

Statement on behalf of the London Legacy Development Corporation (9th February 2015)

Examination - London Legacy Development Corporation Local Plan 2015 to 2031

Inspector's Matters, Issues and Questions

Matter 4: Built and Natural Environment

Issue: Whether the Local Plan, in particular section 6, 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

1. Do Objective 3 and Policy SP3 set out the strategy for achieving a high quality built and natural environment appropriately, taking account of the proposed amendments in LD/26?

Objective 3 and SP.3 form the basis for policies within the built and natural environment chapter which are considered necessary to achieve the spatial vision for the area proposed on page 14 of the Local Plan. Objective 3 and SP.3 have been informed by technical background papers TBP/1 and TBP/5 and an ongoing and iterative process of consultation outlined in LD/17 and LD/18. They are considered to be in accordance with the NPPF and London Plan and provide a strategic link to the policies within the Local Plan. With the amendment to include the historic environment made to Objective 3 (amendment 2 on page 1 of LD/26) the strategy is considered appropriate to inform the delivery of a high quality built and natural environment, integrating the natural, built and historic environment through the policies within this chapter.

2. Does Policy BN1 set clear criteria for development proposals, whilst not being too restrictive? If not, what specific changes are sought and how are these justified?

Policy BN.1 is a design-based policy that seeks to improve the quality of places within the Legacy Corporation area. The policy was formulated by converting well-established design principles from government-endorsed publications such as the 'Urban Design Compendium' [S/34] and 'By Design' [S/35] into a set of criteria that can be used to address a range of issues that are pertinent to the Legacy Corporation area. It is therefore considered to set clear criteria that are sufficiently flexible.

3. Should Policy BN2 be strengthened to state that the waterspace and land alongside should be prioritised for passenger and freight transport? And/or should the following changes be made:

- "requiring" rather than "expecting" development proposals to meet the criteria;
- giving more positive support for public access;
- giving a target for freight transport for major developments; and
- maintaining and enhancing biodiversity, rather than "improving ecological potential"?

It is considered that using the term "expecting" will bring about the necessary changes within this context. Positive emphasis for public access and support for the use of the waterways for freight transport are both addressed by Policy T.10. A target level of freight use from major developments would be set on a case by case basis through the Transport Assessment and Travel Plan process (policy T.7). For clarity, an additional

minor amendment is proposed comprising a cross reference to London Plan policy 6.14 in Policy T.10 (see LD/29).

Policy BN.3 ensures that biodiversity will be protected and maintained and it is not necessary to repeat this within policy BN.2. Improving ecological potential within BN.2 focuses on the improvement of water quality and the aims of the Water Framework Directive to reach good ecological potential by 2027. This addresses the Lee Valley Regional Park Authority and the Environment Agency recommendations made through the public consultation 2nd December 2013 until 7th February 2014 and the policy has been supported by these organisations as outlined in the Consultation Report (LD/17, Appendix 11).

4. Should there be clarification that biodiversity enhancement measures should not encroach on navigation and waterway functions?

The Local Plan is considered to be in conformity with the London Plan, supporting London Plan policy 6.1 to increase the use of the Blue Ribbon Network. Both Policy BN.2 and Policy T.10 in the Local Plan will ensure that biodiversity enhancement measures do not encroach on navigation and waterway functions. For example, Policy BN.2 states that it expects proposals that affect the waterway environment to prevent disruption to the movement of passengers and freight and Policy T.10 states that the Legacy Corporation will encourage and support the use of the waterways for passengers and freight transport and leisure uses, taking into account any impact on biodiversity and drainage functions. It is considered that these policies will be sufficient to address issues of navigation and waterways functions.

5. Should Policy BN4 refer to the provision of private amenity space and, if so, what exactly should be sought?

There is not considered to be a need to refer to private amenity space within the policy itself, as its provision is a requirement of 'Baseline' Quality and Design Standards within Annex 1 of the Mayor's Housing SPG (November 2012) (4.10.1 in RP/7) which is specifically referenced within the policy text. This states that: 'A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant'.

6. Should Policy BN5 include a minimum target for delivery of 10% wheelchair accessible units in line with Policy 3.8 of the FALP?

There is no need to include a minimum target for delivery of 10% wheelchair accessible units within the policy itself, as this is referenced on page 46 in the Inclusive Design Standards [GD/1] and is also a requirement of 'Baseline' Quality and Design Standard 4.9.1 in RP/7. This states: Standard 4.9.1 (and Policy 3.8) 'Ten percent of new housing should be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users in accordance with the GLA Best Practice Guide on Wheelchair Accessible Housing'.

7. The Natural Environment Background Paper [TBP/05] explains how the boundaries for Metropolitan Open Land in the plan area have been defined. Do they accord with the London Plan and Host Boroughs' Local Plans?

The boundaries for Metropolitan Open Land (MOL) are different from the boundaries set out in the Host Boroughs Local Plans. The extent of MOL has been updated to reflect the change in circumstances between the adoption of the Host Borough Local Plans and the Legacy Corporation Local Plan, as stated in relation to Matter 1 (Question 11). The

London Plan supports the extension of MOL in appropriate circumstances and sets the criteria for establishing MOL. Pages 48 to 52 of the Natural Environment Background Paper [TBP/05] identify where these boundaries are different and how the boundaries have been modified in accordance with criteria of the London Plan, Policy 7.17.

8. Should the Local Plan be more positive about provision of local open space, giving quantitative targets for provision in all new development and qualitative standards? Should Figure 15 be amended to show the extent and character of open space rather than green dots?

The approach to open space within the Local Plan is considered to be sufficiently positive. Strategic Policy SP.3 and Policy BN.1 promote high quality development across the area and these policies are supported with reference to the Legacy Corporation's Design Quality Policy (for further detail regarding improving the quality of space see response to Matter 4, Question 2). There is no need to include additional quantitative targets for local open space. The extent of protected local open space set out on the Proposals Map totals to 106.8 ha which equates to approximately 1.9 ha of open space per 1000 population over the plan period, exceeding Borough quantity standards for overall open space provision set out on page 31 of the Infrastructure Delivery Plan [LEB/20]. Rather than providing quantitative targets for all new development, open space provision is supported through policy BN.4 and BN.7 in areas of deficiency in accordance with London Plan guidelines (see Table 6 on page 85 of the Local Plan). An indication of locations with open space deficiency is also detailed on pages 9 to 15 in the Natural Environment Background Paper Appendix [TBP/05]. Where specific requirements for new open space have been identified, these have been included as a requirement within the relevant site allocations in the Local Plan sub area sections.

The extent and character of sites identified in figure 15 have not been detailed in the Plan as these are spaces that are required through site allocations and/or extant planning permissions but have not yet been designed in detail or delivered. Only at that point will it be possible to define the extent, character and quality of those spaces.

9. Should the Local Plan include more information to emphasise that the Lee Valley Regional Park Authority's Park Development Framework provides the strategy for development and management of many local open spaces? Or with the amendments proposed in LD/26, Page 6, is the Local Plan sound?

The Local Plan maps the Lee Valley Regional Park area and emphasises the important role of the Lee Valley Regional Park Authority's Park Development Framework on page 82 and 84 of the Local Plan. The Local Plan aligns with the Development Framework and this alignment has been reinforced with the proposed amendments in LD/26 in order to make the Local Plan sound. It is not considered necessary or proportionate to outline further details of the Framework's proposals within the Local Plan.

10. Are the Key Views shown on Figure 17 all justified by credible evidence, having regard for TBP/01 and the computer-generated image on Page 12 of the Local Plan?

Policy BN.9 is justified by credible evidence that is considered to be proportionate to purpose of the policy. Chapter 7 of TBP/1 provides an appropriate level of detail to understand the characteristics and composition of the Local Plan's Key Views and is proportionate to their importance.

Identifying and assessing key views in accordance with the approach outlined within the London View Management Framework SPG [RP/10] (i.e. by pinpointing their 'viewing

location'; capturing their -60 to +60 degree panorama; providing a detailed description of their landmarks, notable buildings or features; and outlining visual management guidance for their foreground, middle ground, background) would not be commensurate to the significance of the views in question.

It would be disproportionate to include evidence equivalent to that within the London View Management Framework, as the SPG protects key views that include significant buildings or urban landscapes that help to define London at a strategic level.

Furthermore, and although unrelated to issues of soundness, the one objection to Policy BN.9 concerned the identification of a Key View northwards along Sugar House Lane; this is a view which is already identified within the Sugar House Lane Conservation Area Character Appraisal and Management Proposals document (January 2010).

The image on Page 12 of the Local Plan represents a form of development that makes a positive contribution to the characteristics and composition of the Key Views identified within the Local Plan.

11. Is Policy BN10 with the minor amendments put forward in LD/26 justified and in general conformity with the London Plan's Policy 7.7? Does it strike an appropriate balance between encouraging tall buildings in appropriate locations which can provide for much needed new development at a high density, and protecting the character, appearance and amenity of the area?

London Plan Policy 7.7 [RP/1] states that 'Boroughs should work with the Mayor to consider which areas are appropriate, sensitive or inappropriate for tall and large buildings and identify them in their Local Development Frameworks' and that 'Tall and large buildings should generally be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport'.

Policy BN.10 is in general conformity with London Plan Policy 7.7 as it states that 'tall buildings' (defined by the Legacy Corporation as those that are higher than a Sub Area's prevailing height as set out in the Local Plan) should be located within the Centre Boundaries outlined within the Local Plan. Assessing a tall building proposal against the policy criteria will determine whether the site upon which it is proposed is either sensitive or inappropriate for 'tall buildings'. Moreover, as Criteria 1, 10 and 12 of Policy BN.10 protect character, appearance and amenity, the Legacy Corporation considers that it does strike an appropriate balance.

12. Should Policy BN11 take a stronger line eg. requiring development proposals to be "air quality neutral"? If so, how exactly would this be secured? Should the policy specify the sources of noise which it seeks to reduce (eg. from the night-time economy)?

The Mayor's Air Quality Strategy states that developments should be air quality neutral. Policy BN.11 expects development proposals to demonstrate compliance with the London Plan and it is not considered necessary to repeat London Plan policy. In support of securing the necessary standards the Local Plan seeks appropriate construction, design and transport planning in general conformity with the London Plan (for further information see policy T.4, S.4 and LD/25). It is not considered necessary to detail the individual activities that contribute to noise pollution.

13. Should Policy BN13 state more about processes of remediation and the storage of hazardous substances? If so, what exactly?

In compliance with the NPPF Policy BN.13 outlines the process of remediation required through the planning process. Detailed guidance is provided within the supporting text and Figure 20 which sets out the proposed planning approval process for ground contamination and remediation. This level of guidance is considered sufficient and is supported by the Environment Agency through Representation 11 [LD/17]. It is not considered necessary to provide further detail regarding the process.

Policy BN.13 has been amended to include a 4th bullet point to ensure that development proposals take account of the impacts from any existing consented hazardous substances installation. This has been noted incorrectly on the 'Table of minor amendments and corrections' [LD/26]. Amendment 43 on the table should be read as BN.13 rather than BN.11 (see corrected in LD/29). With this change the policy is considered sufficient to address the storage of hazardous substances in the Legacy Corporation area.

TOTAL WORDS IN THIS STATEMENT: 1,787