIA includes an assessment of potential effects upon the four townscape character areas described in the

baseline. For each, this describes 'townscape quality' (as per the baseline), a description of the potential changes which would result from the proposed Development and an assessment of the 'significance of likely effect'.

- 16.34 This approach to townscape assessment is as described in the Scoping Report (Technical Appendix 2.1) and in the TBHVIA methodology (Volume III, Section 3).

### Visual

- 16.35 At Paragraph 6.28 and Table 6-2 (Volume III, Page 48), the TBHVIA sets the 52 viewpoints used in the assessment and a further 10 viewpoints where non-significant effects are anticipated and not included in the assessment. Text describing the baseline, potential change and likely significant effect is provided for each of the viewpoints alongside the accompanying photographs and visualisations (Volume III, Pages 56 to 267).
- 16.36 The TBHVIA assesses potential effects upon views in two ways for different categories of viewpoint:
- The quality of designated views which are included in the London View Management Framework Supplementary Planning Guidance (LVMF SPG); and
  - All other views are assessed in the context of their contribution of the townscape.
- 16.37 There is no assessment of visual amenity in relation to people. This approach to visual assessment is in line with that described in the TBHVIA methodology (Volume III, Section 3) but not the Scoping Report (Technical Appendix 2.1) nor the Scoping Opinion (Technical Appendix 2.3).
- 16.38 Thumbnail images of the assessed viewpoints, their locations (using grid reference and height data), the time they were visited and the camera model and focal length of lens used to take photographs are presented on Pages 48 to 55 of Volume III. This level of detail is appropriate in the context of the ES.

### Built Heritage

- 16.39 The assessment sets out appropriate criteria for assessing the significance of heritage assets (paragraphs 3.21 – 3.25) but is not supported by a table delineating different levels of significance. It is noted that in the Introduction Table 3.1 is entitled 'Significance Criteria' but this actually appears to detail 'Magnitude of Change', which is otherwise not discussed. Nor does there any information explaining how sensitivity to change has been assessed. The Applicant should provide further information on the criteria used in the assessment.
- 16.40 Descriptions of all the Conservation Areas and Listed Buildings, their significance and setting are provided in Table 4.1. The table usefully includes even those assets which are scoped out, a fact indicated by shading in green, although this is incorrect in some instances (e.g. Asset no. 4 is scoped out but not highlighted and vice versa for the Bascule Bridge, Surrey Water).
- 16.41 There are some issues with the comprehensiveness of the discussions of significance in Table 4.1, most frequently in relation to acknowledging known historical associations (e.g. Isambard Brunel) of the assets discussed. More problematic is the justification provided in some instances for scoping heritage assets out of the assessment. This states that: '*the site does not contribute to aspects of setting that contribute to the asset's significance*'. Whilst the site may not, at present, be perceptible within the setting of certain assets, proposals are for a development which will add tall buildings which may then come to form part of the asset's setting. Based on the text provided, this aspect does not appear to have been clearly articulated on an asset-by-asset basis. The Applicant is to revisit discussion of how the change in setting as a result of the proposed development may affect the heritage significance of the asset.
- 16.42 The assessment of likely significant effects on the setting of heritage assets commences at paragraph 6.10 and ends at paragraph 6.16; this covers the effects on the Conservation Areas and the former Dock Offices (Grade II listed). Assessment for the remaining heritage assets is presented in Table 6.2.
- 16.43 The built heritage assessment includes some beneficial results, from which it would appear that there has been some conflation of the approach to visual/townscape and historic environment

impact assessment. In terms of heritage assets, it is the effect on the heritage significance of the assets that is being weighed in consideration of effects to setting, making beneficial effects extremely challenging to register. Only in the rarest of circumstances can new development make heritage assets more significant. Generally, it may only improve the visual and experiential qualities of an asset's context – however, this is a townscape and visual rather than an historic environment consideration. The Applicant is to revisit the assessment of effects and either provide a clear rationale for how the reported beneficial effects to assets relate to their heritage significance, or revisit the text accordingly.

## Secondary, Cumulative and Combined Impacts

### Townscape and Visual

- 16.44 Wireline AVRs which illustrate potential cumulative effects have been provided for all viewpoints included in the assessment. An accompanying explanatory paragraph and significance of potential cumulative effect is also presented.
- 16.45 For the visualisations, separate colouring is used to show the proposed development and sites included in the cumulative assessment. While these images are useful to an extent, it would be of further benefit if each of the cumulative sites were identified, perhaps using labelling, for each viewpoint in order to better understand the potential change in view. The Applicant should consider providing revised AVRs which provide greater clarity.

### Built Heritage

- 16.46 Residual and cumulative effects to heritage receptors are presented in Table 7.1. The Applicant will need to update these in light of the additional heritage receptors to be assessed and the potential re-evaluation of the beneficial effects.

## Mitigation and Management

### Townscape and Visual

- 16.47 A section relating to Additional Mitigation and Residual Effects (Volume III, Section 7) is included in the TVIA. The information provided is appropriate in the context of the ES.

### Built Heritage

- 16.48 Mitigation and residual effects are presented in section 7. This states that the short term environmental effects will be managed through the Construction Management Plan (CMP). No other adverse effects to built heritage are predicted and therefore mitigation is not required. This seems to overlook the potential for the former print works to be demolished, if these have heritage significance then the impact may need to be mitigated i.e. via building recording. The Applicant is to clarify the potential need for mitigation in this respect.

## Non-Technical Summary

### Townscape and Visual

- 16.49 The non-technical summary provides information summarising the existing townscape character and potential townscape effects. There is also a summary of work undertaken in relation to views. The NTS should be updated to include any relevant information resulting from the clarifications/Regulation 22 requests.

### Built Heritage

- 16.50 The NTS states that potential effects on built heritage receptors will be insignificant following mitigation. It further states that the development will not harm the setting of any designated built

heritage receptors and that there will be benefits to the settings of the former Dock office and Bascule Bridge. The NTS should be updated to represent a more comprehensive summary of the effects to heritage receptors and to include any relevant information resulting from the clarifications/ Regulation 22 requests.

<b>Code</b>	<b>Summary of Clarifications Required from Applicant</b>
TV1	The Applicant should clarify the inclusion, exclusion or replacement of a view from Dundee Wharf – southwest of Rotherhithe in the assessment.
TV2	The Applicant should clarify the relevant baseline text and judgements relating to baseline townscape quality and sensitivity to change for Townscape Character Areas 1 and 2.
TV3	In light of the above clarification requirement TV2, the Applicant should confirm that assessed effects upon Townscape Character Areas 1 and 2 are correct.
BH1	The Applicant should clarify what categories of heritage monument are being assessed.
BH2	The Applicant is to clarify if they consulted with HE regarding the choice of views assessed and to provide further information detailing how those views which relate to heritage assets, pertain to their significance.
BH3	The Applicant is also asked to differentiate via colour in the cumulative views, which schemes are already consented and which are pending.
BH4	It is unclear as to what sources have been consulted for information and the Applicant should provide further detail on this point, as previously agreed in the Waterman response to the scoping opinion (June 2018, p. 17).
BH5	The Applicant is to include the NHLE numbers for designated assets in the report.
BH6	A map of the conservation areas and listed buildings is provided in Figures 4.9 and 4.10 respectively. There is no study area shown on either figure, nor is there a key on Figure 4.9 and the key on Figure 4.10 is incomplete. Figure 4.10 also depicts the non-designated built heritage assets but these do not have numbers and cannot be cross-referenced to the text. It is also noticeable that a larger number of non-designated assets appear to be included on the map than in the text, although no justification for their scoping out is readily apparent. The Applicant should redress these issues.
BH7	The Applicant should include an appropriate number of images to aid the readers understanding of the heritage assets and their assessment. The images should be clearly cited.
<b>Code</b>	<b>Summary of Potential Regulation 22 Information Requests to be made to Applicant</b>
TV4	<p>The TBHVIA does not include baseline text describing the existing visual context of the Site and the area for development, noting key receptors and assigning levels of sensitivity. It therefore does not include commitment made in the Scoping Report (Technical Appendix 2.1) or requirement of the Scoping Opinion (Technical Appendix 2.3).</p> <p>In providing the relevant baseline text, the Applicant should ensure conformance with the guidance documents cited in the assessment and Scoping Report.</p>

TV5	The TBHVIA should include an assessment of potential effects upon visual receptors, i.e. people, and the visual amenity, existing and in the future, should be given proper consideration. This is a requirement of the Scoping Opinion issued prior to preparation of the ES.
TV6	The NTS should be updated to include any relevant information resulting from the clarifications/ Regulation 22 requests.
BH8	The Applicant is to clarify the heritage assessment methodology and to provide an explanation for the use of obsolete guidance. They are also to provide further information of the criteria used in the assessment especially in relation to significance, sensitivity and magnitude of change.
BH9	The Applicant was requested by Historic England to utilise their guidance on tall buildings, and in accordance with that guidance the applicant is requested to provide a Zone of Theoretical Visibility (ZTV) map – which ideally utilises building height data in addition to topography – to provide an indication of the extent of visibility of the proposed development. The ZTV should be overlaid with heritage asset data to provide justification for scoping out assets at greater distance and to provide transparency for the decision maker.
BH10	<p>The Applicant is to update their heritage baseline to include all designated and non-designated heritage assets potentially affected by the development proposals (including the former printworks and dock walls) and to provide descriptions of these assets, their setting and heritage significance, and the manner in which the proposed development may affect them.</p> <p>Any requirement for mitigation should also be made clear, especially in relation to the potential demolition of the former print works.</p> <p>If a thorough study of the heritage significance of the former print works was undertaken - as stated in paragraph 4.29 – then the report should be added as an Appendix.</p>
BH11	The Applicant is to revisit the assessment of effects and to either offer a clear rationale for how the proposals benefit the heritage significance of the receptors, or re-evaluate accordingly.
BH12	The Applicant is to revisit discussion of how the change in setting as a result of the proposed development may affect the heritage significance of the asset.
BH13	The Applicant is to update the residual and cumulative effects assessment in light of the additional heritage receptors to be assessed and if a justification cannot be provided for the predicted beneficial effects.
BH14	The NTS is to be updated to represent a more comprehensive summary of the effects to heritage receptors and to include any relevant information resulting from the clarifications/ Regulation 22 requests.
<b>Potential Planning Conditions</b>	
Not applicable	

## **17 Assessment of Submitted Regulation 22/ Clarification Information**

- 17.1 The Applicant provided a response to the issues raised in this review (dated August 2018 and October 2018). This information has been reviewed and conclusions drawn as to whether the additional information is satisfactory and whether any Regulation 22 matters remain.
- 17.2 Table 17.1 below provides a judgement as to the acceptability of the information provided in relation to the ES.

**Table 17.1 Assessment of Submitted Regulation 22/Clarification Information**

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
<b>EIA Context and Influence</b>						
ECI1	Clarification	Clarify whether the SWMP and Waste Management Strategy have been submitted as requested in the Scoping Opinion	<p>The Masterplan Delivery and Servicing Management Plan is appended to the Masterplan Transport Assessment, which was submitted as part of the planning application. This included a section on 'Waste Generation and Storage' (see Section 6, page 493 of the TA). Each of the Transport Statements for the Detailed Proposals (Plots A1, A2 and K1) also include a 'Waste Generation and Storage' section.</p> <p>A 'Waste and Material Management' section is also included within the Masterplan Framework Construction Management Plan (CMP) and within the CMP for the Detailed Proposals. As referred to in each of the CMPs, a Site Waste Management Plan (SWMP) will be completed prior to starting on Site setting out targets for waste management, redirect from landfill and recycling and reuse rates.</p>	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
<b>Socio-Economics</b>						
SE1	Clarification	Clarify the reason for not including planning policy relevant to socio-economics in the ES.	Waterman IE do not include a section on Legislation and Planning Policy Context within the ES chapters. This is instead covered in the Planning Statement, prepared by DP9, which also provides an assessment of the Development against planning policy. However, legislation and policy is referred to in the assessment methodology sections of the ES chapters, where relevant.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
SE2	Clarification	It should be stated if the scope of the assessment has been agreed with the Public Health Officer.	A Health Impact Assessment (HIA) covering the effects of the Development on health and was submitted alongside the EIA. The scope of this assessment was agreed with the Public Health Team following various meetings. The feedback from this engagement was incorporated into the methodology of the assessment.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
SE3	Clarification	Clarification is sought regarding the spatial levels that should be listed following Paragraph 7.37. It is assumed that this should repeat the bullet point list provided at Paragraph 7.5.	<p>This is correct: the list is missing from Paragraph 7.37 and should repeat the bullet point list provided at Paragraph 7.5.</p> <p>These include:</p>	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
			<ul style="list-style-type: none"> <li>The Site;</li> <li>Local Area: Rotherhithe ward and Surrey Dock ward;</li> <li>Borough: within the administrative boundary of Southwark Council; and</li> <li>Regional: GLA area comprising all London boroughs.</li> </ul>			
SE4	Clarification	Clarification is sought as to whether the open space and play space referred to in Paragraphs 7.89-7.96 and Table 7.9 area all publically accessible and if not this should be distinguished.	<p>Please refer to <b>Annex A1</b> of this document (Table 7.9 of the ES). The additional column provides clarification on public accessibility.</p> <p>Two sites are for hire and are therefore only accessible during certain hours. For example, Bacon College’s sports facilities are available for hire, but outside education hours.</p>	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
SE5	Clarification	Clarification is sought as to the quantum of net additional commercial floorspace that the Development would provide in order to justify the following statement in Paragraph 7.109: ‘the Development would increase the quantum of commercial floorspace that would support employment on this Site.’	<p>There is currently 93,148 sqm GEA of commercial floorspace on-site that support the existing employment.</p> <p>Paragraph 7.108 of the ES outlines the jobs currently accommodated on site as 1,380. Of these jobs 645 are within the Tesco store which will remain on-site throughout the demolition and construction phase for the Development.</p> <p>Therefore, 735 jobs will be impacted by the demolition and construction of the Development. The Detailed Proposals include 45,985 sqm (GEA) of commercial floorspace. Paragraphs 7.167 and 7.168 outline that this floorspace will accommodate between 2,310 and 3,050 jobs. This represents an uplift of 1,575 to 2,315 jobs on these plots.</p> <p>The Development includes a range of commercial floorspace which would total a maximum of 540,506 sqm (GEA) under the maximum employment scenario. Tables 7.12 and 7.13 set out the jobs accommodated by this floorspace under two scenarios (maximum residential, minimum employment and minimum residential, maximum employment). This creates a range of 12,350 to 30,930 jobs accommodated on-site – a significant uplift to existing employment currently accommodated on site.</p>	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
SE6	Clarification	The requirements outlined within the Scoping Opinion, including the consultee comments within this,	The responses to the EIA Scoping Opinion are set out within Appendix 2.4 (EIA Clarification Letter). However, for	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
		should be listed within ES Chapter 7, or elsewhere within the ES, to identify where these comments have been addressed within the ES and justification as to why any have not been addressed.	clarity with regard to socio-economics, please refer to <b>Annex A2</b> of this document.			
SE7	Potential Regulation 22	<p>The assessment of new residential units for the Detailed Proposals should specifically assess how the provision of affordable housing compares with the Council's affordable housing target, i.e. 35%, and London Plan targets (60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale – London Plan Policy 3.11), as required in the Scoping Opinion.</p> <p>The assessment of new residential units for the Development should state if the Applicant plans to make financial contributions should the affordable housing provision not be met onsite, as required in the Scoping Opinion.</p>	<p>As set out in response to the Scoping Opinion (Appendix 2.4), the socio-economic assessment does not consider the effect of not achieving these targets and using off-site / financial contributions as an alternative.</p> <p>Achieving this policy is a planning issue, rather than an EIA issue. The socio-economic assessment considers the effects of the housing using detailed models which will look at the household characteristics of the housing mix proposed. The most relevant effect in EIA terms will be considering the potential new population and the likely composition of this population (i.e. number of children, elderly people and students etc). This is included within the ES.</p> <p>Affordable housing policy is considered elsewhere in the planning application, within the Planning Statement and Housing Statement.</p>	<p><b>Acceptable</b></p> <p>This is now a matter for LBS to address as part of the planning decision.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>
SE8	Potential Regulation 22	The potential effects of the development upon other nearby services, including leisure facilities, should be assessed, as required in the Scoping Opinion.	<p>A baseline assessment of the existing level of leisure provision locally is outlined in Paragraphs 7.97 to 7.100 of ES Chapter 7: Socio-Economics.</p> <p>Demand for leisure and sports facilities cannot be assessed in a quantitative manner as residents can choose to visit these facilities at their own discretion. However, a qualitative assessment is possible acknowledging the provision of a new leisure centre on-site.</p> <p>The new leisure centre will be provided as part of the Detailed Proposals for the wider Development. This centre will replace the Seven Islands Leisure Centre and expand the quantum of space and facilities available for the existing and new population in the local area.</p> <p>The replacement and improvement of this leisure facility would be a minor beneficial effect.</p>	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
SE9	Potential Regulation 22	The effects on the relocation of businesses, particularly in terms of impacts of relocation on rent levels, should be explicitly assessed, as required in the Scoping Opinion.	<p>As set out in the response to the Scoping Opinion, rental levels are a commercial issue and not relevant in this context. It would not be possible to robustly assess this effect as a result of the proposed Development. However, the potential effect of the loss of existing business and the disruption to businesses is considered in paragraphs 7.107 to 7.109 and paragraphs 7.224 to 7.229 of ES Chapter 7: Socio-Economics.</p> <p>The intention of paragraphs 7.107 – 7.109 and 7.224 – 7.229 is to consider the potential effect on jobs and businesses and the mitigation proposed. In order to clarify this point paragraphs 7.109, 7.224 and 7.228 should refer to both employment and businesses rather than just employment. Paragraphs 7.226 and 7.227 provide the details of the mitigation proposed to support existing businesses during redevelopment of the Site.</p>	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>
<b>Transportation and Access</b>						
TA1	Clarification	Include updated Biscuit Factory scheme in cumulative assessment	<p>The October 2017 planning application for the Biscuit Factory is not currently consented and therefore not considered appropriate to review for the transportation and access cumulative effects assessment. This is based on the approach set out within the Strategic Transport Study analysis undertaken by Transport for London. A qualitative review of the 2012 and 2017 schemes at the site was also undertaken, which indicated that the number of peak hour trips in the 2017 scheme is comparable with those in the 2012 scheme.</p> <p>Total trips across the AM and PM peak hours are within 1% variation of each other. On this basis, the analysis provided in the STS (which included the consented 2012 scheme) is considered robust.</p>	<p><b>Acceptable</b></p> <p>The clarification provided by the Applicant is accepted taking into account the impacts that are expected to arise.</p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
TA2	Clarification	Explain how Parking Supply and Servicing and Access are to be considered in the assessment and which receptors are affected by these matters.	Parking supply and demand is considered to affect road users only, specifically retail users of the town centre and residents of the Development and local area and their ability to continue to access an appropriate provision of parking facilities. This is identified in	<p><b>Not Acceptable</b></p> <p>If there are receptors and possibly sensitive receptors that may be subject to an effect as a result of the issues of Parking Supply and Servicing and Access, these matters should be addressed in the section of the</p>		<p><b>Acceptable</b></p> <p>Information on effects related to changes in parking supply and demand and in servicing demand and access has been added within the Assessment Methodology and Significance Criteria section of the</p>

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
			<p>paragraphs 8.278 and 8.280 of the ES.</p> <p>The provision of appropriate and safe means of servicing deliveries at the Development is addressed in the ES. Access and servicing is considered to affect road users and pedestrians and cyclists only, and the effects on those receptors are to be minimised via the overarching delivery and servicing strategy to be approved and implemented as identified at paragraph 8.283 of the ES.</p>	<p>Transportation and Access Chapter dealing with Assessment Methodology and Significance Criteria together with any thresholds to be applied to determine the form and extent of the significance. Such matters cannot be introduced as late as they are in the ES Transportation and Access Chapter.</p> <p>Further clarification is sought.</p>		<p>updated Transportation and Access Chapter. In addition, thresholds to be applied to determine the form and extent of the significance are now provided.</p> <p>No further clarification is sought.</p>
TA3	Clarification	Clarify if TA Scoping Report is or is not included as part of application documentation	In error, the TA Scoping Report was not included in the application documentation and is presented in Annex B1.	<p><b>Acceptable</b></p> <p>The content of the TA Scoping Report is noted and provides the context for the other correspondence relating to the scoping of the Transport Assessment previously submitted.</p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
TA4	Potential Regulation 22	Identify receptors clearly and determine sensitivity of receptors.	Table 8.2 of the ES Chapter 8 clearly identifies that the receptors fall into three main groups: road users, public transport; cyclists and pedestrians. The sensitivity of receptors is identified in Table 8.2, noted against each significance criterion, and is inherent in the thresholds of change that are identified in that Table. This methodology is based on IEMA Guidance.	<p><b>Not Acceptable</b></p> <p>Table 8.2 separates receptors into three main groups however this approach is flawed. For instance, the impact on a bus user of additional road traffic (including more/longer pedestrian/cycle crossings) will be of more relevance than a change in demand for the bus user.</p> <p>Neither Table 8.2 nor the preamble to it seek to identify the sensitivity of receptors. This would be evidenced, for instance, by identifying sections of the highway network along which there may be a school or other community use in contrast to a section of highway network along which there may be no frontage development. By this means, the sensitivity of the receptors along each part of the network can be determined.</p> <p>Further evidence should be provided of how each receptor has been considered in respect of its sensitivity and how the effect (e.g., due to delay, severance, etc as per the IEMA Guidelines) on each has been identified. Paras 6.9 to 6.11 of the ES Scoping Review refer.</p> <p>This Regulation 22 request remains.</p>		<p><b>Not Acceptable</b></p> <p>It is acknowledged that additional content has been added within the Assessment Methodology and Significance Criteria section to explain the presumed sensitivity of each receptor type and the basis on which this has been identified. It is further acknowledged that the table of significance criteria in the same section of the Chapter has also been updated to provide further clarity and information on the issues considered when determining the significance of effects on certain receptors.</p> <p>In Table 8.4, however, the criteria stated for pedestrians and cyclists are inconsistent with the high ranking of sensitivity accorded this grouping in Table 8.3. Whereas the thresholds stated for the Major, Moderate and Minor Beneficial impacts are higher than the equivalent for the medium sensitivity groupings (as would be expected), the thresholds for Insignificant together with Minor, Moderate and Major Adverse impacts are lower. This inconsistency leads to the counter-intuitive finding that, for example, an increase of over 50% in</p>

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						<p>the number of HGVs has a more severe impact on those with medium sensitivity than it does on with high sensitivity</p> <p>The statements of impact in Para 8.160 cannot therefore be accepted.</p> <p>This Regulation 22 request remains.</p>
TA5	Potential Regulation 22	Identify which effects are likely to be experienced by receptors and determine which thresholds are appropriate for determining significance of each effect.	Effects are assessed against each receptor group, referring back to paragraph 8.57 of the ES: "For a number of likely significant effects, there are no ready thresholds of significance. In such cases, interpretation and judgement are applied based on knowledge of the Site and professional judgement and experience." Table 8.2 indicates both the type of effect that might be experienced by each receptor group and the thresholds that have been used to assess the scale of the effect in each case.	<p><b>Not Acceptable</b></p> <p>Table 8.2 does not identify the type of effect which would be experienced by receptors. The content of Table 8.2 is insufficient in itself to identify which effects are likely to be experienced by receptors and which thresholds are appropriate for determining the significance of each effect. Further explanation is required in the text of the Transportation and Access Chapter to explain which effects as referenced by the IEMA Guidelines have been subject to professional judgement and/or experience and how that judgement or experience has been applied. There is no evidence to indicate that there is awareness that the separate effects as identified by the IEMA Guidelines could be experienced by different receptors in different ways. For instance the IEMA guidelines make it clear that the significance of certain effects on pedestrians and cyclists can be quantified however no quantifiable criteria are applied to pedestrians and cyclists in Table 8.2. The Applicant has stated that the IEMA Guidelines are being followed however this does not appear to be the case and, as such, any bespoke interpretation of the IEMA Guidelines or alternative approach requires explanation.</p> <p>This Regulation 22 request remains.</p>		<p><b>Not Acceptable</b></p> <p>It is noted that additional content has been added within the Assessment Methodology and Significance Criteria section to explain which effects are likely to be experienced by receptors and determine which thresholds are appropriate for determining significance of each effect.</p> <p>However, for the reason set out in the reassessment of Comment TA4 above, the thresholds as stated in Table 8.4 are not accepted.</p> <p>This Regulation 22 request remains.</p>
TA6	Potential Regulation 22	Review judgements made on significance of effect on receptors (ref Paras 8.156 – 8.158, 8.162 – 8.167, 8.289 – 8.291. 8.294 – 8.296 and 17.33-17.34).	<p>Further information is provided in Annex B2 setting out that the assessment provided in Chapter 8 remains robust, and therefore the significance of effect has not changed. Reference is provided in relation to the paragraphs cited by LUC.</p> <p>This additional information sets out more clearly which receptors are affected in each case.</p>	<p><b>Not Acceptable</b></p> <p>For the reasons set out in response to Requests TA2, TA4 and TA5, it is not accepted that the further information set out in Annex B2 is sufficient.</p> <p>This Regulation 22 request remains.</p>		<p><b>Not Acceptable</b></p> <p>For the reasons set out in the reassessments of Comments TA4 and TA5 above, it is considered that the judgements made on significance of effects on pedestrians and cyclists in the successor paragraphs to those referred to previously require further review.</p>

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						This Regulation 22 request remains.
TA7	Potential Regulation 22	Reformat conclusions so that it is clear which receptor is subject to what effect and to what degree.	Further information is provided in Annex B2.	<b>Not Acceptable</b> For the reasons set out in response to Requests TA2, TA4 and TA5, it is not accepted that the further information set out in Annex B2 is sufficient. This Regulation 22 request remains.		<b>Not Acceptable</b> The format of the Conclusions is acceptable however for the reasons set out in the reassessments of Comments TA4 and TA5 above, it is considered that the judgements made on significance of effects on pedestrians and cyclists in Table 8.44 require further review. This Regulation 22 request remains.
TA8	Potential Regulation 22	The Non-Technical Summary should be updated following review of the clarifications and Regulation 22 requests in this review.	It is considered that the Non-Technical Summary (NTS) provides a fair and representative summary of the findings of Chapter 8: Transportation and Access. The Regulation 22 information and clarifications presented above do not change the information set out within the NTS.	<b>Not Acceptable</b> For the reasons set out in response to Requests TA2, TA4 and TA5, it is considered that the Non-Technical Summary remains to be updated. This Regulation 22 request remains.		<b>Not Acceptable</b> For the reasons set out in the reassessments of Comments TA4 and TA5 above, it is considered that the Non-Technical Summary remains to be updated. This Regulation 22 request remains.
<b>Noise and Vibration</b>						
NV1	Clarification	Clarify the reason for not including planning policy on noise and vibration in the ES.	Waterman IE do not include a section on Legislation and Planning Policy Context within the ES chapters, however we do refer to relevant legislation is referred to within the assessment methodology sections of the ES chapters.	<b>Acceptable</b> It is accepted that although specific policy details have not been included, the planning policy criteria on noise and vibration have been included in the assessment methodology. No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
<b>Air Quality</b>						
AQ1	Clarification	Particulate monitoring does not appear to feature within the ES, clarification is required that Southwark Borough Council agreed to no particulate monitoring.	As presented in Appendix 10.2 of the ES, Waterman IE responded to Southwark Council on 15 February 2016 to confirm particulate monitoring would not be undertaken. Southwark Council's response did not request the monitoring be undertaken as part of the ES.  The applicant recognises that it is standard practice to undertake a minimum of 3 months of baseline monitoring prior to construction works. In addition, the IAQM Guidance states "where baseline monitoring is conducted, it should be carried out using the same techniques and same site locations as identified for the main study" (i.e. during the construction phase). At this stage Southwark Council have not agreed to the demolition and construction works at	<b>Acceptable</b> No further clarification is sought. Condition to be imposed to ensure that particulate monitoring is undertaken prior to the commencement of the works.	<b>N/A</b>	<b>N/A</b>

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			<p>the Site, and the exact dust monitoring methodology during this work has not yet been agreed.</p> <p>Whilst the particulate monitoring has not been undertaken at this stage, the Applicant has confirmed that they are committed to undertaking particulate monitoring prior to the commencement of the demolition and construction phase. Waterman IE would expect the undertaking of particulate monitoring, as well as the provision of a Dust Management Plan, to be detailed by Southwark Council, within a suitably worded planning condition with the granting of any planning permission.</p>			
AQ2	Clarification	Further clarification is required on consideration of the proposed Tesco relocation.	The applicant has confirmed that Tesco is to be relocated within the outline development but the building footprint and detailed design are not yet available. The applicant has confirmed that the traffic data used with the air quality assessment includes vehicle flows associated with a relocated Tesco.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
AQ3	Clarification	Further clarification is required on how the 2031 concentrations were estimated when background concentrations are only available up to 2030.	<p>The 2030 background concentrations were used for the assessment in 2031 rather than applying an estimate. The 2030 NO<sub>x</sub> and NO<sub>2</sub> concentrations were then revised using the AQC CURED methodology to provide more realistic future background concentrations.</p> <p>Note: 2031 reflects the future year the traffic data was supplied from the TfL model.</p>	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
AQ4	Clarification	Clarification is required on why the background maps were not adjusted following a comparison of Defra modelled background and Elephant and Castle measured concentrations	As shown in Table A9 and Table A10 in Appendix 10.2 of the ES, the monitored background concentrations at the Elephant and Castle automatic monitor in 2016 (34µg/m <sup>3</sup> for annual mean NO <sub>2</sub> and 16µg/m <sup>3</sup> for annual mean PM <sub>10</sub> ) are within the range of the Defra background maps for annual mean NO <sub>2</sub> (25.4 – 42.1µg/m <sup>3</sup> ) and below the range for annual mean PM <sub>10</sub> (17.3 – 20.4µg/m <sup>3</sup> ) and therefore no adjustment was required.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
AQ5	Clarification	It is not clear whether any sectors have been removed from Defra's background maps, further clarification is required on any sector removal methodology	No sectors have been removed from the background maps.	<b>Acceptable</b> No further clarification is sought. Conservative assumption applied in concentration predictions.	<b>N/A</b>	<b>N/A</b>

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		applied.				
AQ6	Clarification	Further clarification is required on the reason for excluding Southwark’s diffusion tubes from model verification.	It was agreed with Southwark Council during consultation, as set out in Appendix 10.2, that the monitoring undertaken as part of the Site-specific monitoring study would be used to verify the air quality modelling. Therefore, the Southwark diffusion tubes were not included.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
AQ7	Clarification	Further clarification is required on the EURO standards assumed for the construction traffic during dispersion modelling.	The EURO standards assumed are those set out in the EFTv8.0.1 for the year of assessment.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
AQ8	Clarification	Clarification is required on the operating duration of the energy centres included in the detailed and outline planning application.	A worst-case assumption was made that the operating profile of the energy centres was 24 hours a day, 365 days a year.	<b>Acceptable</b> No further clarification is sought. Conservative assumption applied in concentration predictions.	<b>N/A</b>	<b>N/A</b>
AQ9	Clarification	Clarification is required on whether the RMSE of 5.1 could cause a risk of exceeding the AQS objective at R17 in all the completed development scenarios in table A9 of Appendix 10.3.	The RMSE of 5.1 could cause an exceedance of the annual mean NO2 AQS objective at R17 in the completed development scenarios if added to the modelled concentrations. However, the modelling undertaken has assumed a reasonable worst-case assumption using the CURED emissions factors and background concentrations which are conservative. The predicted concentrations do not take account of the inherent mitigation measures within the development or the recent government measures to improve air quality which would mean predicted concentrations are lower than those presented in Table A9 of Appendix 10.3 and therefore the risk of an exceedance at R17 is unlikely, even when adding the RMSE.	<b>Acceptable</b> No further clarification is sought.  Given that the operational year is 2031 and the RMSE causes uncertainty to marginally fall within a range of exceedance, it is considered extremely unlikely that the NO <sub>2</sub> annual mean air quality objective will be exceeded.	<b>N/A</b>	<b>N/A</b>
AQ10	Clarification	Clarification is required on inclusion of energy centres/CHP/Gas boilers in the detailed planning scenario concentrations in table A1 Appendix 10.3.	The applicant has confirmed that the energy plant is included in the total concentrations presented in Table A1 of Appendix 10.3.	<b>Acceptable</b> No further clarification is sought. The largest cumulative impacts associated with the development in 2022 have been considered.	<b>N/A</b>	<b>N/A</b>
AQ11	Potential Regulation 22	Given that the conservative construction impacts demonstrate a moderate impact, further information is required on impacts with a more realistic scenario and/or appropriate mitigation, to demonstrate acceptable mitigation of construction impacts on air	Waterman IE would expect the provision of a Construction Management Plan (CMP), which includes measures to reduce and mitigate emissions to air from construction vehicles, to be secured by Southwark Council by the imposition of a suitably worded planning condition on the planning permission.	<b>Acceptable – subject to a planning condition</b>  The mitigation measures identified by the applicant are to be included in a Construction Management Plan, which is to be agreed, in advance of development commencing, with Southwark Council.	<b>N/A</b>	<b>N/A</b>

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		quality.	<p>At this stage the mitigation measures would include:</p> <ul style="list-style-type: none"> <li>All construction traffic logistics would be agreed with Southwark Council and where ever possible traffic routes will try to avoid or limit use in proximity to sensitive routes (i.e. residential roads etc.).</li> <li>Avoidance, or limited use, of roads during peak hours, where practicable.</li> <li>Vehicle movements per day would be managed, and as detailed in the framework CMP subject to a delivery booking system to reduce vehicle movements to the Site generally and ensure bottle necks and waiting vehicles are avoided. Waiting vehicles would not be permitted to wait in local residential streets.</li> </ul> <p>Construction traffic to adhere to the emissions standards set out in the ULEZ.</p>	This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.		
AQ12	Potential Regulation 22	Further information is required on what the predicted energy centre concentrations are at the proposed developments sensitive receptors in 2031, to include predicted concentrations at the closest floor level to the energy centre and ground floor.	Given the outline nature of the Development, contour plots are provided in Appendix 10.3 (Figures A1 – A6) which show the total concentrations (from road and energy centre) across the Development site in 2031. This shows that concentrations are suitable for the proposed land uses in the outline planning application.	<p><b>Acceptable</b></p> <p>The contours provide enough information to interpret what the predicted concentrations are at the outline planning boundary. It is considered that the concentrations are likely to be suitable for the proposed land use.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations because this does not give rise to a significant effect. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>
AQ13	Potential Regulation 22	Further information is required on pollutant contributions from road and energy centre, both individually and cumulatively, to understand whether air quality is suitable for the proposed land use in the outline planning application.	As above, contour plots are provided in Appendix 10.3 (Figures A1 – A6) which show the total concentrations (from road and energy centre) across the Development site in 2031. This shows that concentrations are suitable for the proposed land uses in the outline planning application. It was therefore deemed that individual contributions for each of the road and energy centre to overall pollutant concentrations were not	<p><b>Acceptable</b></p> <p>It is agreed that the contours indicate that concentrations are suitable for the proposed land use.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations because this does not give rise to a significant effect. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>

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			required.			
AQ14	Potential Regulation 22	Further information is required on how the forecast moderate adverse impacts of the scheme at Lower Road Air Quality Focus Area can be mitigated in the “max office” and “max residential” outline planning scenarios, to demonstrate acceptable mitigation of operation phase impacts on air quality.	<p>As set out in Table 10.33 of the ES, the development has several measures to minimise its impact on air quality. While it is not possible to quantify in absolute changes in µg/m<sup>3</sup> at those receptors within the Lower Road AQFA, as a result of the mitigation measures it is anticipated, using professional judgement, that the mitigation measures provided will reduce the impacts of the scheme within the Lower Road AQFA. Those mitigation measures include:</p> <ul style="list-style-type: none"> <li>• Framework Travel Plan – for promoting sustainable modes of transport and reducing the reliance on the car;</li> <li>• The provision of car parking in the Development will be reviewed in accordance with the site-wide Travel Plan as the Development evolves;</li> <li>• Preparation and implementation of a Delivery and Servicing Plan that would set out how all types of freight vehicle movements to and from the Development would be managed;</li> <li>• For residential parking, a minimum of 20% of the overall number of parking spaces will be equipped with electric vehicle charging facilities with a further 20% with passive provision;</li> <li>• For retail parking, 10% of all spaces will have electric car charging points with an additional 10% passive provision for electric vehicles in the future; and</li> <li>• Promote reduction in private vehicles through an appropriate level of car club spaces being provided. The provision will be reviewed as the Development evolves through the Framework Travel Plan.</li> </ul> <p>The Applicant intends to monitor MSCP spaces and reduce the number of units available, depending on levels of usage, once operation of all retail/leisure/office space has commenced.</p> <p>These measures will help to reduce the</p>	<p><b>Acceptable – subject to planning conditions</b></p> <p>The mitigation measures identified by the applicant are to be subject to planning conditions.</p> <p>Furthermore, a planning condition is proposed to require that as part of any detailed application for reserved matters stage, monitoring is undertaken to demonstrate development and wider air quality policy mitigation measures have been effective.</p> <p>In particular, the proposed site is close to the ultra-low emission zone proposed for 2019. In addition, it will be within the expanded ULEZ from 2021. This means that the site will be affected by the ULEZ for 11 years, as such policy measures are highly likely to remove the air quality focus area from exceedance.</p> <p>Given the above policy measures, the sensitivity of the air quality focus area should be revisited at the reserved matters stage. The air quality monitoring should demonstrate that concentrations in the air quality focus area are no longer sensitive to the moderate adverse impacts. To an extent that the developments contribution will not result in a new exceedance within the air quality focus area or delay achievement of the air quality objective.</p> <p>The condition should also stipulate that, if the air quality focus area is still sensitive to the moderate adverse impact, that an additional detailed air quality assessment should be undertaken. If the revised assessment still shows a perceptible adverse impact from the development upon air quality, that quantitative mitigation should be evidenced within the report.</p> <p>This does not constitute ‘further information’ under Regulation 22 of the EIA Regulations. No additional information is required.</p>	N/A	N/A

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			Development's impact at sensitive receptors within the AQFA.			
AQ15	Potential Regulation 22	The Non-Technical Summary should be updated to reflect changes required as a result of this review.	It is considered that the Non-Technical Summary (NTS) provides a fair and representative summary of the findings of the air quality assessment. The clarifications presented above do not change the information set out within the NTS.	<b>Acceptable</b> This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
<b>Ground Conditions and Contamination</b>						
GC1	Clarification	Clarification is required of the regulatory context of the assessment, and the statutory and non-statutory guidance that has informed the assessment.	The regulatory context and guidance used as part of Chapter 11: Ground Conditions and Contamination includes but is not limited to:  Legislation, including: Contaminated Land Statutory Guidance, 2012; Water Resources Act 1991; Environmental Permitting (England and Wales) Regulations, 2010.  National level guidance: National Planning Policy Framework, 2012.  Regional level guidance: The London Plan: Spatial Development Strategy for Greater London, 2011.  Local level guidance: Southwark Plan 2007; Southwark Core Strategy 2011.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC2	Clarification	Clarification is required of qualitative descriptions of significance criteria in Table 11.1, for example 'improvement', 'acceptable levels', 'moderate', 'minor', 'reduction', with reference to legislation or guidance such as the Water Framework Directive or Contaminated Land regulations (see CIRIA C552 for examples).	Significance criteria based on best practice guidance, including the following: Legislation, including: Part IIA of the Environmental Protection Act (EPA) 1990; Contaminated Land Statutory Guidance, 2012; Water Resources Act 1991 (Amendment) (England and Wales) Regulations, 2009; The Water Act, 2003; Environmental Damage (Prevention and Remediation) Regulations, 2009; Environmental Permitting (England and Wales) Regulations, 2010; Building Regulations, 2010,  National level guidance: National Planning Policy Framework, 2012  Regional level guidance: The London Plan: Spatial Development Strategy for Greater London, 2011  Local level guidance: Southwark Plan 2007; Southwark Core Strategy 2011.	<b>Not Acceptable</b> The qualitative language still requires some clarification. For example, 'adverse effect of major significance' includes 'Effect to a ...water resource of regional importance', without quantification of the effect. It would be preferable to append 'such that the source cannot be used without treatment', or 'such that drinking water standards are exceeded', or some similar quantifier. Other quantifiers of effect include exceedance of EQS, change in status of a water body classified under the WFD, designation as Contaminated Land under Part 2A of the EPA, entry or cessation of entry of hazardous substances to controlled waters, upward and sustained increases in water quality etc.  Further clarification is sought.	Significance criteria are qualitative as they are applied to a variety of different assessed risks including potential soil or groundwater contamination, ground gas etc and also to a variety of different receptors. The significance criteria details do not detail quantifications as to list them for every potential risk to every potential receptor would add unnecessary complexity. Instead, it is set out that significance criteria are assessed based on the most appropriate best practice guidance. For example, C552 sets out effects to humans, controlled waters and ecological systems, which are included within the significance criteria within Chapter 11 of the ES.	<b>Acceptable</b> No further clarification is sought.
GC3	Clarification	Clarification of what constitutes a	Classifications used to assign risk ratings	<b>Not Acceptable</b>	As per Table 1 of Appendix 6 of the	<b>Acceptable</b>

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		low, medium or high risk site classification in Table 11.1 and how/whether the site has been classified.	are detailed in Annex C1 of this document (previously presented within Appendix 11.1: Preliminary Environmental Risk Assessment). The risks assigned in ES Chapter 11 have been assigned according to this matrix.	Direct pollution of sensitive water receptors or serious pollution of other water receptors is classified as high and medium risk under a 'most likely' likelihood, and as medium and low risk under a 'reasonably foreseeable' likelihood. Further clarification is required.  Further clarification is sought.	ES Addendum, only a singular risk rating is applied for each scenario; e.g. direct pollution of sensitive water receptors or serious pollution of other water bodies is categorised as high risk under a most likely scenario, medium risk under a reasonably foreseeable scenario and only low risk under an unlikely scenario.	No further clarification is sought
GC4	Clarification	Clarification is sought to be provided with regard to the significance criteria for the built environment. This detail should be included in Table 11.1, so that it is clear how effects on underground railway infrastructure have been assessed.	Significance criteria for structures have been included in Table 2 of Annex C2 (updated Table 11.1) to show how effects on underground railway infrastructure have been assessed within the ES.	<b>Acceptable</b>  No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC5	Clarification	Sources, pathways and receptors should be defined. Potential pollutant linkages should then be identified to include a source, pathway and receptor, in accordance with CLR11 (11.45 and 11.46)	Paragraphs 11.45 and 11.46 of the ES summarise all identified linkages generally using the source-pathway-receptor model. For clarity, Annex C3 of this document explicitly states the source-pathway-receptor for each risk identified.  Risk assessments undertaken to protect site workers will be informed by the results of site investigations, in particular soil and groundwater sampling findings.	<b>Acceptable, subject to the comments below</b>  Paragraphs 11.45 and 11.46 identify pollutant linkages. It is useful to separately identify sources, pathways and receptors as part of the conceptual model development, prior to identifying the linkages between them. For example, shallow groundwater in this instance is both a potential source and a pathway, and its role as a pathway to off-site controlled waters has been neglected in this assessment (seeGC12). It is recommended that future risk assessments for the site include an explicit assessment of the sources, pathways and receptors prior to identifying pollutant linkages.  No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC6	Clarification	It is not clear that risk assessments undertaken to protect site workers will be informed by the results of site investigations, and this is considered necessary to evaluate the types of contamination present and the health and safety measures required. Clarification is required.	Risk assessments undertaken to protect site workers will be informed by the results of site investigations, in particular soil and groundwater sampling findings.	<b>Acceptable</b>  No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC7	Clarification	Clarification is required of why the assessment of exposure to contaminated soils by inhalation of	Significance is assessed as minor due the likely distance between the closest off-site receptors and any stockpiles of soils	<b>Not Acceptable</b>  The location of stockpiles in relation to site boundaries is not known. If there is	The pre-mitigation approach for development works is that they will be undertaken in accordance with	<b>Acceptable</b>  No further clarification sought.

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		dust and vapour is of minor significance (11.55, 11.58) when this may entail exposure to asbestos and carcinogenic vapours.	<p>on-site with the potential to generate significant dust. In addition, the effects have been assessed on the consideration that generation of dust from stockpiled soils only occurs under specific weather conditions and is not anticipated to be a regular, consistent occurrence.</p> <p>Furthermore, as set out in the response to AQ11, Waterman IE would expect the provision of a CEMP, which includes measures to reduce and mitigate emissions to air from construction vehicles to be provided by Southwark Council within a suitably worded planning condition with the granting of any planning permission.</p>	<p>a requirement to site stockpiles a certain distance away from site boundaries, this should be explicitly stated as a mitigation measure. Implementation of the CEMP is also a mitigation measure. The pre-mitigation assessment of minor significance is considered to be too low.</p> <p>Further clarification is sought</p>	<p>minimum legislative requirements and Southwark Council technical guidance, as set out in paragraph 6.65 of the May 2018 ES. This will include working practices in accordance with the London Borough of Southwark Technical Guidance for Demolition and Construction – Guidance document for all developers and contractors undertaking works in the Borough dated September 2016, the control of asbestos regulations 2012 (which includes measures that require prevention of site workers/human health receptors in the surrounding area from windborne dust) and control of substances hazardous to health regulations 2002 which includes measures that require controlling all potential emissions from stockpiles on a site, including vapours. Furthermore, as a minimum, the development area will be surrounded by solid board hoarding (paragraph 6.13) with stockpiled soils damped down when necessary as these measures are standards practice at large redevelopments. Stockpiles will be located away from site boundaries as far as is reasonably practicable. Where this is not possible, appropriate mitigation measures will be applied (information on this is included in the Southwark Council guidance document referred to above). Mitigation will comprise the implementation of a CMP as set out in paragraph 11.149 of the May 2018 ES.</p>	
GC8	Clarification	It is not clear in paragraph 11.98 whether topsoil will be imported to the existing soft landscaping area within the Dock office Courtyard. If not, the effects on human health due to exposure to potentially contaminated soils should be further considered.	Some soft re-landscaping works will be carried out at the Dock Office Courtyard. In this instance, imported certified clean soils for landscaping purposes would be used as there will not be any material from the site suitable as a growth medium, as set out in the 'Effects to Fauna and Flora' section of Chapter 11 of the ES.	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC9	Clarification	Clarification is required that the FWRA will include consideration of the secondary aquifers as well as the Chalk aquifer, and will consider	Refer to Paragraph 11.211 of Chapter 11 of the ES. The FWRA will include consideration of the secondary aquifers, as well as the Chalk aquifer, and will	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>

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		risks due to contaminated sediment if piling through Canada Water.	consider risks due to contaminated sediment if piling through Canada Water.			
GC10	Clarification	The copy and paste error in Row 3 of the 'Completed Development' 'Detailed Proposals' section of Table 11.6 should be rectified.	Error accepted: the likely residual effect for Mobilisation of ground contamination downwards to surrounding soils and shallow groundwater by rainwater infiltration at Plots A1 and A2 within Table 11.6 should read Long-term, local beneficial and of moderate significance (as opposed to minor significance).	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
GC11	Potential Regulation 22	Clarification is required as to how the phased site remediation strategy will deal with mobile contaminants which may migrate across phase boundaries	The ground investigations at each plot will inform the Applicant of the potential for any contamination identified to mobilise between plots. If there is the potential for crossboundary transport this will be identified, and mitigation proposed as part of the Ground Investigation Report and Remediation Strategy for the Plot in question. Furthermore, any significant contamination identified at each individual plot due for redevelopment will require mitigation in order to facilitate that development. This will also in turn mitigate risks to off-site receptors.	<b>Acceptable</b> This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
GC12	Potential Regulation 22	Water bodies in Southwark Park and Russia Dock woodland should be included in the assessment and identified as receptors.	These water bodies are not considered to be receptors due to the distance between them and the Site and the extent of either woodland, structures or roadways between the works areas and these water bodies.	<b>Acceptable, subject to the comments below</b> Russia Dock woodland water bodies are c. 100m from the site boundary, and those in Southwark park c. 350m from the site boundary. Off-site groundwater transport of contaminants is entirely feasible over these distances. These receptors should be included in future contaminated land risk assessments.  This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
GC13	Potential Regulation 22	The Chalk Aquifer should be included as a receptor in the construction phase. Surface water bodies and surface water and groundwater abstractions should be included in the assessment.	During the construction phase, the only direct potential contamination linkage between ground level (where works are undertaken) and the Chalk Group (at depth) would be via works to install the piled foundations. Mitigation measures to prevent these piles acting as a pathway for any contamination caused by the works are covered in the statement on foundation piles in the Completed	<b>Acceptable subject to the comments below</b> It will be important that the FWRA deals with risks to the Chalk aquifer during installation of the piles as well as ensuring the final design is protective of the aquifer. The requirement for a FWRA is to be subject to a planning condition.  Off-site groundwater transport of	<b>N/A</b>	<b>N/A</b>

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			<p>Development section (paragraphs 11.111 and 11.211 of the ES).</p> <p>Canada Water surface water body has been included within the assessment. No further surface water bodies or active local abstractions are considered to be close enough to the Site to be potential receptors during the construction phase.</p>	<p>contaminants is feasible over the distances to some off-site receptors. The risks to off-site controlled waters receptors due to offsite groundwater transport should be considered in future risk assessments.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>		
GC14	Potential Regulation 22	The built environment, including buildings and underground railway infrastructure, should be included in the list of receptors (11.47, 11.48) and effects of ground gases on the built environment should be included in the assessment.	<p>Paragraph 11.47 of the ES considers completed structures at earlier phases of the development during construction works due to the proximity between these features and the ongoing works. However, the existing built environment is not considered as a receptor during this phase due to the generally larger distance between existing structures and the development area.</p> <p>Once complete, the in-use development is not considered to have any potential effects to surrounding existing buildings.</p> <p>Underground railway infrastructure has not been considered as a receptor for ground gases or vapours as the development works will only involve removal of existing material surrounding or above them for basements (thereby lowering the risk). Furthermore, these tunnels are well-ventilated structures with a high air change rate, precluding the build-up of any gases or vapours.</p>	<p><b>Acceptable subject to the comments below</b></p> <p>The assessment does not recognise on-site buildings and property as a receptor distinct from human receptors when considering risks due to ground gas. The development itself is a receptor and potentially at risk from damage due to explosion of methane if ground gas control measures are required but not installed. Future risk assessments should identify property as a distinct receptor.</p> <p>No further information is required regarding the railway infrastructure.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	N/A	N/A
GC15	Potential Regulation 22	The effects of ground gas and vapour on off-site human health receptors (including residents of completed parts of the development whilst other parts are under construction) should be considered.	Paragraph 11.177 of the ES details how the ground investigations at each Development Zone or Plot would inform the appropriate mitigation measures to prevent ground contamination having effects to buried structures and services at earlier phases of the development. This, in turn would prevent effects to residents within these structures.	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	N/A	N/A
GC16	Potential Regulation 22	The potential risk of vapour migration and risks to human health and buildings (including off-site) arising from leaks and spills during decommissioning and demolition of the petrol station should be considered	Paragraphs 11.45, 11.62 and 11.159 of the ES detail how the potential risk associated with the petrol filling station decommissioning have been assessed.	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	N/A	N/A

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GC17	Potential Regulation 22	The effects of contaminated groundwater on aquatic ecological receptors in designated sites of ecological importance should be included in the assessment.	Aquatic invertebrates and fish in the dock are of low quality / diversity at present. The SINC is primarily of value to breeding and wintering wetland and water bird species (although some of these will feed on fish and aquatic invertebrates, others feed on vegetation and terrestrial invertebrates). Measures would be installed to prevent contaminated groundwater entering the system (paragraph 11.97),	<b>Not Acceptable</b> Para 11.97 refers to human health and ground gas, please check reference and clarify.  This Regulation 22 request remains.	Paragraph 11. 129 and 11.232 of the May 2018 ES detail measures to manage surface water run-off into the dock including filters/interceptors/silt traps where necessary These measures will prevent potentially contaminated surface water entering the dock and impacting ecological receptors. Additionally, as discussed in paragraphs 11.206 to 11.210 of the May 2018 ES, basements beneath buildings in plot A1 and A2 will remove most potentially contaminated material across the site. Ground investigation will be undertaken to confirm if material which will remain following excavation poses a risk to ecological receptors within the dock.  Please ignore reference to paragraph 11.97 of the May 2018 ES in our earlier clarification.	<b>Acceptable, subject to the comments below</b>  Future ground investigations and risk assessment should be subject to a planning condition and should explicitly consider the potential pollutant linkage between groundwater and the aquatic ecological receptors within the dock and designated sites of ecological importance.  This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.
GC18	Potential Regulation 22	Cumulative effects with other demolition and construction projects in the vicinity should be considered, due to the potential for off-site receptors to be affected by dust generated from multiple sites.	As mitigation proposed for each potential construction-related contamination pathway would reduce the risks to low (through measures such as dust suppression and prevention of runoff (which will also be set out in the CEMP) even when considered cumulatively, the risks attributable to the Development are considered to be low.	<b>Acceptable</b>  This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
GC19	Potential Regulation 22	Mitigation of the effects of surface water drainage on mobilisation of contaminated sediment in the completed development should be discussed to clarify the measures outlined in Table 11.6	Proposed works include replanting and reprofiling of Canada Water Dock with deepening of the basin. This deepening will dredge out the shallowest potentially contaminated material, including all the material with the potential to be mobilised by surface water drainage, thereby mitigating the risk.	<b>Acceptable</b>  This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
GC20	Potential Regulation 22	The following should be included in the non-technical summary: <ul style="list-style-type: none"> <li>• Ground gases and vapour and the likely need for gas protection measures</li> <li>• Investigation and potential decommissioning of existing boreholes on site</li> <li>• Decommissioning of the petrol station</li> </ul> The Non-Technical Summary should be updated to reflect changes	It is considered that the Non-Technical Summary (NTS) provides a fair and representative summary of the findings of the ground conditions assessment. <ul style="list-style-type: none"> <li>• Ground gas and the need the consider appropriate protection measures have been considered.</li> <li>• As set out within Chapter 11, decommissioning of the abstraction boreholes at Canada Water Dock would</li> </ul>	<b>Not Acceptable</b>  Page 4 of the NTS mentions the provision of an interim PFS, but does not refer to decommissioning activities. It is considered that the requirement to manage the decommissioning of both the PFS and the boreholes on the site to minimise risks of pollution should be included in the NTS, as both are key activities with the potential to pollute the Chalk aquifer.	The NTS will be updated and additional lines will be incorporated as follows:  'Monitoring wells in boreholes drilled across the site as part of ground investigation works will be decommissioned in accordance with Environment Agency guidance.  'The existing Tesco Petrol Filling Station at Plot A2 and the interim petrol filling station will be	<b>Acceptable</b>  No further information required.  An updated NTS would constitute 'further information' under Regulation 22 of the EIA Regulations.

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		required as a result of this review.	<p>be determined at the detailed design stage.</p> <ul style="list-style-type: none"> <li>It is accepted that the decommissioning of the petrol filling station is not covered in the section on 'Ground Conditions' but is referred to earlier on within the NTS.</li> <li>The clarifications presented above do not change the information set out within the NTS.</li> </ul>	<p>It is considered that the NTS should be updated.</p> <p>This Regulation 22 request remains.</p>	decommissioned in accordance with APEA and Energy Institute Guidance.'	
<b>Water Resources and Flood Risk</b>						
WR1	Clarification	Clarification is required of the regulatory context of the assessment, and the statutory and non-statutory guidance that has informed the assessment.	Waterman IE do not include a section on Legislation and Planning Policy Context within the ES chapters, however we do refer to relevant legislation is referred to within the assessment methodology sections of the ES chapters.	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
WR2	Clarification	Document ref: CWM_Minutes of meeting with LBS 2.2.16 FINAL.pdf states that an existing abstraction point may be used. Please clarify whether additional groundwater abstraction is proposed as part of the development, what the abstraction rate would be and likely impact of this additional abstraction.	<p>There is an existing licence to abstract groundwater, however as set out in the second bullet point of paragraph 12.10 of the ES, the pumps are not currently operational.</p> <p>Additional work is being undertaken to confirm if the existing licence would be sufficient. If the rate needs to increase, this would be agreed with the EA.</p>	<p><b>Not Acceptable</b> - The requirement for groundwater abstraction within the Greenwich Tertiaries and Chalk Groundwater Body which is classified as Poor (due to saline intrusion and groundwater abstraction) has the potential to cause a likely significant effect and should therefore be assessed if additional groundwater abstraction is proposed as part of the development.</p> <p>Further clarification is sought.</p>	Two boreholes currently exist, which were both granted current discharge licences by the EA to top up Canada Water Dock as and when required. As the water levels are currently falling within the Dock, these have both historically been used by the Harbour Master to increase water levels within the Dock itself and Albion Channel. Therefore the Development does not propose anything outside of the current status quo, however as stated in the May 2018 ES, the final abstraction licence would be subject to confirmation at the detailed design stage in consultation with the EA. You note in your response that the existing groundwater has some saline intrusion. Existing water sampling within Canada Water Dock shows that the existing quality is fresh to brackish (i.e. slightly saline), which it is assumed is due to groundwater discharge and/or seepage through the dock walls. As set out above, there would therefore be no change to the existing status quo of the water within the Dock. In lieu of detailed design (the majority of the application being submitted in outline) it is not possible to confirm at this stage whether the current abstraction/ discharge licence would be sufficient. The existing licence may be sufficient, however taking a precautionary approach within the assessment it is noted that this would be confirmed through further	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>

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					studies. If additional groundwater abstraction is needed, then this would require a further water abstraction/discharge license to be obtained from the EA. The process of obtaining the license can be undertaken outside of the planning process and would ensure no impact on the environment. The EA would require a risk assessment to be undertaken as part of a discharge consent, and therefore any potential risk would be mitigated through this process. The conclusions of the FRA and Water Resources and Flood Risk Chapter therefore remain as previously stated.	
WR3	Clarification	Please clarify how Surrey Water is tidally influenced and what is the level of the weir between Surrey Water and the Albion Channel that prevents tidal influx to the Albion Channel and indeed Canada Water?	Surrey Waters is protected from flooding by lock gates which form part of the River  Thames defences. Southwark's Harbour Master has confirmed that the water level within Surrey Waters is circa 3.5m AOD and the weir between the Albion Channel and Surrey Waters is set at circa 3.9m AOD.	<b>Acceptable</b>  No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
WR4	Clarification	Section 12.77 conflates the mitigation with the assessment – the effect is deemed to be negligible because groundwater monitoring and detailed design will be undertaken to ensure groundwater flows can be maintained around the structure. The pre-mitigation effect should be stated, and the monitoring and detailed design (effectively a basement impact assessment) should be explicitly stated as mitigation.	It was agreed with the Council (minutes included in Appendix F of the FRA) that no Basement Impact Assessment would be required, and that the FRA would detail a summary of the groundwater regime (paragraphs 3.45 to 3.54) and potential mitigation measures (paragraph 3.50).	<b>Acceptable</b>  No further clarification is sought  Provision by the applicant and agreement with the Council for a groundwater monitoring and mitigation package should be considered as a planning condition.	<b>N/A</b>	<b>N/A</b>
WR5	Potential Regulation 22	Provide a baseline description (in terms of hydrology, operation and flood defences) of the Greenland dock and assess potential impacts to this waterbody.	Greenland Dock is protected from flooding by lock gates which form part of the River Thames defences. Due to the presence of the lock gates, the water level within Greenland Dock is managed. Due to the size of the dock and the ability to manage the water level, unrestricted discharge into the dock would have a negligible impact. Southwark's Harbour Master and the Council have confirmed that unrestricted discharge to the dock is acceptable (included in the minutes in Appendix F of the FRA).	<b>Acceptable</b>  This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>

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WR6	Potential Regulation 22	To pass the exception test, a sequential approach should be taken to development site layout, such that within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location. Additional information is requested as to the overriding reasons for locating 'More vulnerable' development within locations at risk of flooding from flood defence breach.	<p>As set out in paragraph 160 of the National Planning Policy Framework, the Exception Test is split into two elements. The first requires that wider sustainability benefits outweigh the risk of flooding, this is detailed in paragraph 2.11 of the FRA. The second part requires an FRA to confirm that the development is safe and does not increase flood risk elsewhere, this is covered by the FRA itself.</p> <p>Mitigation measures to protect the development from flooding are included in Section 3 of the FRA, these include ensuring 'more vulnerable' uses are raised above the breach flood level, duplex residential units (with bedrooms above the breach flood level) and/or appropriate Flood Management Plans to be agreed with the Council. The exact mitigation per plot would come forward as part of the respective Reserved Matters planning applications for the current Outline aspects of the Masterplan.</p>	<p><b>Not Acceptable</b></p> <p>Please see Section 4.1.2 Exception Test in the London Borough of Southwark SFRA for requirements to demonstrate sequential approach for passing the Exception Test.</p> <p>This has also been requested by the EA, for example see Appendix F 'AG requested that ideally 300mm freeboard should be provided for all development within the breach flood extent, or justification provided if this is not possible'.</p> <p>As per the requirements of the SFRA Section 4.1.2 Exception Test, further information is requested to provide overriding reasons for locating 'More vulnerable' development within locations at risk of flooding from flood defence breach.</p> <p>This Regulation 22 request remains.</p>	<p>Please refer to document DP3027 (Appendix C of the FRA) which was prepared in satisfaction of the Sequential Test. This has been accepted by Southwark Council, confirming that residential uses are appropriate at the site, which lies partly within the breach flood area.</p> <p>It should be strongly noted that the breach is only a 'residual' risk of flooding, with the maximum breach extent only just reaching the site. Therefore, under normal situations there would be no tidal risk of flooding to the site. It would only be if a storm surge occurred (of maximum height/extent) at the same time as the defences failed that water could potentially flow inland towards the site. This is highly unlikely to occur, however even given the extremely low likelihood the safety of occupiers has been thoroughly considered and worked through within the design and within mitigation measures. The type of mitigation given the likelihood of flooding is considered acceptable in all recent planning applications submitted within London and is in line with accepted principles. Where the proposed uses are confirmed (i.e. the detailed plots A1, A2 and K1) any 'more vulnerable' uses have been located outside of areas at risk of breach flooding. However, as set out in the FRA the remainder of the site has been submitted in outline therefore the exact location of different development uses is not fully confirmed at this stage. There was a total of 479,150m<sup>2</sup> (max GEA) of potentially 'more vulnerable' uses proposed (i.e. residential, hotel, assisted living, student accommodation, community and a night club). Of this 95% was located outside of the breach flood extent following a sequential approach to development. For the ES Addendum these values are updated to be percentage located outside the breach extent would be 94%. As a result there would only be a relatively small amount of 'more vulnerable' development potential at risk in the maximum breach extent. Due to the outline nature of these areas of the planning application not all FFLs/development uses are known at this stage. However, the</p>	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>

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					<p>FRA and Water Resources chapter (Section 3 of the FRA, and the previous response) commitment has been made to ensure these areas are designed to afford safety in line with policy requirements. Please refer to this for further details.</p> <p>The overriding reasons for locating 'more vulnerable' development within locations at risk of flooding from flood defence breach are, as set out Sequential Test:</p> <ul style="list-style-type: none"> <li>• The London Plan identifies Canada Water as an Opportunity Area, encouraging intensity of development around good transport links. The London Plan sets an indicative employment capacity of 2,000 new jobs, a minimum housing delivery target of 3,300 new homes and identifies the opportunity for a Major Town Centre.</li> <li>• Canada Water has been designated by the Mayor of London as a "Housing Zone".</li> <li>• The Site lies within the Canada Water Core Area as defined in the Core Strategy (2011) and Canada Water Area Action Plan (CWAAP) (2015). The Core Area should provide at least 4,500 new homes, at least 1,000 new affordable homes, a minimum of 12,000 m2 employment floorspace, and the re-provision of cinema and leisure uses.</li> <li>• We understand that Southwark carried out a strategic flood risk assessment of the borough in 2008 and the site therefore passes the Sequential Test.</li> <li>• The Core Strategy Policy 13 (High Environmental Standards) states that: "Development will help us live and work in a way that respects the limits of the planet's natural resources, reduces pollution and damage to the environment and helps us adapt to climate change. We will do this by: ...(9) Allowing development to occur in the protected Thames flood zone as long as it is designed to be safe and resilient to flooding and meets the Exceptions Test."</li> <li>• The Exception Test, as set out in Paragraph 102 of the NPPF, requires demonstration that the development provides wider sustainability benefits to the community that outweigh flood risk. The FRA, submitted with the May 2018 ES demonstrates the</li> </ul>	

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					wider sustainability benefits of the development which outweigh the flood risk. <ul style="list-style-type: none"> <li>• There are no alternative sites within the Borough which could deliver this scale of housing and employment growth and therefore the site and wider Canada Water Opportunity Area pass the Sequential Test.</li> </ul> In summary it is not possible raise all FFLs due to the requirement to tie into surrounding highways, and also the requirement to maintain the underpass beneath Redriff Road (paragraph 3.20 of the FRA), which connects the site to Greenland Dock. This was accepted by the EA as appropriate justification. Further details would be submitted at the Reserved Matters planning application stage to give additional confidence that the statements within the FRA are being fully implemented, and that all occupants at the site remain safe.	
WR7	Potential Regulation 22	Provide Appendix F of the FRA.	Appendix F is included within the FRA. Refer to pdf page 121.	<b>Acceptable</b> This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.	<b>N/A</b>	<b>N/A</b>
WR8	Potential Regulation 22	For plots at risk of flooding from defence breach, very specific and robust mitigation measures should be specified to reach an insignificant impact conclusion. These should be specified (for example specification of raising of floor levels, resistance and resilience measures and flood and evacuation plan). A statement clarifying whether or not the plots at risk of flooding include basements should be provided with the specification of basement access threshold level where relevant. This should also be added to the Non-Technical Summary.	Management and mitigation of breach flood risk is included within paragraphs 3.12 to 3.22 of the FRA and paragraphs 12.94, 12.96 and 12.97 of ES Chapter 12: Water Resources and Flood Risk.  Paragraph 3.16 of the FRA sets out that basement accesses would be above the breach flood level for Plot A2.  Plots M and E (which could be affected by breach flooding) have been submitted in outline and therefore basement access levels have not been set.  Further details would be provided at the Reserved Matters stage in relation to these plots which would ensure that the development can be occupied safely.	<b>Not Acceptable</b> Mitigation measures should be defined at this stage to ensure confidence in the overall ES conclusion of 'insignificant' and allow such measures to be conditioned.  This Regulation 22 request remains.	The final mitigation measures for Plots M and E cannot be confirmed at this stage as they have only been submitted in outline. However, all the potential mitigation measures proposed (Section 3 of the FRA) would ensure that they could be occupied safely and therefore acceptable in line with planning policy. The submitted documents make a commitment to ensuring safety of occupants through various methods, which can be conditioned and expanded upon in future applications. Further details would be provided as part of the respective Reserved Matters stage which would be reviewed by the LLFA and EA to ensure they are acceptable.	<b>Acceptable</b> This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.  We would recommend that plots that are at a residual risk of flooding include a planning condition that specifies these plots should either have raised floor levels above the breach flood level or be provided with flood warning and evacuation plans and designed to include flood resistance and resilience measures as described in <i>Section 5.2.7 Flood Resistance and Resilience</i> within the Southwark Council SFRA.
WR9	Potential Regulation 22	Provide further justification and clarify the level of certainty over the insignificant conclusion from the impact of the proposed basements on groundwater flows, in light of the stated need for additional	To clarify, the FRA sets out in paragraph 3.52 that the majority of basements would be constructed within the areas of infilled dock (where it is anticipated that there is no natural flow of groundwater) and would therefore have no or minimal	<b>Not Acceptable</b> The level of information provided on the proposed impacts to LOL is limited considering the moderate adverse conclusion reached. Please provide further detail with regards to the	A strategy has been discussed with LOL and agreed with them that this topic will be further explored once the detailed modelling study has been completed during the design development stage. The evidence of the communication and their agreement to the propose way	<b>Acceptable</b> This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.

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		monitoring. Please specify potential mitigation measures if groundwater pathways are shown to be impacted.	<p>impact on groundwater. Monitoring is being undertaken in relation to the London Overground Line (LOL) tunnel due to its location in undisturbed ground that could be capable of supporting natural groundwater flows and the sensitivity of the asset. If groundwater pathways are affected in this area mitigation would be provided in agreement with LOL. The potential options are detailed in paragraph 3.50 of the FRA.</p> <p>As set out in paragraph 3.52 of the FRA there are areas of the site where basements may be constructed in areas of undisturbed ground. However, as there are no sensitive receptors in these locations any changes to groundwater levels are unlikely to increase the risk of groundwater flooding on or off site.</p>	<p>potential impact pathways and also communications with LOL showing agreement for the proposed mitigation measures.</p> <p>More information is needed to clarify whether the proposed mitigation measures in para 3.50 of the FRA might be effective, or whether they might require a significant amendment to the design or phasing of the proposals.</p> <p>This Regulation 22 request remains.</p>	<p>forward is shown in Form AA documents signed off by LOL in 2017 (Appendix 7 of the ES Addendum). On 24 October 2017, LOL confirmed ('cleared') that "studies related to groundwater flow would be part of the postplanning exercise when the data from groundwater monitoring will be available." As set out on Form AA.</p> <p>A groundwater and hydrogeological study to understand the effect of the Development will be undertaken during the detailed design development stage. Further groundwater monitoring data to be collected to incorporate in this study. Whilst the full extent of the effect of the basement construction on the pathways and groundwater flow is yet to be determined, site-specific ground investigation is being undertaken to inform the detailed modelling study. Any requirement for mitigation measures will come from the detailed modelling study and then will be discussed and agreed with LOL.</p>	
WR10	Potential Regulation 22	Further information should be provided as to what mitigation measures will be provided in the event that monitoring shows groundwater pathways to be impacted. Basement waterproofing is specified as mitigation to prevent groundwater flooding of basements.	Potential mitigation measures in relation to the LOL tunnel are set out in paragraph 3.50 of the FRA. As set out in paragraph 3.53, in other areas of the site where changes to groundwater are not anticipated to increase flooding on or offsite, the mitigation proposed would be appropriate waterproofing of the basements themselves.	<p><b>For development zones constructed within the areas of infilled dock (where it is anticipated that there is no natural flow of groundwater) and would therefore have no or minimal impact on groundwater, this is Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p> <p>Provision by the applicant and agreement with the Council for a groundwater monitoring and mitigation package should be required as a planning condition. Waterproofing of basements should also form a planning condition.</p> <p><b>However for basements in development zones that will impact on the LOL tunnel, further detail is required, as per WR9.</b></p>	<p>No further response required.</p> <p>See WR9.</p>	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>
WR11	Potential Regulation 22	The Non-Technical Summary should be updated to reflect changes required as a result of this review.	It is considered that the Non-Technical Summary (NTS) provides a fair and representative summary of the findings of the water resources and flood risk assessment. The clarifications presented above do not change the information set	<p><b>Not Acceptable</b></p> <p>There is no specific mention of the plots M and E that are unable to be raised above the breach flood level. These should be referenced with a summary of</p>	The NTS summaries that the development has been designed to ensure the safety of occupants and gives an example that residential uses would be raised above the breach flood level. This summary is	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>

Code	Request Type	Original Request	Applicant Response – August 2018	Reassessment Conclusion (Aug 2018)	Applicant Response – October 2018	Reassessment Conclusion (Oct 2018)
			out within the NTS.	mitigation measures. This Regulation 22 request remains.	reflective of Plots M and E.	
<b>Ecology</b>						
ECO1	Clarification	Further justification and clarification is sought as to why the CIEEM significance criteria were not used and how the significance criteria used in the ES relates to the CIEEM EcIA guidance.	<p>The approach to the ecological assessment and use of significance criteria is set out in Waterman Briefing Note 32. The Ecology Chapter clearly states in para 13.42:</p> <p>This assessment was undertaken with reference to the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines for ecological impact assessments (the 'Guidelines'). Although this is recognised as current industry guidance, the Guidelines recognise that it is not a prescription about exactly how to undertake an ecological impact assessment; rather its purpose is to 'provide guidance to practitioners for refining their own methodologies'.</p> <p>Para 13.48 of the ES Chapter 13 makes further reference to the CIEEM 2015 Guidelines, in particular using CIEEM's new 2015 geographical scale of impact and further defining/explaining these in relation to the Site.</p> <p>Further references to the CIEEM 2015 guidance are found in paras 13.50 (the CIEEM geographic scale), 13.51 (our interpretation of the CIEEM 'local' scale), 13.53, 13.54 (CIEEM on habitat selection criteria), 13.55 (CIEEM species selection criteria) and 13.57 (CIEEM and assessment criteria).</p> <p>Therefore, Waterman IE have used the CIEEM 2015 Guidance and refined / applied it to this Site completely in accordance with the intention of CIEEM's 'non-mandatory' approach. Furthermore, Briefing Note 32 clearly sets out a consistent approach for the whole ES.</p>	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
ECO2	Clarification	Further justification is sought for the valuation of the woodland and scrub mosaic within the Canada Water Dock.	<p>The woodland was categorised as Local value, and the small patches of scrub including scrub tall ruderal mosaic) as Site value.</p> <p>This was because the woodland and the 'scrub mosaic' habitats are small in extent, of poor quality (unmanaged and subject to litter dumping and vermin), supporting few common/widespread</p>	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>

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			<p>species and are both still relatively widespread habitats in the Borough. In contrast, the open water and reedbed areas are less frequent in the Borough and support species of birds which are much less common in Southwark (and Inner London) and are therefore classified as of Borough importance.</p> <p>The ecological value of the SINC relates to wetland and aquatic habitats and species: the scrub has grown up on areas of former wetland habitat which has dried up as water levels have fallen. The proposals seek to recreate this original wetland design.</p>			
ECO3	Clarification	Clarification is sought as to how the reprofiling of the western edge of the Canada Water Dock may affect the existing buffer provided by the woodland and scrub mosaic.	<p>Originally, a line of trees / hedgerow formed the extreme western boundary and the actual wetland area extended further west: this has now scrubbed up in places as the water levels have dropped. The proposals seek to reinstate more wetland habitat reverting to something more like the original design – as the wetland habitat (reedbeds, wetland edge) are the most valuable for ecology. However, the proposals also include tree planting along the western edge both within and just outside the dock boundary. This planting, coupled with more extensive reedbed planting and creation of new dykes will act as a barrier to noise and the human form, as well as predators. However, in such an urban context the emphasis is on bringing people closer to nature and for people to experience wildlife at close quarters – this is what the new walkway aims to do. Hence the need for buffer zones is not considered significant.</p> <p>This would be designed with the Canada Water Team, the Harbour Master and the Ecologist at LBS.</p>	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
<b>Archaeology (Buried Heritage)</b>						
ARC1	Clarification	The Applicant is asked to provide further justification for the reduction of all effects – especially those of major significance – to insignificant following mitigation, or to revisit how they have explained it. This clarification should be carried through to the NTS.	The proposed mitigation strategy has been agreed with Southwark Council's archaeological advisor, as set out in Appendix 2.3 (page 139) of the ES, and is considered a sensible and appropriate response to the archaeological potential and significance of the Site.	<p><b>Acceptable</b></p> <p>It is noted that the mitigation strategy has been agreed with Southwark's archaeological advisor, and therefore provides comfort that this is an appropriate approach and will ensure recording of extant on-site archaeology.</p> <p>This was not, however, the subject of</p>	<b>N/A</b>	<b>N/A</b>

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				<p>the clarification requested.</p> <p>While the mitigation measures may be appropriate to the likely archaeological potential of the site, this does not explain the methodological approach applied in the reduction in predicted effects from significant to insignificant.</p> <p>No further clarification is sought.</p>		
ARC2	Clarification	The Applicant should provide a statement concerning cumulative effects on archaeological assets.	<p>As archaeological remains are largely intangible without intrusive investigation, and it is difficult to adequately assess the impact of other schemes upon the archaeological resource predicted on the Site. As a result, cumulative assessments on the impacts to remains are generally scoped out, unless upon an identifiable, discreet asset.</p> <p>However, a discussion of likely cumulative effects on archaeological remains are set out in the Archaeology section of Chapter 17: Cumulative Effects, paragraphs 17.69 to 17.70.</p>	<p><b>Acceptable</b></p> <p>The inclusion of a statement in Chapter 17 is welcomed.</p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
<b>Wind</b>						
WM1	Clarification	Clarification is sought on the final design of the proposed mitigation measures as their description is not very detailed, for example should the 50% porous pergola cover the entirety of the northeast side of the terrace? Also, how high should the canopy be from the level of the podium terrace. Detailed description and or an illustrated drawing should be provided of all proposed mitigation in the chapter	<p>As stated within ES para 15.30 "a number of mitigation options (as reported within Appendix 15.1) have been further tested in the wind tunnel (specifically in relation to Configurations 2)." As detailed in para 15.128 the test configuration presented for mitigation measures is Configuration 4 - Detailed Proposals (Plots A1 and A2) in the presence Existing Surrounding Buildings and the mitigation measures. Within Appendix 15.1, mitigation is detailed within section 4.3.4, accompanied by images in Figures 23 – 25c.</p>	<p><b>Acceptable</b></p> <p>Although the main ES does not include detailed information with regards to the proposed mitigation, the client has included reference to the appropriate appendix location where sufficient information has been provided. The information provided in the appendix is satisfactory.</p> <p>No further clarification is sought.</p>	<b>N/A</b>	<b>N/A</b>
<b>Daylight, Sunlight, Overshadowing, Light Pollution and Solar Glare</b>						
DS1	Clarification	Clarify the significance criteria used in the cumulative impacts assessment.	<p>The significance criteria used in Chapter 17: Cumulative Effects are set out within Table 16.3 (Significance Criteria for External Receptors) of Chapter 16 'Daylight and Sunlight. This significance criteria, for the reasons set out in this Chapter, accord with the approach recommended to be applied in the BRE Guidelines. Therefore, it is considered that the daylight and sunlight effects experienced by the relevant receptors</p>	<b>Noted. See conclusion in DS2.</b>	<b>N/A</b>	<b>N/A</b>

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			have been assigned clearly and appropriately. Note that the effects are assessed against both a 'base' criteria and an 'alternative target value'. This ensures all relevant information and analysis required to understand the effects experienced by the particular receptors is provided.											
DS2	Potential Regulation 22	Submit an amended ES chapter, non-technical summary and cumulative assessment based on the agreed significance criteria contained in Waterman's Environmental Briefing Note No. 32 (June 2017) and the advice given in Appendices I and F of the BRE guide as regards impacts on daylight and sunlight to existing surrounding dwellings.	The BRE 'base' criteria have formed the basis of the ES Chapter. A significance criterion has been applied to each of the methodologies in accordance with the base criteria. In addition, GIA have also included the 'alternative target value' approach to explain the level of significance that should be assigned to those effects in the environmental context which they are experienced.	<p><b>Acceptable, but note difference of opinion on the interpretation of the information.</b></p> <p>The significance criteria used, which is stated in Table 16.3 of the ES, do not accord with the relevant recommendations in Appendix I of the BRE guide. The latter sets out a range of factors that may influence the significance of the impacts, including the number of impacts that are outside the BRE guidelines, the margin by which they are outside, the sensitivity of the receptors in terms of the strength of their requirement for daylight and sunlight, whether the receptors have other sources of light and whether there are particular reasons why an alternative, less stringent, guideline should be applied. Appendix F of the BRE guide gives advice on setting alternative target values, including from layout dimensions and building-to-building angles of existing development in the local area. (Refer to paragraphs 14.7 &amp; 14.8 of this report for further explanation).</p> <p>The alternative target values, which form part of the significance criteria in the ES, have not been demonstrated to have been derived from local conditions. Instead, they are based upon the daylight consultant's experience across London and a suggestion that "15% VSC is considered to be an appropriate retained value in the context of the Development and its surroundings". This argument has then been used to set alternative target values for the no-sky line (NSL) and annual probable sunlight hours (APSH) tests that are similarly much lower than the BRE base criteria, as summarised in the following mini table:</p> <table border="1"> <thead> <tr> <th>Test</th> <th>BRE</th> <th>Alternative</th> <th>%</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Test	BRE	Alternative	%					N/A	N/A
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				<table border="1"> <thead> <tr> <th></th> <th>base criterion [1]</th> <th>target value in ES [2]</th> <th>lower [(1-2)/1]</th> </tr> </thead> <tbody> <tr> <td>VSC</td> <td>27%</td> <td>15%</td> <td>44%</td> </tr> <tr> <td>NSL</td> <td>80%</td> <td>50%</td> <td>38%</td> </tr> <tr> <td>APSH</td> <td>25%</td> <td>15%</td> <td>40%</td> </tr> </tbody> </table> <p>The adoption of much less stringent significance criteria means there is inevitably a risk that a lower significance could be ascribed to some of the impacts than would otherwise be the case had the BRE recommendations been followed more closely. For example, if one considers the daylight data for 17, 18 &amp; 19 Hothfield Place one could conclude that the effect significance is moderate adverse; however, the ES concludes that it will be minor adverse.</p> <p>It is accepted that the BRE guidance is not prescriptive and is open to interpretation and opinion. In this instance there is a difference of opinion between the Applicant's and Council's respective daylight consultants on the significance criteria used and how they have been derived. It remains the reviewer's conclusion that it is inappropriate to adopt such low alternative target values within the significance criteria and that this is likely to have resulted in the significance of some of the daylight and sunlight effects being stated to be of lesser significance than is considered appropriate.</p> <p>So while sufficient information on daylight and sunlight has been provided, there remains a difference of opinion over the interpretation of information in terms of significance of impact.</p> <p>Consequently, this does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>		base criterion [1]	target value in ES [2]	lower [(1-2)/1]	VSC	27%	15%	44%	NSL	80%	50%	38%	APSH	25%	15%	40%		
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<b>Cumulative Effects</b>																						
CU1	Clarification	Clarification is sought to confirm that 12/AP/2737 is the correct reference for the Biscuit Factory Development, and if so, why the	The EIA Scoping Opinion planning application for the Biscuit Factory (Planning application reference 17/AP/2884) was considered in the ES.	<b>Acceptable</b> No further clarification is sought. As new information has been provided	<b>N/A</b>	<b>N/A</b>																

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		cumulative assessment was not based on the more recent Biscuit Factory application of October 2017 (17/AP/4088).	<p>This was included in Appendix 17.1, however, in error, this planning application was not referred to in the ES Chapter.</p> <p>The EIA Scoping Opinion application (17/AP/2884) assessed the 'worst-case' scenario when compared to the hybrid planning application (17/AP/4088), and therefore it is considered that there would be no material difference in the cumulative effects assessments included within the ES Chapter. Further clarification on this further information is provided in Annex D1.</p>	by the applicant in Annex D1 this should be consulted on under Regulation 22 of the EIA Regulations.		
CU2	Potential Regulation 22	Summary of Type 2 effects in the NTS should be updated to include effects relating to the demolition and construction periods	<p>The Type 2 effects heading was missed out of the NTS in a formatting error.</p> <p>The paragraph listed underneath the list of committed developments on page 19 of the NTS relates to the Type 2 effects relating to demolition and construction, as follows:</p> <p>The Site demolition and construction works in isolation would result in some temporary adverse interaction effects on future and existing residents and community facilities neighbouring the Development, occupants of completed phases of the work on Site and pedestrians, cyclists, road and public transport users. These interaction effects would be associated with noise and traffic due to the presence of a construction site. The interaction changes in daylight, sunlight, wind, light pollution and solar glare to neighbouring land uses would progressively change to that identified for the Development and committed developments once completed and operational. The Framework CMP, and detailed CMPs for Plots A1, A2 and K1, should improve all construction related effects as far as possible.</p>	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	<b>N/A</b>	<b>N/A</b>
<b>Townscape, Built Heritage and Visual Impact Assessment</b>						
TV1	Clarification	The Applicant should clarify the inclusion, exclusion or replacement of a view from Dundee Wharf – southwest of Rotherhithe in the assessment.	<p>Tavernor Consultancy is unsure of why a view from Dundee Wharf (Limehouse) is required. Stave Hill (view 20) is in line with, but closer to, the Development from Dundee Wharf, and, due to its elevation, largely blocks direct views from Dundee Wharf to the Development.</p> <p>A view from Dundee Wharf has not been</p>	<p><b>Not Acceptable</b></p> <p>Page 31 of the Canada Water Masterplan EIA Scoping Report makes reference to 'Dundee Wharf – southwest at Rotherhithe' as one of the long and medium distance views agreed with LBS and which will form part of Volume 3 of the ES.</p>	<p>Dundee Wharf was included in the Scoping Report as one of the 'long and medium distance view which had been agreed with LBS'. These views had been agreed as part of an earlier 2015 proposal.</p> <p>The design process includes extensive view testing and as part of</p>	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>

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			requested, and all view locations were agreed in consultation with Southwark Council, the GLA and Historic England.	The request for clarification has been made because the EIA Scoping Report appears to commit Tavernor Consultancy to considering this view.  Further clarification is sought.	this process, several views were omitted from the formal assessment and either put into the appendix or omitted entirely. The Dundee Wharf view was reclassified as an appendix view as part this overall rationalisation, and this was agreed with Southwark.  However, in error, the appendix view was omitted from the appendix. The view is now included in the appendix of the revised view document for information (Appendix 18 of the ES Addendum).  The view was put into the appendix for the following reasons: <ul style="list-style-type: none"> <li>• Other views were best placed to show the long distance visual impact of the Proposed Development.</li> <li>• The view was not material to the visual assessment.</li> <li>• The visibility of tall buildings in the backdrop of this view had been established by policy and by the construction of several buildings at Canada Water (Ontario Point, Regina Point and Columbia Point) and the consented Canada Water Sites C and E.</li> <li>• Closer views give a better indication of the shape of the cluster from this direction. Stave Hill (view 20) is in line with, but closer to, the Development from Dundee Wharf, and, due to its elevation, largely blocks direct views from Dundee Wharf to the development.</li> </ul>	
TV2	Clarification	The Applicant should clarify the relevant baseline text and judgements relating to baseline townscape quality and sensitivity to change for Townscape Character Areas 1 and 2.	This is a layout error. Text for TCA1, para 4.19 should read:  <i>4.19 This character area, the narrow strip of development between the River Thames and the parallel Rotherhithe Road, retains much of its historic character, despite uses changing from industry to primarily residential. The 18th century layout remains, as shown in the Roque Map of 1747 (Fig 4.1), with large warehouse type buildings facing the river, and finer grained buildings around the village core of</i>	<b>Acceptable</b>  No further clarification is sought.	<b>N/A</b>	<b>N/A</b>

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			<p><i>Rotherhithe, around St Mary's Church. The historic buildings are typically built directly on the river wall – the Thames Path is not continuous – but recent development (Sovereign Crescent for example) is set back from the river edge. The area includes several water bodies – Surrey Water (the remnant of Surrey Basin), Lavender Pond, Nelson Dry Dock and Greenland Dock. Prior to the development of Salter Road and the interior network of street, after the closure of the docks, Rotherhithe Road was the only street in the peninsular. Entry points to the docks at Surrey Water and Greenland Dock are marked by bascule bridges; when the docks were functioning and if these bridges were raised at the same time, the peninsular could be cut off from 'the mainland'. This historic isolation contributes to its character. The character is defined by its river side setting and historic associations with dock side activity.</i></p> <p>Para 4.20 is correct as it stands in the submitted TBHVIA.</p>			
TV3	Clarification	In light of the above clarification requirement TV2, the Applicant should confirm that assessed effects upon Townscape Character Areas 1 and 2 are correct.	The assessment for TCA1 and TCA2 stands as the submitted TBHVIA	<b>Acceptable</b> No further clarification is sought.	<b>N/A</b>	<b>N/A</b>
BH1	Clarification	The Applicant should clarify what categories of heritage monument are being assessed.	<p>Tavernor Consultancy assumes that the term 'heritage monument' relates to 'heritage asset'.</p> <p>The TBHVIA does not include archaeology or below ground structures.</p> <p>As stated in para 3.20 of the submitted TBHVIA, Conservation Areas (CA's) within 500m, Listed Buildings within 250m, Locally Listed buildings within the Site boundary were considered. After an initial baseline study (section 4), those assets not affected by the development were scoped out of the assessment (shaded green in Table 4-1).</p> <p>Two further assets, which were outside these boundaries, were assessed; Tower Bridge (grade 1) and the Bascule Bridge (locally listed).</p> <p>Tower Bridge, which is over 2km away from Canada Water; it is a landmark</p>	<b>Acceptable</b> The clarification is useful in confirming the assets scoped in to the assessment. No further clarification is sought.	<b>N/A</b>	<b>N/A</b>

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			<p>within the protected vista in LVMF view 5A.2 (our view 1), framing views of St Paul’s Cathedral.</p> <p>Canada Water is visible from views from London Bridge through Tower Bridge (views 4 – 11).</p> <p>The locally listed Bascule Bridge, which is adjacent to the Site boundary, and forms a part of the landscape narrative of the route between Greenland Dock and Surrey Water, was also assessed.</p> <p>HE and Southwark Council supported this approach.</p>			
BH2	Clarification	The Applicant is to clarify if they consulted with HE regarding the choice of views assessed and to provide further information detailing how those views which relate to heritage assets, pertain to their significance.	All 52 views were shown to HE at the pre-application meeting on 12 September 2017. In their pre-application response letter dated 3 October 2017, HE stated “We are content that this sufficiently captures all of our key areas of interest...” and they requested no further views.	<p><b>Acceptable</b></p> <p>It is noted that HE was consulted. It is helpful for relevant correspondence to be appended to the ES.</p> <p>No further clarification is sought.</p>	N/A	N/A
BH3	Clarification	The Applicant is also asked to differentiate via colour in the cumulative views, which schemes are already consented and which are pending.	As shown on p336, Appendix A6 of the submitted TBHVIA, all cumulative schemes considered in the ES have legal consent granted. Schemes under construction (which also have legal consent granted) are shown under construction in the baseline photography of the views.	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	N/A	N/A
BH4	Clarification	It is unclear as to what sources have been consulted for information and the Applicant should provide further detail on this point, as previously agreed in the Waterman response to the scoping opinion (June 2018, p. 17).	All references are collated under References, page 276, in the submitted TBHVIA. Ref para 3.3 of the submitted TBHVIA summarises the methodology references. The NHLE is the primary source for listed assets, CA appraisals for the CA’s, although other sources are referenced throughout.	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	N/A	N/A
BH5	Clarification	The Applicant is to include the NHLE numbers for designated assets in the report.	There is no definitive accepted heritage methodology for EIAs, HE guidance is adapted to suit – there is no guidance that sets out that NHLE numbers are required, and neither HE or Southwark Council have requested NHLE numbers are referenced. The combination of the HE NHLE interactive map, Fig 4-10 and Table 4-1 is an industry acceptable way of referencing heritage assets. Although not a requirement, Tavernor Consultancy has updated the Table 4-1 with NHLE references.	<p><b>Acceptable</b></p> <p>Updates to Table 4-1 are helpful and improve usability for readers / decision-makers.</p> <p>No further clarification is sought.</p>	N/A	N/A

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			Refer to Table 4-1 v3 of Annex E1.			
BH6	Clarification	A map of the conservation areas and listed buildings is provided in Figures 4.9 and 4.10 respectively. There is no study area shown on either figure, nor is there a key on Figure 4.9 and the key on Figure 4.10 is incomplete. Figure 4.10 also depicts the non-designated built heritage assets but these do not have numbers and cannot be cross-referenced to the text. It is also noticeable that a larger number of non-designated assets appear to be included on the map than in the text, although no justification for their scoping out is readily apparent. The Applicant should redress these issues.	<p>The figures have been revised with 250m and / or 500m circles. References to buildings outside the study area have been removed; the content remains as submitted, but the areas and assets have been clarified.</p> <p>Asset names are either on the figure (Fig 4.9) or referenced in the key (Fig 4.10, where the key makes a direct reference to the asset numbers in Table 4-1.)</p> <p>Refer to Fig 4.9 v1, Fig 4.10 v1 of Annex E2.</p> <p>For clarification, as stated in the submitted TBHVIA, CA's within 500m, Listed Buildings within 250m, Locally Listed buildings within the Site boundary were considered. After an initial baseline study (section 4), those assets not affected by the development were scoped out of the assessment (shaded green in Table 4-1).</p>	<p><b>Acceptable</b></p> <p>No further clarification is sought.</p>	N/A	N/A
BH7	Clarification	The Applicant should include an appropriate number of images to aid the readers understanding of the heritage assets and their assessment. The images should be clearly cited.	There is no requirement to include images of the heritage assets. Some heritage assets are represented in the views, and the views referenced, where appropriate. Neither HE nor Southwark Council request this information.	<p><b>Acceptable</b></p> <p>Requests for appropriate imagery to support assertions regarding the significance of heritage assets and predicted impacts thereon is both entirely standard and wholly reasonable.</p> <p>For the most part, the views provided are suboptimal at best in terms of understanding either the contribution of setting to the heritage significance of assets, or the likely levels of effect.</p> <p>For clarity, requests made in the IRR should be treated as requests by the planning authority in discharge of its responsibilities under the EIA Regulations.</p>	N/A	N/A
TV4	Potential Regulation 22	The TBHVIA does not include baseline text describing the existing visual context of the Site and the area for development, noting key receptors and assigning levels of sensitivity. It therefore does not include commitment made in the Scoping Report (Technical Appendix 2.1) or requirement of the Scoping Opinion (Technical Appendix 2.3). In providing the relevant baseline text, the Applicant should ensure	<p>The Site is described in detail in paragraphs 4.7 to 4.10, within TCA2 baseline description paragraphs 4.21 to 4.22 and throughout the existing baseline description of the views. Sensitivity is assigned in the baseline TCA2 and for each view.</p> <p>N.B. The Applicant has stated in their response that they believe this to be a Clarification rather than Potential</p>	<p><b>Acceptable</b></p> <p>TV4 relates to visual context of the Site and the area for development, noting key receptors and assigning levels of sensitivity.</p> <p>The Applicant Response cites Volume III Paragraphs 4.7 to 4.10 which refer to historic ownership and land use. While this is of interest, it does not assist with identifying key visual receptors potentially affected by the Proposed</p>	N/A	N/A

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		conformance with the guidance documents cited in the assessment and Scoping Report.	Regulation 22.	<p>Development.</p> <p>The Applicant Response cites Volume III Paragraphs 4.21 to 4.22 which refer to the baseline and sensitivity of TCA2. While this is of interest, it does not assist with identifying key visual receptors potentially affected by the Proposed Development.</p> <p>However, the Local Planning Authority using its specialist knowledge is satisfied that the approach taken by the developer generally conforms with national guidance and adopted policy. Although this is not strictly in line with the GLVIA guidance as communicated through the review comments, LUC's conclusion on this issue still stands. However, the Regulation 22 request/clarification has been removed.</p>		
TV5	Potential Regulation 22	The TBHVIA should include an assessment of potential effects upon visual receptors, i.e. people, and the visual amenity, existing and in the future, should be given proper consideration. This is a requirement of the Scoping Opinion issued prior to preparation of the ES.	<p>The approach taken in the submitted TBHVIA has been accepted many times by Southwark Council, in both this and previous applications, as an appropriate approach. Southwark Council accepted our approach through scoping.</p> <p>As the GLVIA states itself, it forms guidelines for assessments only. There is no requirement by policy or law for a TBHVIA to follow all aspects of the GLVIA. The TBHVIA is informed by aspects of the GLVIA, as set out in the methodology.</p> <p>Visual receptors (people) are referred to in the submitted TBHVIA in the following way:</p> <p>Sensitivity to change is ascribed to each view based on the recognition of value attached to particular views through planning designations or the contribution made by existing townscape quality, composition and character, and by designated heritage assets. The nature of the observers expected at a particular viewing position is referenced only where this is of relevance to the sensitivity to change of a particular view.</p> <p>The GLVIA states that the type of viewers (resident, worker, tourist) or a number of viewers at each view point contributes, alongside other aspects, to the value and sensitivity of change of a view. Our</p>	<p><b>Acceptable</b></p> <p>The Applicant Response states that the approach has been accepted through scoping. The potential for this is approach to become an issue was raised in our review of the Scoping Report.</p> <p>The Applicant Response states that there no requirement by policy or law for a TBHVIA to follow all aspects of the GLVIA. It is therefore unclear why the Scoping Report, at Section 4.9.3, states that the methodology for assessment will be based on GLVIA3.</p> <p>However, the Local Planning Authority using its specialist knowledge is satisfied that the approach taken by the developer generally conforms with national guidance and adopted policy. Although this is not strictly in line with the GLVIA guidance as communicated through the review comments, LUC's conclusion on this issue still stands. However, the Regulation 22 request/clarification has been removed.</p>	N/A	N/A

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			<p>approach derives from the nature of the viewer/people at each viewing place and also the nature of the view (including its value and the value of assets within it, as set out in the GLVIA at para 6.37, which does not relate to the individual viewer). The susceptibility of the view/ viewer to change and the value of the view/viewer is considered together in the baseline assessment in order to determine the 'sensitivity' of each view to change.</p> <p>A designated view point, for e.g. View 1 at Greenwich, where there is likely to be more tourists than workers, does have a higher sensitivity to change than, for example, view 42, which is likely to be mostly experienced by a worker or a resident. However, it is not because tourists have a higher susceptibility to change than a worker or resident, it is because the nature of the view is higher.</p> <p>All the viewing points are public, Tavernor Consultancy has no method of measuring who will be there and when, and generalising how different groups might respond is presumptive (does a tourist respond differently to a worker on their lunch break?); identifying the individual viewer types, viewing numbers and their susceptibility to change would be either too broad to be of any use, or would have to be simply made up, and would not contribute to the assessment.</p>			
TV6	Potential Regulation 22	The NTS should be updated to include any relevant information resulting from the clarifications/ Regulation 22 requests.	It is considered that the NTS provides a fair and representative summary of the findings of the townscape and visual impact assessment. The clarifications presented above do not change the information set out within the NTS.	<p><b>Not Acceptable</b></p> <p>This conclusion is not acceptable in relation to TV4 which has not yet been resolved. If the assessment changes as a result of addressing TV4 the NTS may still need updating.</p>	No further responses required for issue TV4.	<p><b>Acceptable</b></p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>
BH8	Potential Regulation 22	The Applicant is to clarify the heritage assessment methodology and to provide an explanation for the use of obsolete guidance. They are also to provide further information of the criteria used in the assessment especially in relation to significance, sensitivity and magnitude of change.	<p>Tavernor Consultancy understands the Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (aka GPA 3) and Seeing the History in the View, were superseded by the 2nd edition of GPA 3 published in December 2017.</p> <p>GPA3 2nd edition incorporates aspects of Seeing the History in the View, so whilst technically Seeing the History in the View is 'obsolete', relevant points are carried through into GPA3. Whilst 'obsolete', the</p>	<p><b>Not Acceptable</b></p> <p>It is accepted that the majority of the content of the 1st edition of GPA3 (2015) remains in the 2017 version.</p> <p>The Applicant has not, however, provided additional information on the derivation of judgements on the significance or sensitivity/susceptibility to change or heritage assets, or magnitude of change and significance of effects.</p>	The primary guidance for the assessment of historic assets is The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (second edition). It sets out a number of steps to be followed (ref para 3.7 of the TBHVIA). The HE assessment process does not fully align with the GLVIA methodology which is formulated for visual assessments. It does, however, align with the NPPF and the Planning (Listed Building and Conservation Areas) Act, which	<p><b>Acceptable</b></p> <p>The Applicant has provided further information on their methodology and use of GLVIA and HE guidance notes. The information provided does not offer the clarification requested, nor sufficiently demonstrates that there has been no conflation of methodologies. Nevertheless, we are content that the applicant has supplied adequate information on which the authority can make a decision.</p>

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			<p>document is not discredited, merely superseded by GPA3, 2nd edition.</p> <p>That said, GPA3 1st edition, and since December 2017 GPA 2nd edition, remains the primary source for our methodology for the heritage assessment.</p> <p>The assessment of the Development has been ongoing throughout the design process, which started in 2015.</p>	<p>'Table 3-1: Significance criteria' appears to be derived from GLVIA3 and conflates visual and historic environment considerations. Explanatory text from 3.5-3.9 reinforces the perception that the methodology conflates visual effects and effects to the significance of heritage assets, specifically the references to 'Seeing History in the View' and the statement that [GPA3] "...informs the views assessment in Section 6 of this volume. Elements of the advice contained in this document has been used to supplement the GLVIA-based methodology used for this assessment where appropriate." (reviewer's emphasis)</p> <p>Further information is required under Regulation 22 to ensure that the built heritage assessment has applied an appropriate and robust approach, and the authority can discharge its responsibilities under the Regulations and the planning acts.</p>	<p>is the primary objective of the application. The statutory duty is to pay special regard to the desirability of preserving or enhancing the settings of listed buildings. The heritage term 'preserve' equates to 'neutral', 'enhance' equates to 'beneficial' and 'harm' refers to 'adverse'.</p> <p>The HE guidance notes this general discrepancy and states on p8 in relation to EIA procedures:</p> <p>"Each of the stages may involve detailed assessment techniques and complex forms of analysis such as viewshed analyses, sensitive matrices and scoring systems. Whilst these may assist analysis to some degree, as setting and views are matters of qualitative and expert judgement, they cannot provide a systematic answer. Historic England recommends that, when submitted as part of a DAS, ES or evidence at a public inquiry, technical analyses of this type should be seen primarily as material supporting a clearly expressed and non-technical narratives argument that sets out 'what matters and why' in terms of the heritage significance and setting of the assets affected, together with the effects of the development upon them."</p> <p>This narrative approach forms the basis for our assessment, and is set out in Table 4 .1, 4.27 – 4.20, 6.6 – 6.16 and Table 6.1.</p>	<p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>
BH9	Potential Regulation 22	<p>The Applicant was requested by Historic England to utilise their guidance on tall buildings, and in accordance with that guidance the applicant is requested to provide a Zone of Theoretical Visibility (ZTV) map – which ideally utilises building height data in addition to topography – to provide an indication of the extent of visibility of the proposed development. The ZTV should be overlaid with heritage asset data to provide justification for scoping out assets at greater distance and to provide transparency for the decision maker.</p>	<p>HE's Tall Buildings Advice Note 4 states that it is good practice to 'identify the zones of visual influence' (4.1 a, page 7). In GPA3 2nd edition, it states:</p> <p>"A Zone of Visual Influence defines the areas from which a development may potentially be totally or partially visible by reference to surrounding topography. However, such analysis does not take into account any landscape artefacts such as trees, woodland, or buildings, and for this reason a 'Zone of Theoretical Visibility' which includes these factors is to be preferred. (GPA3, 2nd ed, p9)."</p> <p>Zones of Theoretical Influence are a starting point for view testing, they do not present definitive view locations. Through a combination of our knowledge</p>	<p><b>Acceptable</b></p> <p>The Applicant's response does not relate directly to the additional information requested.</p> <p>A ZTV, with overlaid heritage asset data, was requested and remains outstanding.</p> <p>It is accepted that the Applicant has used professional judgement in determining which assets may be affected – but the provision of the requested graphic would be a useful aid to decision-makers and consultees in understanding whether the applied judgement / scope of assessment is appropriate.</p> <p>This does not constitute 'further information' under Regulation 22 of the</p>	<p><b>N/A</b></p>	<p><b>N/A</b></p>

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			<p>of this site and analysis of the Miller Hare city model with the development inserted, 62 views were put forward for testing (52 views plus 10 appendix views) – the resultant submitted views location map is, therefore, informed by a Zone of Theoretical Visibility.</p> <p>It should be noted that the visual assessment is not an exhaustive assessment of all visual effects but is an assessment of a sufficient number of views from a variety of distances and directions that allow a proportionate assessment of changes to visual amenity, heritage assets and townscape character.</p> <p>This approach, and the 52 view locations, have been agreed with Southwark Council and HE.</p> <p>Paragraph 3.20 in the submitted TBHVIA, copied below, stands.</p> <p>3.20 The zone of visual influence of the Development has been determined through the initial visual impact testing. The area of existing context likely to be influenced by the Development varies with the scale and alignment of the existing context. For example, where streets align with the Site or across open space it is possible to see further extending the zone of influence in certain areas. For this reason, the zone of influence on designated conservation areas, which may contain open spaces and a variety of street alignments and is larger than that for listed buildings, which tend to be integrated within the urban form.</p> <p>The character, significance and setting of designated conservation areas within 500m of the Site, where significant effects might be expected given the height and the scale of the Development, have been described in Section 4. The character, significance and setting of listed buildings within approximately 250m of the Site where significant effects might be expected on individual structures or small groups of listed structures might be anticipated, given the height and the scale of the Development and the local street alignment, have been described in Table 4-1. Undesignated heritage assets and listed structures further from the Site,</p>	<p>EIA Regulations. No additional information is required.</p>		

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			where effects on their settings are likely to be less significant, are described and assessed in relation to their contribution to the relevant conservation area, Townscape Character Area, or view.			
BH10	Potential Regulation 22	<p>The Applicant is to update their heritage baseline to include all designated and non-designated heritage assets potentially affected by the development proposals (including the former printworks and dock walls) and to provide descriptions of these assets, their setting and heritage significance, and the manner in which the proposed development may affect them.</p> <p>Any requirement for mitigation should also be made clear, especially in relation to the potential demolition of the former print works.</p> <p>If a thorough study of the heritage significance of the former print works was undertaken - as stated in paragraph 4.29 – then the report should be added as an Appendix.</p>	<p>Assets which are potentially affected by the Development are covered in Table 4.1 and paras 4.11 – 4.15.</p> <p>The former printworks was constructed in 1986 – 89 for the Associated Newspapers; it was vacated by Associated Newspapers in 2013, when the printing machinery was stripped. It is currently used as an arts and music venue. The client applied for a COI for the former printworks in June 2017, submitting a justification statement (dated February 2017) prepared by Kenneth Powell, as supporting information. HE issued a COI in September 2017. The documents are provided in Annex E3.</p> <p>The former printworks is not a designated asset. The description in 4.10 of the submitted TBHVIA (copied below) is a description. All buildings have some interest, but that does not mean they have sufficient interest to be either listed or locally listed.</p> <p>4.10...The Printworks (former Harmsworth Quays Printing Works) has some interest for its scale, postmodern architectural expression and post print works uses; its value has been thoroughly assessed and a Certificate of Immunity was issued in 2017.</p>	<p><b>Acceptable</b></p> <p>The former Harmsworth Quay Printworks is referred to as 'having some interest for its scale, postmodern architectural expression and post print works uses', but is not identified as a heritage asset nor included in the assessment.</p> <p>The Local Planning Authority is satisfied by the applicant's assertion that the Printworks does not constitute a heritage asset. While we do not agree with this view, the Regulation 22 request has been removed in recognition of the authority's professional judgement.</p> <p>This does not constitute 'further information' under Regulation 22 of the EIA Regulations. No additional information is required.</p>	N/A	N/A
BH11	Potential Regulation 22	The Applicant is to revisit the assessment of effects and to either offer a clear rationale for how the proposals benefit the heritage significance of the receptors, or re-evaluate accordingly.	<p>The former Dock Office and Southwark Park were judged to have major, beneficial and minor, beneficial heritage assessments respectively.</p> <p>Tavernor Consultancy stands by the assessment of the former Dock Office (paragraphs 6.13 – 6.16 of the submitted TBHVIA). This is enforced by HE's application response (letter dated 18 July 2018) (refer to Annex E4a) where they state:</p> <p>"in response to our initial advice, there does now appear to be a greater integration of the Grade II listed former Dock Offices. This would be achieved by creating landscaped public realm within</p>	<p><b>Not acceptable</b></p> <p>We welcome the reconsideration of the effects to Southwark Park.</p> <p>We note that the assessed effect to the Dock Offices remains unchanged. Similarly, we note that no further detail has been provided to aid understanding of the approach taken to determining beneficial effects to heritage assets (highlighting again that it is the heritage significance of assets that must be enhanced or better-revealed to enable the recording of beneficial effects).</p> <p>While we offer no judgement on the outcomes of the assessment, more detail</p>	<p>We do not accept that the HE comment does not relate to heritage assets: they state expressly that the improvements around the former Dock Offices would make some contribution to the "heritage-related public benefits". We also do not accept the contention that the scheme will "sever" an extant visual and spatial relationship.</p> <p>We believe the baseline assessment and impact assessment set out at Table 4-1 and paragraphs 6.13-15 is valid. However, it is conceded that the judgement of 'major, beneficial' was made in error – in relation to the impacts on the setting of the</p>	<p><b>Acceptable</b></p> <p>Given that the harm we believe would result from the scheme in relation to the former Dock Office is not significant, we accept the Applicants response. It is nonetheless our reading of the correspondence that the proposed - benefits are clearly not to the heritage significance of the asset and that the proposed scheme would seemingly sever the extant visual and spatial relationship between the Former Dock Offices and Canada Dock (and affect the ability to understanding their historical and</p>

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			<p>the Dock Office Courtyard. We consider that the improvements to the public realm around the surviving waterways and the former Dock Offices would make some contribution to the heritage-related public benefits of the scheme.” The setting of the former Dock Offices are greatly enhanced, and Tavernor stand by the assessment of major, beneficial.</p> <p>Whilst Tavernor stand by our narrative comments in the assessment of Southwark Park (Table 6.1) Tavernor concur that the benefits noted are primarily townscape related only, and that the heritage significance of the asset is not changed by the Development. The likely significance of effect on the significance of the asset should therefore be insignificant. This revised effect for the Southwark Park remains within the range of significant effects reported in the ES for heritage assets overall (which range from insignificant to major beneficial). Therefore, the change will not have an effect on the overall assessment of built heritage assets.</p> <p>Tables 6.1 (v3) and Table 7.1 (v 4) have been amended to suit, set out in Annex E4(b) and Annex E4(c).</p> <p>The assessment of TCA3, Southwark Park, stands at minor, beneficial.</p>	<p>is required to aid understanding of how the methodology has been applied to give rise to beneficial effects from a development that would seemingly sever the extant visual and spatial relationship (and affect the ability to understanding the historical and functional relationships) between the dock offices and the surviving portion of Canada Dock (Canada Water) – which the applicant acknowledges as one of the two main aspects of the asset’s setting at 6.13.</p> <p>With regard to correspondence with HE, we would refer the applicant to the quoted response: “...improvements to the public realm...would make some contribution to the heritage-related public benefits of the scheme.” [our emphasis]</p> <p>This statement is unambiguously related to the public benefit of the scheme and <i>not</i> to effects on the significance of heritage assets.</p> <p>This Regulation 22 request remains.</p>	<p>heritage asset, rather than its significance. We wish to amend that judgement to “minor, beneficial” on the basis of the reasoning which to be beneficial as a combination of the improved integration of the Dock Office into Canada Water and the enhanced public realm which allows the significance of the Former Dock Office to be better appreciated.</p> <p>Table 4.1 – the Schedule of heritage assets (Summary Description, significance and Setting), and paragraphs 6.13 – 6.15 remains as the submitted TBHVIA.</p> <p>This assessment is made in accordance with the HE Settings Guidance and other relevant guidance and policy set out in the THBVIA.</p>	<p>functional relationships).</p> <p>This does not constitute ‘further information’ under Regulation 22 of the EIA Regulations. No additional information is required.</p>
BH12	Potential Regulation 22	The Applicant is to revisit discussion of how the change in setting as a result of the proposed development may affect the heritage significance of the asset.	Refer to Ref No. BH11 above.	<b>As above for BH11.</b>	See response above.	See response above.
BH13	Potential Regulation 22	The Applicant is to update the residual and cumulative effects assessment in light of the additional heritage receptors to be assessed and if a justification cannot be provided for the predicted beneficial effects.	Refer to revised Table 7.1 (v4), set out in <b>Annex E5.</b>	<b>Acceptable</b> Updates to Table 7.1 welcomed. This does not constitute ‘further information’ under Regulation 22 of the EIA Regulations because this does not give rise to a significant effect. No additional information is required.	<b>N/A</b>	<b>N/A</b>
BH14	Potential Regulation 22	The NTS is to be updated to represent a more comprehensive summary of the effects to heritage receptors and to include any relevant information resulting from the clarifications/ Regulation 22	It is considered that the NTS provides a fair and representative summary of the findings of the built heritage assessment. The clarifications and Regulation 22 comments presented above do not change the information set out within the	<b>Not Acceptable</b> It is accepted that the applicant has not provided discussion of levels of significance of effect throughout the NTS.	NTS has been updated in line with the Proposed Amendments and further design detail as set out in the ES Addendum.	

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		requests.	NTS. As it is a non-technical document, there are no levels of significance, and thus the change to the significance of effect on Southwark Park has not been specifically set out within the NTS.	The Applicant should nevertheless be mindful of any subsequent change to the NTS necessitating in dealing with any of the outstanding issues highlighted above.  As such this Regulation 22 request remains for now.		