

# DELIVERY AND IMPLEMENTATION

- 14.1** As a Local Planning Authority and as a Mayoral Development Corporation, the Legacy Corporation has a number of powers and tools available to help it achieve the vision and objectives set out in this Local Plan. This Local Plan has set out the policies that it will apply when determining planning and Listed Building Consent applications to achieve the vision and objectives through its development management process.

## **Determination of applications**

- 14.2** As part of the process of determining planning applications, the Legacy Corporation has established methods for ensuring that applications provide appropriate levels of detail for the Legacy Corporation to ensure that development proposals will meet the objectives and the policies set out in this Local Plan. These approaches are set out below. The full documents and more detailed information is available on the Legacy Corporation website.

## **Validation list of planning applications requirements**

- 14.3** The Legacy Corporation has a validation list which sets out what applicants need to submit as part of a planning application, both under national and local requirements. This list is available on the Legacy Corporation website (<http://queenelizabetholympicpark.co.uk/planning-authority/making-an-application>).

## **Quality Review Panel**

- 14.4** The Legacy Corporation is committed to achieving high-quality design in new buildings and outdoor spaces in the area. As part of this, a special independent Quality Review Panel has been created to advise the Planning Decisions Committee in making its decisions. The Panel reviews complex or high-profile applications at pre-application stage, and during the consideration stage before it is reported to planning committee. Panel members are professionals with experience in architecture, landscape architecture, urban design, environmental sustainability, inclusive design, development economics and delivery. Further information about the Quality Review Panel's purpose and the way it works with the Legacy Corporation can be found in its Terms of Reference document available on the Legacy Corporation website.

## **Enforcement action**

- 14.5** Where necessary, the Legacy Corporation will use its powers to take planning enforcement action to ensure that unacceptable development built without planning permission or other consents does not compromise the delivery of the objectives set out in this Local Plan. The Legacy Corporation's Enforcement Plan is available on the website.

**Delivering infrastructure**

**14.6**

The Infrastructure Delivery Plan (IDP) which was prepared by the Legacy Corporation in consultation with the Boroughs and other stakeholders in 2013 identifies the infrastructure that will be needed to support the planned growth within the Legacy Corporation area, and identifies the costs and funding gap for this infrastructure. The IDP will be reviewed annually and updated as necessary as part of the Authority Monitoring Report. A CIL Infrastructure List has been published alongside the adopted Community Infrastructure Levy Charging Schedule. This sets out which infrastructure the Legacy Corporation intends to fund from its CIL.

**Key infrastructure requirements**

**14.7**

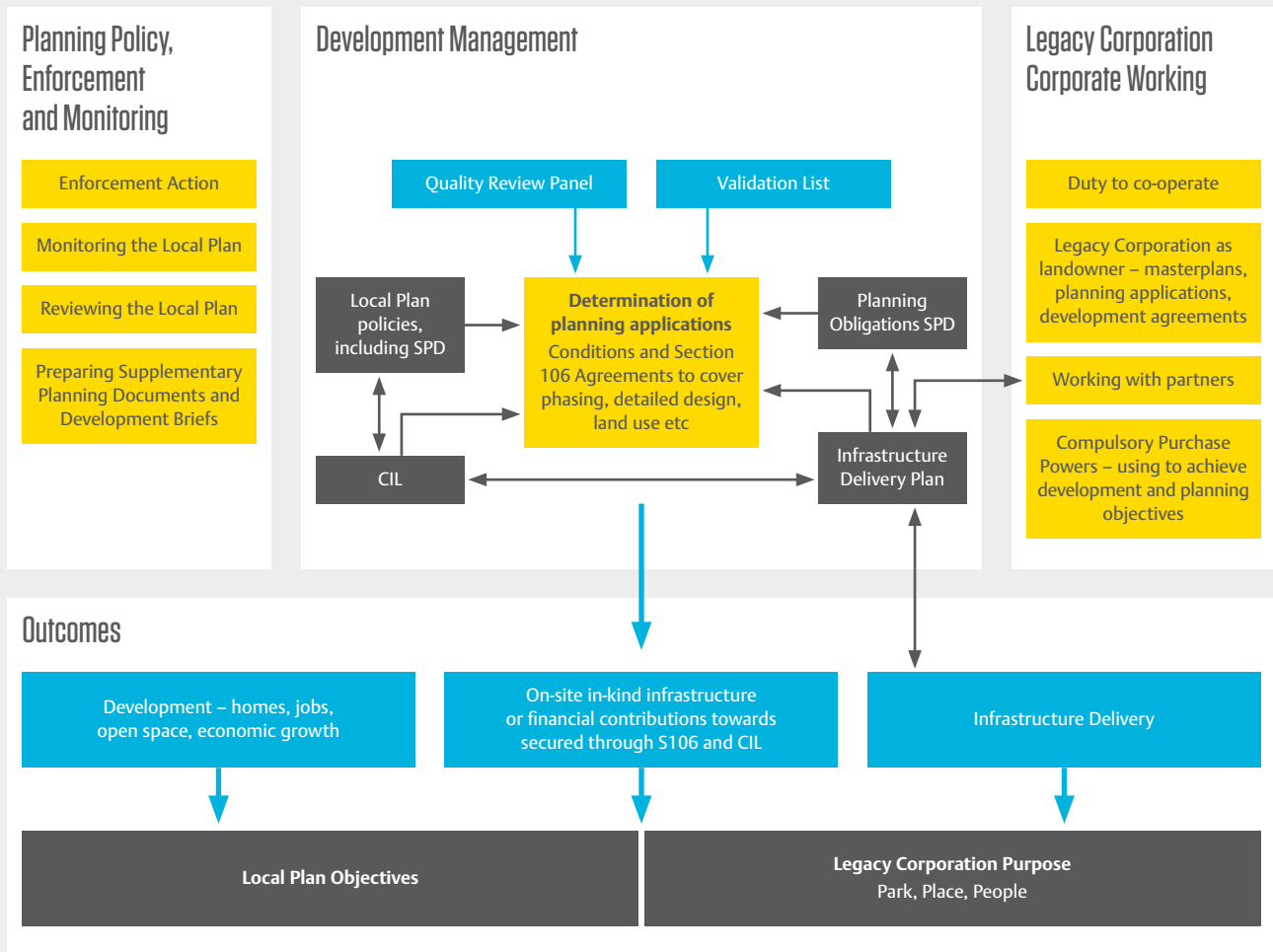
The infrastructure that is necessary to support the development in this Local Plan is identified in the Infrastructure Delivery Plan (IDP). The policies and Site Allocations in this Local Plan, alongside the mechanisms set out in this section, will help to secure the delivery of that infrastructure. The table below identifies how the types of infrastructure assessed in the IDP have been incorporated into the policies and Site Allocations in this Local Plan.

**Table 11: Infrastructure Delivery Policies**

TYPE	DESCRIPTION (FROM IDP)	POLICY	SUB AREA AND SITE ALLOCATION
Social Infrastructure	Education (primary, secondary and early years)	CI.2: Planning for and bringing forward new schools Primary healthcare; open space; child play space	<p><b>Primary</b> Sub Area 1: SA1.6 SA1.7 and SA1.8 Sub Area 3 SA3.4 and SA3.6 Sub Area 4: SA4.1</p> <p><b>Secondary</b> Sub Area 3 SA3.6 Early years Sub Area 1 SA1.6 SA1.8 and SA1.7 Sub Area 2 SA2.3 Sub Area 3 SA3.2 and SA3.3 Sub Area 4 SA4.3</p>
	Primary healthcare; open space; green infrastructure; child play space	CI.1 Providing new and retaining existing community infrastructure SP.3 Integrating the built and natural environment BN.3 Maximising biodiversity BN.6 Protecting Metropolitan Open Land BN.7: Improving Local Open Space BN.8 Maximising opportunities for play S.7 Overheating and Urban Greening	<p><b>Primary Healthcare</b> Sub Area 1 SA1.1 and SA1.8 Sub Area 3 SA3.5 Sub Area 4 SA4.3</p> <p><b>Open Space</b> Sub Area 1,2,3 and 4 Sub area 1 SA1.1, SA1.3, SA1.5 and SA1.6 Sub area 4 SA4.1 and SA4.2</p> <p><b>Child play space</b> Sub Area, 1,2,3 and 4 Sub Area 3 SA3.6 Sub Area 4 SA4.1, SA4.2 and SA4.3</p>

	Sports facilities (courts and swimming pools)	CI.1: Providing new and retaining existing community infrastructure	<b>Sports facilities</b> Sub Area 2 Sub Area 4
	Libraries; community centres and community space	CI.1: Providing new and retaining existing community infrastructure 4.1: A potential District Centre SA1.1: Hackney Wick Station Area	<b>Libraries, community centres and community space</b> Sub Area 3 SA3.4 Sub Area 4 SA4.1
Transport	Local connectivity and transport improvements	SP.4: Planning for and securing infrastructure to support growth and convergence T.2: Transport improvements T.3: Supporting transport schemes T.4: Managing development and its transport impacts T.6: Facilitating local connectivity T.10: Using the waterways for transport 1.3: Connecting Hackney Wick and Fish Island 2.3: Improving connections 3.2: Improving connections around central Stratford 4.2: Bringing forward new connections to serve new development 4.3: Station improvements	<b>Local connectivity and transport improvements</b> Sub area 1,2,3 and 4 Sub Area 1 SA1.3 and SA1.5 Employment cluster designation B.1a3 Sub Area 2 SA2.1 Sub Area 3 SA3.2, SA3.3 and SA3.4 Sub Area 4 SA4.1, SA4.2 and SA 4.3
	Strategic Transport Improvements	SP.4: Planning for and securing infrastructure to support growth and convergence T.1: Strategic Transport Improvements	<b>Strategic Transport Improvements</b> Sub Area 1 SA1.1 Sub Area 3 Sub Area 4
Utilities and Hard Infrastructure	Energy (electricity, gas and Combined Cooling, Heat and Power [CCHP])	S.2: Energy in new development S.3: Energy infrastructure and heat networks	<b>Energy</b> All sub areas
	Sewerage (waste water)	S.5: Water supply and waste water disposal S.6: Waste reduction, recycling and composting	<b>Sewerage</b> All sub areas
	Waste management and flood defences	IN.2: Planning for waste S.8: Flood risk and sustainable drainage measures SP.4: Planning for and securing infrastructure to support growth and convergence	<b>Waste management and flood defences</b> All sub areas

Figure 38: Legacy Corporation: delivery and implementation



**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.

**CIL and Section 106 Agreements**

**14.8**

CIL and Section 106 Agreements are both important tools that the Legacy Corporation will use to help bring forward the infrastructure necessary to support the development set out in this Local Plan.

**14.9**

The Legacy Corporation CIL Charging Schedule came into effect on 6th April 2015. The money raised will be used to help deliver the infrastructure on the CIL regulation 123 list and in the Infrastructure Delivery Plan. Further information on the Legacy Corporation CIL is available from the Legacy Corporation website. At their meeting in June 2013 the Board agreed to establish a

'Project Proposals Group' to allocate future CIL receipts and section 106 funds. The group is now in operation and information on the allocations made by the group is available from the Authorities Monitoring Report. CIL regulations provide for a 'neighbourhood portion' of the funding to be spent in consultation with the local community. The Legacy Corporation will follow government advice on engaging with local communities in the Legacy Corporation area to agree with them how best to spend the neighbourhood funding portion of CIL funds.

**14.10** Section 106 of the Town and Country Planning Act 1990 allows Local Planning Authorities to enter into a legal agreement with a developer that would make a development proposal acceptable in planning terms that would not otherwise be acceptable. That might, for example, include the amount of affordable housing which would be included in the development scheme, or an item of infrastructure, or financial contribution towards it, such as a new school or the provision of a new highway junction.

**14.11** An interim draft Supplementary Planning Document has been produced which sets out how Section 106 Planning Obligations will be used in the Legacy Corporation area and how they will be used alongside CIL to secure infrastructure.

**14.12** The approach the Legacy Corporation is proposing to follow takes account of the fact that much of the anticipated development already has planning permission, and much of the infrastructure necessary to support those developments has already been secured by Section 106 Agreement. Please see the Planning Obligations Supplementary Planning Document for more information.

### Supplementary Planning Documents

**14.13** Supplementary Planning Documents will be prepared to provide further guidance to the Local Plan and help deliver its objectives. At present, the following documents are considered necessary, and will be taken forward for adoption following adoption of this Local Plan.

- Planning Obligations SPD
- Carbon Off-set Funding SPD
- Hackney Wick & Fish Island SPD
- Pudding Mill SPD
- Bromley-by-Bow SPD.



### Phasing of development

**14.14** The scale of development that this Local Plan envisages coming means that change will not happen all at once. The phased construction of major developments will be controlled where necessary through Section 106 Agreements to ensure that:

- On-site infrastructure is delivered in phases appropriate to the phases of development completed
- Uses are delivered sequentially in accordance with planning policy. For example, affordable housing elements are ready for occupation in advance of private housing.

### Compulsory purchase

**14.15** The Legacy Corporation has compulsory purchase powers under Section s.207 (2) of the Localism Act 2011, as well as powers to override easements and other rights affecting its land under Section 208 of the Localism Act 2011.

- 14.16** It may be appropriate, in the interests of the proper planning of the Legacy Corporation area, for the Legacy Corporation to acquire properties using these powers, if this would facilitate the regeneration of its area, and this regeneration could not be achieved without using these powers. The Legacy Corporation will follow the guidance as set out in ODPM Circular '06/2004 and 04/2010 Compulsory Purchase and the Crichel Down Rules' in deciding whether use of its powers would be appropriate.

#### **The Legacy Corporation as landowner**

- 14.17** As a development corporation, the Legacy Corporation also has interests in and ownership of some land within its area. These assets and interests are being utilised in a way that enables it to meet its regeneration and development aims and to deliver the objectives of this Local Plan.

#### **Working with partners**

- 14.18** The vision, policies and proposals within this Local Plan cannot be delivered by the Legacy Corporation in isolation. A wide range of public and private sector stakeholders as well as existing and new communities, and the voluntary and community sector will also help with delivery. There are a number of policy areas within the Local Plan that will require joint working with adjacent Local Planning Authorities. The Legacy Corporation has regular meetings with these authorities, covering policy, development management and infrastructure delivery matters. It also liaises with developers and landowners and other public and private sector stakeholders on a regular basis.

#### **Statement of Community Involvement**

- 14.19** The Localism Act 2011 and the National Planning Policy Framework (NPPF) place emphasis on working closely with local communities at the heart of the planning system. Local planning authorities are required to prepare a Statement of Community Involvement (SCI) which sets out how the community will be involved in the preparation of local planning policy documents and in the processing and determination of planning applications. The SCI sets out how the Legacy Corporation intends to involve the local community and other key stakeholders in local planning issues. It describes how consultation can be carried out and when, what methods of consultation can be used and how comments received will be dealt with. It also identifies management, resource and monitoring issues. The SCI is available from the Legacy Corporation's website.

#### **Monitoring the Local Plan**

- 14.20** 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 (KPIs) set out in Table 12 will be used. 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 Authority 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.

Table 12: Local Plan Key Performance Indicators

NO.	KEY PERFORMANCE INDICATOR	MONITORING CRITERIA	RELEVANT OBJECTIVE
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> </ul>	1
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> <li>Number of jobs/local jobs/opportunities within employment training initiatives created.</li> </ul>	1
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
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>On-site community infrastructure secured through S106 Agreement as part of large-scale development.</li> <li>Number of school places provided and /or granted planning permission</li> <li>Number and capacity of new health facilities approved</li> </ul>	2
5	Protecting heritage assets and improving design quality	<ul style="list-style-type: none"> <li>Loss of heritage assets</li> <li>Proportion of relevant approved applications (proposing residential use) that meet the ‘Baseline’ Quality and Design Standards outlined within Annex 1 of the Mayor’s Housing SPG (excluding any elements of the Baseline Standards that are addressed by the Nationally Described Space Standards – Technical Requirements and Policies BN.5 and S.5).</li> <li>Proportion of relevant approved applications (proposing non-residential use) that incorporate all applicable elements of the Legacy Corporation’s Inclusive Design Standards.</li> <li>Proportions of relevant approved applications (proposing residential use) that provide 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 Optional Requirement M4 (3) Category 3 of Part M of the Building Regulations.</li> </ul>	3, 5

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Table 12: Local Plan Key Performance Indicators (continued)

NO.	KEY PERFORMANCE INDICATOR	MONITORING CRITERIA	RELEVANT OBJECTIVE
5	(Continued) Protecting heritage assets and improving design quality	<ul style="list-style-type: none"> <li>Proportion of relevant approved applications (proposing residential use) meeting the Nationally Described Space Standards – Technical Requirements.</li> <li>Proportion of relevant approved applications that meet ‘Site layout planning for daylight and sunlight’ (BRE, 2011) or superseding guidance.</li> </ul>	3, 5
6	Retaining open space	<ul style="list-style-type: none"> <li>Amount of open space</li> <li>Quantum of open space gained or lost through development</li> </ul>	3, 5
7	Protect biodiversity and habitat	<ul style="list-style-type: none"> <li>No net loss of SINCS</li> <li>Number of applications approved for development schemes including urban greening initiatives.</li> </ul>	3, 5
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
9	Managing transport impacts	<ul style="list-style-type: none"> <li>Number of Travel Plans entered into through either condition or S106 Agreement</li> <li>Travel Plan reviews to monitor:                             <ol style="list-style-type: none"> <li>Trip generation rates</li> <li>Mode share and change in mode share over time</li> <li>The effectiveness of the Travel Plan measures</li> <li>The effectiveness of delivery and servicing strategies.</li> </ol> </li> </ul>	4, 5
10	Reducing car use	<ul style="list-style-type: none"> <li>Number of car club spaces approved.</li> </ul>	4, 5
11	Delivering electric-charging infrastructure	<ul style="list-style-type: none"> <li>Number of electric-charging points approved.</li> </ul>	4, 5
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
13	Cycle parking provision	<ul style="list-style-type: none"> <li>Net gain/loss of cycle parking spaces.</li> </ul>	4, 5
14	Delivering transport infrastructure	<ul style="list-style-type: none"> <li>Infrastructure provided on site as part of development – e.g. new junctions, new cycle paths, new footpaths.</li> </ul>	4, 5
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
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> <li>Changes in life expectancy for residents within Wards that fall within the Legacy Corporation area.</li> </ul>	2, 3, 5

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NO.	KEY PERFORMANCE INDICATOR	MONITORING CRITERIA	RELEVANT OBJECTIVE
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 2013 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 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).</li> </ul>	3, 4, 5
18	Water efficiency	<ul style="list-style-type: none"> <li>• Number of applications approved for major development schemes designed to achieve 110 litres of water use per person per day or less.</li> </ul>	3, 4, 5
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>	3, 4, 5
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

## Evidence base references

- Localism Act 2011
- Community Infrastructure Regulations 2010 (As amended)
- Infrastructure Delivery Plan Study Report (London Legacy Development Corporation, 2013)
- Validation List of planning application requirements (London Legacy Development Corporation)
- Ten Year Plan (London Legacy Development Corporation, 2013)
- Planning Enforcement Plan (London Legacy Development Corporation, undated)
- Community Infrastructure Levy Draft Charging Schedule (London Legacy Development Corporation, 2014)
- Draft Planning Obligations Supplementary Planning Document (London Legacy Development Corporation, 2014)