

## Technical Note

**Project title** GLA Bishopsgate Goodsyard  
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**File reference**  
**cc**  
**Prepared by** Amy Cook  
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**Subject** Arup advice: ES Compliance Report RMA02

8 Fitzroy Street London W1T 4BJ United Kingdom  
t +44 20 7636 1531 d  
arup.com

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### Documents reviewed

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The following document has been reviewed:

- Bishopsgate Goodsyard Plot 1 Environmental Compliance Report – Draft Scoping Note, prepared by Temple Group Ltd., dated June 2023

Comments on this document have also been provided by London Borough of Tower Hamlets (LBTH) and Avison Young in relation to the daylight and sunlight assessment scope which have been taken into account within this advice note.

### High level advice

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Temple Group, on behalf of Bishopsgate Goods Yard Regeneration Limited, ('the Applicant'), has prepared a draft note on the intended scope of the environmental compliance report to be submitted with a reserved matters application (RMA) for commercial development within Plot 1 (RMA 02) of the Bishopsgate Goodsyard planning permission (BGY PP). RMA02 is located partly within LBTH and partly within London Borough of Hackney (LBH). This note sets out:

- General advice on the proposed environmental compliance report approach, including applicable Regulations;
- High-level suggestions on the technical assessment scope and methodology for each topic area; and
- Other recommendations considered relevant for the RMA02 application.

### General approach

The environmental assessment of the Bishopsgate Goodsyard scheme is set out within the:

- Bishopsgate Goodsyard Environmental Statement (ES) Addendum<sup>1</sup> and appendices (dated October 2019) ('2019 ES'); and
- Bishopsgate Goodsyard ES Addendum (dated June 2020).

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<sup>1</sup> The Goodsyard Environmental Statement Addendum and appendices (Temple Group, October 2019) and Environmental Statement Addendum (Temple Group, June 2020); together the 'BGY ES'.

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Together, these two documents comprise the Bishopsgate Goodsyard ES ('BGY ES'). The BGY ES reports the environmental assessment and significant environmental effects of the outline parameters for each plot, including Plot 1 which will come forward as part of RMA02.

The BGY ES was prepared under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, as amended. However, the 2019 ES acknowledged the new regulatory regime and included consideration of any additional requirements introduced by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended.

Any future environmental assessment of the BGY PP should ensure it is compliant with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, as amended, 2018.

The Environmental Compliance Report and any further assessment work should consider the requirements of the adopted London Plan 2021.

### **Environmental compliance**

It is our current understanding that the proposed design of RMA 02 is to be brought forward within the consented outline maximum and minimum parameters assessed within the BGY ES for Plot 1 or parameters that will be slightly amended to accommodate the evolving design for the lower and upper building elements. *Note:* any non-material amendments to the parameter plans under Section 96a of the Town and Country Planning Act 1990, as amended, would be determined by the local boroughs. Furthermore, depending on the determination timing for any non-material amendments coming forward within the masterplan, it should be clear what is being taken into account within any modelling i.e. CFD modelling, daylight/sunlight modelling or rendered visuals.

As such, further environmental assessment of RMA02 must demonstrate that the proposed detailed design is environmentally compliant with the BGY ES conclusions and that the impacts previously reported remain valid.

Temple Group is proposing to submit an Environmental Compliance Report with the RMA 02 planning application which is deemed appropriate. The Environmental Compliance Report and any accompanying technical assessments for each discipline should include a comprehensive review of the following:

- baseline conditions, which should include an update to any survey work and consideration of any new sensitive receptors (including occupiers of new developments in the surrounding area – although noting that these committed schemes should have taken into account the Bishopsgate Goodsyard scheme);
- legislative, planning policy or changes to relevant technical, in particular any additional requirements of the London Plan 2021 and BRE Daylight and Sunlight Report (Site Layout Planning for Daylight and Sunlight: a guide to good practice), June 2022;
- relevant technical assessments, such as air quality or ecology, to take into account any updates to the baseline environment;
- potential cumulative effects alongside any previously identified committed developments and new developments that have come forward since the grant of the original outline planning permission (again noting that these new schemes should have taken into account Bishopsgate Goodsyard as part of their design process); and

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- any changes made to the outline planning permission such as updates to the construction programme or phasing of construction activity, or any non-material amendments to the parameters for other plots (currently being considered), and the implications this may have for any interim scenarios or impacts on future users.

Each technical assessment should then be reviewed and updated to consider whether:

- the environmental information already reported in the BGY ES remains valid;
- the detailed design would result in the identification of any new or different significant environmental effects compared to those already reported in the BGY ES; and
- the mitigation secured as part of the outline planning permission still remains valid, or whether any additional mitigation is required.

### **High level comments on proposed scope of further assessment, method and aspects of the topics to be assessed for each technical discipline**

The approach to the environmental assessment for each topic set out in Section 2.1 of the scoping note is deemed appropriate.

Topic specific comments set out in the following sections state where additions or variations to the proposed scoping note should be considered.

#### **Description of RMA02**

No details have been provided on the proposed detailed design of Plot 1, its layout or quantum of floorspace. It is also not clear by how much the proposed Plot 1 balconies would exceed the maximum parameters. The Environmental Compliance Report should include a clear description of the proposals and how they comply with the approved parameters assessed in the BGY ES. As stated, it is our current understanding that the proposed detailed design for Plot 1 will be within the maximum outline parameters (with the exception of the balconies and a variation in the height of the plinth which is still being discussed).

#### **Construction**

Section 2.4 sets out that the proposed construction programme for BGY PP is likely to be 7 years as opposed to the 13 years originally anticipated in the BGY ES. The benefits of a shorter construction programme will be offset by the increase in intensity of the construction activities. The construction assessments for each topic should be reviewed and updated in light of the shorter construction programme and overlapping activities within RMA01. Consideration should be given to any changes in the proposed phasing of the BGY PP site build out, likely effects on occupants of earlier phases of BGY PP and any changes to the cumulative effects alongside other committed developments in the area.

#### **Waste**

The updated waste assessment, waste strategy and bin store design must acknowledge the requirements of the following:

- LBTH Waste Management Strategy 2018-2030, and
- LBTH Reuse Recycling and Waste Supplementary Planning Document (SPD) (2021).

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## Ground conditions

- A Phase 1 desk-based assessment is to be undertaken and appended to the Environmental Compliance Report. This should include consideration of any additional intrusive investigation that has been undertaken at the site since the BGY ES.
- The conceptual site model should be updated in line with the latest development proposals and take into account the proposed piling methodology (if different to what was assessed in the BGY ES).
- Any planned additional ground investigation works to be carried out and submitted with the RMA02 planning application should also be clearly stated.

## Water resources

- The site is located within Flood Zone 1 with no waterbodies within the vicinity.
- Further assessment should focus on the capacity of the surrounding water supply and drainage infrastructure. Consultation should be undertaken with Thames Water Utilities Limited (TWUL) to confirm there is appropriate capacity within the network.

## Ecology

- A review of the baseline should be undertaken to confirm the ecological conditions on site reported remain valid.
- Confirmation should be provided that protected species survey data remains valid and/or has been updated, as necessary.
- The application should be accompanied by a Biodiversity Net Gain assessment which demonstrates the proposals can achieve a minimum 10% biodiversity net gain – noting that this is a new requirement, as far as possible, consideration should be given to integrating ecological features to the design.
- The Urban Greening Factor (UGF) should also be calculated with proposals seeking to demonstrate urban greening has been maximised to achieve a UGF target of 0.3 for commercial development.

## Socio-economics

- Further assessment should consider construction employment, increase in local spending associated with construction activity and crime levels during construction, particularly in light of the compressed construction programme.

## Climate change

- the Whole Life Carbon Assessment (WLCA) should take into account the compressed construction programme and updated phasing.

## Air quality

- The air quality monitoring site on Wheeler Street (4) is not shown in Figure 4.1. The location of the six monitoring sites should be confirmed and the resolution of the Figure 4.1 should be increased.
- Further assessment should take account of revised traffic counts following the compressed construction programme and revised phasing.

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- All monitoring should be undertaken in line with current, best practice Institute of Air Quality Management (IAQM) guidance<sup>2</sup>.

### Noise and vibration

Further assessments should:

- cite current legislation, policy and guidance, e.g. the NPPF 2021.
- consider the requirements of Overheating: Approved Document O, 2021<sup>3</sup>.
- take account of revised traffic counts following the compressed construction programme and revised phasing.
- ensure that the full requirements of Condition 25 of the LBTH decision notice are acknowledged and adhered to including consideration of construction working hours, noisy construction activities, noise from plan, noise from operation of the cultural space and overground/underground assets.
- review and justify why noise and vibration survey locations and data collected as part of the BGY ES remains representative of the noise baseline for RMA02 and valid for the assessment.

### Wind microclimate

Wind tunnel testing was originally conducted by RWDI as part of the BGY ES to assess the impacts on wind microclimate as a result of the maximum parameter envelope granted for the BGY PP. The assessment of acceptability for pedestrian activities as described in the BGY ES was based on the standard Lawson Criteria. The BGY ES demonstrated that wind conditions within and around Plot 1 were safe and comfortable for the intended uses.

To ensure wind conditions were suitable, the proposals relied upon the implementation of a number of mitigation measures that would be brought forward as part of the detailed Plot 2 design and wider masterplan (particularly to address the windier conditions between Plot 1 and Plot 2) including:

- a solid canopy above the transfer structure 6m wide on the southwestern façade;
- horizontal fins 3m wide protruding from floor levels 5, 10, 15 and 20 with a 1m gap between fins;
- 11 elevated banners in staggered arrangement along thoroughfare to north of Plot 2 – 1.5m wide, 6m tall, approximately 50% porous medium 6m above ground suspended from poles;
- baffles suspended from the underside of the Overground structure where this crosses pedestrian thoroughfares, 1.5m high in staggered arrangement;
- dense planting or hedging at platform level west of Plot 2 running perpendicular from the local Building 2 elevation (in four radial strips) and following the eastern edge of the Oriel (single broken strip), 1.5m in height (including planter);
- three deciduous trees east of the southwestern corner of Plot 2, 8m tall;

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<sup>2</sup> Guidance – IAQM

<sup>3</sup> Statutory guidance Overheating: Approved Document O - GOV.UK (www.gov.uk) 2021 edition

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- two planters with dense planting or hedging between south-eastern corner of Plot 2 and southwestern corner of Plot 8A, 1.5m total high;
- solid screens in staggered arrangement between south eastern corner of Plot 2 and southwestern corner of Plot 8A, 1.5m wide by 2m in height; and
- solid balustrade around the Building 2 roof terraces, 1.8m in height.

As stated by LBTH: *“is not clear what, if any, changes to the landscaping of the RM are proposed, noting that the landscaping was assessed and relied upon in the wind tunnel assessments undertaken previously and landscaping is relied on to achieve suitable conditions in terms of comfort and safety between buildings 1 and 2. It is therefore considered that wind tunnel testing should be undertaken”*.

The Environmental Compliance Report must include a review the wind mitigation measures relied upon in the BGY ES and confirm whether or not there will be / have been any changes to these measures. It is proposed that the detailed design of Plot 1 will be tested using Computational Fluid Dynamics (CFD) to verify the results reported in the BGY ES. The use of CFD is considered appropriate provided that the mitigation measures, as identified at the outline stage, would continue to be implemented, as approved. If it is proposed for any of the essential mitigation or landscaping to be removed or materially altered, then consideration would need to be given as to whether the use of CFD to test the different mitigation measures would still be appropriate. In this instance, it may be that the revised scheme would need to be tested in a wind tunnel.

It is acknowledged that the detailed design of Plot 1 will include balconies which will be located on the façade beyond the maximum parameter limits. Wind tunnel testing is not usually undertaken just to model the effects of balconies as it is relatively straightforward for professional judgement to identify where/if parapets or balustrades would be needed to ensure safe and comfortable wind conditions.

The CFD model must incorporate the consented Plot 2 and Plot 7 detailed design and landscaping. It is agreed that no further testing of the detailed Plots 2 and 7 needs to be undertaken. Again, depending on the programme for RMA01, the detailed design for Plots 4, 5, 6 and 10 should also be tested as part of the wider masterplan, along with the additional committed schemes identified by LBTH.

### **Townscape and visual impact (TVIA)**

- It is assumed that the proposed RMA 02 will be within the consented outline maximum parameters (with the exception of balconies) and the assessment methodology and residual effects have been accepted – it is not within our scope to comment on the consented scheme or method of the previous TVIAs undertaken.
- The methodology for assessing whether there are likely to be any new or different effects on townscape or views as a result of the detailed design (and addition of balconies) should be clearly set out. This should include:
  - parameters assessed as part of the consented scheme.
  - key features of the proposed detailed Plot 1 design, identifying any new or different features in relation to those already assessed and consented - either confirmation that the proposed detailed design sits within the approved parameters should be provided or any aspects where it departs from the approved parameters should be highlighted.

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- final assessment of effects of the consented scheme (noting the BGY ES comprises several reports) with which the proposed detailed design is being compared.
- The assessment should include any new effects as a result of the compressed construction and altered phasing in relation to those set out in the BGY ES.
- The assessment should include a description and assessment of the proposed materials and details of the proposed detailed design, including landscape design, with reference to key views.
- The views selected for rendering (AVR3 visualisations) and listed in paragraph 4.10.4 of the draft scoping report are considered appropriate. The renders should include the detailed designs for Plot 2 and Plot 7 and the additional cumulative schemes identified by LBTH. Depending on the timing of RMA01, this should also be shown in detailed within the renders. Remaining plots within the masterplan should be shown as wireframes.

### Technical reports to be submitted with the RMA 02 application

It is recommended the RMA 02 application is accompanied by the following suite of technical reports to ensure the assessments are sufficiently updated to reflect the detailed scheme and address London Plan 2021 and condition requirements of the BGY PP:

- Air Neutral Assessment and Air Quality Positive Statement – either standalone or as part of the Environmental Compliance Report
- Biodiversity Net Gain assessment
- Construction Environmental Management Plan – confirmation needed whether this will be discharged under the BGY PP
- Construction Logistics Plan (*BGY PP Condition requirement*)
- Circular Economy Statement (*BGY PP Condition requirement*)
- Design and Access Statement – to include Secured by Design principles, details of play space, green/brown roofs, green walls, bat and bird boxes
- Energy and Sustainability Statement – to include an Overheating Assessment, details of photovoltaic panels
- Environmental Compliance Report to include:
  - updated air quality assessment (*BGY PP Condition requirement*)
  - updated townscape, built heritage and visual assessment
  - updated wind microclimate assessment
  - updated noise assessment to include consideration of plant and noise levels within the cultural space (*BGY PP Condition requirement*)
  - updated ecology assessment to include mitigation details
- Fire Strategy (*BGY PP Condition requirement*)
- Flood Risk Statement
- Drainage and Utilities Strategy to include consideration of SuDS (*BGY PP Condition requirement*)
- Internal Daylight, Sunlight, Overshadowing assessment – either standalone or as part of the Environmental Compliance Report
- Infrastructure Statement
- Mechanical Ventilation Statement to include:
  - a scheme of acoustic window insulation (*BGY PP Condition requirement*)
  - an updated internal acoustic assessment

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- and an odour assessment of any extraction equipment
- Site Waste Management Plan
- Transport Statement
- Urban Greening Factor report (*BGY PP Condition requirement*)
- Whole Life Carbon Assessment (*BGY PP Condition requirement*)

## DOCUMENT CHECKING

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	Prepared by	Checked by	Approved by
Name	Hamid Atta	Amy Cook	Stephanie McGibbon
Signature			

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