



The Planning Inspectorate

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# Report to London Legacy Development Corporation

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an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 9th July 2015

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**PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)  
SECTION 20**

**REPORT ON THE EXAMINATION OF THE LONDON LEGACY DEVELOPMENT  
CORPORATION LOCAL PLAN 2015 TO 2031**

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Examination hearings held between 3<sup>rd</sup> March 2015 and 13<sup>th</sup> March 2015

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## Abbreviations Used in this Report

AA	Appropriate Assessment
AAP	Area Action Plan
CIL	Community Infrastructure Levy
FALP	Further Alterations to the London Plan, Mayor of London, 2014
HMO	Houses in Multiple Occupation
KPI	Key Performance Indicator
LB	London Borough
LDS	Local Development Scheme
LLDC	London Legacy Development Corporation
MM	Main Modification
NPPF	National Planning Policy Framework
PSED	Public Sector Equality Duty
PTAL	Public Transport Accessibility Level
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SPG	Supplementary Planning Guidance

## **Non-Technical Summary**

This report concludes that the London Legacy Development Corporation Local Plan provides an appropriate basis for the planning of the Area, providing a number of modifications are made to the plan. The Corporation has specifically requested me to recommend any modifications necessary to enable the plan to be adopted. All of the modifications to address this were proposed by the Corporation with one exception, as explained in the main body of the report.

The Main Modifications can be summarised as follows:

- Modifications to confirm the importance of convergence, and to assist its achievement through the creation of job opportunities and access to education, and through the plan monitoring process;
- Modifications to confirm that housing delivery over the plan period will meet if not exceed the London Plan targets, and will be monitored and managed appropriately;
- Modifications to ensure that the needs of gypsies and travellers for accommodation are planned for positively and in accordance with national policy, supported by co-operative working with the Boroughs and gypsy & traveller communities;
- Modifications to ensure that proposals for tall buildings are assessed in terms of their effects on the surrounding area in a rigorous and consistent manner;
- Modifications to ensure that the historic environment of the area, including its designated and non-designated heritage assets and its historic waterways, is conserved and enhanced;
- Modifications to give consistency with the Government's latest guidance on housing standards;
- Modifications to clarify the position of safeguarded rail sites and the range of uses appropriate to them;
- Modifications to clarify the role and expectations for Stratford Metropolitan Centre and other lower order centres;
- Modifications to explain arrangements for waste planning correctly;
- Modifications to text and maps to show the area's key connections, including waterways, accurately;
- Modifications to the Sub-Area strategic allocations to ensure that these are all justified, consistent with the Local Plan's policies and likely to deliver;
- And Modifications to ensure that the Site Allocation for Greater Carpenters District gives due consideration to retaining low-rise family housing where possible, allows for early community consultation on development, and supports the principle of Neighbourhood Planning.

## Introduction

1. This report contains my assessment of the London Legacy Development Corporation (LLDC) Local Plan in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF), paragraph 182, makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for my examination is the publication version (August 2014) [LD/01] which was subject to consultation between August and October 2014. After receiving responses to this consultation exercise, the Development Corporation produced a Table of Minor Amendments and Corrections [LD/26]. These were discussed at the hearings and I have also taken account of them in examining the Local Plan.
3. In accordance with section 20(7C) of the 2004 Act, the Corporation requested that I should make any modifications needed to rectify matters that make the Plan unsound or not legally compliant and thus incapable of being adopted. My report deals with the main modifications that are needed to make the Local Plan sound and legally compliant and they are identified in bold in the report (**MM**). These main modifications are set out in the Appendix.
4. All the main modifications relate to matters that were discussed at the examination hearings. Following these discussions, the Legacy Corporation prepared a schedule of proposed main modifications [LD/31] and carried out sustainability appraisal. The schedule was subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report. The one further modification which I recommend, **MM72**, addresses representations from English Heritage (now named Historic England). MM72 complements proposed modifications MM2 and MM15-MM18, and its addition does not significantly alter the content of the modifications as published for consultation, nor undermine the participatory processes and sustainability appraisal that has been undertaken.
5. The Corporation put forward a number of additional, minor modifications both before and after the hearings [LD/31]. As Inspector, I have no powers to make minor changes or "improvements" to the Local Plan which do not affect its soundness. Minor modifications may assist with correcting errors, providing factual updates and giving greater clarity, however, and can be made by the Corporation before adoption.

## Assessment of Duty to Co-operate

6. Section 20(5)(c) of the 2004 Act requires that I consider whether the Corporation complied with any duty imposed on it by section 33A of the 2004 Act in relation to the Plan's preparation. The Corporation's Duty to Co-operate Background Paper [TBP/03] sets out the arrangements established and followed for constructive, active and ongoing engagement with the four host or Growth Boroughs which cover the area of the Local Plan, the Greater London Authority and Lee Valley Regional Park Authority. A Memorandum of Understanding between these authorities establishing a commitment to meet the duty to co-operate has been secured [Appendix 1 of TBP/03]. In addition, there has been consultation with relevant prescribed bodies, as a minimum at each formal stage of consultation of the Local Plan's preparation. Discussions with the prescribed bodies and local planning authorities over matters raised have clearly helped shape the policies and site allocations in the Local Plan.
7. The London Gypsy and Traveller Unit queried whether the duty had been met in respect of co-operation with all four London Boroughs over the provision for gypsy and traveller accommodation. Cross-border working is addressed in the Development Corporation's Gypsy, Traveller and Travelling Showpeople Accommodation Assessment [LEB/08], which demonstrates that this has been a complex matter. The Development Corporation explored the potential for joint working but this was not carried forward immediately because all the Boroughs are at different stages of preparation or review of their own Local Plans. It is noted that statutory housing responsibilities sit with each of the four Boroughs rather than the Development Corporation. However, the Development Corporation has committed to work with each Borough when reviews of Local Plans reach a relevant position [TBP/03]. This is discussed further in paragraphs 33-37 below. I am satisfied that the Corporation has taken an equal approach towards co-operation with the constituent Boroughs, even if progress on the planning and provision of gypsy and traveller accommodation has been variable across the area. Overall, I am satisfied that the duty to co-operate has been met.

## Assessment of Soundness

### Main Issues

8. Taking account of all the representations, written evidence and the discussions that took place at the Examination hearings, I have identified a number of main issues upon which the soundness of the Plan depends. These are discussed below under the following headings: (1) Business Growth, Jobs and Lifelong Learning; (2) Housing; (3) Built and Natural Environment; (4) Infrastructure; (5) Environmental Sustainability; (6) Site Allocations; (7) Delivery and Implementation.

### **Business Growth, Jobs and Lifelong Learning - Issue 1 – Whether the Local Plan supports sustainable economic growth in line with the NPPF, the London Plan's aims for securing the legacy of the 2012 Olympic and Paralympic Games, and tackling the persistent problems of deprivation and exclusion in the East of London.**

9. The Strategic Regeneration Framework 2009 by the host Boroughs for the Olympic and Paralympic Games [S/45], and the Greater London Authority's

Olympic Legacy Supplementary Planning Guidance (SPG) 2012 [RP/5] both refer to London's Olympic bid and statement that *"The most enduring legacy of the Olympics will be the regeneration of an entire community for the direct benefit of everyone who lives there."* The conditions for people who live in the area, where there is acknowledged to be much deprivation, should improve so that they can enjoy the same social and economic conditions as Londoners as a whole. This is the principle of convergence and is referenced in the opening paragraph of section 04 of the Local Plan.

10. Notwithstanding the evidence that jobs were lost and some businesses harmed when the Queen Elizabeth Olympic Park was established, and that some local businesses were unable to capitalise from the Olympics taking place closeby, it is clear that significant new economic development has been achieved in the area, notably at the Metropolitan Centre and at Here East. There is no need for more detailed information on past job losses and the character of the existing economic base to be included in the Local Plan. Paragraphs 4.1 and 4.2 of the Local Plan provide an aspirational introduction to the section on Developing Business Growth, Jobs and Lifelong Learning which is consistent with the NPPF's aim to promote a strong, competitive economy (paragraphs 18-22) and with the London Plan's strategic Policy 4.1. This introduction also embraces the convergence agenda. The NPPF is clear that investment in business should not be over-burdened by the combined requirements of planning policy expectations. Therefore, whilst greater use of local supply chains might benefit some existing businesses, this should remain a matter for the market, and not the Local Plan.
11. I have considered whether more information should be included in section 2 of the Local Plan to describe the area's historic buildings and waterways, but have concluded that this would be unnecessary. Similarly, additions to Policy SD1 are not needed to give more detail to the over-arching policy on sustainable development, or to require the re-use of historic buildings. Objective 1 and Policy SP1 are sufficiently balanced between promoting international and national businesses, supporting established centres, and enabling diversity notably within employment clusters listed in Table 2, in my view. Detailed new references, for example to a museum at Three Mills and waterbus service, are not necessary. Objective 1 and Policy SP1 appropriately support further and higher education provision and access for local people to improve skills and training opportunities, consistent with convergence.
12. Table 1 of the Local Plan shows estimated job numbers from large schemes within the area. Some are precise numbers reflecting extant planning permissions. Other small schemes are expected to result in new job provision and I accept that these cannot be specified in this Plan with its 16 year time period. The international quarter is expected to make a significant contribution of new office space towards meeting the London Plan's expectation for the Lower Lea Valley of some 30,000 predominantly office jobs' capacity by 2031. The Local Plan is not inconsistent with this aim.
13. Policy B1 supported by Table 2 seeks to provide protection for existing employment uses, taking account of their location and type. Some parties argued that the approach was too protective and that replacing under-used, low density space with higher quality and higher density business premises could meet market demand better. Too much concern with quantities of

floorspace and insufficient regard for qualitative factors was perceived as likely to hold back good development. However, local industry representatives cited specific problems which they faced in finding and retaining suitable workspace of the right type which would meet their requirements, enabling them to provide local jobs and apprenticeships. The employment clusters where B use classes are to be focused reflect designations in the relevant Borough Local Plans, and I am satisfied that the approach in Policy B1 is consistent with the London Plan's Policy 4.4. The addition of Carpenters District to Table 2 or the deletion of Cooks Road would not be justified.

14. The vulnerability of much land to residential development which would give higher returns than continued employment use was pointed out, and I recognise that this is a key consideration for planning in this part of London. The Corporation put forward a modification to Policy B1 to confirm that office uses should be located within defined centres, and this would give consistency with the NPPF paragraph 23 onwards (**MM3**). A modification to Table 2, with the definition of Safeguarded Rail Sites on the Policies Map, would clarify the expected use of land at Bow Midland West Rail Site and Bow Goods Yard East (**MM1, MM4 & MM42**).
15. Concern was expressed that the proposed modification to Table 2 referring to the potential for a concrete batching plant at the Bow Midland West rail site amounted to a material change in policy. Separation of the two parts of the rail yard, it was pointed out, should have no influence on the range of appropriate uses. I note that **MM4** is consistent with the statement of common ground between the Corporation and Firstplan on behalf of London Concrete Limited and Aggregate Industries UK Limited [SCG/02]. In my view, it helpfully describes a potential type of industry which would need to be located close to the rail head. The modification does not give different status to the two sites or rule out in principle similar uses being located at Bow Goods Yard East. I support all the above proposed modifications for the retention of employment sites and effective planning of the area.
16. Paragraph 4.19 of the Local Plan explains that, as the comprehensive development proposed within the Area progresses, the retail and leisure requirements of future residents will emerge and develop. There is fear that, at Bromley-by-Bow and Hackney Wick, development pressures for new retail and services' provision could undermine the functions and strengths of existing smaller centres. However, the Local Plan aims to provide at least 24,000 new homes by 2031, and the provision of enhanced centres at Bromley-by-Bow, Hackney Wick and Pudding Mill to serve the expanded population indicates positive forward planning. Policy B2 is supported by the Sub-Area policies and site allocations which should enable any harmful consequences from growth to be avoided or mitigated.
17. The thresholds in Policy B2 for impact assessment where a main town centre use is proposed outside a town centre are justified by paragraph 26 of the NPPF and the Retail and Leisure Study [LEB/18]. I am satisfied that the Stratford Metropolitan Centre, which includes Westfield and the more traditional Stratford town centre, caters for a diverse range of the local community and business needs. It also performs a wider Metropolitan centre function and operates in an integrated fashion. Table 3 of the Local Plan is currently unclear that Stratford Metropolitan Centre is a single town centre at

the top of the hierarchy. Provision of approximately 55,000 net sales' area of additional comparison floorspace is an indicative figure and should not be regarded as a cap on development. Proposed modification **MM5** would clarify and confirm the centre's position. Subject to this modification, Policy B2 is sound and consistent with the NPPF on promoting competitive town centres.

18. A case was made for more community engagement in the design and implementation of interim uses, on small as well as large sites, to give local benefits especially to more disadvantaged and disenfranchised groups. Modifications to strengthen Policy B3 on this basis were sought, and to enable interim uses to be continued or relocated if necessary. The Corporation confirmed that community engagement for all development proposals is encouraged but sees no reason to single out interim uses. I agree with that position and consider the policy to be sound.
19. Policy B4 supports the provision of low-cost and managed workspace which is important to the artistic and creative industries. The Business Survey [LEB/05] found that overall, 50% of businesses in the Legacy Corporation area can be considered part of the creative industry sector as described by the Department for Culture, Media and Sport, 2001. These industries define the character, give vibrancy and have aided regeneration in parts of the Development Corporation area, notably but not uniquely at Hackney Wick and Fish Island. The policy is supported by evidence from the Research and Viability Study of Affordable and Managed Workspaces Supporting Artistic Practices in East London, 2014 [LEB/17]. The provision of affordable studio space is highlighted as a key problem for the sector, and the LEB/17 discusses a number of ways in which interventions through planning and working with developers and other stakeholders might assist.
20. I consider that Policy B4 gives sufficient encouragement and flexibility to the provision of low-cost workspace based on the evidence. This includes the experience at Neptune Wharf in applying "up to 75% of historic market rent for the previous year". Use of this example was criticised because it was considered too early to judge its effectiveness. However, the policy puts forward "up to 75% ..." as one of a number of alternative approaches to delivering workspace. Creative and cultural industries are defined in the Plan's glossary, and the references to viability are essential for consistency with the NPPF (paragraph 173). I conclude that the policy is sound.
21. I agree with the Development Corporation that Policy B5 should help increase participation in local skills and employment training and the use of local labour agreements. Proposed modification **MM6** would extend the application of this policy to other schemes in addition to major development proposals, thereby improving its effectiveness. The Corporation's experience has been that setting a target for local job creation was not beneficial, as targets could have been exceeded on some occasions. In addition to being too prescriptive and adversely affecting business development, policy requiring the use of local supply chains would be difficult to monitor and enforce. The Development Corporation is not the local education authority and is therefore unable to include more specific measures in Policy B6 to achieve local connections between communities and the higher/ further education sector. However, the policy's encouragement of higher education, research and development should benefit the local economy and, on balance, assist convergence. I agree with



the Corporation that the supporting text should be extended to explain the potential benefits more comprehensively, as in **MM7**.

22. Providing the above modifications are made, I conclude that the Local Plan aligns with the NPPF in supporting sustainable economic growth, and conforms with the London Plan's aims for securing the legacy of the 2012 Olympic and Paralympic Games, and tackling the persistent problems of deprivation and exclusion in the East of London.

**Housing - Issue 2 – Whether the Local Plan is consistent with the NPPF's aims to boost significantly the supply of housing and deliver a choice of high quality homes to meet the needs of different population groups; and whether the Local Plan is in general conformity with the London Plan including the Further Alterations to it (FALP) [RP/03].**

### *Housing Numbers*

23. Section 05 of the Local Plan, Providing Housing and Neighbourhoods, addresses the important question of the need for housing. Policy SP2 commits the Legacy Corporation to working with its partners to maximise opportunities to deliver high quality, sustainable and affordable homes in excess of the London Plan target of 1,471 homes per annum. This target for housing supply in the Development Corporation area 2015-25 is given in Table 3.1 of the recently adopted FALP. LLDC's target is clearly distinguished from the targets for all other London Boroughs. The FALP shows different figures for the host LBs when compared with the London Plan 2011 [RP/01], which did not include LLDC. It will be for each of the host Boroughs to monitor its performance against the updated Table 3.1 targets outside the LLDC area. Having regard for paragraphs 31-35 of the Inspector's report on the FALP [M/13], I see no need for the Corporation to undertake its own independent housing need assessment. As the area housed about 10,000 population in 2011 and is expected to accommodate some 55,000 by the end of the plan period in 2031, it is clear to me that the Corporation will be helping to boost the supply of housing, to meet strategic London needs as well as those generated locally.
24. My attention was drawn to the homes which were lost in order to accommodate the Olympic and Paralympic Games facilities. The Corporation confirmed that this amounted to some 450 homes. Whilst recognising that this would have represented a major event for affected households, the Corporation advised that many homes were vacant and in poor condition. In any case, it is clear that the net gain in housing should more than offset the loss in numerical terms. For consistency with national planning policy which seeks to boost significantly the housing supply, and for internal consistency with paragraph 5.3, Objective 2 should aim to deliver more than 24,000 homes (my underlining). **MM8** is necessary to achieve this.
25. The Housing Position Statement, LD/28, finds that the Local Plan's housing target strikes an appropriate balance between delivery of housing and the wider regeneration aims. If a higher target were adopted for the plan period, it is observed in LD/28 that additional employment land would need to be given over to housing, inhibiting the achievement of economic regeneration and growth. Another option would be to use up Metropolitan Open Land and local open space for housing, but this could harm environmental designations,

adversely affect biodiversity and the development of a liveable and sustainable urban environment. I consider the target in Policy SP2 for total housing provision to be justified, as well as in conformity with the FALP.

26. The Corporation has used the London Strategic Housing Land Availability Assessment and all potential sources of additional capacity, applying higher densities than the London Plan and assuming mixed use development as far as possible, for delivery of the housing requirement. The housing trajectory in Figure 9 of the Local Plan is superseded by Figure 1 in LD/28, but both indicate levels of completions above the annual target for the first 10 years of the Local Plan. A five year housing land supply with a 6% buffer is identified. Even if three of the growth Boroughs have experienced under-delivery in recent years, the Development Corporation area only includes a small portion of their land, and it is currently achieving high levels of delivery (see Figure 9 for years 2013/14 and 2014/15). Table 12 in Appendix 2 of the Local Plan indicates that more than 20,000 new homes already have planning permission. I consider that a five year supply with a 5% and not a 20% buffer is appropriate for planning in this area.
27. The Local Plan acknowledges, in paragraph 5.3, that delivery of housing in the last five years of the plan could be difficult. However, this does not render the plan unsound in my view. Certainty surrounding housing schemes reduces as one looks further into the future, and the plan includes some flexibility in its site allocations to increase capacity if necessary. The key to maintaining continuous housing delivery will be good monitoring and managing, with timely policy review as necessary. Allocated sites should not be delayed or held back if unallocated sites came forward unexpectedly to contribute new housing, but this need not be stated in the plan. The Corporation proposed **MM9** which strengthens the commitment to monitoring and review, and provides added detail. I consider it necessary to aid delivery and make the plan effective.

*High quality homes to meet the needs of different population groups*

28. Policy H1 and the supporting text refer to the need for a mix of housing of different types and size, but give no specific targets. Paragraph 5.9 states that all proposals should contain more 2-bedroom-plus than single bedroom units, but individual site circumstances will determine the detailed mix. The plan makes clear that a mix of types and size of units, not a uniform supply, is expected, and there is a priority for family housing. Given the small size of the existing population in the area and the diverse character of East London, I accept that this approach with built-in flexibility is appropriate. Support for self-build, co-operative housing and community land trusts is not ruled out by the Local Plan, but it is not essential for more detail on them to be included.
29. Though Policy H2 does not include a target for affordable housing, Strategic Policy SP2 states that a minimum of 455 "housing units per annum" will be affordable. After subtracting non-self-contained accommodation, this is calculated on the basis that 35% of new homes should be affordable. The evidence document, Assessing the London Legacy Corporation's Housing Needs [LEB/12], reports that there is an extremely high affordable housing requirement amounting to more than 100% of planned delivery in the Corporation area. It suggests that an affordable housing target of 30% was

adopted for planning permissions already granted. Therefore, a shortage of affordable housing will be an ongoing challenge and, as LEB/12 observes, increasing numbers of households will either live in the private rented sector or will move elsewhere. Policy H7 provides sensible support for large-scale investment in the private rented sector.

30. Policy H2 seeks to maximise affordable housing provision on sites of 10 units or more having regard for a number of factors including viability. Paragraph 5.13 describes 35% as a minimum target across the whole of the Legacy Corporation area. The 35% target is lower than the Londonwide target of 40% in Policy 3.11 of the FALP. However, 35% for this area is supported by evidence in the Affordable Housing Viability Testing document [LEB/13], Combined Policy Viability Study [LEB/14] and Community Infrastructure Levy: Viability Study [LEB/1]. The Development Corporation's targets are at the low end of the range used by the host Boroughs for affordable housing and tenure split, but I recognise that viability can differ significantly between sites and local housing market areas.
31. Using 35% as a target for the whole Corporation Area should enable higher and lower percentages on specific sites, depending on the outcome of viability assessments. Much will depend on the negotiation process, but I consider that Policy H2 with its supporting text and Policy SP2 should provide a good starting-point for securing maximum provision. The Local Plan should not specify that provision of affordable workspace in accordance with Policy B4 would necessarily offset quantities of affordable housing, even though site-specific negotiations may require a balance of these considerations. The 60% affordable rent and social rent and 40% intermediate rent or sale split is in conformity with Policy 3.11 of the FALP.
32. Policy H3 supports provision and retention of older persons' housing. The Corporation points out that this area has a relatively youthful population so that, even though life-expectancy is expected to go on improving across London, the priority for older persons' housing is likely to be less in the LLDC area than elsewhere. I consider that adherence to the design principles in Policies BN4 and BN5, with modifications to reflect new national standards as discussed below, and with a cross-reference in Policy H3, should ensure that the needs of older persons are met appropriately.
33. Provision for gypsy and traveller accommodation is addressed in Policy H5. With reference to national policy, Policy A in Planning Policy for Traveller Sites, March 2012, there is concern that travellers living in all four Boroughs not just those within the Development Corporation boundaries should have been engaged more fully in the Local Plan's preparation. Former residents of Clay Lane point out that they were moved out of the area because of the Olympic Games to a site which has "*very poor standards*". They were promised a reassessment of the potential to relocate within the Development Corporation area after the Games. It is argued that there is a shortage of sites and much overcrowding on traveller sites close to the Local Plan area in Tower Hamlets and Newham.
34. It is contended that a pitch target should be set in the Local Plan policy, and referenced in the monitoring and review section. Whilst the allocation of a new site at Bartrip Street South is supported, this site is not sufficient to meet

identified needs for the full plan period. It is suggested that the Local Plan should commit to delivery of this site within the next 5 years, and set out how the Corporation will work with the neighbouring Boroughs and gypsy and traveller communities to meet additional requirements for sites over the plan period.

35. The Gypsy, Traveller and Travelling Showpeople Accommodation Assessment [LEB/8] and Gypsy and Traveller Site Assessment Study [LEB/9] provide reasonably up-to-date evidence of need, the results of which are given in paragraph 5.25 of the Local Plan. LEB/9 includes an assessment of potential sites but concludes there are no suitable sites available in the area. The Housing Position Statement [LD/28] explains that, as the Corporation is not a housing authority, it relies on the Boroughs for housing gypsies and travellers in their areas. In LD/28, the Corporation states that it will continue to work with the Boroughs to address additional unmet need once they have reached an appropriate point of review for their local plans. I appreciate the gypsy and traveller communities' concern that equal engagement and inclusion with the various communities has not happened across all the Growth Boroughs in the past, and this needs to be addressed in the Local Plan.
36. National policy (Policy B of Planning Policy for Traveller Sites) is clear that Local Plans should identify specific deliverable sites for the first 5 years and specific, developable sites or broad locations for sites for years 6 to 10 and, where possible, years 11-15. I accept that the complex arrangements of governance limit the Development Corporation's position to promote and guarantee delivery of necessary gypsy and traveller pitches. Nevertheless, the absence of sufficient sites is a weakness in the Local Plan. The Corporation has put forward modifications to Policy H5 to (i) confirm future co-operation with gypsy and traveller communities over accommodation needs; (ii) identify and update annually available sites to meet the 5 year supply, and sites or broad locations to meet the 6-10 year supply, against pitch requirements; (iii) commit to co-operate with each of the Growth Boroughs to address need; and (iv) monitor performance, and review Policy H5 if the policy aims are not being met by 2018/19. I consider that **MM12, MM13 and MM14** as proposed by the Corporation are necessary to achieve a sound approach to meeting the needs for gypsy and traveller accommodation.
37. These modifications would also amend criterion 4 in Policy H5 to clarify that policies concerning local amenity and environment are intended, and to omit the reference to viability being a strong consideration from paragraph 5.26. They should be made to ensure a positive planning rather than a restrictive approach to meeting the needs of gypsies and travellers.
38. Policy H6, Houses in Multiple Occupation (HMOs), includes a cross-reference to the London Plan and Mayor's Housing SPG. This does not set out standards for design but the GLA's letter of 20<sup>th</sup> October 2014 advises that the SPG is being reviewed and reference to specific standards could be included in future. That is a matter for the GLA and, in the meantime, Policy H6 provides useful guidance for this important form of housing provision.
39. With all the above modifications, I conclude that the Local Plan is consistent with the NPPF's aims to boost significantly the supply of housing and deliver a

choice of high quality homes to meet the needs of different population groups. The Local Plan is in general conformity with the FALP.

**Built and Natural Environment - Issue 3 – Whether the Local Plan is likely to achieve a high quality environment integrating green spaces and waterways with built form, respecting heritage assets and promoting new development which achieves high standards of design and architecture.**

40. Section 6 of the Local Plan refers to the unique interplay of green spaces, waterways and built environment that make up the Legacy Corporation area. Objective 3 and Strategic Policy SP3 seek to integrate new development with waterways and green space. Observing that the area covered by the plan contains a number of heritage assets including conservation areas, listed buildings, locally designated buildings and archaeological priority areas, English Heritage (now Historic England) sought more recognition and clarity, to ensure that historic environment considerations would be apparent to users of the Local Plan. To address this concern, which is shared by other parties, and secure consistency with the NPPF (paragraphs 17, 126, 156 & 157), I consider that **MM2, MM15, MM16, MM17 and MM18** should be made.
41. It is considered by some that non-designated as well as designated heritage assets do not receive sufficient attention in the Local Plan. Policy BN16 covers all heritage assets and paragraph 6.48 refers to locally listed buildings or buildings of townscape merit. That Policy BN16 sits at the end of section 6 in no way reduces its importance within the Local Plan. It cross-references Policies 7.4, 7.8 and 7.9 of the London Plan which set out how local character, heritage assets and archaeology should be conserved and enhanced, and heritage-led regeneration supported. English Heritage recommended that the wording of Policy BN16 and paragraph 6.48 should be amended to align better with the NPPF. Although not proposed by the Development Corporation, I consider this is necessary for consistency with national policy, and to recognise the need for new development to take account of the potential impact on the settings of heritage assets. I recommend that **MM72** is made for soundness to complement the Corporation's proposed modifications **MM2** and **MM15-18**.
42. Policy BN2 aims to enhance the distinctive character of waterway environments. The waterways are used for a variety of purposes including recreational activities, residential moorings, navigation of passengers and freight including waste, with pedestrian and cycling access routes alongside. Gentrification of the Lea Valley is said to affect the waterways and their use, and Policy BN2 is criticised for focusing too much on waterway facilities rather than on their industries and freight movements. Rowing Clubs, I am advised, have been in existence for more than 200 years in the stretch of the river between Old Ford Lock and Tottenham Lock. Canals and rivers also contribute to green infrastructure supporting wildlife, and provide essential drainage networks. Policy BN2 will have to operate in this context and ensure that an optimum balance of activities and functions is achieved.
43. It would not be realistic or sound to "require" development to meet all the stated criteria in Policy BN2, or guarantee public access for all parts of the waterways. Transport Policies T7, requiring transport assessments and travel plans, and T10 seeking information on freight movement, make the addition of a criterion for freight transport targets in Policy BN2 unnecessary. The

Corporation proposed modification **MM19** to refer to improvements to existing moorings. Safety requirements and safeguarding existing sporting activities would be among the factors which any proposals for additional moorings would need to consider. Criteria 3, 6 and 7 of Policy BN2 should ensure this. Overall, the modification should assist with the enhancement of waterway environments and policy effectiveness, and should be made. Policy BN3 addresses the protection and enhancement of biodiversity across the area. It is underpinned by relevant local evidence in the Local Plan Background Paper: Natural Environment [TBPO5].

44. In a written ministerial statement on 25<sup>th</sup> March 2015, the Secretary of State for Communities and Local Government set out new arrangements for the consideration of Housing Standards in the planning system. New additional optional Building Regulations on water and access and on space standards are described which can complement existing, mandatory Building Regulations. The new arrangements are particularly relevant when applying paragraphs 95, 174 and 177 of the NPPF to plan-making and decision-taking. The Corporation proposed a number of modifications to the Local Plan to take account of the ministerial statement with its new national space standards and additional, optional Building Regulations on water and access.
45. The written ministerial statement, supported by the national PPG, is clear that the optional new national technical standards should only be required through Local Plan policies if there is a clearly evidenced need, and where the impact on viability has been considered. The Corporation contended that evidence of need for accessible dwellings and wheelchair access had informed the London Plan in 2011, specifically Policy 3.8B. I have seen no evidence that this Londonwide need should not apply to the Corporation's area given the significant uplift in new homes to serve local and Londonwide needs that is planned. Main modifications **MM20, MM21, MM22 & MM23** to Policies BN4 and BN5 and their supporting text would add references to the Nationally Described Space Standards – Technical Requirements. The LLDC Combined Policy Viability Study [LEB/14] found that the arguably more onerous unmodified Policies BN4 and BN5 would have "*no additional cost implications*". This was because the cost of a scheme would be related to good design and would be incorporated within base build costs, appropriate external work costs and professional fees.
46. Policy H1 seeks compliance with the London Plan and Mayor's Housing Supplementary Planning Guidance to secure a mix of house types reflecting the GLA's standards for design and access and accessibility and space standards, among other things. I have considered the procedural point that the GLA is putting forward Minor Alterations to the London Plan to incorporate changes necessitated by the written ministerial statement. These have not yet been examined and found sound, and the Home Builders Federation advises that it has concerns about the GLA's supporting evidence base [Appendix 1 to M/20]. I make no comment on the proposed Minor Alterations or the GLA's supporting evidence. It seems to me that it is difficult for this Local Plan to set out a positive, justified and effective approach to providing good space standards and accessible housing when national and London Plan policy are undergoing change. However, the NPPF expects delivery of a wide choice of high quality homes and attaches great importance to the design of the built

environment. It would be inappropriate for the Local Plan to neglect these important issues.

47. Main modifications **MM10 & MM11** to Policy H1 and paragraph 5.12 amend the references to the London Plan and the Housing SPG. These have sought to reflect the most up-to-date strategic policy position, with some flexibility for likely future changes to the London Plan beyond the LLDC's control. These and modifications to Policies BN4 & BN5 should be made for sound planning.
48. I accept that there is no need to refer to details of private amenity space standards in Policies BN4 and BN5. The meaning of local open space is sufficiently clear from the supporting text to Policy BN7 and the glossary. The Natural Environment Background Paper [TBP05] refers to a review of open space to indicate where, and of what type, deficiencies exist in the area. Allotments are important to local communities, but need not be mentioned specifically in this policy. Children's play space is adequately addressed in Policy BN8 and site allocations include references to them, where relevant. Figure 15 provides a helpful illustration as to where future local open space will be provided. The exact extent, character and quality will be determined through site allocations and planning permissions.
49. Thames Water expressed concern that Policy BN7 should not restrict the operation of the pumping station at Abbey Mills. However, paragraph 13.1 of the Local Plan explains the position of the pumping station so that Policy BN7 should not inhibit its operation. The Corporation proposed a modification to Policy BN7 to include a reference to the Lea River Park and Leaway area. **MM24** should be made for clarity and to secure effective planning.
50. Paragraph 6.35 of the Local Plan states that the Legacy Corporation will have one of the highest concentrations of tall buildings within Greater London. Policy BN9 aims to protect the area's key views from adverse impact, and Policy BN10 sets out criteria for making tall buildings acceptable, incorporating the highest standards of sustainability and design. Whilst some parties advised that the benefit of the growth of tall buildings in London is being questioned and the trend seen as backward-looking, the Corporation pointed out that the current situation with extant planning permissions will mean a significant increase in tall buildings. This is illustrated on Page 12 of the Local Plan. In these circumstances and with a range of opinion on the merit of tall buildings, a strong policy to scrutinise proposals for them is essential.
51. I accept that a key challenge will be to conserve and enhance the heritage assets and historic environment of the area whilst accommodating tall buildings to provide new homes and business opportunities. Notwithstanding the difficulties, this does not justify a policy to "resist" any new tall buildings in this highly accessible part of London, in my view. Some parties argued that the FALP gives more emphasis to Opportunity Areas than the old London Plan and the need to maximise housing provision favours a more flexible approach which would permit more tall buildings. However, the Development Corporation commented that it is exceeding Public Transport Accessibility Level (PTAL) density standards, and is confident that it can meet its housing requirements without encouraging even more or taller buildings, regardless of their impact. Paragraph 6.33 refers to the definition of tall buildings applied by the London Plan, and summarises the concept as "higher than a Sub-Area's

prevailing height". The appropriateness of the prevailing heights defined for Sub-Areas is discussed more fully in Matter 6 below.

52. The expectation that tall buildings should be concentrated in defined centres was questioned. However, paragraph 6.32 of the Local Plan provides substantial justification for this policy aim and it is clearly not a sequential approach as would be applied to town centre use proposals. If town or other centres contain conservation areas or historic buildings and structures, criterion 10 of Policy BN10, and Policy BN16, would require development proposals to take account of the likely impact. It was contended that Stratford High Street, outside a centre but already including a significant number of tall buildings, should be identified as a suitable location for new tall buildings. I address this more specifically under Issue 6 below, but see no need to name Stratford High Street in this policy. Regarding the concern that tall buildings are not best suited for family accommodation, Policies BN4 and BN5 should enable resistance to schemes which would not provide a liveable environment, respond to the needs of users or meet the principles of good design.
53. The Corporation proposed **MM25** to clarify how prevailing or generally expected heights in the Sub Areas would be defined and to confirm that criteria 1-13 in Policy BN10 would be applied to proposals for tall buildings outside centres, to decide whether the impact would be unacceptable. The notion of "generally expected heights" was queried but I accept that it could be helpful to describe the context of developments proposed in places where buildings have been demolished and land left vacant. References to heritage assets, waterways and wider amenity are also included in Policy BN10 following the modification, which I consider necessary for effectiveness.
54. Policy BN11 refers to the Mayor's Air Quality Strategy which states that developments should be air quality neutral. The Local Plan seeks appropriate construction, design and transport planning practices in general conformity with the London Plan. Policy 7.14 of the FALP expects Boroughs to have policies which seek reductions in the level of air pollution having regard for the National and Mayor's Air Quality Strategies. Policy BN11 meets this requirement; Strategic Policy SP5 and paragraph 8.6 embrace the aim for improved air quality. Policy BN11, in my view, also deals with noise effects adequately. The Corporation proposed a modification, **MM26**, to Policy BN13 to ensure that development proposals take account of the impacts from any consented hazardous substance installation. In view of the evidence of hazardous substances having been found on some sites, I consider this modification to be necessary.
55. Providing the above modifications are made, I conclude that the Local Plan should help achieve a high quality environment integrating green spaces and waterways with built form, respecting heritage assets and promoting new development which achieves high standards of design and architecture.

**Infrastructure - Issue 4 – Whether the Local Plan will secure the infrastructure needed to support sustainable development and convergence, and consistency with the NPPF, paragraphs 156 & 162.**

56. Table 9 summarises the infrastructure delivery policies in the Local Plan which are supported by evidence in the Infrastructure Delivery Plan [LEB/20] (IDP).



The Local Plan and its policies have been viability tested [LEB/14], and the Corporation advises that it has adopted a flexible approach to affordable housing and other policies to give consistency with paragraphs 173 and 174 of the NPPF. Allowances have been made for CIL and s106 contributions, and Policy SP4 sets out the key infrastructure requirements for delivery of the Plan. The supporting text to Policy SP4 refers to working in partnership with infrastructure providers and the Growth Boroughs, who may be required to take over responsibility for operating and managing some public services in the longer term, post-2022, when the Corporation could be wound up. As details of these long-term arrangements are currently unknown, I consider that the Local Plan cannot be expected to be more precise.

57. School provision, healthcare and other community infrastructure are addressed by Policies C1.1 and C1.2 of the Local Plan. It is recognised that providing community infrastructure alongside housing is important to establishing pleasant, workable and locally distinctive new neighbourhoods. As significant growth in population is expected, existing and planned community facilities will need to be retained and expanded. However, it is not necessary for Policy C1.1 to give more detail on specific existing deficiencies and needs, or on valued community assets. Many of the site allocations envisage a mix of uses with community and cultural facilities, and I see no firm evidence that the needs of the young or elderly people, or for healthcare, community halls or places of worship, have been neglected in drawing up this Local Plan.
58. In its response to my questions under Matter 5, the Corporation attached an Appendix which explains the planning history for new school development, giving results for future child yield from new development projections, and indicating that three schools are planned for opening in 2015 and 2016. The LB of Tower Hamlets raised concerns over the ability of the plan to meet likely future need for places in full, over consistency with the Fish Island Area Action Plan (AAP) and the apparent contradiction between an allocated secondary school at Rick Roberts Way and emerging proposals for a school at the Stadium Island site.
59. A statement of common ground was subsequently submitted [SCG/4]. However, Tower Hamlets still perceives a failure to plan for sufficient secondary school places over the plan period and to accord with the Fish Island AAP on primary school provision. The Corporation confirmed that the new primary school at Sweetwater (SA1.8) has outline planning permission for three forms of entry. Ideally, more specific school provision would be made through the Local Plan. However, there is uncertainty over demand for school places over the full plan period in this area where substantial change in population is expected [LEB/19 & LEB/20 describe this]. Policy C1.2 states that the Corporation will work with the Boroughs and other partners to secure the provision of new and expanded schools. It gives appropriate criteria for planning in my view, and commits to keeping site allocations under review as developments are built out.
60. Policy SP4 supports the expansion of electronic communications' networks and Policy IN1 provides development management guidance on acceptable proposals. Modification **MM27** clarifying the expected approach and securing consistency with section 5 of the NPPF should be made.

61. The London Plan sets waste apportionment targets for each Borough but not for the Development Corporation area. Part of its area in the LBs of Tower Hamlets and Newham is covered by the adopted East London Waste Plan, and partly by relevant policies in Tower Hamlets Core Strategy. The North London Waste Planning group includes the LBs of Hackney and Waltham Forest, but a North London Waste Local Plan is not yet in place. Notwithstanding these complex arrangements, Policy IN2 commits to co-operation with all parties on matters of strategic waste management and planning. I was informed that a memorandum of understanding had been agreed at officer level between the Corporation and North London Boroughs [M/15], which names three sites in the Corporation's area potentially suitable for waste management use. All are strategic industrial locations or locally significant industrial sites where Policy IN2(8) will permit new waste management facilities.
62. The Corporation pointed out that these sites are currently occupied by non-waste uses and are not immediately available. I see no need for Table 2: Employment clusters to refer specifically to their suitability for waste management, especially as it is calculated that the relevant Corporation area takes up less than 1% of the full North London Waste Plan area. I consider that Policy IN2 (criteria 4 to 7) should not conflict with the delivery of Site Allocation SA.1.3 on the replacement of waste management facilities. Site Allocation SA1.3 need not be modified on this point. However, I support the proposed modifications **MM28, MM29 & MM30** to the supporting text to Policy IN2 to explain the relationship of the Corporation to other parties including the Greater London Authority and Transport for London in respect of waste planning and management.
63. In the update of June 2014 to the national Planning Practice Guidance it states that local authorities must spend at least 15% of community infrastructure levy (CIL) receipts on priorities agreed with the local community in areas where development is taking place. The Corporation's CIL draft charging schedule, found appropriate by the examiner subject to a modification to maps, became operational in April 2015 [LEB/03]. Thus, receipts from CIL are likely to be available to help deliver the Local Plan policies in the near future. The charging schedule commits in section 7 to "neighbourhood funding" and, as this should be responsive to local needs and wishes, I consider that the Local Plan need not make repetitive or additional comment.
64. Concerning transport, the Local Plan seeks enhancements to national and international transport to support economic growth, notably in Policy T1, and I accept that it is logical to address these strategic transport matters first. It does not mean that they have a higher priority than local connectivity considerations.
65. The Corporation advises that the Local Plan has taken account of the improved transport capacity resulting from investment in the 2012 Games, and from earlier schemes such as the Jubilee line underground extension in 1999. That Crossrail services at Stratford in 2019 are expected to improve accessibility further has also been considered. I agree with the Corporation that, though Transport for London's PTAL standards and changes to them should influence the location and form of future development, this is just one of a number of relevant planning considerations. There is negligible evidence that the Local Plan has ignored existing and likely future changes to PTAL.

66. The sub-section on Transport and Connectivity includes a number of policies to secure development consistent with promoting sustainable transport choices, improving connectivity and prioritising pedestrian and cycling accessibility. To reinforce this approach consistent with national policy, proposed modifications **MM31 and MM32** have been put forward. These would confirm that new transport schemes should meet all the criteria in Policy T3, add references to car clubs and waterway towpaths, and strengthen the requirements for Travel Plans, and should be made.
67. The Legacy Corporation has chosen to adopt the London Plan parking standards. As the area includes a number of local authority areas with different policy approaches, and in view of Policy T8's criteria governing parking provision in specific schemes, I consider this to be appropriate.
68. Proposed modification **MM33** to Figure 24 corrects and updates information on key connections. Also, proposed modification **MM44** to Figure 29 and the Old Ford link would change the central and right connection over the Hertford Union to "off road". The changes are needed to give a credible picture of safe and suitable connections for pedestrians and cyclists, consistent with the use and operation of the waterways as well as protecting the character of the area. The changes to Figure 24 with consequential changes to Figures 32, 34 and 36 should be made.
69. As paragraph 7.36 informs, the character of the Legacy Corporation area is in part derived from its waterways. It was claimed that use of the waterways for passenger and freight purposes has declined since the 2012 Games and parts of the waterways have been closed off. Hence, Policy T10 should align more closely with Policies 7.25 and 7.26 of the FALP which seek to increase use of the Blue Ribbon Network. Figure 14 of the Local Plan helpfully indicates the mooring points. I accept that the Corporation does not have powers to direct use of the waterways and relies on support from the Canals and Rivers Trust. However, Policy T10 which encourages use should better reflect the complex pattern of uses on and adjacent to the waterways, with potential for conflict and adverse impacts. It should refer to the Leaway project to improve pedestrian and cycle use. Proposed modifications **MM34 and MM35** should be made to secure effectiveness. I accept that it would be too onerous for the Corporation to monitor in detail use of the waterways.
70. I conclude that the Local Plan should secure the infrastructure needed to support sustainable development and convergence, and consistency with the NPPF, paragraphs 156 & 162, as long as the above main modifications are made.

**Environmental Sustainability - Issue 5 – Whether the Local Plan will contribute to securing sustainable and healthy places to live and work, minimising effects on climate change and reducing carbon dioxide emissions.**

71. Policies S2-S8 of the Local Plan cover the matters addressed in paragraphs 93-108 of the NPPF. I consider it unnecessary for the Local Plan to set out the guiding principles of the UK Sustainable Development Strategy. Policy DM9 of LB Tower Hamlets' Managing Development Plan assesses carbon savings against the 2013 Building Regulations, whereas the Corporation's Policy S2

has been designed to follow London Plan Policy 5.2 Minimising Carbon Emissions. This policy remains in the FALP and the Corporation confirmed that Tower Hamlets Plan would not apply to the LLDC area so that those proposing developments in the LLDC area should not encounter policy conflict.

72. Policy 5.4 of the London Plan states that Boroughs should develop policies for the sustainable retrofitting of existing buildings. My attention was drawn to a study by Anne Powers from the London School of Economics which found that estate or tower block refurbishment could be cheaper and less damaging to the local environment in many cases. In addition to contributing to reduction in carbon emissions, retrofitting could boost the small building industry and local jobs. In contrast to demolition and rebuilding, retrofitting could enhance the physical and mental health of affected local residents, thereby contributing to convergence. I recognise the importance of these potential benefits but, as it is not a Local Authority, the Corporation lacks direct powers to improve old buildings and housing infrastructure. In paragraph 8.7, it commits to producing a carbon off-setting supplementary planning document which should cover retrofitting of local buildings and structures where appropriate. This approach is realistic and consistent with Policy 5.4 of the London Plan.
73. The Olympic Park and Stratford City areas are served by a district heating and district cooling network powered by two significant energy centres. Policy S3 supports new energy infrastructure consistent with carbon reduction. Proposed modification **MM36** clarifies that connections from existing developments to existing or new local energy networks will be supported. This should help to achieve energy efficiency and make the Local Plan effective.
74. The Corporation advised that Policy S8 takes specific account of flood risk within the local area. The inappropriateness of basement development within flood zones 2 and 3, in particular where basement dwellings are proposed, is emphasised in the Environment Agency's letter to the Corporation of 29<sup>th</sup> January 2015. The Policy should not be changed so that only habitable development is resisted in my opinion. However, modifications to Policy S8 are needed (a) to make clear that development proposals for living accommodation should set finished floor levels 300mm above the predicted flood level for the 1 in 100 chance in any year plus an allowance for climate change, and (b) to refer to potential flooding from sewers. These modifications are sought by (a) the Environment Agency and (b) Thames Water. Modifications **MM39 and MM40** would secure consistency with the NPPF's paragraphs 99 onwards and effective planning.
75. Modifications **MM37 & MM38** are put forward to achieve consistency with national policy on housing standards, following the written ministerial statement in March 2015. These would remove the requirement to meet Code for Sustainable Homes level 4 from Policy S4 and amend the design standard for water use from 105 litres per person per day to 110 litres in Policy S5. The tighter Building Regulations optional standards should only be applied where there is evidence of need and viability. The evidence of need is that this is an area of water stress. Both Thames Water and the Environment Agency expressed support for measures to reduce water demand and use through policies in the Local Plan.

76. The Viability Study, LEB/14, was critical of Policy S4 but the proposed modification to omit reference to achieving at least Code for Sustainable Homes level 4, should overcome the concern. Policy S5 was also assessed in LEB/14 (and not found unviable) and the Corporation pointed out that the standard of 105 litres a day has been applied and implemented within its area to meet London Plan Policy 5.15B. I consider that **MM37 & MM38** should be made for consistency with national policy. Policy S5 expects proposals for major development to maximise opportunities to reduce water demand and use, and demonstrate capacity for sufficient water supply and waste water disposal infrastructure. In view of the Water Industry Act 1991 requirement for water companies to provide connections to water supply and infrastructure, and in order to avoid onerous policy restrictions on small developments, Policy S5 should not be further modified to apply to all development.
77. Subject to the above main modifications, I conclude that the Local Plan will contribute to securing sustainable and healthy places to live and work, minimising effects on climate change and reducing carbon dioxide emissions.

**Sub-Areas - Issue 6 – Whether the Local Plan provides for its sub-areas and makes appropriate site allocations for new development in a manner consistent with integration with the Queen Elizabeth Olympic Park.**

78. The Local Plan defines four sub-areas as illustrated on Figure 27. Each has its own specific policies and site allocations as shown on Figure 40. The Corporation's vision and objectives for its area overall have shaped sub-area policies and allocations, but the distinctive features of each sub-area and the extant planning permissions for significant sites have also played a role. The Corporation's Sites Report [TBP/06] provides evidence to underpin the site allocations. In response to concern that it was unclear as to where site allocation policies ended and supporting text began, the Corporation put forward changes to their presentation (**MM45**). I support this modification to enable the Plan to be effectively implemented.
79. The Corporation argues that the site allocations provide sufficient clarity as to what development is being sought even though specific quantities are not specified. The Local Plan as a whole sets the parameters for acceptable schemes, providing flexibility for appropriate site-specific solutions. A broad indication of expected phasing over the plan period is also included. I have seen negligible evidence that the approach is inconsistent with positive planning as sought in paragraph 157 of the NPPF, notably the fifth bullet point.

Sub-Area 1

80. The priorities for Sub-Area 1 are summarised in paragraph 10.3 of the Local Plan. In response to comment from the Environment Agency, the Corporation proposed a modification to draw attention to the fact that parts of the area are at risk from fluvial flooding from the River Lee Navigation. Development proposals will have to incorporate appropriate flood mitigation measures. **MM43** addresses this and is needed for effective planning.
81. The policies in this section are broadly consistent with the adopted Fish Island and Hackney Wick AAPs [BPP5 & BPP6] except where developments at Here East and at the Olympic Parklands, following the Legacies Community Scheme planning permission, have necessitated changes. Policy 1.1 of the Local Plan

protects existing employment floorspace in line with the Economy Study: Part A – Employment Land Review [LEB/6]. It highlights the aim to maintain creative and cultural industries and those operating as low cost and managed workspace within the sub-area. In view of the importance of these industries to the area's economy and character and the achievement of convergence, this part of the policy should not be relaxed.

82. Some industrial land has already been released from the previously defined Hackney Wick Other Industrial Land area in accordance with the AAPs. Additional B1(a) uses are sought there to bring forward the Hackney Wick Station Area neighbourhood centre. Figure 09 in the Business Survey [LEB/5] demonstrates the variety of businesses with land and property in Sub-Area 1. Exterior yards are shown and I have considered whether Policy 1.1 is overly protective of them. Clearly, land at Bow Midland West Rail Site and Bow Goods Yard East should be used for purposes related to their rail access. Paragraph 4.12 of the Local Plan confirms that yardspace is contained in the definition of industrial floorspace but does not state that existing yards on development sites have to be replaced with yardspace. I am satisfied that the policies and site allocations for the wider Sub-Area should provide sufficient opportunities for the growth of a diversity of employment uses. Market forces would not be unduly restricted, and the approach is reasonable.
83. The prevailing building height in Sub-Area 1 is defined as 20 metres above ground level, roughly equivalent to 6 storeys. Even if recent permissions have been given for 7 and 8 storey developments and buildings which exceed 30m, I have seen no substantive evidence to support a higher figure for the overall, prevailing height. Policy 1.6 is not inflexible and states that proposals for taller developments will be assessed against the criteria in Policy BN10. Paragraph 6.35 is clear that a variety of building heights rather than uniformity is sought, and proposed modification **MM51** would clarify this position, confirming the need for flexibility in respect of development at Neptune Wharf under SA1.6. Strategic Allocation SA1.2 does not impose a specific building height, expecting development at Hamlet Industrial Estate to vary in height and respond to the height and massing of the existing juxtaposed tall and low buildings. This should provide ample scope for a site-specific design solution.
84. Figure 30 illustrates the extent of conservation areas and heritage buildings and structures in this area. It shows that extensive parts of the waterway network are within conservation areas, and should be protected accordingly. Notwithstanding the cultural assets and sensitivity of Vittoria Wharf, it is unnecessary for the Local Plan to give details of existing and all planned waterway crossings. New development on site allocations in Hackney Wick and Fish Island will be required to protect the assets of this sub-area and be characterised by high quality design. Some sites adjoining the conservation areas are of poor quality and this provides a case for aiming to enhance their settings. The glossary in the NPPF explains that heritage assets include monuments, sites, places, areas or landscape as well as buildings; heritage assets could be identified by a local planning authority, and are not limited to national designations. I am satisfied that sufficient regard for the full range of heritage assets in this Sub-Area has been had. For consistency with national policy and to maximise opportunities for the sustainable re-use of assets, the proposed modification to Policy 1.1(3), **MM41**, should be made along with

modifications to Site Allocations SA1.3: Hepscott Road and SA1.5: 415 Wick Lane (**MM47, MM48 & MM49**).

85. The Fish Island AAP supports the provision of a new local park of approximately 1.2has at Hepscott Road. Development should respond positively to the waterside setting and meet policies to safeguard waste sites. Site Allocation SA1.3, phased to start in 2020 onwards, is consistent with this approach. Proposed modification **MM46** confirms the intention to create a linear park and this should be made. The Corporation explained that a new site allocation at Hepscott Road/Rothbury Road with improved north-south access would be unnecessary, but the absence of a specific allocation would not prevent mixed use development occurring there.
86. Proposed modifications **MM52 & MM53** to Site Allocations SA1.7 and SA1.8 would add information on the content of the mixed use development sought on these sites, including the provision of new schools and other community facilities. These modifications would give greater consistency with the other site allocations in this Sub-Area and are needed for positive planning. The challenge to provide sufficient school places, as discussed in paragraphs 57-59 above, also supports these modifications. With all the above modifications in place, the section on Sub-Area 1 is sound.

#### Sub-Area 2

87. The vision for North Stratford and Eton Manor is that it should become an area of new, high quality housing alongside the open space of the Olympic Park. A mix of house types is envisaged with emphasis on family housing and a new local centre at East Village. Outline planning permissions are already in place, and development has commenced on all the key development sites at East Village, Chobham Farm and Chobham Manor.
88. It was suggested that more imagination and expertise should be applied to layout and landscaping to secure exemplary neighbourhoods. Small developers should be offered sites to accommodate alternative housing and community facilities for a range of social groups. In view of the existing planning permissions, however, these amendments could be seen as onerous and contradictory. This Sub-Area does not include small infill sites which are commonly found in established built-up areas. Site Allocation SA2.1 includes land in employment use but the allocation accords with the Newham Core Strategy 2012 [BPP/02] and the Stratford Metropolitan Masterplan [BPP/10]. The outstanding planning permission requires a relocation strategy for employment uses in line with Policy B1.
89. Chobham Academy (including playing fields) and the Sir Ludwig Guttman Health Centre also contain community meeting space. With the new local centre, legacy sporting venues and access to employment sites, a 'lifetime neighbourhood' should be created. Improvements to the streetscape along Leyton Road, which links the Corporation's area to existing built up areas to the east, are sought and are needed to aid physical and social integration. Table 8 of the Local Plan does not record the prevailing building heights accurately and modification **MM54** is needed to reflect existing planning permissions and achieve effective planning. With this change, I conclude that the policies for Sub-Area 2 are sound.

### Sub-Area 3

90. The vision for the Central Stratford and Southern Queen Elizabeth Olympic Park Sub-Area is for a diverse area with new high profile education and sporting facilities, retail, leisure and business expansion with high-quality housing alongside long-standing and thriving business and residential communities. The sub-area's excellent public transport accessibility with potential for additional international links is highlighted.
91. Paragraph 12.3 points out that significant amounts of residential and office floorspace already have planning permission, but goes on to state that changing circumstances may necessitate a review of proposals. I accept that outline permissions provide opportunities for flexibility when detailed plans for reserved matters are submitted. As paragraph 12.3 sets out priorities to be applied to future development proposals, the approach gives sufficient direction and is sound.
92. Prevailing heights within Sub-Areas 1, 2 and 4, with the exception of East Village, are defined as 18, 20 or 21 metres (m). In Sub-Area 3, paragraph 12.5 requires Policy BN.10 to be applied where developments above 30m are proposed, or above 27m along Stratford High Street. Paragraph 12.6 adequately explains why additional high-rise developments may not be appropriate along Stratford High Street. I consider that the prevailing heights of 27m and 30m should allow for buildings of a substantial size in this sub-area. However, it would give greater consistency with the text of other sub-area sections and be clearer to users of the Local Plan, if the wording "prevailing height" was introduced into paragraph 12.5. I therefore support **MM55** in the interests of achieving an effective plan.
93. Site Allocation SA3.1: Stratford Town Centre West refers to a link bridge, and the Corporation confirms that this is required to connect the Chobham Farm South site to the town (or Metropolitan) centre and integrate it, so that it will be suitable to accommodate town centre uses. Proposed modifications **MM56 & MM57** explain the purpose of the link bridge more precisely and should be made to secure effective planning.
94. University College London proposes a new University Quarter on the Queen Elizabeth Olympic Park, forming part of the Mayor's Olympicopolis vision referenced in the foreword to the Local Plan. Site allocations SA3.2 and SA3.3 will enable this mixed use development with residential accommodation for staff and students, as well as space for partners and entrepreneurs. I note that UCL supports the Corporation's proposed minor modifications [LD/26 – nos. 104 & 105] to delete the reference to 'conventional' housing as the concept is not defined. Such a modification would be consistent with **MM12** and should assist delivery of the Olympicopolis vision. If the education-led campus proceeds, a limited amount of retail floorspace to support the immediate needs of its population could be beneficial, and I accept that it would not be of a scale or type that would have an adverse impact on Stratford High Street or the Metropolitan Centre.
95. Site Allocation SA3.4: Greater Carpenters District has been the subject of significant local opposition. It is argued that this District is already a mixed use area with a strong and supportive, long-standing community. In



accordance with the Vision for Sub-Area 3, this should be maintained and the community enabled to stay together. A large number of residents have already been displaced and homes left empty, and there are doubts as to whether the promise for them to return to the area will materialise. Extensive redevelopment of the area is not supported, and it is contended that the costs and benefits of refurbishment of the existing 1960s housing estate have not been properly assessed.

96. Newham Core Strategy adopted in 2012 [BPP/02] includes Policy S06 which seeks extensive redevelopment in Carpenters District to create a more mixed use area. The Inspector examining this Core Strategy in 2011 described Carpenters District as very close to a range of services in Stratford town centre at a key public transport hub, with connectivity virtually unrivalled outside Central London. He also observed that *"The site presents a classic planning dilemma of how to maximise exciting opportunities while protecting the important interests of the existing community."* I consider that it would be inappropriate for the Corporation's Local Plan to ignore the area's potential to accommodate some additional homes and jobs, but change must be handled in a sensitive, transparent and co-operative way.
97. The LB of Newham states that it has looked at the costs of refurbishment and housing improvement to achieve modern standards over a number of years [M/18], and it has rehoused a significant percentage of the occupiers of the tower blocks within the E15 postcode area. However, there remain questions as to whether the assessments of refurbishment schemes are sufficiently up-to-date, and whether the most reasonable option for this area in the future has been defined. I attach weight to Policy S06 of Newham Core Strategy which supports the retention of existing low rise family housing where it would not conflict with wider regeneration aspirations. Bearing in mind that Policy SP2 of the Legacy Corporation's Local Plan seeks to maximise housing provision, particularly family housing, and safeguard existing residential units and land, I consider that Site Allocation SA3.4 is unsound. **MM58** would add a new bullet 11 to align SA3.4 with Policy SP2 and Newham Core Strategy, and should be made to overcome the deficiency.
98. Carpenters Community Plan was produced by Carpenters estate residents, local businesses and stakeholders in 2013. There is clearly considerable local interest in neighbourhood planning of which the NPPF is highly supportive (paragraphs 155 and 183-5), and a Neighbourhood Forum has been set up. Given the potentially serious impact which redevelopment of this site could have on people's lives and businesses, Site Allocation SA3.4 should confirm that early community consultation will be undertaken on development proposals or regeneration schemes, and encouragement given to preparation of a Neighbourhood Plan consistent with national policy. The proposed new bullets 12 and 13 in **MM58** would secure these outcomes and make SA3.4 sound.
99. It was suggested that the reference to education provision in Site Allocation SA3.6 Rick Roberts Way should be removed since recent events favoured school provision at the Stadium site. Necessary remediation of this former gas works site could only be funded, it was argued, if residential development were permitted. More flexibility on the height of new development was sought. Bullets 2 and 3 of Policy SA3.6 set out what would be expected if

school provision were delivered more suitably in another location. The site is expected to be delivered from 2020 onwards enabling the need for school provision to be reviewed at that time. Any proposals for new tall buildings would need to be assessed against the criteria in Policy BN10, having regard for the site's character and context. Concerning the potential viability of mixed use development, I note that planning permission has already been granted for residential, retail and school uses on the site. I see no need to amend this site allocation.

100. With the modifications outlined above, I conclude that the policies and site allocations for Sub-Area 3 are sound.

#### Sub-Area 4

101. This sub-area covers Bromley-by-Bow, Pudding Mill, Sugar House Lane and Mill Meads, and is bounded to the west by the A12. Occupied currently by a combination of vacant land and buildings, businesses and recently constructed commercial and residential development, the vision for 2031 is for a distinct series of new urban communities, well connected to their surroundings. A new district centre at Bromley-by-Bow and new DLR station at Pudding Mill should help shape the area, along with the heritage assets at Sugar House Lane and Three Mills.

102. As already mentioned, Thames Water sought to have Abbey Mills Pumping Station removed from the area of Local Open Space at Mills Mead. Paragraph 13.1 of the Local Plan rightly states that the pumping station site is an operational complex, is not publicly accessible and does not provide any public open space amenity function. The Corporation proposed a minor modification to this paragraph [no. 111 in LD/26] which would reinforce the fact that the pumping station does not function as public open space. It would also clarify that land at Mills Mead, however, has the potential to be included in the Lea River Park. Whilst this point of clarification may not go to soundness, it would improve understanding of the Local Plan.

103. Concern was raised that the potential District Centre at Bromley-by-Bow, as sought by Policy 4.1, might not be realised. However, the Retail and Leisure Requirements Review 2014 [LEB/18] reviewed the proposal and found clear scope for improvement of facilities in the area. The Corporation advised that planning permission granted for the northern part of the site is beginning to provide financial contributions for the items identified in Site Allocation SA4.1, which include a new District Centre. It was argued that the site would be isolated from part of its potential catchment area by the A12. However, Policy 4.2 details a number of improvements to accessibility including a new junction on the A12 and an improved pedestrian underpass adjacent to Bromley-by-Bow station. Proposed modification to Policy 4.2, **MM60**, confirms that the improvements would give access for pedestrians and cyclists to the new District Centre and the Lee Valley Regional Park and beyond. This should be made to facilitate the delivery of new connections to new development in the Sub-Area.

104. Site Allocation SA4.1 promotes a new mixed use area at Bromley-by-Bow, including the 'potential' District Centre. The Corporation put forward **MM71** which gives more specific information to secure phasing with planning

conditions as well as s106 obligations, and to achieve the timely delivery of infrastructure and land uses. The wording has been agreed with landowners and the modification should be made to secure delivery of the site.

105. Paragraph 13.3 observes that *"the predominant height (of buildings) in the Sub Area is very low"*. The exception is Stratford High Street, but elsewhere and notably to the south, two and three storey buildings are the norm. The Strategic Allocations will permit taller buildings, for example up to 18m in SA4.1: Bromley-by-Bow. Proposed modification **MM59** would add new information as to prevailing and generally expected heights for the principal sites. I have seen no substantive evidence that these heights are unreasonable and would prevent the emergence of viable development proposals. The site allocations in Sub-Area 4 seek to provide new homes with a significant element of family housing. This housing mix and high quality residential communities are unlikely to be delivered through ubiquitous high-rise developments. **MM61, MM62 & MM65** would direct the reader to Policy BN10 which explains the circumstances in which tall buildings will be acceptable. With these modifications, the approach to building heights and tall buildings in Sub-Area 4 is sound.
106. Site Allocation SA4.2: Sugar House Lane is for new medium-density, mixed use development. The site allocation does not specify the exact quantity of each use which should come forward. Planning permission was granted in 2012 for 1,200 homes, 34,000 sqm of offices and workshops and other uses, as described in the plan. It is unsurprising that an existing planning permission bears some similarity to the site allocation in my view; the final development should be a cohesive mix of uses consistent with the full range of Local Plan's policies. The northern part of this site is shown in Table 2 of the Local Plan as a locally significant industrial site. This fronts Stratford High Street, and should therefore have good accessibility favouring business use. The Corporation proposed an amendment to the policy box of the site allocation to clarify that business uses should include but not be limited to creative and cultural ones. **MM64**, which also confirms that comprehensive delivery will begin in 2015, should be made to allay fears that SA4.2 is too restrictive, and to assist delivery.
107. The Local Plan points out that development in SA4.2 will need to preserve or enhance the character or appearance of the Sugar House Lane and Three Mills Conservation Areas as well as their constituent listed buildings. These heritage assets are closely connected to the waterways. The Corporation proposes **MM63** which would introduce a new development principle to SA4.3 to improve the waterside environment. I support this to secure consistency with national policy and achieve high quality development.
108. I have seen no substantive evidence that a higher figure than 1,200 homes should be sought, given the aim to provide significant family housing and a high quality environment, with local open space and the protection of heritage assets. The approach reflects Policy SO7 of Newham's Local Plan [BPP/02] which sought *"medium density, high family"* residential development. The Corporation confirms that each site allocation should deliver residential densities no lower than expected for their PTAL. I consider that Site Allocation SA4.2 offers sufficient flexibility for a range of schemes and uses, with a proportionate contribution towards meeting London's housing needs.

109. Site Allocation SA4.3 seeks 25% non-residential floorspace across Pudding Mill with predominantly industrial floorspace to the west of Cooks Road and around the Crossrail portal. The site has a history of use for industrial and commercial purposes, and land for new employment uses to locate and grow alongside residential and community uses would be consistent with retaining the best aspects of the area's distinctive character, in my opinion. The policy is consistent with Policy SO9 of Newham's Local Plan [BPP/02], and underpinned by the LLDC Area Employment Land Review [LEB/06]. The Pudding Mill Land Use and Design Framework [LEB/16] sets out a masterplan vision for Pudding Mill which is reflected in SA4.3. Its authors state that they consulted all key stakeholders including landowners, engaged with the LB Newham, and presented draft proposals to the LLDC Quality Review Panel. It puts forward good design principles which should assist but not dictate future development.
110. The safeguarded rail site to the west of Pudding Mill should be protected from development in the surrounding area which could prejudice its operations. The NPPF and FALP support such safeguarding. In addition to rail related uses with associated handling and processing facilities, there is an extant permission at Bow Midland West for an asphalt plant and existing activities are not restricted by hours of operation. In this context, it is sensible to concentrate industries which might be detrimental to the amenity of neighbours to the area around the Crossrail portal and to the west of Cooks Road. At the latter, noise from the road system is likely to be high. **MM66** should be made to reinforce the point that development should not prejudice the operation of the safeguarded rail freight site.
111. I am satisfied that the policy with its 25% non-residential aim is reasonable. It should not unduly restrict the amount of housing development that could take place, or render development of the site unviable. It gives some flexibility as to the mix and arrangement of uses. With the modifications above, I conclude that the policies and allocations for Sub-Area 4 are sound.

**Issue 7 – Whether the policies and proposals in the Local Plan are deliverable, having regard for costs and viability, the timely provision of infrastructure and collaboration with other bodies; whether the Local Plan is sufficiently flexible, and whether arrangements to monitor and manage the plan's effectiveness are in place.**

112. Section 14 of the Local Plan sets out the development management and other mechanisms which the Corporation will use to secure implementation of its Local Plan policies and site allocations. These include use of a Quality Review Panel to achieve high quality design in new buildings and outdoor space. Although the list of likely professional members does not include historic environment specialists, I would expect architects, landscape architects and urban designers to have relevant expertise and to ensure that appropriate attention would be given to conserving and enhancing local heritage assets.
113. The delivery of key infrastructure will be crucial for effective plan implementation. The role of the Infrastructure Delivery Plan (IDP) [LEB/20], to be reviewed annually and updated as necessary, is explained in paragraph 14.6 onwards. Table 9 helpfully provides the link between key infrastructure items in the IDP and policies in the Local Plan. The recently adopted CIL charging schedule [LEB/03] is accompanied by a Draft CIL Infrastructure List

[LEB/24] of the items expected to be funded from CIL receipts. The draft Planning Obligations Supplementary Planning Document [LEB/04] sets out the Corporation's proposed approach to securing planning agreements with developers and landowners. Other relevant Supplementary Planning Documents are mentioned in paragraph 14.13 and the use of conditions in making development acceptable is recognised by the Corporation. The approach to delivery is appropriate.

114. Monitoring is addressed in paragraph 14.19 of the Local Plan, to which the Corporation proposes a modification. **MM67** should secure two important outcomes and should be made to achieve an effective plan. These are (i) it specifies what would be likely to trigger a review of the Local Plan, and (ii) it links monitoring of the Local Plan to the regular reports by the Growth Boroughs on convergence performance.
115. Key Performance Indicators for monitoring (KPIs), which will be reported on annually in the Corporation's Authority Monitoring Report, are identified in Table 10. Appendix A of the Corporation's further representations/ responses to my questions on Matter 8 provides additional, illustrative information on definitions and data sources and expected frequency of reporting on monitoring. Indicators are designed to enable the cumulative effect at area-wide level of policy implementation to be measured, and the effect of individual planning applications including specific features such as a scheme's scale and location.
116. It was suggested that Table 10 should also include KPIs on air quality, and should say more about energy and waste. It is clear that KPIs 16, 17 and 18, related to policies in section 08 of the Local Plan, will monitor health effects, carbon emissions and water efficiency. Co-operation with the Growth Boroughs on air quality monitoring will be essential, but it is unnecessary to set out more detail on monitoring practice in this plan.
117. I appreciate the concern that progress on new development in the Corporation Area needs to be carefully monitored, so that it does not prejudice the health and wellbeing of existing residents and local interests. Progress on convergence is a key consideration and its achievement will be reflected in socio-economic factors and lifestyle features. However, the Corporation will have finite resources and very detailed monitoring, eg. of use of the waterways, development of affordable workspace and gains and losses of every type of affordable dwelling could be too onerous. The Corporation put forward modifications to Table 10 to add references to changes in life expectancy, local jobs and training initiatives, and numbers of school places and health facilities (**MM68, MM69 & MM70**). These should be made in order to assist the monitoring of progress towards convergence.
118. It was alleged that the KPI on carbon emissions should do more than merely monitor planning applications, and should assess actual emissions after construction. What is predicted at the design stage, it was argued, could be substantially different from actual performance of built developments. It seems to me that developments which do not accord with permitted development would have to be examined through development management and enforcement procedures. The Local Plan need not commit to additional

monitoring on this matter, nor to more public involvement in the monitoring process.

119. The Hackney Wick Area Action Plan [BPP/5] included accommodation schedule/phasing strategy data. Much of the relevant information is identified in the Legacy Corporation Plan's site allocations, plus Table 3 and Appendix 2. However, details of residential and non-residential floor areas are not included in the Local Plan as these can influence land values, potentially leading to increases in land values, and speculative disposals which may not lead to optimum development outcomes.
120. Overall, I conclude that the policies and proposals in the Local Plan are deliverable, having regard for costs and viability, the timely provision of infrastructure and collaboration with other bodies. The Local Plan is sufficiently flexible and, with the above modifications, suitable arrangements to monitor and manage the plan's effectiveness are in place.

## Assessment of Legal Compliance

121. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. The Local Plan Legal Compliance Checklist (April 2013) [LD/24] indicates in summary how legal requirements have been addressed.
122. I have had regard for the criticisms made of processes for consultation and engagement with some community groups. Gypsy and travellers' representatives suggested that, whilst their members in Hackney had been consulted adequately, those in the other LBs had received less attention. It was also alleged that occupiers of difficult to access housing estates and residents far from community centres might not have been informed of the Local Plan preparation. However, the Corporation states that it wrote to all residents, businesses and organisations at the start of the consultation process informing them of the plan-making process inviting them to get involved [Consultation Report LD/17, Page 8]. It followed up with a range of consultation and engagement procedures, including public meetings with residents' associations and community groups, focus groups and workshops.
123. I appreciate that the plan-making processes can appear complex and daunting to those unfamiliar with town planning, but consider that the Corporation has endeavoured to hear and engage with all local people. Some 1,125 representations from 145 parties and persons were made to the publication version Local Plan, and a significant number of people including gypsy and traveller representatives attended the examination hearings to speak on a wide range of views. I am satisfied that consultation on the Local Plan has been satisfactory and consistent with the Statement of Community Involvement [LD/20].
124. On sustainability appraisal (SA), I have had regard for the fact that existing development plans for London and the constituent Boroughs and outstanding planning permissions limit the range of reasonable alternatives for development over much of this area. I have seen negligible evidence that reasonable alternatives for future development of the Development Corporation's area were omitted; nor that achieving better health or protecting biodiversity were given insufficient attention in the SA.

125. The Mayor has indicated that he considers the Local Plan to be in general conformity with the London Plan [LD/25]. I conclude that the Local Plan meets all the legal requirements.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Local Plan is identified within the approved LDS (February 2014) which sets out an expected adoption date of May 2015. The Local Plan's content and timing are broadly compliant with the LDS. [LD/21]
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in March 2013 [LD/20] and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modifications'.
Sustainability Appraisal (SA)	SA has been carried out and is adequate [LD/05-11].
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (October 2013) [LD/12] sets out why AA is not necessary, and Natural England agrees with this.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	As the Legacy Corporation Area is not a Borough, there is no single SCS. However, links and relationships with relevant SCSs are maintained through links to Boroughs. The Strategic Regeneration Framework for East London 2009 is relevant and regard has been had to it.
Public Sector Equality Duty (PSED)	The Local Plan complies with the Duty as explained in its Equality Impact Assessment [LD/14].
London Plan	The Local Plan is in general conformity with the London Plan (FALP) [RP/03]
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**126. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.**

127. The Legacy Corporation has requested that I recommend main modifications to make the Plan sound and legally compliant and capable of adoption. I conclude that, with the recommended main modifications set out in the Appendix, the London Legacy Development Corporation Local Plan satisfies the

requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Jill Kingaby*

Inspector

**This report is accompanied by the Appendix containing the Main Modifications**



## Appendix – Main Modifications

London Legacy Development Corporation Local Plan, Inspector’s report, June 2015

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change												
MM1	-	Policies Map	Safeguarded Rail Sites to be included. <b>See LD/32 map.</b>												
MM2	13	Objective 3	Create a high-quality built and natural environment that integrates new development with waterways, green space <u>and the historic environment</u>												
MM3	23	Policy B.1 (1)	<u>Office uses should be located within the centres and</u> <del>Requiring</del> an impacts assessment <u>required</u> where B1a office accommodation over 2,500 sqm is proposed outside Stratford town centre <u>Metropolitan Centre boundary</u>												
MM4	27	Table 2	<table border="1"> <thead> <tr> <th>REFERENCE</th> <th>EMPLOYMENT CLUSTERS</th> <th>CLUSTER FUNCTION</th> </tr> </thead> <tbody> <tr> <td>B.1a2</td> <td>Fish Island South <u>including Bow Midland West Rail Site</u> Strategic Industrial Location (Preferred Industrial Location)</td> <td>A range of significant B2 and B8 Use Classes of industrial, warehousing, transport, waste management and distribution <del>a</del> <u>A</u> safeguarded rail head and associated bulk freight distribution use. Uses should make effective use of the railhead, including potential for aggregate distribution <u>and for concrete batching, the manufacture of coated materials, other concrete products and handling, processing and distribution of or aggregate material.</u> Only small-scale supporting ancillary uses will be supported.</td> </tr> <tr> <td>B.1a3</td> <td>Bow Goods Yard East <u>and West</u></td> <td>A safeguarded rail head and associated bulk freight distribution use. B2, B8 and waste management uses are appropriate. Only development supporting the rail-related <del>(and at Bow West aggregates distribution uses)</del> and small-scale ancillary uses will be supported.</td> </tr> <tr> <td>B.1b8</td> <td>Rick Roberts Way <u>North</u></td> <td>A cluster of existing high-quality industrial design and manufacturing uses of B2 and B8 Use Classes in modern buildings.</td> </tr> </tbody> </table>	REFERENCE	EMPLOYMENT CLUSTERS	CLUSTER FUNCTION	B.1a2	Fish Island South <u>including Bow Midland West Rail Site</u> Strategic Industrial Location (Preferred Industrial Location)	A range of significant B2 and B8 Use Classes of industrial, warehousing, transport, waste management and distribution <del>a</del> <u>A</u> safeguarded rail head and associated bulk freight distribution use. Uses should make effective use of the railhead, including potential for aggregate distribution <u>and for concrete batching, the manufacture of coated materials, other concrete products and handling, processing and distribution of or aggregate material.</u> Only small-scale supporting ancillary uses will be supported.	B.1a3	Bow Goods Yard East <u>and West</u>	A safeguarded rail head and associated bulk freight distribution use. B2, B8 and waste management uses are appropriate. Only development supporting the rail-related <del>(and at Bow West aggregates distribution uses)</del> and small-scale ancillary uses will be supported.	B.1b8	Rick Roberts Way <u>North</u>	A cluster of existing high-quality industrial design and manufacturing uses of B2 and B8 Use Classes in modern buildings.
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B.1b8	Rick Roberts Way <u>North</u>	A cluster of existing high-quality industrial design and manufacturing uses of B2 and B8 Use Classes in modern buildings.													
MM5	31	Table 3 (footnote 13)	(Footnote)13. <u>Focused to the eastern part of Stratford Metropolitan Centre (as extended) within the London Borough of Newham’s administrative area for planning purposes.</u>												

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No.	Page	Para/table etc	Tracked change
			<p><u>The floorspace figure over whole plan period is indicative, and is not considered to be a cap, with a confirmed requirement of 14,000 sqm to 2021 and with the requirement from 2021 to 2030 subject to review before 2021.</u></p>
<b>MM6</b>	37	Policy B.5	<p>Section 106 Agreements will be sought for major development proposals <u>and where necessary, other applications</u> to secure appropriate commitments and targets for employment skills, training and job opportunities for local residents.</p>
<b>MM7</b>	38	Paragraph 4.35 (add new paragraph 4.26)	<p><b>4.35</b> The Legacy Corporation area is host to a range of further and higher education establishments and a distinct graduate and postgraduate sector is emerging within the wider local economy. The enhancement of higher education, research and development activity can contribute towards the aims of the convergence agenda <u>through the creation of job opportunities, access to education, and the impacts of investment and spend within the local economy, so will be pursued.</u> The scale of development proposed within the area presents an opportunity to focus postgraduate study and research activity alongside the existing and planned institutions to complement the developing range of new industry and business activity.</p> <p><b>(New paragraph) 4.36</b> <u>New higher education, research and development will provide thousands of direct jobs opportunities for the high-skilled workforce but also lower-skilled jobs within ancillary uses and servicing functions supporting the higher education, research and development activities. Community benefits will include access to facilities and education opportunities, outreach work such as short courses and access for those without traditional qualifications. In combination these will provide a catalyst for further growth within the area enabling other supporting businesses to locate and expand.</u></p>
<b>MM8</b>	41	Objective 2	<p>Delivering <u>approximately more than</u> 24,000</p>
<b>MM9</b>	42	Paragraph 5.3	<p>.....Figure 9, the housing trajectory, shows the ability to deliver housing against the housing target over the Plan period. It shows that within the last five years delivery is less certain; however, London Plan targets will be reviewed by 2019/2020. The five per cent buffer will be met for the first five years, but it may not be possible on a rolling five-year basis. The London Plan recognises the difficulty of this approach. Nonetheless, the cumulative housing target is expected to be exceeded, with more than 24,000 homes delivered over the Plan period through the creation of additional capacity and greater delivery on small sites than anticipated. <u>The Legacy Corporation will monitor and keep under review progress in seeking to achieve and where possible exceed the housing target, in particular</u></p>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<p><u>against potential sources contained within London Plan Policy 3.3, introducing measures to enhance delivery, update evidence, investigate capacity requirements or amend targets where required. The quantum and timescale of development are subject to change. The trajectory and the list of key sites available in Appendix 2 will be kept under review within the Authority Monitoring Report (AMR), with delivery rates reflected within the rolling five year target.</u></p>
<b>MM10</b>	45	Policy H.1 (4)	<p>Meet London Plan and <u>applicable</u> Housing SPG design considerations, <u>subject to Policy BN.4</u></p>
<b>MM11</b>	46	Paragraph 5.12	<p>The Legacy Corporation is directed by the London Plan on a range of housing policies which will be applied <u>including: design and access, play space, residential amenity, daylight and sunlight, accessibility and space standard safety design principles, many of which are detailed within the Mayor's Housing SPG, including safety design principles Policies BN.4 and BN.5 set out how the Baseline Standards within the Mayor's Housing SPG will be applied alongside optional requirements of the Nationally Described Space Standards - Technical Requirements. in relation to space and accessibility standards.</u> The London Plan's density matrix.....</p>
<b>MM12</b>	56	Policy H.5	<p>The Legacy Corporation will seek to provide for the needs of gypsies and travellers generated within its area through working strategically with <u>adjoining</u> neighbouring boroughs <u>and co-operating with gypsy and traveller communities to allocate</u> of suitable sites.</p> <p>Existing sites will be safeguarded and new sites for the needs of gypsies and travellers will be acceptable where:</p> <ol style="list-style-type: none"> <li>1. Location is suitable for <del>conventional</del> residential development;</li> <li>2. Access can be gained to amenities, social and community facilities,</li> <li>3. Residential amenity for both existing and potential residents is not adversely affected, including potential for noise, light, smells and over-looking; and</li> <li>4. No other planning policy constraints identified within this Local Plan <u>with reference to local amenity and environment.</u></li> </ol>
<b>MM13</b>	56	Paragraph 5.25	<p>.... This site is only expected to be able to meet the lower end of the first five-year pitch target of up to approximately nine pitches. It is not <del>yet known how anticipated that</del> the identified needs over the whole of the Plan period <del>can</del> <u>will</u> be met. <u>In order to do so t</u>The Legacy Corporation will <del>work</del> <u>continue to cooperate</u> with neighbouring authorities <del>under the duty to cooperate and to</del> explore potential to meet need associated with its area at a strategic level. <u>The Legacy Corporation will</u></p>

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No.	Page	Para/table etc	Tracked change
			<p><u>therefore identify and update on an annual basis the availability of sites to meet the first five years' supply of sites against the pitch target; identify specific sites or broad locations of sites to meet supply for years 6 to 10, and thereafter; and monitor performance against these targets and review Local Plan Policy H.5 if these aims are not being met by 2018/19.</u></p>
<b>MM14</b>	57	Paragraph 5.26	<p>Where any additional sites can be identified for potential gypsy and traveller use within the area, suitability will be assessed on the same grounds as <del>conventional</del> housing <u>in general</u>, including deliverability and developability tests. The policy criteria shall be used to assess proposals for potential sites within the plan-making and development management processes where potential arises. <u>The Legacy Corporation will monitor any unmet need through the monitoring and review process which will include updating evidence, investigating capacity requirements or amending targets where required and will cooperate with each of the Growth Boroughs to address wider strategic issues of accommodating need for gypsy and traveller accommodation once they have reached an appropriate point of review for their local plans.</u> Where small sites are proposed, <del>viability will be a strong consideration alongside proximity to existing sites to ensure the cohesion of the gypsy and traveller community will be is considered positively.....</del></p>
<b>MM15</b>	69	Objective 3	<p>Create a high-quality built and natural environment that integrates new development with waterways, green space <u>and the historic environment</u></p>
<b>MM16</b>	70	Policy SP.3 (Title) (2)	<p>Integrating the <del>built and natural</del>, <u>built and historic</u> environment</p> <p>Bullet 2- Enhances its built, <u>historic</u> and landscape context</p>
<b>MM17</b>	70	Policy SP.3	<p>The Legacy Corporation will create a high-quality built and natural environment that integrates new development with waterways and green space <u>and the historic environment</u>, by ensuring development:</p> <ol style="list-style-type: none"> <li>1. Gives primary consideration to the creation of 'place'</li> <li>2. Enhances its built, historic and landscape context</li> <li>3. Maintains and promotes local distinctiveness</li> <li>4. Protects <u>biodiversity</u> and provides green infrastructure networks where possible</li> <li>5. Facilitates safe access for all waterside and green environments</li> <li>6. <u>Is at least air quality neutral and minimises impact from noise</u></li> <li>7. Supports the delivery of the Sub Area priorities</li> <li>8. Respects the Legacy Corporation's Design Quality Policy</li> </ol>

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No.	Page	Para/table etc	Tracked change
MM18	72	Policy BN.1 (2) (3)	<p>Bullet 2- Urban fabric: respect existing typologies, <u>including those of heritage value</u>, and draw design cues from the form of the area...</p> <p>Bullet 3- Architectural <u>and historic</u> context: enhance the architectural <u>and historic</u> setting within which development is proposed. Careful consideration should be given to architectural <u>and historic</u> style, materials ....</p>
MM19	74	Policy BN.2 (4)	<p>Introduce recreational, visitor and residential moorings <u>and improve existing moorings</u> where suitable.</p>
MM20	78	Policy BN.4	<p><u>All residential development will be required as a minimum to meet the Nationally Described Space Standards - Technical Requirements.</u> Proposals will be considered acceptable where residential elements meet the 'Baseline' Quality and Design Standards outlined with Annex 1 of the Mayor of London's Housing Supplementary Planning Guidance (November 2012)("Annex 1 Baseline Standards"), including any future revisions or superseding guidance <u>save that the following elements of Annex 1 Baseline Standards shall not apply:</u></p> <ol style="list-style-type: none"> <li data-bbox="619 1016 1385 1151">1. <u>To any elements of the Annex 1 Baseline Standards that are addressed by the Nationally Described Space Standards – Technical Requirements unless they are equivalent.</u></li> <li data-bbox="619 1151 1385 1218">2. <u>Any elements of the Annex 1 Baseline Standards that are addressed by other policies in this Plan.</u></li> </ol> <p>(Amend numbering for the rest of the policy)</p>
MM21	79	Policy BN.5	<p><u>Non-residential p</u>Proposals will be considered acceptable where they respond to the needs of all users, and provide an accessible and inclusive environment by incorporating all applicable elements of the Legacy Corporation's Inclusive Design Standards.</p> <p><u>Residential proposals will be considered acceptable where they respond to the needs of all users, and provide an accessible and inclusive environment by providing 90 % of dwellings in accordance with Optional Requirement M4 (2) Category 2 of Part M of the Building Regulations, and 10% of dwellings in accordance with Regulation 4 (3) 2 (b) of Optional Requirement M4 (3) Category 3 of Part M of the Building Regulations.</u></p> <p><u>The relevant elements of the Mayor of London's Housing Supplementary Planning Guidance (November 2012)("Annex 1 Baseline Standards"), will only be applied where they are equivalent to the Optional Requirements in Part M of the Building Regulations(as applied by this policy).</u></p>
MM22	79	Paragraph 6.19	<p>The Legacy Corporation is committed to continuing the significant accessibility and inclusive design work that was undertaken in delivering Queen Elizabeth Olympic Park and its</p>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<p>legacy venues. The aim of this is to create wholly inclusive ‘Lifetime’ neighbourhoods that can be enjoyed by everyone, regardless of disability, age, gender, sexual orientation, race or faith. To help achieve this, the Legacy Corporation has developed its own standards that set a recognised benchmark for Inclusive Design. The Greater London Authority has identified these as a model of good practice that should be followed in all developments outside Queen Elizabeth Olympic Park. <del>Applicants must therefore reference these standards within their Design and Access Statements in order to demonstrate how they have been met and incorporated within their proposals. This will help deliver the highest standards of inclusive design and more usable and openly accessible urban environments, both within and outside Queen Elizabeth Olympic Park.</del></p>
<b>MM23</b>	80	Paragraph 6.20	<p>In order to promote the creation of inclusive places, developers will be encouraged to engage with the individuals who will use those places when designing their proposals. <u>Applicants for non-residential development must reference the Legacy Corporation’s Inclusive Design Standards within their Design and Access Statements in order to demonstrate how they have been met and incorporated within their proposals. Applicants for residential development must reference Category 2 and Category 3 Optional Requirements within their Design and Access statements in order to demonstrate how they have been met and incorporated, and are encouraged to also reference the Legacy Corporation’s Inclusive Design Standard. This will help deliver the highest standards of inclusive design and more usable and openly accessible urban environments, both within and outside Queen Elizabeth Olympic Park.</u></p>
<b>MM24</b>	81	BN.7 (3)	<p>Aligning with Lee Valley Regional Park, <u>Lea River Park and Leaway area</u></p>
<b>MM25</b>	89	Policy BN.10	<p><b>Policy BN.10: Proposals for tall buildings</b></p> <p>Proposals for tall buildings will be considered acceptable where they:</p> <ol style="list-style-type: none"> <li>1. Exhibit outstanding architecture and incorporate high-quality materials, finishes and details</li> <li>2. Respect the scale and grain of their context</li> <li>3. Relate well to street widths and make a positive contribution to the streetscape</li> <li>4. Generate an active street frontage</li> <li>5. Provide accessible public space within their curtilage</li> <li>6. Incorporate sufficient communal space</li> <li>7. Contribute to defining public routes and spaces</li> <li>8. Promote legibility</li> <li>9. Create new or enhance existing views, vistas and sightlines</li> <li>10. Preserve or enhance heritage assets and the views to/from</li> </ol>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<p>these, and contribute positively to the setting of heritage assets, including conservation areas.</p> <p>Proposals for tall buildings that are likely to have a significant adverse impact on one or more of the following will be <del>refused</del> <u>considered unacceptable</u>:</p> <p>11. Micro-climatic conditions (specifically down-draughts and lateral winds over public spaces)</p> <p>12. <del>Amenity</del>: Impacts to the surrounding area (including open spaces and other buildings <u>and waterways</u>) that relate to:</p> <ul style="list-style-type: none"> <li>• Overlooking</li> <li>• Daylight</li> <li>• Overshadowing</li> <li>• Light spill/reflection</li> <li>• <u>Wider amenity</u></li> </ul> <p>13. Existing views of landmarks, parkland, heritage assets, waterways, and views along street corridors (in accordance with the policy on Protecting Key Views).</p> <p>Tall buildings should be located within the Centre boundaries outlined within this Local Plan.</p> <p>In order of hierarchy, these are:</p> <ul style="list-style-type: none"> <li>• Stratford <del>Town</del> <u>Metropolitan</u> Centre (<u>parts within the Legacy Corporation Area</u>) <del>Extension</del></li> <li>• Bromley-by-Bow District Centre</li> <li>• Hackney Wick Neighbourhood Centre</li> <li>• Pudding Mill Local Centre</li> <li>• East Village Local Centre</li> </ul> <p>Tall buildings are defined by the Legacy Corporation as those that are higher than a Sub Area’s prevailing <u>or generally expected</u> height <u>as set out in this plan</u>.</p> <p><u>Proposals for tall buildings outside the Centre boundaries will be assessed against Criteria 1–13 of Policy BN.10.</u></p> <p><b>Cross-reference to policies: BN.1; <u>BN.2</u>; BN.4; BN.9; BN.16</b>  <b>Sub Area Policies: 1.2; 1.4; <u>1.6</u>; 3.1; 4.4</b>  <b>London Plan policy: 7.7</b></p> <p><b><u>Prevailing or generally expected heights for each sub area are defined within Policy 1.6 (page x); Table 8 (page x); Policy 3.1 (page x); Paragraph 12.5 (page x); and Table 8a (page x).</u></b></p>
MM26	94	Policy BN.13	Insert fourth bullet: <u>Take account of the impacts from any existing consented hazardous substances installation</u>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
MM27	103	Policy IN.1	..to be located. Where Possible, the Legacy Corporation will require new telecommunications <u>and radio</u> equipment to be located on existing <u>masts, buildings and other structures to minimise the number of installations, unless the need for a new site has been justified.</u> <del>rather than having new stand-alone equipment.</del>
MM28	105	Insert before paragraph 7.6	<u>It is acknowledged that the LLDC as a planning authority relies on waste facilities outside its area to manage waste generated within its area and the Local Plan assumes this pattern will continue. Similarly, the surrounding boroughs may rely on waste facilities in the LLDC area.</u>
MM29	105	Paragraph 7.6	<u>The Legacy Corporation is the waste planning authority for its area by virtue of its role as a planning authority. The Four Boroughs have responsibility for waste planning authorities for the Legacy Corporation area are the four Boroughs (Hackney, Newham, Tower Hamlets and Waltham Forest) within the remainder of their area.</u> Each <u>borough</u> has, or will have within the lifetime of this Local Plan, an adopted waste plan or waste planning policies. The adopted ..... The Legacy Corporation will work closely with these two Boroughs the North London Boroughs and other key stakeholders to make .....
MM30	105	Paragraph 7.7	The London Plan identifies waste apportionment targets ..... However, the Legacy Corporation will cooperate with the four Boroughs in seeking to meet the Borough apportionment targets and strategy for waste. When determining planning applications, these targets..... However, the Legacy Corporation will cooperate with the four Boroughs, <u>the GLA and TfL</u> in seeking to meet the Borough apportionment targets <u>and strategy for waste.</u> When determining planning applications, these targets.....
MM31	111	Policy T.3	Add <u>'and'</u> after point 5
MM32	112	Policy T.4 (6) (8) (9)	<p>Bullet 6- Require new developments to include <u>on site spaces or satisfactory arrangements for car clubs</u>, facilities for electric vehicle charging and stands for cycle hire, <del>as</del> where appropriate.'</p> <p>Bullet 8: Require new developments to use <u>target-based</u> Travel Plans to encourage smarter travel, <u>incentivised through S106 Agreements.</u>'</p> <p>Bullet 9: Encourage the use of the waterways in the area for transport and leisure and <u>the towpaths</u> as routes for pedestrians and cyclists, as appropriate, <u>managing any potential conflict through design.</u></p>
MM33	116	Figure 24	Note- For all changes made within Figure 24, corresponding changes will also be made to Figure 28 (page 155), Figure 32 (page 180), Figure 34 (page 194) and Figure 36 (page 211). <b>See LD/33 map.</b>



**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<ol style="list-style-type: none"> <li>1. Change within the Principal Connection Improvement circle, and solid red line within SA1.1 and SA1.3 to key connections to be enhanced (off-road)</li> <li>2. Place principal connection improvement over Old Ford link</li> <li>3. Change central and right connection over the Hertford Union to key connection to be enhanced 'off-road' within the Principal Connection Improvement circle</li> <li>4. Delete key connection to be enhanced (on-road) within SA1.7</li> <li>5. Amend area at southern SA1.7 to key connection to be enhanced (on-road)</li> <li>6. Change within the Principal Connection Improvement to key connections to be enhanced (off-road) at crossing south of Roach Road</li> <li>7. Delete area of key connections to be enhanced (on road) at the south of SA1.8.</li> <li>8. Add new circle to connection across A12 by Bromley by Bow Station</li> <li>9. Extend Key Connections to be Enhanced eastwards towards river within SA4.3</li> <li>10. Amend two thick horizontal lines across SA4.1 to Key Connection to be enhanced (on-road)</li> <li>11. Amend three Principal Connection Improvements within SA4.1 and SA4.2 to show within the circles that they are Key connections to be enhanced (off-road)</li> <li>12. Amend to include a footpath on the south side of Bow Back River as Key connection (off-road)</li> <li>13. Amend routes around stadium to continue Key Connections (off-Road)</li> <li>14. Change connection along Wansbeck Road from the Monier Road roundabout to Rothbury Road to key connection to be enhanced (on-road)</li> </ol>
<b>MM34</b>	122	Policy T.10	....biodiversity and drainage functions, <u>potential conflicts between user groups and impact on navigation and river regime.</u>
<b>MM35</b>	122	Policy T.10	Where appropriate, <u>and to help facilitate projects such as the Leaway.</u> the Legacy Corporation will require development proposals to provide new or improved access <u>to along</u> the waterways and improvements to towpaths and footpaths, and facilitate the introduction of <u>a range of</u> moorings and other waterway –related infrastructure where these do not compromise the other functions of those waterways.
<b>MM36</b>	130	Policy S.3	Add text to third paragraph: “Applications for major development should demonstrate that opportunities to connect to existing energy networks in the Legacy Corporation area or construct and connect to new energy networks, <u>and to facilitate connections from existing development to those networks,</u> have

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<p>been maximised through provision of localised network connections <u>and through provision of</u> heat and cooling network infrastructure within buildings, where it is viable to do so.”</p> <p>Correct last sentence of policy to read: "Proposals for <del>new development, including</del> bridges, will be required to demonstrate that provision is included to accommodate utilities networks, including <u>where appropriate</u>, heat and, <del>where appropriate</del>, cooling network pipes."</p>
<b>MM37</b>	133	Policy S.4	<p>(Last paragraph) <del>Residential development proposals will be required to demonstrate that they will be capable of achieving at least a Code for Sustainable Homes Level 4 score (or any future nationally recognised equivalent).</del> Non-domestic space within development will be required to demonstrate that it is capable of achieving a minimum of BREEAM 2011 Very Good, while achieving a maximum score for water use (or an equivalent in any future nationally recognised assessment scheme)."</p>
<b>MM38</b>	134	Policy S.5	<p>(Second paragraph) Proposals for major development will be expected to demonstrate that they maximise opportunities to reduce water demand and use. Where feasible and viable, for domestic use it should be demonstrated that those measures are capable of achieving a design standard of water use of less than <del>405</del> <u>110</u> litres per person per day (<u>including an external water use of 5 litres of water per person per day</u>).</p>
<b>MM39</b>	139	Policy S.8	<p>...setting living accommodation <u>finished floor levels 300mm</u> above the predicted flood level <u>for the 1 in 100 chance in any year including an allowance for climate change</u></p>
<b>MM40</b>	140	Policy S.8	<p>Add following to first sentence of final paragraph within the policy:  “..... can be shown that sustainable drainage methods are not feasible in that location, particularly in areas where a localised surface water drainage problem has been identified within a Surface Water Management Plan (<u>including potential flooding from sewers</u>)” (See Also appended Statement of Common Ground between the Environment Agency and Legacy Corporation, introducing a further recommended minor change to Policy S8)”</p>
<b>MM41</b>	151	Policy 1.1 (3)	<p>Restore and reuse <del>buildings of heritage value</del> <u>assets</u> for employment <u>or other uses</u>.</p>
<b>MM42</b>	151	Strategic Links	<p>Safeguarding the Bow Midland West Rail site for rail use and promoting access to the surrounding road network. Further south in Fish Island, there is a Strategic Industrial Location (SIL) designation that incorporates the <u>safeguarded</u> Bow Midland West Rail site (<u>as identified on the Policies Map</u>). New development should not adversely affect existing <u>businesses</u> and should be designed to take account of their existence</p>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			and <u>their existing and future</u> operational requirements, particularly where those businesses are located within the designated employment clusters.
<b>MM43</b>	151	Paragraph 10.3	<b><u>Flooding:</u></b> <u>Parts of Hackney Wick and Fish Island are at risk of fluvial flooding from the River Lee Navigation. To ensure future growth in this area is sustainable, development proposals will need to incorporate appropriate flood mitigation measures in accordance with Policy S.8 and the guidance within the most up to date strategic flood risk assessments for this area (see evidence base list at page 141 for the current assessments) and the most up to date flood modelling held by the Environment Agency.</u>
<b>MM44</b>	155	Figure 29	Place principal connection improvement over Old Ford link; change central and right connection over the Hertford Union to 'off-road'.  Amend to reflect changes made to Figure 24 (see number 89 above)
<b>MM45</b>	161-218	Site Allocations	Change title for all site allocations: <u>Supporting Development</u> principles  Amendments to presentation of the site allocations to clarify policy text. All site allocation boxes – remove grey background from all supporting text, keeping this only for the site allocation policy box
<b>MM46</b>	164	SA1.3	Amend site allocation text: "...residential, <del>and</del> creative and cultural uses, <u>and a linear park.</u> "
<b>MM47</b>	164	SA1.3	Correction to bullet point 9: Development should preserve or enhance the <del>setting</del> of the Conservation Area, <del>and retain and reuse buildings of heritage value. These buildings should anchor new routes, frontages and public spaces. where</del> <u>outside, enhance its setting.</u>
<b>MM48</b>	164	SA1.3	Insert new bullet point: <u>• Retain and reuse buildings of heritage value. These buildings should anchor new routes, frontages and public spaces.</u>
<b>MM49</b>	166	SA1.5	Correct bullet point 3: "• Development should <del>preserve or</del> enhance the setting of the Conservation Area"
<b>MM50</b>	167	SA1.6	Correction to site allocation text: "...medium density <u>residential</u> development incorporating <u>public</u> open space..."
<b>MM51</b>	167	SA1.6	Correction to bullet point 6 • Building heights must provide a transition from a <del>maximum</del> frontage height of six storeys along the Hertford Union Canal down to four to <u>six five</u> storeys along Wyke Road.
<b>MM52</b>	168	SA1.7	Amend site allocation text: "Employment cluster and comprehensive, phased mixed-use development, <u>including</u>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change								
			<u>residential, employment, retail, leisure and community floorspace (incorporating a new primary school and two nurseries)."</u>								
<b>MM53</b>	169	SA1.8	Amend site allocation text: "Comprehensive, phased mixed-use development., <u>including residential, employment, retail and community floorspace (incorporating a new primary school, nursery, health centre and library).</u> "								
<b>MM54</b>	181	Table 8: Prevailing heights in Sub Area 2	<table border="1"> <tr> <td><b>Chobham Farm</b> (see site allocation SA2.1)</td> <td>20 metres</td> </tr> <tr> <td><b>Leyton Road North</b> (area north of Henrietta Street)</td> <td>20 metres</td> </tr> <tr> <td><b>East Village</b> (see Site Allocation SA2.2)</td> <td><del>20 metres, with higher elements on the southern and northern edge</del> <u>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</u></td> </tr> <tr> <td><b>Chobham Manor</b> (see Site Allocation SA2.3)</td> <td><del>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</del> <u>20 metres, with higher elements on the southern and northern edge</u></td> </tr> </table>	<b>Chobham Farm</b> (see site allocation SA2.1)	20 metres	<b>Leyton Road North</b> (area north of Henrietta Street)	20 metres	<b>East Village</b> (see Site Allocation SA2.2)	<del>20 metres, with higher elements on the southern and northern edge</del> <u>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</u>	<b>Chobham Manor</b> (see Site Allocation SA2.3)	<del>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</del> <u>20 metres, with higher elements on the southern and northern edge</u>
			<b>Chobham Farm</b> (see site allocation SA2.1)	20 metres							
			<b>Leyton Road North</b> (area north of Henrietta Street)	20 metres							
			<b>East Village</b> (see Site Allocation SA2.2)	<del>20 metres, with higher elements on the southern and northern edge</del> <u>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</u>							
<b>Chobham Manor</b> (see Site Allocation SA2.3)	<del>30 metres, with tall buildings on undeveloped plots closest to the boundary with the Metropolitan Centre</del> <u>20 metres, with higher elements on the southern and northern edge</u>										
<b>MM55</b>	189	Paragraph 12.5	Insert section heading: <u>Prevailing height</u>  Unless specific building heights are stipulated within Policy 3.1, within this Sub Area where any development is proposed above <u>the prevailing height of 30m</u> from ground level, the Tall Buildings policy (BN.10) will apply.								
<b>MM56</b>	196	SA3.1	<del>Potential for a A</del> range of town centre uses and residential accommodation appropriate to the scale and form of the Metropolitan Centre designation. <del>The S</del> site will form an extension to the <del>Town</del> Metropolitan Centre Boundary of Stratford <u>with the eastern parcel providing access to the town centre by a Link Bridge. Active uses shall be on the ground floor along enhanced key connections</u>								
<b>MM57</b>	197	SA3.1	Bullet 5- Eastern parcel should provide a large-scale town centre use with supporting elements and <del>reflect the constrained access including access to town centre by Link Bridge</del>  Bullet 8- Points where key connections meet the allocation <del>will</del> <u>shall</u> be gateways for enhancement  Bullet 9- <del>Active uses shall be on the ground floor along key</del>								

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change				
			<p><del>connections and routes</del></p> <p>Bullet 11- <u>Safeguarding Inclusion</u> of land for new platforms at Stratford Station to support enhanced rail links to the north <u>where required</u>.</p> <p>Phasing bullet 3- The housing development of <del>1,105 units</del> at Cherry Park will be delivered from 2015</p>				
<b>MM58</b>	200	SA3.4	<p>Add three further bullets to the ‘Supporting Development Principles’:</p> <p>Bullet 11- <u>Consider retention of existing low-rise family housing where this does not prevent the achievement of wider regeneration objectives</u></p> <p>Bullet 12- <u>Ensure early community consultation where specific development proposals or regeneration plans are brought forward</u></p> <p>Bullet 13- <u>Support the preparation of a Neighbourhood Plan where this conforms to the requirements of this site allocation and involves cooperation with the Council in its roles as landowner and housing authority.</u></p>				
<b>MM59</b>	208	Paragraph 13.3	<p>Amend first sentence of paragraph 13.3 as follows: “The Site Allocations within this Sub Area set out the <u>generally expected predominant</u> height of new development in each allocation.”</p> <p>Change <u>predominant</u> in 4<sup>th</sup> sentence to <u>prevailing</u></p> <p>Insert new sub heading after paragraph 13.3: “<u>Prevailing building heights and generally expected building heights</u>”</p> <p>Insert new number after ...Streimer Road. <u>13.3a</u></p> <p>Add new sentence at 13.3a: “<u>Table 8 a below sets out the prevailing heights that exist within the sub area outside the site allocations and the generally expected heights of development within the site allocations and Stratford High Street policy area.</u>”</p> <p>Insert new table: <u>Table 8a Prevailing and generally expected heights in Sub Area 4 (heights in metres above existing ground level)</u></p> <table border="1" data-bbox="566 1848 1401 2016"> <tbody> <tr> <td data-bbox="566 1848 1045 1982"><b><u>Bromley-by-Bow</u></b> (Site Allocation SA4.1) (generally expected height)</td> <td data-bbox="1045 1848 1401 1982"><u>18 m</u></td> </tr> <tr> <td data-bbox="566 1982 1045 2016"><b><u>Sugar House Lane</u></b> (Site</td> <td data-bbox="1045 1982 1401 2016"><u>15 m</u></td> </tr> </tbody> </table>	<b><u>Bromley-by-Bow</u></b> (Site Allocation SA4.1) (generally expected height)	<u>18 m</u>	<b><u>Sugar House Lane</u></b> (Site	<u>15 m</u>
<b><u>Bromley-by-Bow</u></b> (Site Allocation SA4.1) (generally expected height)	<u>18 m</u>						
<b><u>Sugar House Lane</u></b> (Site	<u>15 m</u>						

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<p><u>Allocation SA4.2) ((generally expected height)</u></p> <p><b>Pudding Mill</b> (Site Allocation SA4.3) (<u>generally expected height</u>) <u>21 m</u></p> <p><b>Stratford High Street Policy Area</b> (<u>generally expected height</u>) (Policy 3.1) <u>27 m</u></p> <p><b>Other Areas</b> (<u>Prevailing height</u>) <u>10 m</u></p>
MM60	210	Policy 4.2 (2) (3)	<p>2<sup>nd</sup> bullet- Improving the pedestrian underpass adjacent to Bromley by Bow Station <u>and linking pedestrian and cycle routes to allow access to the new District Centre and the Lee Valley Regional Park beyond.</u></p> <p>3<sup>rd</sup> bullet- Change A11 to A11<u>8</u></p> <p>6<sup>th</sup> bullet- Delivery of a west-east pedestrian and cycle route, parallel with Stratford High Street, through Pudding Mill, across the Greenway and through the Greater Carpenters area parallel to Stratford Town <u>Metropolitan Centre</u></p>
MM61	215	SA4.1	<p><del>Bullet 4- The predominant height of new buildings across the area should be 18 metres, subject to meeting other policies in this Local Plan</del></p> <p>Insert: <u>Proposals for development above 18 metres above ground level will only be acceptable subject to the provisions of Policy BN.10</u></p>
MM62	216	SA4.2	<p><del>up to 1,200 new homes,</del> with a significant number of family homes, Local Open Space, <u>playspace</u> and public realm. A new all-movements junction to enable access to the area and new <u>and enhanced</u> bridges to link the area to surrounding communities will be required alongside development. <u>Proposals for development above 15 metres above ground level will only be acceptable subject to the provisions of Policy BN.10.</u></p>
MM63	216	SA4.2	<p>Add new development principle <u>“Improve the waterside environment of the River Lea, Waterworks River and Bow Back River.”</u></p>
MM64	216	SA4.2 Sugar House Lane	<p>Following changes are suggested:</p> <p><b>Site Allocation text Policy Box minor change to first sentence:</b> A new medium-density, mixed use area <u>including of</u> business (<u>including</u> cultural and creative) and local retail space focused on the northern and southern part of the site ....”</p>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
			<b>Amended text to phasing and implementation section.</b> Phasing and implementation <u>Comprehensive delivery of the site allocation development beginning in 2015. As part of this, New pedestrian and vehicular access to the site will need to be provided. In particular, bridges linking the peninsula to Bromley-by-Bow and to Three Mills will need to be provided/enhanced. These have been secured through an existing planning permission. And Equivalent provision would need to be made if any other new application comes forward, or the permitted scheme is amended as it is developed.</u>
MM65	218	SA4.3	<del>Bullet 1- Heights of up to 21 metres from ground level are appropriate on this site, except for some taller elements in the Local Centre (see Policies B.2 and BN.10)</del> Insert: <u>Proposals for development above 21 metres above ground level will only be acceptable subject to the provisions of Policy BN.10</u>
MM66	218	SA4.3	Add new development principle: <u>Regard will need to be had to not prejudicing the operation of the safeguarded rail freight site to the west (for example by ensuring that noise sensitive uses are located away from the site)</u>
MM67	226	Paragraph 14.19	In order to measure the success of the strategy and policies within this Local Plan and help to identify any potential need for a review of all or part of the Local Plan, the Key Performance Indicators (KPI's) set out in Table 10 <del>below</del> will be used. <u>A review of the Plan is likely to be triggered where this monitoring shows that key elements of the Plan, such as delivery against housing targets, would not be met to a significant or on-going extent, or in 2018/19 in any event. Monitoring of these indicators will be reported within the Legacy Corporation's annual Authorities Monitoring Report. This report will also include annual updates of the activities undertaken in relation to the Duty to Cooperate. In addition to Local Plan monitoring the Growth Boroughs produce regular Convergence progress reports which report on performance against the Convergence themes and indicators.</u>
MM68	227	Table 10 criteria 16	Add <u>Changes in life expectancy for residents within Wards that fall within the Legacy Corporation area.</u>
MM69	227	Table 10 (2)	• <u>Number of jobs/local jobs/opportunities within employment training initiatives</u> created.
MM70	227	Table 10 criteria 4	Add <u>number of school places provided and /or granted planning permission</u> Add <u>number and capacity of new health facilities approved</u>

**TABLE 1: TABLE OF MAIN MODIFICATIONS**

No.	Page	Para/table etc	Tracked change
<b>MM71</b>	214	SA4.1	<p>Proposals for development will be required to demonstrate that they contribute to the comprehensive development of Bromley-by-Bow Site Allocation area. To do this, applications will need to demonstrate:</p> <ul style="list-style-type: none"> <li>- that a masterplan approach for the Site Allocation as a whole is followed</li> <li>- that phasing of development across the overall site is appropriate and secured <u>by condition or through Section 106 Agreements attached to future planning permissions</u></li> <li>- that there is certainty <u>of timely delivery for the key elements of social and physical infrastructure and land uses identified as required within this site allocation over delivery of the complete comprehensive scheme, rather than delivery of separate piecemeal elements without certainty that all of the required uses accessibility improvements and necessary infrastructure will be delivered over the longer term"</u></li> </ul>
<b>MM72</b>	98	<p>Policy BN16</p> <p>Paragraph 6.48</p>	<p>(Title) <u>Preserving</u> <del>Conserving</del> or enhancing heritage assets</p> <p>Proposals will be considered acceptable where they <del>preserve</del> <u>conserve</u> or enhance heritage assets <u>and their settings</u>, and promote .....</p> <p>(Amend final sentence of 6.48) Proposals should be in general conformity with <del>the relevant</del> Conservation Area <u>appraisals and Management Plans, and other relevant</u> Guidelines.</p>