

# Statement on behalf of the London Legacy Development Corporation (9<sup>th</sup> February 2015)

Examination - London Legacy Development Corporation Local Plan 2015 to 2031

Inspector's Matters, Issues and Questions

## Matter 8: Delivery and Implementation

*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 to cope with inevitable change, and whether arrangements to monitor and manage the plan's effectiveness are in place.*

- 1. Pages 221-226 of the Local Plan set out a number of development management and other mechanisms which the Corporation will use to secure implementation. Are there any important omissions?**

While Local Development Orders have not been included within this section, the Legacy Corporation is not currently anticipating progressing any LDOs within its area. Although the use of conditions is mentioned in figure 37 (page 224 of the Local Plan) no specific text is included. Therefore a proposed additional section has been drafted which would precede paragraph 14.8 and is included in the post submission minor changes list [LD/29], as set out below.

### Conditions

Conditions can be used by local planning authorities to make otherwise unacceptable development acceptable. Conditions will be used by the Legacy Corporation to help ensure that planning permissions secure development that is acceptable in terms of the policies within this Local Plan and any other relevant material considerations. Appropriate regard will be had to the requirements of the National Planning Policy Framework that conditions are only "imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects."

- 2. Page 222 refers to the delivery of key infrastructure, explaining the role of s106 planning obligations and Community Infrastructure Levy (CIL). Is the intended use of these mechanisms clearly explained and is it consistent with latest national policy (NPPF paragraphs 203-206; CIL Regulations and Guidance)?**

It is considered that the role of s106 planning obligations and Community Infrastructure Levy is clearly explained, in a level of detail that is appropriate to this section of the Local Plan. Further detail on each is set out in the CIL

Charging Schedule and the draft Planning Obligations SPD as well as policy SP.4.

**3. Are the key performance indicators listed on Page 227 the most appropriate for monitoring the Local Plan's performance? If not, what should be added or changed?**

The Key Performance Indicators (KPI's) listed are the most appropriate for monitoring the Local Plan's performance; in combination these will give clear indications of the success of the Local Plan. They can be broadly split into three main categories:

- Area-based indicators where performance is measured cumulatively through area-wide performance over the medium to long term. Information will be derived largely from national or regional data sources but supplemented with other data when available
- Specific monitoring indicators for which information can be derived from individual planning applications
- Indicators triggered by specific measures for example, the scale, or location of an application, where information will be derived.

As shown in Section 2, the Growth Boroughs are currently both economically and socially deprived, however there is reasonable confidence that the investment and regeneration being pursued by the Legacy Corporation, the Growth Boroughs and their wider stakeholders will improve this situation and help to achieve 'convergence'. Progression towards convergence can be measured by comparing the data available at a given point in time and the baseline position prior to the adoption of the Local Plan.

By way of illustration only, the table shown in Appendix 1 to this Statement outlines the monitoring scheme that has been prepared to facilitate the detailed Local Plan monitoring process and that will be reflected in the Legacy Corporation's annual Authority Monitoring Report.

**4. Should the Local Plan include more information as to how performance will be assessed. In particular, should it explain what level of under-performance or departure from plan targets would trigger a partial/ general review of Local Plan policies?**

The Legacy Corporation considers that the Local Plan, including amendments made to paragraphs 5.3 and 14.19 of the Local Plan within LD/26, includes sufficient information to demonstrate how performance will be assessed.

As identified within paragraph 14.19 of the Local Plan, as amended by LD/26 in relation to housing, it is likely that consistent under-delivery of the target would trigger a partial or full review. With regard to other policies, this would mean a failure to achieve the key elements of the Local Plan on a consistent basis. Key elements closely relate to the different KPIs shown within Table 10 where each KPI has its own specific monitoring criteria to identify progress. Where regular

monitoring shows that the KPIs are not consistently being met, measures will be introduced to trigger a full or partial plan review. This approach is appropriate as it maintains a degree of flexibility in monitoring, subject to available evidence, but also enables the Legacy Corporation to assess delivery as a the whole, rather than against each particular policy.

**5. LB Hackney suggested that an accommodation schedule/phasing strategy might be added. What would this look like and how might it assist?**

An example of an accommodation schedule/phasing strategy from the Hackney Wick AAP [BPP/5] is included below. The majority of this information is identified through each of the Local Plan’s site allocations, i.e. site address, size, existing use, and potential use/mix of uses. Residential GFA and Non-Residential GFA will be established through the application process.

As outlined by LB Hackney below, the main purpose of the accommodation schedule/phasing strategy is to give an indication of potential growth and development levels within the Hackney Wick AAP area. Appendix 2 and Table 3 within the Local Plan perform this role within the Legacy Corporation’s Local Plan.

The Legacy Corporation has taken the decision not to include estimates of residential/non-residential GFA for those allocations upon which there are no extant permissions, as the release of more detailed information at site level can affect land values. Consequent increases in land value and speculative disposals and purchases would not necessarily support optimum housing development outcomes and could compromise the Local Plan’s objectives (Paragraph 21, 2013 SHLAA Methodology, GLA).

<b>Opportunity Sites Profile: Site 9 (Off-Street Bus Stand)</b>	
<b>Site Characteristics</b>	
Site Address:	85-87 Eastway, London E9 5JA
Size (approx)	970m <sup>2</sup>
Existing Use	TfL Off Street Bus Stand
Residential GFA (sqm)	1,742
Residential (Units)	24
Non Residential GFA (sqm)	0
<b>Development Potential</b>	
Potential Use / Mix of uses	Preferred future use - Residential Will require the relocation of the TfL bus stand to an alternative site.

*Nb: the accommodation schedule is intended to be an ‘evolving’ document and will be used as, and reviewed through, part of the Annual Monitoring Report to monitor the provision of new floorspace as individual applications come forward. It is important to note that as development applications come forward for opportunity sites, they are expected to meet the relevant AAP design principles and land use policies as well as the relevant character area policies detailed in Part C in the first instance. The main purpose of the Schedule is to give an indication to the Council on potential growth and development levels within the AAP area to assist with further forward planning, rather than defining acceptable proposals for sites.*

**TOTAL WORDS IN THIS STATEMENT: 789 words**

**Appendix A (Further information in relation to question 3)**

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
1	Growth in economic activity	<ul style="list-style-type: none"> <li>• Percentage of working-age residents in employment within the four growth boroughs compared to the London average.</li> <li>• Net gain/loss in employment floorspace (B Use Class) compared to 2015 baseline.</li> <li>• Number of jobs/local jobs/opportunities within employment training initiatives created.</li> </ul>	1	<p><a href="http://www.ons.gov.uk/ons/index.html">http://www.ons.gov.uk/ons/index.html</a> As at 2014, 8.9% of London's population is unemployed. As at 2012, 11.7% of the population of the four Growth boroughs were unemployed. Figures will also demonstrate youth unemployment rates.</p> <p>Recorded on each specific relevant permission.</p>	<p>Census ONS Annual Survey of Hours and Earnings (ASHE)</p> <p>Data source will be the Legacy Corporation Planning Applications software system</p>	<p>Every 10 years</p> <p>Annually</p> <p>Annually</p> <p>Annually</p>
2	Creation of retail centres	<ul style="list-style-type: none"> <li>• Net gain/loss in retail and leisure floorspace (A1-5, C1 and D2 Use Classes) within the identified centres.</li> <li>• Vacancy rates within the identified centres compared to the London average.</li> </ul>	1	<p>Recorded on each specific relevant permission.</p> <p>2014 vacancy rate within</p>	<p>Data source will be the Legacy Corporation Planning Applications</p>	Annually

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
				London at 8.1%. Within Stratford Town Centre boundary (within LLDC area) the vacancy is 8.0%.	software system Internal monitoring	Annually
3	Supply of housing	<ul style="list-style-type: none"> <li>Number of homes permitted per annum.</li> <li>Number of 'affordable' homes permitted per annum.</li> <li>Number of homes completed per annum.</li> <li>Number of 'affordable' homes completed per annum.</li> <li>Average number of bedrooms per unit.</li> <li>Number of one-, two- and three-bedroom plus units permitted per annum (% of total).</li> <li>Amount of accommodation provided for students, older persons and gypsies and travellers)</li> </ul>	2	Recorded on each specific relevant permission.	Data source will be the Legacy Corporation Planning Applications software system	Annually
4	Provision and protection of community facilities	<ul style="list-style-type: none"> <li>Net gain/loss in community floorspace (D1 Use Class).</li> <li>Onsite community infrastructure secured through S106 Agreement as part of large-scale development.</li> </ul>	2	Data to be drawn from planning applications and s106 monitoring.	Data source will be the Legacy Corporation Planning Applications software system	Annually
5	Protecting heritage assets and	<ul style="list-style-type: none"> <li>No loss of heritage assets.</li> <li>Number of applications approved for development schemes (proposing residential</li> </ul>	3, 5	Seeking to ascertain the proportion of relevant	Data source will be the Legacy	Annual

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
	improving design quality	<p>use) that meet the 'Baseline' Quality and Design Standards outlined within Annex 1 of the Mayor's Housing SPG, or superseding guidance.</p> <ul style="list-style-type: none"> <li>• Number of applications approved for development schemes (proposing residential use) that meet the Legacy Corporation's Inclusive Design Standards.</li> <li>• Number of applications approved for development schemes that meet 'Site layout planning for daylight and sunlight' (BRE, 2011) or superseding guidance.</li> </ul>		applications that met the required standards and the number of heritage assets (as identified within the Plan) lost through development proposals.	Corporation Planning Applications software system	
6	Amount of open space	<ul style="list-style-type: none"> <li>• Quantum of open space gained or lost through development</li> </ul>	3, 5	This information will be provided within Design and Access Statements.	Data source will be the Legacy Corporation Planning Applications software system	Annual.
7	Protect biodiversity and habitat	<ul style="list-style-type: none"> <li>• No net loss of SINCS.</li> <li>• <del>No net loss of trees</del></li> <li>• Number of applications approved for development schemes including urban greening initiatives.</li> </ul>	3, 5	The extent of designated Sites of Importance for Nature Conservation will be monitored through data drawn from planning applications. The extent of designated SINC proposed on the	The Legacy Corporation Planning Applications software system.	Annual

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
				<p>Local Plan Proposals Map at the point of adoption will be measured against the net amount of SINC on an annual basis.</p> <p>The number of applications approved for development schemes including urban greening initiatives will be recorded by identifying the total number of planning permissions that secure urban greening initiatives. This will be identified using planning applicants Design and Access Statements.</p>		
8	Improving the waterway environment	<ul style="list-style-type: none"> <li>Number of applications approved for major development schemes next to the waterways including measures to improve the environment of the Blue Ribbon Network.</li> </ul>	3, 5	This will be recorded by identifying the number of applications approved for major development	Legacy Corporation Planning Applications	Annual



Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
				schemes including measures to improve the environment of the Blue Ribbon Network on planning applicants Design and Access Statements and through s106 monitoring.	software system	
9	Managing transport impacts	<ul style="list-style-type: none"> <li>Number of Green Travel Plans entered into through either condition or S106 Agreement.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual
10	Reducing car use	<ul style="list-style-type: none"> <li>Number of car club spaces approved.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual
11	Delivering electric-charging infrastructure	<ul style="list-style-type: none"> <li>Number of electric-charging points approved.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
12	Car parking provision	<ul style="list-style-type: none"> <li>Number of applications approved for car-free or car-capped development schemes.</li> <li>Net gain/loss of car parking spaces.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual
13	Cycle parking provision	<ul style="list-style-type: none"> <li>Net gain/loss of cycle parking spaces.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual
14	Delivering transport infrastructure	<ul style="list-style-type: none"> <li>Infrastructure provided on site as part of development – eg new junctions, new cycle paths, new footpaths.</li> </ul>	4, 5	Data to be drawn from planning applications and s106 monitoring.	Legacy Corporation Planning Applications software system	Annual
15	Improvements in IMD	<ul style="list-style-type: none"> <li>Changes in Indices of Multiple Deprivation within Wards that fall within the Legacy Corporation area.</li> </ul>	1, 2, 4, 5	Indices of Deprivation 2010 for each LLDC ward – Change in Ward IMD Score. Baseline for Data will be most recent at December 2015. <a href="http://data.london.gov.uk/dataset/indices-">http://data.london.gov.uk/dataset/indices-</a>	Indices of Deprivation 2010, London Data Store	Review data annually and report on any change where data has been updated

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
				deprivation-2010		
16	Improvements in health	<ul style="list-style-type: none"> <li>Changes in health indicators for residents within Wards that fall within the Legacy Corporation area.</li> </ul>	2, 3, 5	<p>LLDC Ward Wellbeing Scores  <a href="http://data.london.gov.uk/dataset/subjective-personal-well-being-borough">http://data.london.gov.uk/dataset/subjective-personal-well-being-borough</a></p> <p>Life expectancy at birth and age 65 by sex for LLDC wards. (Baseline - Life expectancy at birth and age 65 by sex and ward, London borough, region, 1999/03 - 2008/12).  <a href="http://data.london.gov.uk/dataset/life-expectancy-birth-and-age-65-ward">http://data.london.gov.uk/dataset/life-expectancy-birth-and-age-65-ward</a></p> <p>Physically Active Children, Borough: Percentage of school children who spend a minimum of two hours each week on high quality Physical Education and school</p>	<p>London Ward Wellbeing Score (London Data Store)</p> <p>Life expectancy at birth and age 65 by sex and ward, London borough, region, 1999/03 - 2008/12) from London Data store</p> <p>London Data Store (ONS)</p>	<p>Most recently available annual score and any change from previous.</p> <p>Review data annually and report on any change where data has been updated</p> <p>Review data annually and report on any change where data has been updated.</p>

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
				<p>support within and beyond the curriculum. Baseline data will be that available in December 2015.  <a href="http://data.london.gov.uk/dataset/physically-active-children-borough">http://data.london.gov.uk/dataset/physically-active-children-borough</a></p> <p>ONS Census Health Data by Ward. Baseline being 2011 Census data, identified in Spatial Portrait Background Paper (TBP/07) Table 9.</p>	ONS Census Health data updates	Review annually, update when available.
17	Reductions in carbon emissions	<ul style="list-style-type: none"> <li>Number of applications approved for major development schemes (proposing residential use) that achieve a 40% or greater improvement on 2010 Building Regulations Target Emission Rate, or from 2016 onwards achieve a Zero Carbon target (including any permitted allowable solutions).</li> <li>Number of applications approved for major development schemes (proposing non-residential use) that achieve a 35% or greater improvement on 2010 Building Regulations TER, meet building regulations requirements from 2016 to 2019, or from 2019 onwards achieve a Zero Carbon target (including any permitted allowable solutions).</li> <li>Number of applications approved for major</li> </ul>	3, 4, 5	Data to be drawn from planning applications monitoring. Will be recorded on the basis of the planning permissions that secure the required target either as a condition of the permission as through a planning obligation included within a S106 Agreement. The date will identify the number of residential units with each of those approved	Data source will be the Legacy Corporation Planning Applications software system	Annual

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
		development schemes (proposing non-residential use) 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).		schemes.		
18	Water efficiency	<ul style="list-style-type: none"> <li>Number of applications approved for major development schemes designed to achieve 105 litres of water use per person per day or less.</li> </ul>	3, 4, 5	Data to be drawn from planning applications monitoring. Will be recorded on the basis of the planning permissions that secure the required target either as a condition of the permission as through a planning obligation included within a S106 Agreement. The data will identify the number of residential units with each of those approved schemes.	Data source will be the Legacy Corporation Planning Applications software system	Annual
19	Coverage of trees and green roofs	<ul style="list-style-type: none"> <li>Number of applications approved for major development schemes that include the provision of additional trees.</li> </ul>	2, 3, 5	Data to be drawn from planning applications	Data source will be the Legacy	Annual

Number	Key Performance Indicator	Monitoring criteria	Relevant objective	Additional Definition of monitoring criteria	Source of monitoring information	Frequency of monitoring
		<ul style="list-style-type: none"> <li>Number of applications approved for major development schemes including green/brown roofs.</li> <li>Total area of green/brown roofs approved.</li> </ul>		and s106 monitoring.	Corporation Planning Applications software system	
20	Planning obligations	<ul style="list-style-type: none"> <li>The AMR will include a breakdown of all financial and non-financial obligations secured through S106 Agreement.</li> </ul>	All		Data source will be the Legacy Corporation Planning Applications software system	Annual