# Sutherland Gateway, Blackhorse Lane

in the London Borough of Waltham Forest

planning application no. 2011/0984/OUT

## Strategic planning application stage 1 referral (new powers)


## The proposal

Outline planning permission for the comprehensive redevelopment of the land known as Webbs Industrial Estate to comprise a mixed use scheme including the demolition of existing buildings and associated structures, the alteration of the highways, engineering and construction of new buildings and structures to provide an indicative total of 28,595 sq.m (excluding basement) comprising "Artisan" workshops (Use Class B1), retail (Use Class A1/A2/A3), 252 residential dwellings (Use Class C3), an energy centre, creation of 143 basement and grade car parking spaces, landscaping, creation new public realm and associated works.

## The applicant

The applicant is Industrial Property Management Ltd and the architect is RMA Architects.

## Strategic issues

The principle of the redevelopment of the site to provide a residential led, mixed-use development within an Opportunity Area is accepted. There are unresolved issues in relation to urban design, affordable housing, housing density, inclusive design, climate change and transport that will need to be addressed for the scheme to be considered as fully compliant with the London Plan.

## Recommendation

That Waltham Forest be advised that whilst the application is generally acceptable in strategic planning terms the application does not comply with the London Plan for the reasons set out in paragraph 100 of this report; but that the possible remedies set out in paragraph 102 of this report could address these deficiencies.

## Context

1. On 15 September 2011, the Mayor of London received documents from Waltham Forest Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of
London) Order 2008 the Mayor has until 26 October 2011 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under the following categories of the Schedule to the Order 2008:

Category 1A “Development which comprises or includes the provision of 150 houses, flats, or houses and flats”.

3 Once Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The 1.67 hectare site is located in the Blackhorse Lane area of Walthamstow to the east of the High Maynard Reservoir. The site is bounded by a petrol filling station and industrial units to the north, Sutherland Road and industrial units to the east, Blenheim Road and two storey houses to the south and Blackhorse Lane with industrial units beyond to the west.

6 The site sits on the edge of an established industrial estate and comprises of a mix of industrial warehouse buildings and open industrial storage.

7 To the east of the industrial estate is a large residential community of predominately 2 storey Edwardian houses with Blackhorse Lane rail station to the south. There are two access routes to the site, one from Blackhorse Lane and one from Sutherland Road.

8 The site is located approximately 0.3 miles from Blackhorse Road Station where access can be gained to services on the Victoria Line, National Rail and London Overground rail networks. A bus stop for the Chingford Mount to Stratford Bus Station route (158) is located opposite the site entrance on Blackhorse Lane. The public transport accessibility level (PTAL) rating of this site is a 3 on a scale of 1 to 6 where 6 is most accessible.

Details of the proposal

9 Outline planning permission (layout, amount, scale and access) is sought for the redevelopment of the site to provide a mixed-use, residential led development, comprising; 252 residential dwellings, 1135 sq m flexible health floorspace (Class D1/A1-A3/B1), 900 sq m ‘Artisan’ business floorspace (Class B1) and 670 sq m retail floorspace (Class A1 – A3). The proposals also include provision of an Energy Centre, public realm enhancements, landscaping and 143 car parking spaces. Building heights proposed across the site range from 1.5 storeys (‘Artisan’ business units) to 7 storeys (residential block).

Case history

10 A pre application planning meeting with GLA officers was held on 12 May 2011 and an advice report was issued on 26 May 2011. The applicant was advised that although the principle of a residential-led mixed use development at this site was supported, there were a number of
strategic issues relating to layout, scale, urban design and car parking provision. The applicant was also advised that further information was required in relation to affordable housing, density and children’s play space at the time of submission of any future planning application.

**Strategic planning issues and relevant policies and guidance**

11 The relevant issues and corresponding policies are as follows:

- **Land Use**
  - London Plan

- **Housing**
  - London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft

- **Affordable housing**
  - London Plan; PPS3; Housing SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft

- **Density**
  - London Plan; PPS3; Housing SPG; Interim Housing SPG; Housing SPG EiP draft

- **Urban design**
  - London Plan; PPS1

- **Mix of uses**
  - London Plan

- **Transport**
  - London Plan; the Mayor’s Transport Strategy; PPG13;

- **Parking**
  - London Plan; the Mayor’s Transport Strategy; PPG13

- **Retail/town centre uses**
  - London Plan; PPG13, PPS4

- **Access**
  - London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)

- **Equal opportunities**
  - London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)

- **Health**
  - London Plan

- **Sustainable development**
  - London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor’s Energy Strategy; Mayor’s draft Climate Change Mitigation and Adaptation Strategies; Mayor’s draft Water Strategy; Sustainable Design and Construction SPG

12 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the saved policies from the 2006 Waltham Forest Unitary Development Plan and the London Plan (2011).

13 The following are also relevant material considerations:


- The consultation draft Upper Lee Valley Opportunity Area Planning Framework.
**Principle of development**

14 The provision of residential accommodation on this site is supported by London Plan Policy 3.3, which seeks to increase London's supply of housing and in doing so sets a London-wide housing delivery target of 32,210 additional homes per year up to 2021. Table 3.1 sets borough housing targets, of which Waltham Forest's is 7,600 additional homes per year between 2011 and 2021. Policy 3.2 of the London Plan seeks to ensure that development proposals achieve the maximum intensity of use taking into account local context, the design principals of the London Plan and public transport capacity.

15 The site is located within the Upper Lee Valley Opportunity Area as identified in London Plan Policy 2.13, which requires development proposals located in such areas to support the strategic policy direction for the area, optimise residential and non-residential densities, provide social infrastructure to sustain growth and where appropriate contain a mix of uses.

16 Opportunity Areas are defined as locations capable of delivering a significant number of jobs and homes as set out in London Plan policy 2.13. Annex 1 to the London Plan, in line with policy 2.13 indicates that the Upper Lee Valley is capable of delivering 15,000 jobs and 9,000 new homes as a minimum.

17 As part of the work for the emerging Upper Lee Valley Opportunity Area Planning Framework and Waltham Forest’s LDF the Sutherland Gateway site has been identified as a site suitable for mixed-use residential led regeneration.

18 The proposal will result in a loss of locally significant employment floorspace; however, the site is not designated or protected as Strategic Industrial Land and Waltham Forest Council is satisfied that the site is not required to meet the employment needs of the borough. As such it has identified the site in the Core Strategy, Blackhorse Lane Area Action Plan and emerging masterplan as suitable for mixed-use development. The principle of mixed-use redevelopment at this site is therefore acceptable.

**Urban design**

19 Good design is central to all objectives of the London Plan, in particular the objective to create a city of diverse, strong, secure and accessible neighbourhoods to which Londoners feel attached whatever their origin, background, age or status. Policies contained within chapter 7 set out a series of overarching design principles for development to achieve this, by addressing its layout, height and massing and elevations.

20 The Mayor has published his interim London Housing Design Guide and draft Housing SPG (EiP Version). Whilst the Mayor's interim London Housing Design Guide applies to grant funded housing and London Development Agency, its guidelines are considered by the Mayor to be best practice in residential design. Additionally, the principles of the Guide have been included in the draft Housing SPG which will gain increasing weight through to its expected adoption at the end of 2011. This will apply to all development, including market housing. The principles within it should help the scheme to demonstrate consistency with London Plan strategic design principles and should be used to inform the design aspects of the planning application in relation to residential quality.

**Layout**

21 London Plan policy 7.1 requires new development to have regard to its context, and reinforce or enhance the character, legibility and permeability of the neighbourhood.
22 London Plan policy 7.1D sets out the requirement for developments to reinforce and to enhance the permeability and legibility of neighbourhoods, so that communities can easily access community infrastructure, commercial services and public transport.

23 The proposed development introduces a new east/west route through the site, providing for a link between Sutherland Road and Blackhorse Road, which would greatly improve accessibility and create permeability to the area east and north east of the development site and notably create a needed link to Blackhorse Road from the new residential developments which form part of the wider masterplan. The quality of this new link is crucial, as the proposed buildings which front this space will have a direct impact on how easy and attractive it is for people to move through the area.

24 This new route is welcomed and complies to the objectives set out in London Plan policy 7.1, however, the development location provides a further opportunity to create an additional east/west route along the northern boundary of the site, which is currently not included as part of the scheme’s design. It has been acknowledged that the delivery of this route would depend on sites outside the applicant’s ownership; however, the purpose of the strategic masterplanning of the Blackhorse Road area is to enable such aspirations to be delivered in the long term through the coordinated planning of sites in separate land ownership. Therefore, the opportunity remains for the emerging design of the proposed development to take this into account in order to comply with policy 7.1 parts B and D and the aspirations of the Upper Lee Valley Opportunity Area Planning Framework.

25 The creation of a linear open space flanked by housing is supported, particularly as this contributes to the creation of a safe, high quality, new east west connection in line with London Plan policy 7.5.

26 The terrace housing located to the south side of this space (Block B) is comprised primarily of stacked maisonettes of up to 4 storeys. It is suggested that single houses of 2 to 3 storeys in height would create a better relationship to the two storey houses located along Blenheim Road which they back onto. This would ensure the scheme delivered family sized accommodation in houses as well as flatted accommodation that is currently offered, an aspiration of the Mayor’s Housing Strategy.

27 The applicant’s intention to locate commercial/retail/health uses along Blackhorse Lane frontage will redefine this boundary, create an active frontage and provide uses for the local community which is welcomed, although currently, it is not clear how the commercial uses located at Block F will be accessed for servicing.

28 London Plan policy 7.3 requires development to reduce the opportunities for criminal behaviour and contribute to a sense of security without being overbearing or intimidating. In addition, London Plan policy 76.B sets out the requirement for development to be of a proportion, composition, scale and orientation that enhances activates and appropriately defines the public realm.

29 The scheme proposes the provision of 2 car parks located to the east and north of the site respectively. There is a strong concern that the car park to the east of the scheme is somewhat detached from the overall development and provides little opportunity for overlooking and natural surveillance, creating an insecure and poor environment. It is understood that this area of the site is awkward in its shape and that its location in relation to the remainder of the masterplan creates a design challenge. Nonetheless, its current layout and use as a car park detached from the main part of the development still needs to be reconsidered in order for it to be acceptable and comply with strategic design policy. In addition, the current justification given, that the entire car park is
well overlooked by properties in Block E is not accepted; the narrow nature of the car park, which is backed onto by rear gardens and industrial units will ensure that the eastern area of the car park will indeed have little natural surveillance.

30 The lack of overlooking and natural surveillance also applies to the location and layout of the northern eastern part of the northern car park.

31 London Plan policy 3.5 seeks to ensure housing developments are of the highest quality internally, externally and that they are in relation to their context and the wider environments, this along with London Plan policy 7.1 and 7.6 ensure that development proposals relate to their surrounding uses and provide for a high quality design.

32 There is still a concern regarding the relationship between the industrial units and the rear of the residential Blocks C and D. This area contains a two-storey car park with associated ramps, as well as a servicing area for the retail and industrial uses on the site. This would produce a very poor outlook and environment for the residential occupiers that look onto the space. Although the scheme has been reduced by 47 car parking spaces (within the two car park areas) and the design amendment has altered the servicing area to the rear of Blocks C and D, which is an improvement on the pre application scheme, this element of the scheme needs to be revised further.

33 The current plans would create a very awkward boundary condition for neighbouring site owners to the north east of the site. Whilst the difficulty of accommodating an interface with the commercial uses immediately to the north is recognised, the current solution is not considered to be acceptable and the applicant is strongly encouraged to address this issue.

34 The north western edge of the site is adjacent to a petrol station. It has been confirmed by the HSE that this is not classed as a Hazardous Installation; however, it does not appear that the impact of a petrol station at this location, has been addressed as part of the design considerations. This relationship between the north edge of the residential element Block D and the adjacent petrol station needs to be reconsidered.

Design code

35 The Design Code which has been submitted as part of the planning submission is useful. The principle urban design ambition for the Blackhorse Lane frontage to improve the existing urban character through the introduction of high quality buildings and public realm which will enable the enhancement of pedestrian permeability is welcomed.

36 It would be useful for the design code to include an indicative palette of materials for each block proposed to help inform future stages of the scheme and to understand as to what extent the intention is to produce something of similar design to the schemes recently developed to the north or something of a contrasting quality.

Scale height and massing

37 London Plan Policy 7.4 relates the regard development should have to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

38 The development proposes a range of building heights across the site from 1.5 storeys to the north of the site (Block G) to 7 storeys to the west of the site (Block D), which would create a visual ‘marker’ to the development entrance on Blackhorse Lane.
39 The area immediately surrounding the site is predominantly one - three storeys and new development located within the local area to the north east comprises three - six storeys. It was suggested during the pre application stage that the buildings to the north of the linear park space (Block C) be reduced in height to five storeys, with the top storey set back to better reflect the aspirations of the masterplan and the emerging Blackhorse Lane AAP. The block remains the same height (six storeys) and although the applicant’s efforts to mitigate this impact through the stepping back of the top storey, it is considered that Block C needs further revision to improve its relationship with the linear open space and the scale of the local area.

40 The taller element of the scheme contained on the northern part of the Blackhorse Lane is supported as this provides a focal point and a strong entrance to the development from Blackhorse Lane. The scale of the southern block, fronting Blackhorse Lane has been reduced and the transition in scale and its relationship to the immediately adjacent two-storey terraced housing is considered acceptable in design terms.

41 The buildings that front Sutherland Road are four - six storeys which reflect the emerging scale of contemporary developments to the north east and are therefore deemed acceptable.

42 It is acknowledged that the top storey of residential Block B is set back on both the front and rear elevations to reduce the overall appearance and reduce impact on the neighbouring residential properties along Blenheim Road. However, it is felt that the scale should be reduced further, as discussed during pre application stages; block B should comprise single houses of two-three 3 storeys in height with back gardens rather than stacked maisonettes, so that a better relationship is achieved with the two storey houses located along Blenheim Road. In addition, this reduction would also cause less overshadowing of the linear space created at the heart of the scheme.

**Housing**

43 As discussed in paragraph 9, the proposals include the provision of 252 residential units, 40 of which will be affordable. The proposed mix of units, by tenure, is provided below:

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**Affordable housing**

44 London Plan Policy 3.11 states that borough targets should take account of matters including current and future housing requirements, the strategic targets and priority accorded to affordable family housing, the need to promote mixed and balanced communities and the viability of future development. Policy 3.11 also states that within those targets, 60% of affordable housing should be for social rent and 40% for intermediate rent or sale. Policy 3.12 requires councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so, each council should have
regard to current and future requirements for affordable housing at local and regional levels, its own overall target for affordable housing provision and the need to encourage rather than restrain residential development. Policy 3.12 is supported by paragraph 3.71, which requires borough councils to take account of economic viability and the most effective use of private and public investment, including the use of developer contributions. Evaluations should draw on the GLA development control toolkit and other independent assessments to demonstrate that each scheme maximises affordable housing output. The results of a toolkit appraisal might need to be independently verified.

45 As noted in paragraph 3.63 of the London Plan, PPS3 (Housing) introduces affordable rent as a new social housing product. This move in national housing policy is not reflected in the 2011 London Plan, but as an interim measure the Mayor intends to provide guidance in the London Plan supplementary guidance ‘Housing’ on how this new product can be used to implement the policies for the London Plan. An early alteration to the Plan’s policies on affordable housing is also proposed, to factor in the new product and address the implications of the new policy direction given its introduction after the strategic planning policies for London. In the meantime, it is acknowledged that the introduction of a new affordable housing product, together with the lack of government funding for social rented housing, will impact on the ability of developments to meet the tenure mix set out in Policy 3.12. Furthermore, in the recent funding programme issued by the Homes and Communities Agency for the period 2011 to 2015, it has been made clear that funding for social rented products will only be supported in limited circumstances.

46 The applicant is proposing a maximum of 40 units to be affordable, equating to 21% affordable housing provision on a habitable room basis (14% rented and 7% shared ownership).

47 Considering the current market conditions and the withdrawal of grant funding, the current affordable housing provision put forward as part of the scheme seems a reasonable offer; however, in order to comply with London Plan requirements, it is necessary to demonstrate that the maximum reasonable amount of affordable housing is being delivered. It has been requested that the applicant submits a viability assessment to support the affordable housing offer, which has not yet been made available. Therefore, at this stage it is not possible to confirm whether the applicants are providing the maximum reasonable amount of affordable housing in accordance with London Plan Policy 3.12.

48 As the applicant’s proposal includes social rented accommodation, discussion is required in relation to rent assumptions, RSL payments, and any requirements for other section 106 obligations that may affect the offer, and details of the wording of the section 106 agreement that has been agreed should be provided to GLA officers before the application is reported back at Stage 2.

Tenure split

49 The scheme proposes a tenure split of 66/34 of social rented to intermediate affordable accommodation based on habitable rooms or 55/45 of affordable accommodation based on number of units, which roughly accords to the 60/40 split as set out in London Plan policy 3.11.

Mix of units

50 London Plan Policy 3.8 requires developments to provide a range of housing sizes and types. This is supported by the Housing SPG, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for councils in assessing their local needs. In addition, Policy 3.11 accords priority to family housing within affordable housing provision.
The Housing SPG seeks to achieve the following housing mix in line with strategic need: 32% 1-bed units, 38% 2 and 3-bed units, and 30% 4-bed plus units. The scheme proposes: 35% 1-bed units, 62% 2 and 3-bed units and 3% 4-bed units. This mix does not accurately reflect the London-wide need identified in the SPG, with a particular shortfall of four or more bedroom units. Whilst it is recognised that there will be local variations in housing need, the onus is upon the applicant to justify deviation from the strategic need before it can be accepted. Before the application is reported back at Stage 2, further discussion is required in order to be clear as to how the unit mix was arrived at, how it meets Waltham Forest’s aspirations and reflects local demand.

Policy 1.1C of the London Housing Strategy sets a strategic target for 42% of social rented homes to have three or more bedrooms; 60% of the total affordable provision of the proposed scheme comprises of 3 and 4 bedrooms units and specifically, 45% of the social rented units is provided by 3 and 4 bedroom units. The high provision of family accommodation, notably within the social rented sector is welcomed.

Density

London Plan Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity. Table 3.2 provides density guidelines in support of this. As noted in paragraph 8 the site has a public transport accessibility level (PTAL) of 3 on a scale of 1-6, where 6 is most accessible. The site lies in an urban setting, as defined by the London Plan and therefore a density range of 200-450 habitable rooms per hectare should be applied to the site as indicated in Table 3.2.

Residential density is calculated using the net residential site area, removing the non-residential uses. Based on the site area of 1.67 hectares, and 25,690 sq. m. of the total development floorspace allocated to residential use, the site area for density calculation purposes is 1.5 hectares. Calculating the site density of 748 habitable rooms over this area provides a residential density of 499 habitable rooms per hectare.

This figure exceeds the density range suitable for the site as set out in Table 3.2 and therefore the proposal does not conform to London Plan policy 3.4. The applicant must address this issue in order for the proposal to be acceptable in accordance with the principles of London Plan.

Residential quality

London Plan Policy 3.5 promotes quality in new housing provision and specifically, Part A states that housing developments should be of the highest quality internally, externally and in relation to the wider environments. Table 3.3, which supports this policy sets out minimum space standards for dwellings.

As stated in paragraph 20, whilst the Mayor’s interim London Housing Design Guide applies to grant funded housing and London Development Agency, its guidelines are considered by the Mayor to be best practice in residential design. Additionally, the principles of the Guide have been included in the draft Housing SPG (EiP consultation version), in support of London Plan Policy 3.5, which will gain increasing weight through to its expected adoption at the end of 2011. This will apply to all development, including market housing.

The indicative layout plans submitted indicate that all units meet the minimum space standards as set out in Table 3.3 and London Housing Design Guide. The applicant has stated that all units will satisfy Lifetime Homes standards.
The indicative residential layouts illustrate a commitment to maximise dual aspect accommodation, with regular core and front door entrances onto the street, which is welcomed and in line with Housing Design Guide. It is noted, however, that there are two single aspect north facing units.

The applicant has also demonstrated that all flats will benefit from a private balcony and access to outdoor amenity space which satisfies policy. The commitment to meet minimum flat sizes should be served by planning condition.

### Children’s play space

London Plan Policy 3.6 requires developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and Informal Recreation’ it is anticipated that there will be approximately 58 children within the development. The guidance sets a benchmark of 10 sq. m. of useable child playspace to be provided per child, with under 5 child playspace provided on-site. As such the development should make provision for 580 sq. m. of playspace.

The scheme provides 700 sq m of formal play space, comprising 192 sq m of doorstep play, 268 sq m of informal play space for 5-10 year olds, and 240 sq m of social space for 11-15 year olds and therefore complies with the London Plan.

Details of local play spaces or playgrounds and parks to supplement the proposed play space for children aged 11 years and over should be provided. The acceptability of the existing facilities should be judged against the criteria within the Mayor’s SPD and should include an assessment of their location, size, capacity, accessibility and suitability of the space for play and recreation. It may also be necessary for the applicant to contribute towards improvements to the existing facilities and their up keep. This should be discussed with Waltham Forest Council prior to the scheme reported for Stage 2.

### Inclusive design

London Plan Policy 7.2 seeks to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum). Policy 3.8 requires that all new housing is built to Lifetime Homes standards and that 10% of new housing is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users.

As discussed in paragraph 58, the applicant has committed to achieving Lifetime Homes standards for all units proposed which is supported in accordance with London Plan Policy 3.8. The Council should secure compliance with Lifetime Homes standards through planning condition.

The Design and Access Statement submitted by the applicant provides detail of inclusive access, specifically how disabled people access the buildings safely, including details of levels, gradients, widths and surface materials of the paths and demonstrates compliance to DDA regulations.

The Design and Access Statement demonstrates how the principles of inclusive design, including the specific needs of disabled people have been integrated into the proposed development but information on how inclusion will be maintained and managed is not given. The illustrative floor plans indicate that one lift is proposed in each core and therefore further
information is needed before the scheme is reported back at Stage 2 to understand how access will be managed when the lifts are being maintained or repaired in line with London Plan Policy 7.2.

London Plan Policy 3.8 also requires that 10% of new housing is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. The applicant states that the proposals meet the 10% requirement; whilst this commitment is welcomed, it is not clear specifically where these units are located or how many there are and therefore it cannot be seen if the provision is distributed across tenure types and unit sizes to ensure disabled and older people have similar choices to non-disabled people. It is acknowledged that the internal layouts are indicative, however, further detail should be provided before the scheme is reported back at Stage 2 in order to demonstrate the 10% requirement is achievable in order to fully satisfy Policy 3.8.

**Climate change mitigation**

The London Plan climate change policies as set out in chapter 5 collectively require developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures, prioritising decentralised energy supply, and incorporating renewable energy. The policies set out ways in which developers must address mitigation of, and adaptation to, the effects of climate change.

Policy 5.1 and 5.2 of the London Plan seek to achieve an overall reduction in London’s carbon dioxide emissions through a range of measures including using less energy, supplying energy efficiently and using renewable energy, improving on Building Regulations targets by 25% in the period 2010-2013.

**BE LEAN**

Energy efficiency

A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include energy efficient lighting and low specific fan power in the mechanical ventilation systems.

Based on the information provided, it is not clear that the proposed development will achieve any carbon savings from energy efficiency alone compared to a 2010 Building Regulations compliant development.

The applicant should confirm that the development will exceed 2010 Building Regulations compliance through energy efficiency alone.

The applicant should submit a full energy strategy addressing each tier of the energy hierarchy in line with the October 2010 GLA energy assessment guidance.

**BE CLEAN**

District heating

The applicant proposes to provide for a single energy centre as part of the scheme, which is welcomed.
The applicant states that there are currently no available district heating networks in the vicinity of the proposed development that the scheme could connect to. The applicant has however provided a commitment to ensuring the development is designed to be able to connect to future district heating networks should they become available, which satisfies London Plan policy and the aspirations of the Upper Lea Valley Opportunity Area Planning Framework.

A site heat network is proposed and the applicant should confirm that all building uses will be connected to the heat network. Houses are not expected to be connected to the network due to the higher distribution losses. The commitment to the single energy centre and site wide heat network should be secured by condition by Waltham Forest Council.

**Combined heat and power**

A 150kWe gas fired Combined Heat and Power is proposed to meet the development’s hot water and part of the space heating requirements. A reduction in carbon dioxide emissions of 115 tonnes per annum (28%) will be achieved through this second part of the energy hierarchy.

**Cooling**

The applicant should provide a robust cooling strategy outlining both passive and active measures to minimise overheating.

**BE GREEN**

**Renewable energy technologies**

The applicant is proposing a 224kWp photovoltaic array to meet the development’s renewable requirements. The applicant should confirm the area of photovoltaic proposed. A reduction in carbon dioxide emissions of 29 tonnes per annum (10%) will be achieved through this third element of the energy hierarchy. This should be conditioned by Waltham Forest Council.

**Overview**

The estimated carbon emissions of the development are 267 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures, Combined Heat and Power and renewable energy has been taken into account. The applicant should provide the estimated reduction in regulated carbon dioxide emissions, expressed in tonnes per annum and percentages, compared to a 2010 Building Regulations compliant development.

**Climate change adaptation**

The London Plan Policies 5.9 - 5.15 promote the key principles of climate change adaptation including overheating and cooling, urban greening, green roofs and water management.

Policy 5.9 seeks to deal with the issue of overheating and sets out a cooling hierarchy. Policy 5.10 promotes urban greening. Policy 5.11 seeks major developments to incorporate living roofs and walls where feasible. Policy 5.13 seeks to ensure that surface water run-off is managed as close to its source as possible and sets out a hierarchy of preferred measures to achieve this. Policy 5.15 seeks to ensure that new development has proper regard to the impacts on water demand and existing capacity by minimising the use of treated water and maximising rainwater harvesting. Further guidance on this policy is given in the London Plan supplementary planning guidance ‘Sustainable Design and Construction’.

The applicant envisages that the surface water run-off can be reduced by up to 50% through the introduction of measures such as permeable paving, rainwater harvesting and green
roofs which will be provided as part of any reserved matters application. This will need to be dealt with through planning condition by Waltham Forest Council.

86 It is understood that the applicant commits to achieving a Code for Sustainable Homes (CfSH) “level 4” which, will need to be conditioned by Waltham Forest Council. Currently, the applicant does not make any references to BREEAM rating for the commercial floorspaces which will need to be addressed.

**Transport**

**Car parking**

87 A total of 126 car parking spaces are proposed for the 252 residential units, of which 15 (12%) will be designated for Blue-Bradge holders. Overall, this equates to a ratio of 0.5 spaces per unit, which is considered appropriate and in line with the maximum parking standards set out in London Plan Policy 6.13. Nevertheless, occupiers of the development should be prevented from access to an on street parking permit through any section 106 agreement. Transport for London (TfL) also require that 20% of all spaces are fitted with electric vehicles charging points and that passive provision is made for an additional 20%.

88 A total of 17 parking spaces are proposed for the commercial element of the development. As these spaces have not been designated to either commercial or residential uses, a parking management plan should be secured by planning condition, in order to safeguard the spaces for their intended use. Additionally, TfL requests further details prior to stage 2 regarding the number of Blue-Bradge holder spaces to be allocated within the commercial parking, as at least one space should be provided in line with London Plan policy 6.13.

**Cycle parking**

89 TfL welcomes the 307 proposed cycle parking spaces for residential use, along with eight for the employment, six for retail and four designated for use by visitors to the health facilities. This is in line with standards set by the London Plan.

**Vehicular access**

90 The development proposes two vehicular entrance/egress points. One of these provides access onto Blackhorse Lane directly opposite the northbound bus stop and the applicant’s swept path analysis demonstrates that there is potential for vehicular conflict. Given this, further investigation should be made to ensure that the proposed arrangements can operate safely.

**Public transport**

91 TfL notes that the trips generated by the proposed development are unlikely to affect the operation of either the TLRN, or SRN, or even the capacity of the local bus network. Notwithstanding this, TfL however agrees with the applicant that the A503 Forest Road/ A1006 Blackhorse Road/Blackhorse Lane junction requires measures to improve pedestrian access. Given the benefits this would deliver for the site in terms of providing enhanced access to Blackhorse Lane station, TfL considers that appropriate contributions should be sought by Waltham Forest Council towards such highway works.

**Walking**

92 In order to assist in determining the extent of pedestrian improvements required, TfL therefore requests that a Pedestrian Environment Review System (PERS) audit be carried out to
allow the assessment of key walking and cycle routes to local facilities and transport hubs within the vicinity of the site.

Travel plan

93 Tfl welcomes the applicant’s Framework Travel Plan, which should be secured through the section 106 agreement. This framework should provide the basis under which full travel plans are developed for the individual occupiers as part of the detailed planning stage.

94 Tfl expects a delivery and servicing plan (DSP) to be secured via Section 106 agreement, in line with the London Plan Policy 6.14. The plan should encourage off highway delivery and collection, reduced numbers of vehicles, and off peak use following the principles of ‘silent approach’ so that night time deliveries can occur.

95 Similarly, a construction logistics plan (CLP) should also be prepared, in line with the London Plan, Policy 6.14, in order to manage the impact of the construction period. The CLP should include, booking systems, consolidated or re-timed trips, secure off-street loading and drop-off facilities and the use of operators committed to best practice, demonstrated by membership of Tfl’s Freight Operator Recognition Scheme (FORS), or similar. The CLP should be secured by the by condition or section 106 agreement.

Summary

96 In summary, TfL has no objections to the principle of the proposed development in transport terms, although further work is required by the applicant in order to fully comply with the London Plan.

Local planning authority’s position

97 Waltham Forest Council is expected to formally consider the application at planning committee in November 2011.

Legal considerations

98 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

99 There are no financial considerations at this stage.
**Conclusion**

100 London Plan policies on the principle of development, urban design, housing and affordable housing, access, child play space, climate change and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Principle of development**: The principle of a residential, mixed use development in this location is acceptable.

- **Urban design**: Revisions are sought for the proposal to be consistent with London Plan policies 3.5, 7.1, 7.3, 7.4 and 7.6.

- **Affordable housing**: In the absence of an appraisal of the applicant’s financial viability report regarding the affordable housing offer, the scheme fails to comply with policy 3.12 of the London Plan.

- **Housing density**: Revisions are sought for the proposal to be consistent with London Plan Policy 3.4.

- **Inclusive design and access**: The applicant has committed to meeting Lifetime Homes standards. Further information is required in order to demonstrate that the scheme fully accords with London Plan Policies 3.8 and 7.2.

- **Climate change mitigation and adaptation**: The scheme includes some measures that will need to be secured by condition to ensure the proposal complies with London Plan policies; however, further information is required before the scheme can be said to be fully policy compliant.

- **Transport**: The scheme is generally acceptable in transport terms, although further work is required by the applicant in order to fully comply with the London Plan.

101 Whilst the application is broadly acceptable in strategic planning terms, on balance, the application does not comply with the London Plan.

102 The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Urban design**: The design team need to reconsider a number of matters as set out in this report, including the layout and location of car parks, the scale of Block B/E in relation to housing along Blenheim Road, the relationship of Blocks A and D to neighbouring industrial/commercial uses and the residential quality of Blocks C and D for future residents.

- **Affordable housing**: The applicant should provide further clarification through the submission of a viability assessment regarding the affordable housing offer, before the application is reported back at Stage 2.

- **Housing density**: The applicant will need to reconsider the density which currently exceeds London Plan policy.

- **Inclusive design and access**: Further information is required to address comments relating to wheelchair accessible homes and address issues raised concerning the management and maintenance of inclusive access before the application is reported back at Stage 2.
• **Climate change mitigation and adaptation:** Further information is required to confirm that the development will exceed 2010 Building Regulations compliance through energy efficiency alone. A robust cooling strategy and full energy strategy which addresses each tier of the energy hierarchy in line with the October 2010 GLA energy assessment guidance should be provided.

• **Transport:** Further information is required on vehicular access to ensure that the proposed arrangements can operate safely. Details regarding the number of Blue-Badge holder spaces to be allocated within commercial parking should be provided. A Pedestrian Environment Review System (PERS) audit should also be undertaken.

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