

LLDC Ref: **PRN.011**

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Department: Planning
Our reference: LDD39/LDD02/HA01
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By email: planningpolicy@londonlegacy.co.uk

Dear Alex

**Statement of general conformity with the London Plan (Planning and Compulsory Purchase Act 2004, Section 24(4)(a) (as amended);
Greater London Authority Acts 1999 and 2007;
Town and Country Planning (Local Development) (England) Regulations 2012**

RE: London Legacy Development Corporation - Partial review - Publication stage draft Local Plan

Thank you for consulting the Mayor of London on the Publication stage draft of the partial review of the London Legacy Development Corporation (LLDC) Local Plan. As you are aware, all Development Plan Documents in London must be in general conformity with the London Plan under section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004. The Mayor has afforded me delegated authority to make detailed comments which are set out below. Transport for London (TfL) has provided comments, which I endorse, and which are set out in this letter with more detailed comments attached at Annex 1.

This letter sets out where you may need to amend existing policies and supporting text to be more in line with the current London Plan and the emerging Draft New London Plan.

The draft new London Plan

The Mayor published his Draft New London Plan for consultation on 1st December 2017 and the Minor Suggested Changes (following consultation) on 13 August 2018. The Examination in Public of the Draft New London Plan will commence in January 2019 with publication anticipated in Winter 2019/20. Once published, the new London Plan will form part of the LLDC Development Plan and contain the most up-to-date policies.

The LLDC Local Plan is required to be in general conformity with the current London Plan, however any policies that diverge from the Draft New London Plan will become out of date as the Draft New London Plan gains more weight as it moves towards publication. In addition, the Draft New London Plan and its evidence base are now material considerations in planning decisions.

General

The Mayor recognises this is a partial review of the LLDC's existing Local Plan and welcomes the overall approach to growth and development in the Publication Stage draft. He considers that in general the plan is positive and is in general conformity with the London Plan. However, set out below are some suggestions and other representations to clarify and improve upon some policy areas.

On 29 January 2018, the Mayor provided comments (reference: LDF39/LDD02/BS01) on the LLDC's earlier consultation on the Local Plan Review scoping report, making suggestions as to how the Local Plan should progress in light of the emerging Draft New London Plan. This letter follows on from that earlier advice.

Housing Delivery

The Mayor welcomes the LLDC's aspirations to exceed the delivery of its new housing target of 2,161 new homes per year through priority projects including the delivery of approximately 2,400 new homes at Chobham Manor, East Wick and Sweetwater as set out in Strategic Policy SP.2 (C17). The Mayor also welcomes the LLDC's intention to deliver 50% affordable housing across a portfolio of sites including those at Stratford Waterfront East, Rick Roberts Way, Bridgewater Road and at Pudding Mill.

Developing business growth, jobs, higher education and training

Table 1: Direct jobs from proposals. Table 1 estimates that cumulative development will provide for, in the region of 55,000 jobs up to 2031 (C26). The current London Plan identifies Stratford as a strategic office centre beyond central London with an estimated capacity for up to 50,000 jobs including over 30,000 predominantly office jobs at Stratford City. In light of the potential future extension of the CAZ at Stratford, the Mayor is pleased that office generating employment uses will be directed there in accordance with Draft New London Plan paragraph 2.4.3. The Draft New London Plan Policy E1 identifies Stratford as a location where the provision of new CAZ-type office functions should be supported.

Paragraph 4.4. The Mayor welcomes the potential identification of a Creative Enterprise Zone at Hackney Wick and Fish Island (C22) in line with Draft New London Plan policy HC5. The bids have been assessed and on 14th December it was announced that the LLDC has been successful in its bid for Hackney Wick and Fish Island.

Policy B1. The LLDC's approach to the continued safeguarding and intensification of industrial capacity through consolidation and co-location (C26) is welcome and is one which reflects London Plan evidence on industrial land demand and supply. The approach is consistent with emerging London Plan policies E4-E7, which identify the LLDC as a planning authority that should retain industrial capacity (C29). However, the strategic approach to planning for industrial land as set out in the emerging London Plan is not entirely about job density. It should be recognised that some industrial land uses, especially in this instance, those for logistics and distribution, which are of particular importance in supporting the CAZ, have relatively low job densities.

In 2015, 36% of London's industrial land was identified as non-designated and is therefore of significant importance to London as a whole. Amendments to the LLDC's Draft Local Plan Policy B.1 should seek to retain B2 and B8 uses in accordance with Draft New London Plan Policy E7. Policy E7 states that mixed use and residential proposals on non-designated industrial land should prioritise the retention of existing B2 and B8 capacity, either through the mixing of uses or through a process of intensification, and not merely allow them to change to other B use class activities. Additional capacity for other B use class activities will only be welcome on the proviso that existing B2 and B8 capacity is re-provided or increased and that redevelopment does not compromise the ability of industrial land uses to operate effectively. The same approach should also be applied to **paragraph 4.15**, for Hackney Wick and Fish Island (C35).

Table 2. (C25, C26 & C39) It is noted that Here East is given a sub-designation under its continued SIL designation. The sub-designation of Strategic Technology Cluster at Here East is one which recognises that the area is occupied by a modern development comprised of a variety of business, educational and leisure uses. While these uses may diverge from those set out under Draft New London Plan Policy E4, in this instance, it is considered that the development and infrastructure on the site and in the immediate area would nevertheless enable SIL uses to occur. Given the loss of SIL in London over the last ten years, the Mayor considers that the retention of the SIL designation maintains its importance in preserving existing industrial uses and its longer-term role as a reservoir of strategic industrial land for London as a whole. It should be made clear that the priority is for the retention of industrial capacity. This could be for industrial uses that support the existing functions on site.

With regard to **Bow Goods Yard (Site Allocation SA4.5)**, the introduction of non-industrial uses would only be considered acceptable where SIL is released through a process of consolidation and intensification to maintain or increase industrial capacity thereby creating the space to accommodate new non-industrial uses on the site in accordance with Draft New London Plan Policy E7. A masterplan should be produced to cover the whole Goods Yard site.

Paragraph 4.13 (C32). The current wording regarding the provision of affordable workspace is unclear, and the paragraph should be amended to make it clear that large scale office development proposals over the threshold size should consider the provision of low-cost business space and affordable workspace in accordance with Draft New London Plan Policy E2.

Strategic Policy SP.2 Maximising housing and infrastructure provision within new neighbourhoods Part 2 (and paragraph 5.19). As stated above, the Mayor welcomes the draft Plans ambition to deliver in excess of the LLDC's draft new London Plan indicative housing target of 2,161 homes a year. If the target is rolled forward this would be well in excess of the 22,000 homes minimum identified to be delivered for the period 2020-2036 (C63 & C66). The Mayor welcomes the inclusion of a 5% buffer in the LLDC's housing trajectory, however it should be noted that the Planning Practice Guidance is clear that the Mayor as the strategic policy making authority is to distribute the total housing requirement for London. As stated in paragraph 3.19A of the London Plan, in order to support the range of activities and functions required in London, buffers should not lead to approval of schemes which compromise the need to secure sustainable development in line with the NPPF.

The 35% figure for affordable housing is not a target but the baseline for the Mayor's threshold approach set out in draft London Plan policies H6 and H7. The strategic target for the delivery

of affordable housing in London is 50%. The policy should make clear the distinction between affordable housing thresholds and the strategic target as set out in the Draft New London Plan.

Policy H.1 Providing for and diversifying the housing mix (C67, 71, 73)

The Mayor welcomes the additional text regarding housing delivery, and in particular diversifying housing developments such as supporting small sites, where appropriate. In this regard, the Mayor has no objection to the delivery of the small sites target being compressed. This is in line with Minor Suggested Change to the draft new London Plan Policy H3BA.

Paragraph 5.11

Draft New London Plan Policy H12 states that boroughs should not set prescriptive dwelling size mix requirements (in terms of number of bedrooms) for market and intermediate homes. Instead boroughs should provide guidance on the size of units required by number of bedrooms to ensure that affordable housing meets identified needs. In this regard, the LLDC should apply its requirement that over half the units in a scheme are two-bedroom flexibly, where required.

Paragraph 5.14 states that ‘Proposals shall be supported which address stock imbalances by introducing market and intermediate housing within existing predominantly social rented areas...’ Approaches to create mixed and inclusive communities are welcome and reflects Draft New London Plan Policy GG4 Delivering the homes Londoners need.

Policy H.2. Delivering affordable housing.

The LLDC should note that the Mayor has given more weight to ensuring affordable housing is provided on-site in his Draft New London Plan when compared with the current London Plan, particularly for schemes of over 25 units. Draft New London Plan Policy H5, part B now states that affordable housing *must* only be provided off-site or as a cash in lieu contribution in exceptional circumstances. Also see draft London Plan policy H2 and H6 which provide some flexibility for small schemes.

Paragraph 5.19. As noted in revised paragraph 4.9 (C29), it should be recognised that the Draft New London Plan in Table 6.2 identifies the LLDC as a ‘retain capacity’ area for industrial land and that the overall strategic approach is one of no net loss of industrial capacity as set out in Policy E4 part C. Likewise, the principle of no net loss of industrial capacity should be applied to site allocations where existing industrial capacity should be retained as part of any future development proposals and should not be lost to B1a Office uses.

Paragraph 5.23 states that ‘For the purposes of clarification, non-self-contained older person’s accommodation will be monitored on the basis of 3 bedspaces accounting for a single home.’ Draft New London Plan Policy H3 states that ‘Net non-self-contained accommodation for older people (C2 use class) should count towards meeting housing targets on the basis of a 1:1 ratio, with each bedroom being counted as a single home. Paragraph 5.23 should be amended to take account of the approach set out in the Draft New London Plan. Furthermore, paragraph 5.23 uses the term ‘residential sheltered care homes’ which should be amended to ‘residential nursing care accommodation’ to reflect the term used in the Draft New London Plan and to avoid confusion with ‘sheltered accommodation’ which is considered to be C3 housing.

Paragraph 5.26. While the Draft New London Plan sets no annual benchmark for specialist older persons housing for the LLDC area, the Housing Requirements Study 2018, conducted on behalf of the LLDC and which forms part of the Local Plan evidence base provides figures of future projected demand for specialist older persons accommodation. In accordance with Draft New London Plan Policy H15, the LLDC should work positively and collaboratively with providers to identify sites which are suitable for specialist housing to meet the identified need.

Policy H.2 and paragraph 5.15. With regards to the threshold for the provision of affordable housing, Policy H.2 sets '...ten units or more' and paragraph 5.15 sets '...over 10 units'. It is recommended that term 'ten units or more' is used consistently in both instances and throughout the document in line with draft new London Plan policy H6.

Policy H.5: Location of gypsy and traveller accommodation. The Mayor welcomes the inclusion and consideration of the Draft New London Plan definition of gypsies and travelling showpeople in LLDC's Draft Local Plan. While the LLDC has identified provision to meet the needs of Gypsies and Travellers falling within the Planning Policy for Traveller Sites (PPTS 2015) definition at the Bartrip Street South Site (SA1.7), no such provision has been made for the further 15 pitches required as a result of the new London Plan definition. It is noted that the LLDC Draft Local Plan sets out a commitment to work with neighbouring authorities in finding appropriate sites and to monitor the delivery of pitches on an annual basis. Further capacity needs to be found to address this shortfall in Gypsy and Traveller provision in time to meet the identified need. Policy H.5 should be amended from 'The Legacy Corporation will seek to provide...' to 'The Legacy Corporation will provide...'.

Section 7 Transport

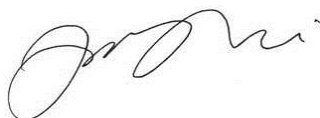
With regards to transport capacity, TfL is working closely with the LLDC, Newham Council and other stakeholders to deliver an integrated congestion relief scheme for Stratford station, as there are existing capacity constraints which require station control in the weekday PM peak. The Outcome Definition Study has identified that several potential interventions will be required, such as new entrances and a new overbridge. We welcome the updated references to the need to improve access to the station in the draft Local Plan. TfL will continue to work with the LLDC and other stakeholders through the appropriate governance procedures to identify and deliver phased interventions.

More detailed comments from TfL are attached as Annex 1.

Policy BN.5 Proposals for tall buildings. It is noted that the LLDC has introduced a new criterion to Policy BN.5 which states that tall building proposals over the proposed threshold levels would have to, in addition to meeting policy requirements, achieve significant additional public benefit. It is considered that further guidance should be provided in the supporting text to clarify this requirement.

I hope these comments inform the Examination of the LLDC Local Plan. If you have any specific questions regarding the comments in this letter, please do not hesitate to contact Hassan Ahmed on 020 7983 4000 or at hassan.ahmed@london.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Juliemma', written in a cursive style.

Juliemma McLoughlin
Chief Planner

Cc Jennette Arnold, Unmesh Desai, London Assembly Constituency Members
Nicky Gavron, Chair of London Assembly Planning Committee
National Planning Casework Unit, MHCLG
Lucinda Turner, TfL

Annex 1 – Transport for London comments

LLDC Local Plan Review Regulation 19 consultation – TfL comments

Thank you for the opportunity to comment on the Revised Local Plan Regulation 19 Publication Draft.

Please note that these comments represent the views of Transport for London (TfL) officers and are made entirely on a "without prejudice" basis. They should not be taken to represent an indication of any subsequent Mayoral decision in relation to this matter. The comments are made from TfL's role as a transport operator and highway authority in the area. These comments also do not necessarily represent the views of the Greater London Authority (GLA). A separate response has been prepared by TfL Property to reflect TfL's interests as a landowner and potential developer.

TfL will also respond separately to the Preliminary Draft Charging Schedule Consultation.

Overarching general comments

The approach taken generally supports draft London Plan policies of making the best use of land and optimising densities.

TfL welcomes the publication version of the document and generally supports the proposals, which makes relevant updates to reflect the draft London Plan and policy initiatives such as Healthy Streets. There are several suggestions for non-material minor wording changes and updates to maps and figures, as set out below. Comments made in this section should also be taken to refer to updates required to the relevant sub area chapters.

The draft London Plan was published in December 2017 and was open for public consultation until March 2018. Following the consultation, a revised draft was published in August 2018 showing Minor Suggested Changes made in response to consultation comments. The draft London Plan is a material consideration in assessing local policy and determining planning applications.

We have set out a number of comments and proposed changes on the following pages which we hope are helpful.

We are committed to continuing to work closely with LLDC and GLA to help deliver integrated planning and make the case for continued investment in transport capacity and connectivity to unlock further development and support future growth in the LLDC area and across London.

With particular reference to transport capacity, TfL is working closely with LLDC, Newham Council and other stakeholders to the delivery of an integrated congestion relief scheme for Stratford station, where there are existing capacity constraints which require station control in the weekday PM peak and where an Outcome Definition Study has identified that several potential interventions will be required, such as new entrances and a new overbridge. We welcome the updated references in the draft Local Plan. TfL will continue to work with LLDC and others through the appropriate governance procedures to identify and deliver phased

interventions. There are several large emerging applications in the LLDC and Newham area, which will be required to mitigate their impact. We will be pleased to discuss further how S106 and / or CIL, among other potential funding sources, can be allocated towards Stratford station to mitigate the impact of these developments.

Section and paragraph comments

Wording below is set as underlined for additional text suggestions and struckthrough for text removal suggestions.

5.22 "...are considered most appropriate for PBSA due to the enhanced walking, cycling and public transport accessibility..."

BN4 & BN10 – welcome the increased references to streetscape, public routes and spaces, Healthy Streets, public realm

7.13 "Analysis shows that ~~the planned growth can be accommodated without significant new public transport investment, as long as the planned and emerging growth in the Legacy Corporation area and east London needs to be co-ordinated with enhancements to public transport network capacity and station capacity, alongside local connectivity improvements are brought forward~~ with an emphasis on walking and cycling and smarter travel choices built into new developments."

7.13 point 3 "Improvements to public transport and improved access and capacity to stations in the area... Such schemes include an integrated congestion relief scheme (comprising new access and interchange) ~~at the new entrance at Stratford station~~"

"Improvements to Stratford station as part of an integrated congestion relief scheme access and station upgrade."

7.16 / 7.8 Crossrail 2 "Transport for London (TfL) and Network Rail are working closely together to develop Crossrail 2. The proposed route map as confirmed in ~~2015~~ the 2018 Mayor's Transport Strategy would provide a link across London's southwest to northeast ~~corridor from the north east to the south west~~. The concept of an eastern branch has previously been explored and focused on an alignment through Hackney, Newham and beyond ~~and Haringey and Network Rail branches~~. An eastern branch could provide significant benefits to the Legacy Corporation area and continues to be a priority for the growth boroughs that it would include."

T.2 & T.4 Welcome references to 80% target and other London Plan and MTS policies

7.19 We will need to collectively assess if in addition to S106 any reference to other appropriate funding mechanisms is appropriate

7.21 "and ~~new platforms~~ network capacity improvements at Stratford station."

Table 7 or Figure 24 – could add in strategic cycle infrastructure, such as Cycle Superhighway 2 or Quietway 6 or Lea Valley tow path cycle routes

Sub Areas and site allocations

Sub Area 3 Central Stratford and Southern Queen Elizabeth Olympic Park

Throughout, please check spellings and references to Montfichet Road.

12.3

Add additional bullet point “Enhancing access to and internal capacity at Stratford station”

Policy 3.2

Suggest amendments to text to reflect the range of potential interventions:

“The Legacy Corporation will work with its partners to promote improved connectivity and multi-modal interchange and public realm improvements...in particular a new pedestrian bridge from Jupp Road and facilitating ~~a western entrance to~~ new entrances and interventions at Stratford regional station to both enhance local access and deliver an integrated congestion relief scheme”

12.11 “The excellent accessibility of the Sub Area is compromised in some locations by physical barriers of roads, railways and waterways, and by the capacity constraints experienced at Stratford station. The Legacy Corporation will...”

12.12 “The Legacy Corporation will work in partnership with other relevant bodies including local communities to improve connections and station capacity and multi-modal interchange, particularly on key projects, such as the Jupp Road bridge and improvements to the western new entrances and interventions to Stratford Regional Station...”

Figure 35 There are other potential new access points at Stratford station identified, and as such there are a range of “principal connection improvement” besides the one identified at a south western station entrance location. Rather than adding in all potential interventions, it may be easier to add a larger circle around Stratford station. NB Site Allocation SA3.4 also identifies the Jupp Road bridge as a key connection not shown on Figure 35.

Site Allocation SA3.4

“• **Maximise** and reflect in any new development or public realm improvement the potential arising from pedestrian movement to and from a new southwestern entrance to Stratford Regional Station and improvements to the Jupp Road bridge

• The identified options for the a new southwestern entrance to Stratford Regional Station and delivery of a western overbridge should be incorporated into redevelopment proposals for this site”

Sub Area 4 Bromley-by-Bow, Pudding Mill, Sugar House Lane and Mill Meads

Please check references between “Pudding Mill” as the area, and “Pudding Mill Lane” as the DLR station.

We welcome the references in 4.2 to the ongoing new connections and 4.3 to station improvements and TfL will continue to work with LLDC and Newham and Tower Hamlets Councils to deliver these proposals to unlock homes and jobs.

Policy 4.3 “In considering proposals to improve Bromley-by-Bow Station, to further enhance the existing improvements that have been made, the Legacy Corporation will support proposals that improve accessibility and capacity to and within the station and enhance its visual presence within the area.”

13.8 “Improvements are proposed at Bromley-by-Bow station to improve accessibility and capacity, create step-free access...”.

Site Allocation SA4.5: Bow Goods Yards (Bow East and West)

GLA have responded regarding SIL release and consolidation and intensification. The Masterplan which to be developed should clarify what is intended by “intensification and consolidation”.

Bullet point 6 “Provides an alternative road access across the site allocation area to enable servicing and access to and from the A12” No wording changes proposed at this stage, however TfL would want to understand if a direct or indirect connection would be proposed. TfL would be concerned about the practicality of a direct access onto the A12 at this point, notwithstanding the potential to reduce vehicular impact on the local highway network, for feasibility and delivery, and we would be pleased to engage in any initial masterplanning in particular to inform what constraints and opportunities exist for further assessment for access to the A12. “

Delivery and Implementation

No wording changes proposed, but as TfL may have a key role in the delivery of projects in the LLDC area, we would wish to work closely together in developing transport proposals, ensuring that current thinking on potential transport infrastructure projects and their funding is aligned.

Summary

I trust that the above provides you with a better understanding of TfL’s position. Please do not hesitate to contact me should you have any queries or clarifications about these comments.

Yours sincerely

Josephine Vos

Acting Manager London Plan and Planning Obligations team

Email: josephinevos@tfl.gov.uk