Development Management Policies
Proposed Submission
Consultation Report
Part III - Copies of Representations
Regulation 22(1)(d)

December 2012
INTERPRETING AND TRANSLATION ASSISTANCE

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Dokument apo përmblëdhja e tij mund të sigurohen në gjuhë tjera, shyp të madh, Braille, audiokassetë apo i përktëhyen sipas kërkesës. Nëse ju keni nevojë për këto shërobble, ju lusim na kontaktimi në adresën e dhënë më pashtë.

Albanian ☐

Vah parand ya ishka sëllës a një a nga bërthàmës, të kërkoohet të rrjedh të jashtë të bejë. Nëse ju keni nevojë për këto shërobble, ju lusim na kontaktimi në adresën e dhënë më pashtë.

Gujarati ☐

अनुवादक्षेत्र में ऐसे उपकरण अथवा ऐसा एक सारथ स्वास्थ्य विभाग, जो घरेलू क्षेत्र, बुलुई व अन्य गृहक्षेत्र, विदेश व यदि यो आपकी कोई सेवा अधिकारी करने का विश्वास है. अनुवादक के लिए यह सेवा मुफ्त है तथा अनुवादक की नियम भी मिलती है। वहाँ आपको इन नियमों की जानकारी है तो कृपया निराशा निकालिये शेयर पर हमारी साथ सहयोग करें।

Arabic ☐

यह पक्ष या इसका संरेख अन्य भाषाओं में, जब अक्सर में या सूची वाली टैप पर मांग कर लिया जा सकता है, और अन्य भाषाओं में अनुवादक की सुविधा भी मिलती है। वहाँ आपको इन सुविधाओं की जानकारी है तो कृपया निराशा निकालिये शेयर पर हमारी साथ सहयोग करें।

Hindi ☐

আনুভূতি করতে আছেন এই উপকরণ অথবা এক সারথ অন্যান্য ভাস্কর্য, ভুল ছাপার ক্ষেত্র, ভ্রমণ বা অন্য ভাষায় যোগাযোগকে কেন্দ্রে অনুরূপ করে দিয়া আবহ ব্যবহার করা যায়। অনুন্নত বা অন্য যোগাযোগকে অনুরূপ করে সেনাক্ষেত্র জন্য নিয়ন্ত্রণ বাহ নেওয়া করা যেতে পারে।

Bengali ☐

Digitize the paper in a different language on a computer. It can be converted into braille. Arabic is available on the tape. It is not free.

Punjabi ☐

이스티OLVE 용도로, 이 문서 또는 그 급여를 속해 있는 언어, 큰 텍스트, 브레일, 사운드 테이프의 정보를 제공합니다. 이 문서에 대한 서비스를 사용하려면, 다음의 주소로 연락해 주십시오.

Chinese ☐

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French ☐


Turkish ☐

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Forest Road, Walthamstow, London, E17 4JF

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Email: planning.policy@walthamforest.gov.uk
Web site: www.walthamforest.gov.uk

Urdu ☐

Translated by London Borough of Waltham Forest Interpreting and Translation Service T15806
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<td><strong>Copies of all representations on the Proposed Submission</strong></td>
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Introduction

1.1 This report for the representations on the Development Management Policies Proposed Submission is divided into three separate parts:

Part I - Summary of Representations and Council’s Response under Regulation 22(1)(e)

Part II - Schedule of Full Representations under Regulation 22(1)(e)

Part III - Copies of all representations on the Proposed Submission under Regulation 22(1)(d) (this document).

1.2 In accordance with Regulation 22(1)(d) of the Town and Country Planning (Local Planning) (England) Regulations 2012, copies of all representations received during the 7-week consultation of the Development Management Policies Proposed Submission from 30 July to 17 September 2012 are included in this part.

Other Consultation Reports

1.3 The following reports are also relevant to the consultation on the Development Management Policies Proposed Submission:

Statement of Consultation under Regulation 22(1)(c) - setting out how the London Borough of Waltham Forest has complied with the consultation requirements regarding the following:

- the bodies and persons invited to make representations
- how those bodies and persons were consulted
- a summary of the main issues raised by the representations
- how the representations made were taken into account.

Summary of Main Issues raised by representations on the Proposed Submission under Regulation of 22(1)(c)(v)

Schedule of Post Publication Minor Changes - setting out proposed changes in response to the representations received during the consultation on the Proposed Submission.
### List of Respondents to Development Management Policies Proposed Submission

<table>
<thead>
<tr>
<th>Respondent ID</th>
<th>Respondent</th>
<th>Representation ID</th>
<th>Submission Type</th>
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<tbody>
<tr>
<td>150864</td>
<td>Barclays Bank plc (Agent: Michael Fearn, Shire Consulting)</td>
<td>dmpps150-151</td>
<td>Representation Form</td>
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<tr>
<td>151002</td>
<td>Thames Water Utilities Ltd (Mr Mark Mathews, Town Planning Manager, Thames Water Property Services)</td>
<td>dmpps29-32</td>
<td>Representation Form</td>
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<tr>
<td>151096</td>
<td>Metropolitan Police Authority/Metropolitan Police Service (Agent: Mr John Smith of Cgms)</td>
<td>dmpps26-27</td>
<td>Representation Form</td>
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<tr>
<td>151341</td>
<td>Ms Sandra MacPhee</td>
<td>dmpps80-85</td>
<td>Representation Form</td>
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<tr>
<td>151476</td>
<td>Mr Simon Munk</td>
<td>dmpps2</td>
<td>E-Mail</td>
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<tr>
<td>151557</td>
<td>Mobile Operators Association (MOA), (Agent: Ginny Hall, Senior Planner, Mono Consultants Limited)</td>
<td>dmpps130</td>
<td>Letter</td>
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<td>152301</td>
<td>The Theatres Trust (Rose Freeman, Planning Policy Officer)</td>
<td>dmpps42&amp;44</td>
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<td>183754</td>
<td>Lee Valley Regional Park Authority (Mr Stephen Wilkinson, Head of Planning and Regeneration)</td>
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<td>186928</td>
<td>Tesco Store Limited (Agent: Cathy Hall, Planning Associate Director, GL Hearn)</td>
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<tr>
<td>348818</td>
<td>North East London NHS Foundation Trust - Simon Jones, (Agent: Mr Iain Hill, Head of Planning, Ingleton Wood LLP)</td>
<td>dmpps71-75</td>
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<tr>
<td>406764</td>
<td>Aviva Life and Pensions UK Ltd (Aviva Investors) (Agent: Sarah Dawson, Associate, Barton Willmore)</td>
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<td>451416</td>
<td>The Greater London Authority</td>
<td>dmpps107-124</td>
<td>Letter</td>
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<td>504786</td>
<td>The Conservators of Epping Forest (Paul Thomson)</td>
<td>dmpps4-15</td>
<td>Web</td>
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<tr>
<td>506895</td>
<td>London &amp; Quadrant Housing Trust (Agent: Mr Adrian Kearley, AKA Planning)</td>
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<td>507987</td>
<td>Essex County Council (Miss Zhanine Oates, Principal Planner)</td>
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<td>The Mall Limited Partnership (Agent: Miss Marie Jasper, Associate, Barton Willmore)</td>
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<td>London Borough of Redbridge (John Pearce, Head of Planning Policy)</td>
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<td>522268</td>
<td>Transport for London Property (Mr Neil Kedar, Head of Consents Team)</td>
<td>dmpps125-129</td>
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<td>586949</td>
<td>English Heritage (Mr Nick Bishop)</td>
<td>dmpps93-106</td>
<td>Letter</td>
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<td>671377</td>
<td>Three Rivers District Council</td>
<td>dmpps153</td>
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<td>679398</td>
<td>Canal &amp; River Trust (Mrs Claire McLean, Area Planner)</td>
<td>dmpps16-17</td>
<td>Web</td>
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<tr>
<td>680479</td>
<td>Natural England (Mrs Roslyn Deeming, Land Use Adviser)</td>
<td>dmpps18-24 &amp; 154-160</td>
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<tr>
<td>680877</td>
<td>Environment Agency (Miss Eleri Randall, Planning Liaison Officer)</td>
<td>dmpps45-49</td>
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<tr>
<td>680898</td>
<td>Miss Deborah Chong</td>
<td>dmpps50</td>
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<td>681020</td>
<td>Lidl UK (Mr James Barrett, Acquisition Manager)</td>
<td>dmpps56</td>
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<tr>
<td>681064</td>
<td>London Borough of Croydon (Ms Lee Longhurst, Deputy team leader of Plan Making)</td>
<td>dmpps57</td>
<td>E-Mail</td>
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<tr>
<td>681245</td>
<td>The Planning Bureau Ltd (Miss Carla Fulgoni, Planning Assistant)</td>
<td>dmpps79</td>
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<td>682134</td>
<td>E and R Fuller Ltd</td>
<td>dmpps131</td>
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<td>682159</td>
<td>Barts Heath NHS Trust (Agent: Mr Peter King, Director, RPS Group)</td>
<td>dmpps132-134</td>
<td>Representation Form</td>
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<td>682192</td>
<td>Industrial Property Investment Fund (Agent: Mr Tudor Jones, GVA)</td>
<td>dmpps136-139</td>
<td>Representation Form</td>
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<td>682460</td>
<td>MacDonald Egan - Mr Colm Egan (Agent: Mr Philip Joyce, Principal Planner, bptw Partnership)</td>
<td>dmpps140-144</td>
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<tr>
<td>682582</td>
<td>National Grid Property Holdings Ltd (Agent: Stephanie Weeks, Associate Partner, Planning Perspectives LLP)</td>
<td>dmpps145-149</td>
<td>Representation Form</td>
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<tr>
<td>682660</td>
<td>Stonecrest Marbles - Mr Murat Yurtseven, Managing Director, (Agent: Paul Shekleton, Chartered Architects &amp; Development Consultants, Paul Shekleton Architects)</td>
<td>dmpps152</td>
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<td>683288</td>
<td>Islington &amp; Shoreditch Housing Association (Mr Colin Archer, Director of Development and New Business)</td>
<td>dmpps135</td>
<td>Representation Form</td>
</tr>
</tbody>
</table>
**Publication Stage Representation Form**

**Waltham Forest Local Plan Development Management Policies (DMP)**

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012.

**By post:** Planning Policy and Regeneration, Sycamore House, London Borough of Waltham Forest, Town Hall Complex, Walthamstow, London E17 4JF

**By email:** planning.policy@walthamforest.gov.uk

This form has two parts:

**Part A – Personal details (only needed once irrespective of how many representations you make)**

**Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation's name.**

**Please read the guidance notes before completing this form.**

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**PART A**

<table>
<thead>
<tr>
<th>1. Personal details</th>
<th>2. Agent details (if applicable)</th>
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<tbody>
<tr>
<td><strong>Title</strong></td>
<td></td>
</tr>
<tr>
<td><strong>First name</strong></td>
<td>Michael</td>
</tr>
<tr>
<td><strong>Last name</strong></td>
<td>Fearn</td>
</tr>
<tr>
<td><strong>Job title (where relevant)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Organisation (where relevant)</strong></td>
<td>Barclays Bank PLC</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td></td>
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<tr>
<td><strong>Post Code</strong></td>
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<tr>
<td><strong>Telephone number</strong></td>
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<tr>
<td><strong>Email address</strong></td>
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</tbody>
</table>
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph: The RJ to Policy DM26 in paras 27.1 to 27.34
Policy: DM26

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant: Yes [ ] No [ ]

(2) Sound: Yes [ ] No [X]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]

(2) Justified [X]

(3) Effective [ ]

(4) Consistency with national policy [X]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Please see attached representations

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached representations

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination  ☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:                        Date: 29.08.12

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
28th August 2012
P-07-289/PB/LBWaltham Forest

Spatial Planning
London Borough of Waltham Forest
Sycamore House
Waltham Forest Town Hall Complex
London E17 4JF

By email to: planning.policy@walthamforest.gov.uk

Dear Sir / Madam

PLANNING & COMPULSORY PURCHASE ACT 2004
Local Development Framework for Waltham Forest

1. Introduction & Background
We act as planning consultants for Barclays Bank plc ("the Bank") in respect of the Local Development Framework (LDF) for the Borough and this letter forms the Bank's response to the above document. As a long-established business, the Bank has made a substantial contribution to the vitality and viability of the Borough's town centres over the years that it has traded and as a significant stakeholder it is therefore concerned that development plan policies should not fetter the important contribution that it makes to the vitality and viability of those town centres. Through high attraction of footfall, financial services retailers generally (and the Bank in particular) play a key role in promoting town centre health and as a result, the provision of financial services should be allowed to improve and evolve alongside the improvements to shopping provision envisaged over the proposed plan period. Banks should not be subject to outmoded restrictive controls on their location, particularly as this is not supported by Government policy or by any evidence, so there is therefore a need to review any existing policies that restrict such A2 uses in designated frontages. As currently written Policy DM26 is not 'sound' as it is neither Justified nor Consistent with National Policy.

2. Representations on the consultation document
The Proposed Submission Development Management Policies DPD (the DMDPD) recognises that the wide variety of activities in shopping centres include businesses such as banks and that their presence "makes an important contribution to vitality and viability" (para. 27.1), but the Council's approach to Primary and Secondary frontages in Policy DM26 and its Justification is confused and inconsistent.
Despite the acknowledgement that these locations are “the most appropriate locations for activities that attract many people”, the DMDPD makes no attempt to review whether existing policies need to be re-examined. Indeed Policy DM26 merely repeats the wording of UDP Policy TRL5, but in a slightly different order, without providing any robust evidence for doing so. Item (iii) of DM26 appears to recognise that banks and building societies “provide a service directly related to a shopping trip” but this is undermined by the rest of the policy wording which persists in an out-of-date attitude towards such financial service retailers that is unjustified and unsupported by any evidence. Furthermore the reference to unspecified “other qualifying tests” does not provide the clarity that the Government expects in planning policies and should therefore be removed from the policy.

Paragraph 27.7 alleges that “Most non-retail uses or service businesses rather tend to gain from the availability of footfall generated by other uses, particularly retail” but the Council provides no evidence for this assertion. In fact, as set out in this representation, the Bank’s evidence clearly shows that the opposite is true as it is other retail uses that tend to gain from the higher footfall associated with its branches. The paragraph then continues by perpetuating the outdated view that vitality and viability are dependant upon “the essential retailing function”; a view that conflicts with more recent Government policy and is contradicted by the Council’s own acknowledgement in paragraph 27.8 that “Some non-retail uses, such as banks, building societies and café provide services which are directly related to a shopping trip…… Therefore they generate high levels of pedestrian activity and need not cause blank spaces in the shopping frontage if shop style windows and displays are maintained”. The wording then goes on: “Therefore this policy makes some provision for such uses”, however that “provision” is severely constrained by Policy DM26 despite the acknowledged high levels of pedestrian activity such uses generate.

Paragraph 27.5 refers to “the key policy considerations” set out in paragraph 27.10 that will relate to the acceptability of non-A1 uses in designated frontages including “the extent to which the proposed use is related to a shopping trip and capable of attracting a significant number of shoppers/visitors to the centre”, and “the contribution the proposed use will make to the vitality and viability of the proposed frontage and the centre generally”, expecting applicants to justify their proposals. The Bank’s evidence previously provided to the Council and appended to this representation does so (see below) but no account has been taken of that evidence as Policy DM26 remains unchanged. The current wording of paragraph 27.10 refers to one determining factor as “the availability (as supported by evidence) of suitable alternative vacant premises outside the primary frontage”; in effect introducing a sequential test for appropriate town centre uses. That is contrary to National Policy and potentially extremely subjective. The now-dropped previous wording in the ‘Preferred Options’ version which stated “The Council will not grant planning permission for non-retail uses within a primary frontage if there are suitable premises in nearby secondary frontages”, indicates the real attitude of the Council. It is difficult to understand the Council’s intransigence about the acceptability of banks and building societies in primary frontages, particularly as “The Council accepts that non-retail uses, which provide services to visiting members of the public, make a contribution to the vitality of shopping centres” (para. 27.12). Furthermore, the references in paragraph 27.10 to identifying “need” should be removed as this is not National Policy.

On the matter of policy formulation the NPPF states that for plan-making:

- “local planning authorities should positively seek opportunities to meet the development needs of their area”; and
- “Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change” (paragraph 14).
The Government is clear that there should be a positive attitude to “proactively drive and support sustainable economic development” and to “respond positively to wider opportunities for growth”. Plans should “take account of market signals” and the needs of business communities (NPPF paragraph 17). “Planning should operate to encourage and not act as an impediment to sustainable growth” and “significant weight should be placed on the need to support economic growth through the planning system” (paragraph 19). Local Planning Authorities “should plan proactively to meet the development needs of business” (paragraph 20) and “Investment in business should not be over-burdened by the combined requirements of planning policy expectations” (paragraph 21). In drawing up Local Plans, local planning authorities should set out a clear economic vision and strategy which “positively and proactively” encourages sustainable economic growth; and should “support existing business sectors, taking account of whether they are expanding or contracting”. The NPPF confirms that “Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances” (paragraph 21). In his Foreword to the NPPF the Minister for Planning is very clear that “Development means growth” and that “Sustainable development is about positive growth”, emphasising that “Planning must be a creative exercise in finding ways to improve the places in which we live our lives”. This reflects HM Treasury’s commitment that “the default answer to development is yes” in its ongoing ‘Plan for Growth’, which was launched at the time of the Budget in 2011, reinforced in the 2012 Budget and now underpins the NPPF.

Keeping significant generators of footfall out of primary frontages will actively work against the achievement of the Council’s strategic objectives and is inconsistent with national policy. The Council should recognise the positive impact that financial service retailers such as the Bank have upon vitality and viability. The review of the plan provides an opportunity to examine new evidence and to revise out-of-date policy, particularly if it is not consistent with national policy. Limiting certain Part A uses in the primary frontage undermines the Council’s intention to attract private sector investment in the town centre. The implication that only A1 uses are appropriate derives from very outmoded and discredited thinking that other uses such as banks detract from the vitality and viability of town centres. By definition, uses that fall within Part A of the Use Classes Order are appropriate in town centres as they are “shopping area uses” and are acceptable without any need for restriction or qualification. This is particularly the case for the financial services sector. ODPM Circular 03/2005 “Changes of Use of Buildings And Land” which accompanied the last major revisions to the Use Classes Order specifically states in relation to the A2 Financial and Professional Services use class (which was created to separate those uses “serving the public, from other office uses not directly serving the public” - paragraph 32), that the Class is also “designed to allow flexibility within a sector which is very much a part of the established shopping street scene, and which is expanding and diversifying”. The uses within Class A2 are noted as being those “which the public now expects to find in shopping areas” (paragraph 38).

The wider role played by town centres than a pure shopping function has been recognised throughout Government policy on town centres. Government Policy in the NPPF particularly emphasises the importance of economic growth and the promotion of town centre vitality and viability. Paragraph 23 requires that “Planning policies should be positive” and states that local planning authorities should “promote competitive town centres that provide customer choice” and allocate a range of sites because it is important that needs for retail, leisure, office and other main town centre uses “are met in full”. The clear message is that “local planning authorities should plan positively for their future to encourage economic activity”. In fact there is nothing in Government policy that recommends or supports imposing restrictions upon acceptable town centre uses at all and indeed, as noted above, paragraph 21 of the NPPF requires flexibility in policies in order to allow a rapid response to changes in economic circumstances. It is therefore essential that Development Plan policies should facilitate the positive approach required by the NPPF.
Promoting vitality and viability in town centres are objectives of the Government and the Council. To succeed, town centres need to provide a full range of services and these often need to be located in ground floor premises in accessible locations. Indeed, Class A2 retailers such as the Bank routinely experience very high levels of customer visitation, contributing significantly towards pedestrian movement and therefore the vitality and viability of town centres. The Bank has undertaken a number of comparative footfall surveys in connection with its current acquisitions programme at its branches in various towns and cities in the UK (copies are attached). These conclusively show that the level of footfall associated with Bank branches is commensurate with, and often higher than, the best known national multiple Class A1 traders.

Banks also have moved away from the traditional style of frontage, preferring to have an open, visually interesting and attractive face to the 'high street'. The Bank has become increasingly retail in its presentation and has introduced an innovative ‘flagship’ branch design, which has been developed in association with its customers, to transform banking into what it terms as “a retail focused experience”. The Bank estimates that some 10 million customers use its branches each week and through listening to their feedback, a design has been developed that meets their requirements for modern banking and provides branches similar in appearance and in operation to retail shops. This is an example of the “changes in economic circumstances” that the NPPF recognises and to which all Local Plans must positively and flexibly respond. Whilst the design of every new branch has to be flexible in order to be sensitive to the requirements of each building occupied, the aim is generally to ensure that over 70% of the internal space at ground floor is accessible to customers. The Bank’s managers regularly report that upon the opening of a ‘flagship’ branch the customer visitation levels significantly increase and thus the level of activity helps to underpin pedestrian flows to the benefit of surrounding traders. It is therefore important that planning policy recognises the benefit of bank uses in fostering footfall and pedestrian activity and that it should not resist much-needed investment by financial service retailers.

The Bank’s footfall surveys have been a key element in helping to change attitudes towards the presence of banks in core shopping areas and primary frontages. Even planning authorities that once strongly resisted Class A2 uses in their primary areas have granted permission for Barclays ‘flagship’ outlets. Examples of authorities that have recognised the wider benefits of the ‘flagship’ design (following receipt of applications which have been supported by evidence of high footfall), include Southampton, Reading, Manchester, Milton Keynes, Romford, Southend, Leicester, Plymouth, Sheffield, Kensington & Chelsea and Cambridge. Follow up surveys were carried out in 2010 at Milton Keynes, Southend, Reading and Southampton (copies are attached). In every case the new ‘flagship’ branch significantly increased footfall, confirming the Bank’s beneficial effect on vitality and viability.

The Council’s objectives require major commitment and substantial investment by the private sector. Pursuing restrictive policies to keep significant generators of footfall such as the Bank out of primary shopping frontages will actively work against the achievement of those objectives and is an outdated and discredited approach. The Council has provided no robust and credible evidence to justify the arbitrary restriction of financial service retailers in primary frontages and furthermore has not given consideration to reasonable alternative strategies. The Bank therefore considers that, in the light of its evidence, it imperative that the Council revises Policy DM26 as it is neither Consistent with National Policy nor Justified and is therefore not ‘sound’.

Finally, paragraph 27.33 suggests that changes to designated frontages will be made through the preparation of documents “to be adopted as Supplementary Planning Documents”. That is contrary to National Policy as such matters should be set out in formal DPDs and be subject to independent scrutiny to determine whether they are based on robust evidence.
3. Closing Comments
The Government has confirmed its commitment to HM Treasury’s ‘Plan for Growth’ and it is clear that the Council’s objectives for town centres will require major commitment and substantial investment by the private sector. Up-to-date development plans are an essential element in providing support for economic growth. In the light of our Client’s evidence and the Government’s determination set out in the NPPF that planning policies and their implementation must facilitate economic investment and growth, it is imperative that the Council ensures that its planning policies in respect of bank and building society uses in designated shopping frontages are consistent with National Policy and fully justified by robust evidence. The Bank is an important retailer and must be in a primary location to serve its customer base and justify investment.

The need for significant private sector investment in the town centres means that policies in the LDF must give greater encouragement to appropriate Part A uses to invest and to improve the quality of their representation. Restrictive planning policies designed to keep significant generators of footfall such as the Bank out of primary shopping areas will actively work against the achievement of the Council’s objectives and is inconsistent with national policy. The Bank’s evidence of how it increases vitality and viability in primary frontages shows that there is considerable benefit in seeking to attract those A2 users such as banks and building societies who provide a high level of investment in, and maintenance of, their premises resulting in active and attractive street frontages. This will foster very significant footfall and pedestrian activity and attract investment by others, helping to provide the confidence and commercial viability necessary for any programme of regeneration and investment. The Council’s documents show no indication that it has gone through an objective process and audit trail of assessing alternatives, or indeed that alternatives have even been considered at all. To be Justified and Consistent with National Policy the emerging Local Plan must review the out of date wording in Policy DM26 that restricts the presence of financial service retailers such as the Bank in designated frontages. We suggest that this can be done by replacing the 1st paragraph of Policy DM26 as follows:

“ A) In the primary shopping frontages of Walthamstow and the District Centres (See Schedule 5 and the Policies Map), Class A1 shops together with banks and building societies will be encouraged and such active ground floor uses which contribute to the vitality, viability and diversity of town centres will be permitted without restriction. Other uses will be permitted where all of the following criteria are met: ”

The words “banks, building societies” within the brackets can then be omitted from final line of point (iii). Consequent alterations to the justification paragraphs will then be necessary. The words “or meets other qualifying tests” in point (iii) should also be deleted as they do not provide the clarity that the Government expects in planning policies. Alternatively, if they are necessary, any such tests should be clearly specified in the policy so that they can be subject to representations and to examination.

In view of the need for improved provision of banking services in Waltham Forest the Bank would like to confirm its continued interest in the Local Plan process so we shall be grateful if the Council will continue to notify us of the progress of this document as well as details of any other emerging LDDs.

Yours faithfully

Michael Fearn of Shireconsulting
On behalf of BARCLAYS BANK PLC
Barclays Pedestrian Counts: Reading, August 2008

Barclays Friar St/King St - Branch & ATM
UNIQLO
Ann Summers
Country Casuals
BARCLAYS PEDESTRIAN COUNTS: CLACTON-ON-SEA - JANUARY 2011

<table>
<thead>
<tr>
<th>Location</th>
<th>Tues 18th Jan</th>
<th>Fri 21st Jan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barclays Bank - Branch &amp; ATM's (44 Station Rd)</td>
<td>1155</td>
<td>995</td>
</tr>
<tr>
<td>Barclays Bank - Branch &amp; ATM's (27 Station Rd)</td>
<td>600</td>
<td>645</td>
</tr>
<tr>
<td>Hair &amp; Beauty - Entering The Store (46-48 Rosemary)</td>
<td>130</td>
<td>140</td>
</tr>
<tr>
<td>Help The Aged - Entering The Store (33 Station Rd)</td>
<td>505</td>
<td>455</td>
</tr>
<tr>
<td>The Card Factory - Entering The Store (29-31 Station Rd)</td>
<td>890</td>
<td>510</td>
</tr>
<tr>
<td>Stead &amp; Simpson - Entering The Store (23 Station Rd)</td>
<td>280</td>
<td>160</td>
</tr>
</tbody>
</table>
BARCLAYS PEDESTRIAN COUNTS: (The Strand & Regent St)
LONDON - MARCH 2011
'Chart A' - DATA TOTALS: BARCLAYS TOTALS v OTHER LOCATION COMPARISON

<table>
<thead>
<tr>
<th>Location</th>
<th>Ped Count Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barclays Bank - Branch Users</td>
<td></td>
</tr>
<tr>
<td>(48 Regent St)</td>
<td>1753</td>
</tr>
<tr>
<td>Barclays Bank - Branch &amp; ATM Users</td>
<td>1075</td>
</tr>
<tr>
<td>(366 Strand)</td>
<td></td>
</tr>
<tr>
<td>Curry's Entering The Store</td>
<td></td>
</tr>
<tr>
<td>(426/427 Strand)</td>
<td>660</td>
</tr>
<tr>
<td>Austin Kaye Jewellers Entering The Store</td>
<td>90</td>
</tr>
<tr>
<td>(425 Strand)</td>
<td></td>
</tr>
<tr>
<td>Dolland &amp; Aitchison - Entering The Store</td>
<td>100</td>
</tr>
<tr>
<td>(428 Strand)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Ped Count Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wed 16th March</td>
<td>1753</td>
</tr>
<tr>
<td>Fri 18th March</td>
<td>2178</td>
</tr>
<tr>
<td>Wed 16th March</td>
<td>1075</td>
</tr>
<tr>
<td>Fri 18th March</td>
<td>775</td>
</tr>
<tr>
<td>Wed 16th March</td>
<td>660</td>
</tr>
<tr>
<td>Fri 18th March</td>
<td>275</td>
</tr>
<tr>
<td>Wed 16th March</td>
<td>90</td>
</tr>
<tr>
<td>Fri 18th March</td>
<td>65</td>
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<tr>
<td>Wed 16th March</td>
<td>100</td>
</tr>
<tr>
<td>Fri 18th March</td>
<td>50</td>
</tr>
</tbody>
</table>
BARCLAYS PEDESTRIAN COUNTS: (Newcastle)

January 2012

'Chart A' - DATA TOTALS: ALL LOCATIONS COMPARISON

<table>
<thead>
<tr>
<th>Location</th>
<th>Wed 25th Jan</th>
<th>Sat 28th Jan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barclays Bank - 'Branch &amp; ATM' (Percy St)</td>
<td>55</td>
<td>159</td>
</tr>
<tr>
<td>Barclays Bank - 'Branch &amp; ATM' (120 Grainger St)</td>
<td>35</td>
<td>7</td>
</tr>
<tr>
<td>Blacks Leisure Entering Store (1A Market St)</td>
<td>225</td>
<td>253</td>
</tr>
<tr>
<td>All Saints Entering Store (2 Market St)</td>
<td>206</td>
<td>280</td>
</tr>
<tr>
<td>Barclays Bank - 'Branch &amp; ATM' (141 Northumberland St)</td>
<td>206</td>
<td>280</td>
</tr>
<tr>
<td>Peacocks Entering Store (15-21 Northumberland St)</td>
<td>55</td>
<td>110</td>
</tr>
<tr>
<td>Warehouse Entering Store (17-21 Blackett St)</td>
<td>55</td>
<td>110</td>
</tr>
</tbody>
</table>
BARCLAYS PEDESTRIAN COUNTS: MILTON KEYNES - OCTOBER 2010
'Chart 4' - DATA TOTALS: BOTH LOCATIONS 'COMBINED TOTALS (Branch & ATMs)' COMPARISON
(2008 & 2010)

<table>
<thead>
<tr>
<th>Location</th>
<th>Ped Count Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>OCT 08 (669 Mid Boul. 'Branch')</td>
<td>2595</td>
</tr>
<tr>
<td>OCT 10 (9 Mid Place 'Branch')</td>
<td>6834</td>
</tr>
<tr>
<td>OCT 08 (669 Mid Boul. 'Branch')</td>
<td>1635</td>
</tr>
<tr>
<td>OCT 10 (9 Mid Place 'Branch')</td>
<td>4068</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>4230</td>
</tr>
<tr>
<td>TOTAL:</td>
<td>10902</td>
</tr>
</tbody>
</table>
BARCLAYS PEDESTRIAN COUNTS: SOUTHEND on SEA - OCTOBER 2010
'Chart 4' - DATA TOTALS: BOTH LOCATIONS 'COMBINED TOTALS (Branch & ATMs)’ COMPARISON
(2009 & 2010)
### BARCLAYS PEDESTRIAN COUNTS: READING - OCTOBER 2010

*Chart 4* - DATA TOTALS: BOTH LOCATIONS 'COMBINED TOTALS (Branch & ATMs)' COMPARISON (2008 & 2010)

<table>
<thead>
<tr>
<th>Location</th>
<th>Aug 08 (King St. 'Branch')</th>
<th>Aug 08 (Friar St. 'Branch')</th>
<th>Oct 10 (90/93 Broad St 'Branch')</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barclays - Combined Branch &amp; ATM's Users Saturday</td>
<td>1455</td>
<td>690</td>
<td>2145</td>
</tr>
<tr>
<td>Barclays - Combined Branch &amp; ATM's Users Wednesday</td>
<td>620</td>
<td>1000</td>
<td>1620</td>
</tr>
<tr>
<td>Total</td>
<td>5940</td>
<td>3396</td>
<td>9336</td>
</tr>
</tbody>
</table>
BARCLAYS PEDESTRIAN COUNTS: SOUTHAMPTON - OCTOBER 2010

'Chart 4' - DATA TOTALS: BOTH LOCATIONS 'COMBINED TOTALS (Branch & ATMs)' COMPARISON (2008 & 2010)

<table>
<thead>
<tr>
<th>Location</th>
<th>Ped Count Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>'MAY 08' (171 High St. 'Branch')</td>
<td>1520</td>
</tr>
<tr>
<td>'MAY 08' (67 Above Bar 'Branch')</td>
<td>544</td>
</tr>
<tr>
<td>'OCT 10' (67A Above Bar 'Branch')</td>
<td>4740</td>
</tr>
<tr>
<td>'MAY 08' (171 High St. 'Branch')</td>
<td>688</td>
</tr>
<tr>
<td>'MAY 08' (67 Above Bar 'Branch')</td>
<td>752</td>
</tr>
<tr>
<td>'OCT 10' (67A Above Bar 'Branch')</td>
<td>2730</td>
</tr>
</tbody>
</table>

TOTAL:
- Barclays - Combined Branch & ATM's Users SATURDAY: 2208
- Barclays - Combined Branch & ATM's Users WEDNESDAY: 1296
- TOTAL: 7470
Local Plan Development Management Policies

Publication Stage Representation Form

<table>
<thead>
<tr>
<th>Waltham Forest Local Plan Development Management Policies (DMP)</th>
<th>For office use only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reference No: 151002</td>
</tr>
<tr>
<td></td>
<td>Date received: 17/09/2012</td>
</tr>
</tbody>
</table>

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

**Part A** – Personal details (only needed once irrespective of how many representations you make)

**Part B** – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

**Please read the guidance notes before completing this form.**

---

PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Mr.</td>
</tr>
<tr>
<td>First name</td>
<td>Mark</td>
</tr>
<tr>
<td>Last name</td>
<td>Mathews</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Town Planning Manager</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>Thames Water Utilities Ltd. Thames Water Property Services</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
### Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>36.3 – 36.8</td>
<td></td>
</tr>
</tbody>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

<table>
<thead>
<tr>
<th>(1) Legally Compliant</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(2) Sound</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

<table>
<thead>
<tr>
<th>(1) Positively Prepared</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(2) Justified</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>(3) Effective</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| (4) Consistency with national policy | |
|-------------------------------------|-
|                                     | |

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The inclusion of the supporting text to Policy DM35, at paragraphs 36.3 - 36.8 is also supported. In particular the Council’s support for the Deephams Sewage Works Upgrade project, at paragraph 36.3 is welcomed.

For information, the Deephams Sewage Works Upgrade is identified in the National Policy Statement for Waste Water, March 2012, as a potential Nationally Significant Infrastructure Project (NSIP). In addition to catering for population growth within Waltham Forest and surrounding Boroughs, the project will improve the water quality of the Salmon’s Brook and River Lee, through improving the treatment of influent at Deephams STW.

We are currently undertaking our Phase 1 public consultation on the Deephams Sewage Works Upgrade project which runs until 24th October 2012. The consultation sets out our preferred option of building the upgrade on the existing Deephams Sewage Works site. If this option is confirmed it is unlikely the project will constitute a NSIP under the Planning Act 2008 and hence a planning application will be submitted to the London Borough of Enfield.

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: (sent by email) Date: 17.09.12

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

**Part B**

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DM11 Resource Efficiency &amp; High Environmental</td>
</tr>
</tbody>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

(2) Sound

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The inclusion of Policy DM11 within the Development Management Policies DPD is supported and in particular as this relates to the objective of minimising the use of water.

Thames Water considers that all new dwellings should meet the water usage targets set out in the Code for Sustainable Homes Code 3 rating as a minimum. The requirement under Policy DM11 for new developments to achieve at least a Code Level 4 rating is supported.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: (sent by email) Date: 17.09.12

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

Part B
Please use a separate sheet for each representation

Name or organisation:

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DM25 Environmental Protection</td>
</tr>
</tbody>
</table>

3. To which part of the DMP does this representation relate?

4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant
   - Yes [✓]
   - No [ ]

   (2) Sound
   - Yes [✓]
   - No [ ]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

   (1) Positively Prepared
   -

   (2) Justified
   -

   (3) Effective
   -

   (4) Consistency with national policy
   -

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The inclusion of Policy DM25 and in particular bullet point F in relation to Water Quality is supported. The recognition that the Council will oppose development that would pose an unacceptable risk to water quality and support measures to improve water quality is strongly supported.

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

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(continue on a separate sheet if necessary)

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Signature:  (sent by email) Date:  17.09.12

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### Part B
Please use a separate sheet for each representation

#### Name or organisation:

<table>
<thead>
<tr>
<th>3. To which part of the DMP does this representation relate?</th>
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<tbody>
<tr>
<td>Paragraph</td>
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<td>DM35 Water</td>
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#### 4. Do you consider the Local Plan Development Management Policies (DMP) is:

<table>
<thead>
<tr>
<th>(1) Legally Compliant</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Sound</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

*If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

#### 5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

<table>
<thead>
<tr>
<th>(1) Positively Prepared</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Justified</td>
</tr>
<tr>
<td>(3) Effective</td>
</tr>
<tr>
<td>(4) Consistency with national policy</td>
</tr>
</tbody>
</table>

#### 6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We are pleased that Policy DM35 - Water is included within the Development Management Policies DPD and this Policy is strongly supported. In relation to Water Infrastructure the inclusion of bullet point A) will help to ensure that development does not take place ahead of the provision of adequate water and sewerage infrastructure. This will help to prevent potential adverse environmental impacts such as sewer flooding of property, pollution of water courses or low / no water pressure. Bullet point B) provides policy support for the provision of essential water and waste water infrastructure and is also very helpful. The inclusion of bullet point C), in respect of water efficiency and water saving measures is also supported.

In respect of the management of flood risk we support the use of sustainable urban drainage systems (SUDS) where these are maintained properly. It should be noted however that poorly maintained SUDS can potentially increase the amount of run off that is received by surface water sewers and can therefore increase the risk of sewer flooding.
7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: (sent by email) Date: 17.09.12

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:
http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Mr</td>
</tr>
<tr>
<td>First name</td>
<td>John</td>
</tr>
<tr>
<td>Last name</td>
<td>Smith</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Mayor’s Office for Policing and Crime/Metropolitan Police Service (MOPAC/MPS)</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>CgMs Ltd</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
</tr>
</tbody>
</table>
### Part B

Please use a separate sheet for each representation

**Name or organisation:** CgMs Ltd on behalf of Mayor's Office for Policing and Crime/Metropolitan Police Service (MOPAC/MPS)

---

3. **To which part of the DMP does this representation relate?**

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DM19</td>
</tr>
</tbody>
</table>

4. **Do you consider the Local Plan Development Management Policies (DMP) is:**

   1. Legally Compliant
   - Yes
   - No [X]

   2. Sound
   - Yes
   - No [X]

   *If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. **Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:**

   1. Positively Prepared
   - 

   2. Justified
   - 

   3. Effective [X]

   4. Consistency with national policy [X]

6. **Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.**

   *This policy is considered not to be sound because it is not effective in being deliverable (based on sound infrastructure delivery planning), in terms of supporting the delivery of an identified need for certain types of policing facilities in industrial locations.*
One of the objectives of the National Planning Policy Framework (March 2012) is to deliver the right community facilities to meet local needs (Para 70).

It is also considered not to be legally compliant as it does not conform generally with the Regional Spatial Strategy, the London Plan (July 2011). This is because policing facilities in Strategic Industrial Locations are not supported.

Part b) of the Policy states that the loss of SIL to any alternative uses will be resisted. No exceptions are set out.

It is considered that the delivery of non B use class employment generating uses, which are appropriate in these areas, including policing facilities are wrongly prohibited.

The MOPAC/MPS have identified the potential of relevant employment/industrial sites in helping them meet the goals of their estate strategy. In particular, the provision of patrol bases, custody centres and relevant pan-London policing facilities are vital to the successful implementation of the estate strategy. The nature of these uses are similar to that carried out on most employment sites and therefore are ideally suited to employment sites and similar locations.

Whilst falling outside the 'B' Use Class definition, these policing facilities are employment-generating uses. Generally the policing uses represent no material alteration from an Employment (B1) or Warehousing (B8) use as they possess an employment density similar to or in excess of 'B' Class uses. Vehicle movement will also be similar to a typical employment/industrial use. These facilities do not require continued public access and therefore have no requirement to be located in town centre areas.

Policy DM19 should allow redevelopment of SILs for other employment-generating uses such as policing facilities.

London Plan (July 2011) identifies policing uses as possibly being appropriate in SILs. Paragraph 2.84 states that ‘Development in SILs for non-industrial or related uses should be resisted other than as part of a strategically co-ordinated process of consolidation, or where it addresses a need for accommodation for SMEs or new emerging industries, or where it provides local, small scale, ‘walk to’ services for industrial occupiers (workplace crèches for example), or office space ancillary to industrial use. Policing and other community safety infrastructure may also be appropriate uses in these locations.’ Other London boroughs have included this in their panning policy documents.

London Plan (July 2011) paragraph 4.23 states that ‘Redevelopment of surplus industrial land should address strategic and local objectives particularly for housing, and for social infrastructure such as education, emergency services and community activities.’ Policy DM19 does not currently conform with this.

Similar representations seeking the potential use of industrial or employment land for policing facilities to other London Boroughs have been found sound by Inspectors. An example includes adopted Policy DC9 (Strategic Industrial Locations) of the London Borough of Havering's Development Control Policies DPD This policy states:

'Police Patrol Bases are considered acceptable uses within Strategic Industrial Locations due to employment density levels and the nature of the use.'

In terms of physical works on employment/industrial land there is a police facility at Deer Park Road, Wimbledon, in the London Borough of Merton; a custody centre at Windmill Road, Croydon; a Patrol Base at Great Cambridge Road Primary Industrial Estate, Enfield; a patrol base at Falcon Business Centre, Spilsby Road, Romford, Havering; a police garage on Rigg Approach within the Lea Bridge Gateway Strategic Industrial Location (SIL) and a Patrol Base at Upland Business Park within the Blackhorse Lane SIL, both in the London Borough of Waltham Forest; and a Police Station at Polar Park, Bath Road, Hillingdon.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is proposed that revising part a) or part b) of Policy DM19, as set out below, would ensure that the DPD is legally compliant and sound:

**Policy DM19**

**Strategic Industrial Land**

a) In principle the following uses will be supported within the Strategic Industrial Locations (SILs) identified on schedule 1 and the policies map:
- general industry (Use Class B2);
- storage and distribution (Use Class B8);
- small scale ancillary catering facilities for the needs of workers.
**other uses similar in nature to B Use Class uses OR social infrastructure**

Applications for green industries and the management of waste generated in the borough will be particularly welcome.

b) Loss of SIL to any alternative uses will be resisted.

c) Proposals should comply with all other relevant aspects of the Local Plan.

**OR**

Policy DM19

**Strategic Industrial Land**

a) In principle the following uses will be supported within the Strategic Industrial Locations (SILs) identified on schedule 1 and the policies map:
- general industry (Use Class B2);
- storage and distribution (Use Class B8);
- small scale ancillary catering facilities for the needs of workers.

Applications for green industries and the management of waste generated in the borough will be particularly welcome.

b) Loss of SIL to any alternative uses will generally be resisted. **Social infrastructure may be permitted if it meets an identified community need.**

c) Proposals should comply with all other relevant aspects of the Local Plan.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination  
[ ] Yes, I wish to participate at the oral examination
9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To be ensure that the matter is discussed thoroughly and to address any points that may arise

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Signature: _________________________ Date: ___17/09/2012_____

X If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Part B
Please use a separate sheet for each representation

Name or organisation: CgMs Ltd on behalf of Mayor’s Office for Policing and Crime/Metropolitan Police Service (MOPAC/MPS)

3. To which part of the DMP does this representation relate?

Paragraph

Policy DM20

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes [ ] No [x]

(2) Sound
   Yes [ ] No [x]

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective [x]

(4) Consistency with national policy [x]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

This policy is considered not to be sound because it is not effective in being deliverable (based on sound infrastructure delivery planning), in terms of supporting the delivery of an identified need for certain types of policing facilities in employment area locations.

One of the objectives of the National Planning Policy Framework (March 2012) is to deliver the right
community facilities to meet local needs (Para 70).

It is also considered not to be legally compliant as it does not conform generally with the Regional Spatial Strategy, the London Plan (July 2011). This is because policing facilities in Borough Employment Areas outside the key growth areas are not supported.

Part a) of Policy DM20 states that in principle the uses it sets out will be supported within the Borough Employment Areas, the uses listed do not include social infrastructure or policing facilities.

Part c) adds that other uses social infrastructure will only be permitted in the borough’s key growth areas where they act as a facilitator to an improved and intensified employment offer on site, secure other regeneration benefits, and are considered acceptable in all other respects.

It is considered that the delivery of social infrastructure in Borough Employment Areas outside key growth areas, which would be appropriate and where there could be demand, is wrongly prohibited.

The MOPAC/MPS have identified the potential of relevant employment/industrial sites in helping them meet the goals of their estate strategy. In particular, the provision of patrol bases, custody centres and relevant pan-London policing facilities are vital to the successful implementation of the estate strategy. The nature of these uses are similar to that carried out on most employment sites and therefore are ideally suited to employment sites and similar locations.

Whilst falling outside the ‘B’ Use Class definition, these policing facilities are employment-generating uses. Generally the policing uses represent no material alteration from an Employment (B1) or Warehousing (B8) use as they possess an employment density similar to or in excess of ‘B’ Class uses. Vehicle movement will also be similar to a typical employment/industrial use. These facilities do not require continued public access and therefore have no requirement to be located in town centre areas.

Policy DM20 should social infrastructure in BEAs outside key growth areas where it meets an identified need.

London Plan (July 2011) identifies policing uses as possibly being appropriate in SILs, and should therefore also equally be appropriate in BEAs. Paragraph 2.84 states that ‘Development in SILs for non-industrial or related uses should be resisted other than as part of a strategically co-ordinated process of consolidation, or where it addresses a need for accommodation for SMEs or new emerging industries, or where it provides local, small scale, walk to services for industrial occupiers (workplace cæsches for example), or office space ancillary to industrial use. Policing and other community safety infrastructure may also be appropriate uses in these locations.’ Other London boroughs have included this in their planning policy documents.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is proposed that revising part a) and c), or c) of Policy DM20, as set out below, would ensure that the DPD is legally compliant and sound:

a) In principle the following uses will be supported within the Borough Employment Areas identified on schedule 2 and the policies map:
   - research and development and light industry (Use Classes B1(b) and B1(c));
   - storage and distribution (Use Class B8);
   - general industry (Use Class B2) that by virtue of its scale, would not be better located within a SL;
   - offices (Use Class B1(a)) that are ancillary to a wider B1, B2 or B8 use;
   - ancillary uses such as workplace nurseries and small scale catering facilities, that serve the needs of employers, and would not be better located in a local centre.
   - Social infrastructure where there is an identified need

c) Other uses such as housing and social infrastructure will only be permitted in the borough's key growth areas where they act as a facilitator to an improved and intensified employment offer on site, secure other regeneration benefits, and are considered acceptable in all other respects. In such cases, preference will be for schemes that incorporate social infrastructure.

OR

c) Other uses such as housing and social infrastructure will only be permitted in the borough's key growth areas where they act as a facilitator to an improved and intensified employment offer on site, secure other regeneration benefits, and are considered acceptable in all other respects. In such cases, preference will be for schemes that incorporate social infrastructure.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

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(continue on a separate sheet if necessary)

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Signature: ___________________________ Date: __17/09/2012_____

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**Local Plan Development Management Policies**

**Publication Stage Representation Form**

**Waltham Forest Local Plan Development Management Policies (DMP)**

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012

**By post:** Planning Policy and Regeneration, Sycamore House, London Borough of Waltham Forest, Town Hall Complex, Walthamstow, London E17 4JF

**By email:** planning.policy@walthamforest.gov.uk

This form has two parts:

**Part A** – Personal details (only needed once irrespective of how many representations you make)

**Part B** – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

### PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
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<tr>
<td><strong>Title</strong></td>
<td><strong>M S</strong></td>
</tr>
<tr>
<td><strong>First name</strong></td>
<td><strong>SANDRA</strong></td>
</tr>
<tr>
<td><strong>Last name</strong></td>
<td><strong>MACPHEE</strong></td>
</tr>
<tr>
<td><strong>Job title (where relevant)</strong></td>
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</tr>
<tr>
<td><strong>Organisation (where relevant)</strong></td>
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<td><strong>Telephone number</strong></td>
<td></td>
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<tr>
<td><strong>Email address</strong></td>
<td></td>
</tr>
</tbody>
</table>

¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation
Name or organisation: SANDRA MACPHEE

3. To which part of the DMP does this representation relate?

Paragraph: APPENDIX 3
Policy: KEY EVIDENCE FOR DEVELOPMENT MANAGEMENT POLICIES

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes ☑ No

(2) Sound  Yes ☐ No ☑

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) Is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective  ☑
(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

According to p65 of the Development Management Policies Preferred Options Consultation Report, Comment ID DMPPS 312, the Council’s response states the consultant’s suggestion will be incorporated into Appendix 3.

Understand Planning for the Historic Environment (PP55) (2010) and its accompanying Historic Environment Planning Practice Guide (2010) have been replaced by the National Planning Policy Framework and the Borough’s Conservation Area Appraisals and Management Plans may not all be prepared. Appendix 3 does not cite the National Planning Policy Framework or the Borough’s Conservation Area Appraisals and Management Plans.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Either cite the National Planning Policy Framework and the Borough's Conservation Area Appraisals and Management Plans in Appendix 3 or provide an explanation as to why the Council does not think this would be appropriate.

This would update the current situation where agreement to include the consultant's suggestion in Appendix 3 has not taken place.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑️ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 23rd August 2012

☑️ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation

Name or organisation: SANDRA MACPHEE

3. To which part of the DMP does this representation relate?

Paragraph E) PAGE 98 Policy DM14

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes ☑ No

(2) Sound
   Yes No ☑

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

   (1) Positively Prepared
   (2) Justified
   (3) Effective ☑
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

THE OMISSION OF A REFERENCE TO THE NEED FOR TRAVEL PLANS TO INCLUDE A MONITORING REGIME AND CONSIDERATIONS OF IMPACTS ON EUROPEAN SITES.

(continue on a separate sheet if necessary)

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as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Para E) After "local standards" add full stop, followed by new sentence: "The travel plan will need to include a monitoring regime and considerations of impacts on European sites. Without a monitoring regime, the effectiveness of a travel plan will be difficult to ascertain. The author of the travel plan needs to consider its impact on European sites as they are sensitive to air pollution caused by road traffic. Reference to the need for travel plans to include a monitoring regime and considerations of impacts on European sites was included in the development management policies, preferred options document. (See p74.)"

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ____________________________ Date: 25th August 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: SANDRA MACPHEE

3. To which part of the DMP does this representation relate?

Paragraph DM 14 / DM 15

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes ☑ No
   
(2) Sound
   Yes No ☑

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective ☑
(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

NO REFERENCE TO THE NEED TO PHASE IN PUBLIC TRANSPORT UPGRADES AND ASSOCIATED INFRASTRUCTURE SO THAT IT IS IN PLACE PRIOR TO COMPLETION OF DEVELOPMENT (IN LINE WITH CS1). DEVELOPMENT MANAGEMENT POLICIES, PREFERRED OPTIONS INCLUDED A REFERENCE TO THIS ON P74; POLICY DM 14: SECTION, PARA H)

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 25th August 2012

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: SANDRA MACPHEE

3. To which part of the DMP does this representation relate?

Paragraph 26.7

Policy: DM 25

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
Yes ☑ No 

(2) Sound
Yes No ☑

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective
Yes ☑

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

THE PENULTIMATE SENTENCE OF PARAGRAPH 26.7 IS UNCLEAR.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

PLACE NOX IN BRACKETS AND PM10 IN BRACKETS  NOx IS THE CHEMICAL FORMULA FOR NITROUS OXIDE AND PM10 IS THE CHEMICAL FORMULA FOR PARTICUATES. PLACING NOX AND PM10 IN BRACKETS MAKES IT CLEAR THE SENTENCE IS REFEREING TO TWO POLLUTANTS, NOT FOUR.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 26th August 2012

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: SANDRA MACPHEE

3. To which part of the DMP does this representation relate?
   Paragraph 30.7
   Policy DM 29

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
       Yes [✓]  No
   (2) Sound
       Yes   No [✓]
   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared
       [ ]
   (2) Justified
       [ ]
   (3) Effective
       [✓]
   (4) Consistency with national policy
       [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

30.7 does not include a reference to conservation area leaflets, although P 54, SANDRA MACPHEE, COUNCIL'S RESPONSE IN THE DEVELOPMENT MANAGEMENT POLICIES PREFERRED OPTIONS CONSULTATION REPORT, SUGGESTS MY COMMENT REGARDING THIS WAS ACCEPTED.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,
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30.17 SECOND BULLET POINT, AND CONSERVATION AREA LEAFLETS
(GUIDANCE NOTES).

PAGE 54 OF THE DEVELOPMENT MANAGEMENT POLICIES PREFERRED OPTIONS CONSULTATION REPORT, SANDRA MACPHEE, COUNCIL'S RESPONSE, SUGGESTS THE COUNCIL ACCEPTED THAT A REFERENCE TO CONSERVATION AREA LEAFLETS (GUIDANCE NOTES) SHOULD BE INCLUDED AT 30.17, SECOND BULLET POINT. MAYBE THEREFORE ITS OMISSION WAS AN OVERSIGHT. AS THEY ARE MENTIONED AT 30.12 IT WOULD BE LOGICAL AND CONSISTENT TO MENTION THEM AT 30.7.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: _______________________________ Date: 26th August 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Sandra MacPhiee

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>30.12</td>
<td>DM 29</td>
</tr>
</tbody>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

<table>
<thead>
<tr>
<th>(1) Legally Compliant</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Sound</td>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

| (1) Positively Prepared |   |
| (2) Justified           |   |
| (3) Effective           | ✓ |
| (4) Consistency with national policy |   |

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

ATTEND OF OPENING SENTENCE (SEE PARAGRAPH 15.14 - 15.5, POLICY CS 12 OF THE CORE STRATEGY) HAS BEEN OMITTED.

SEE PAGE 524, SANDRA MACPHEE, COUNCIL'S RESPONSE, IN THE DEVELOPMENT MANAGEMENT POLICIES PREFERRED OPTIONS CONSULTATION REPORT.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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[Box: At end of opening sentence add (see paragraph 15.14 - 15.5, Policy CS 12 of the Core Strategy)

According to page 54 of the Development Management Policies Preferred Options Consultation Report, Sandra Macphie Council’s Response, this was the Council’s intention so presumably the omission of the Reference was an oversight.

(continue on a separate sheet if necessary)]

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:  
Date: 23rd August 2012.

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Residential housing on the plan marked as properties included in "Walthamstow Major Centre" appear to have been drawn in as either a) an unwillingness for planners to draw complex boundaries or jagged lines or b) a cynical and unwarranted attempt to mark residential properties for potential future commercial development. Either way, the end result is several properties on the list defining the boundaries of the town centre are clearly traditional residential housing that would be more appropriately zoned as part of the streets they belong to. Notable examples of the problem: Cleveland Park Avenue: Now, this is where I live, so I know it better than the rest. Simply put, 55 doesn't even exist (it's proposed as a house to be filled in when the Arcade site is redeveloped) and on the other side, 40-44 run in front of the 99p Stores car park (as do other properties on that side of the Avenue and on the Crescent) but in no other way appear to be part of the town centre, and are clearly more part of the residential street on which they sit. Also the properties listed on the following roads suffer the same issues: Pretoria Avenue Carisbrooke Road Storey Road Truro Road Eldon Road Erskine Road Somers Road Westbury Road And arguably: Palmerston Road Vernon Road These are clearly residential properties that are part of the residential streets.
Why have they been marked as part of Walthamstow Major Centre? For no clearly defined reason or purpose. Legal compliance: The issue is simply that I believe residents in those properties have not been consulted on the fact their properties are to be included in borough plans not as residential housing on a residential street but part of the Major Centre. So, that fails Waltham Forest's SCI.

Soundness: The inclusion of these properties is not a sound, effective or justified drawing of the boundaries of the Major Centre proposed. These properties have far more in common with the residential streets they form part of, rather than the primarily commercial buildings on the High Street etc. Their inclusion is at best an oversight, at worst a landgrab - but there has been no justification for their inclusion in such a manner, nor is their inclusion argued to be effective in any manner (e.g. for regeneration etc.). Remove the properties from the list.

My solution? Remove these properties from area covered by Walthamstow Major Centre.

<table>
<thead>
<tr>
<th>Changes necessary for legal compliance and soundness</th>
<th>My solution? Remove these properties from area covered by Walthamstow Major Centre.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oral Examination</td>
<td>N/A</td>
</tr>
<tr>
<td>Reasons for oral Examination</td>
<td>N/A</td>
</tr>
<tr>
<td>Attachment</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Dear Sir or Madam

WALTHAM FOREST LOCAL PLAN – DEVELOPMENT MANAGEMENT POLICIES PROPOSED SUBMISSION

The Mobile Operators Association (MOA) represents the four UK mobile network operators – 3, Telefonica (O2), Everything, Everywhere (formerly Orange & T-Mobile) and Vodafone – on radio frequency health and safety and associated town planning issues.

The MOA has commissioned Mono Consultants Ltd to monitor all emerging development plan policies and supplementary planning guidance relating to telecommunications development on its behalf.

Please find attached a response to the current consultation documents prepared by Mono Consultants Ltd on behalf of the MOA.

Yours faithfully,

John Cooke
Executive Director
Our Ref: GH/MOA

Spatial Planning
Waltham Forest Council
Sycamore House
Waltham Forest Town Hall Complex
London
E17 4JF

31 August 2012

Dear Sir or Madam

WALTHAM FOREST LOCAL PLAN – DEVELOPMENT MANAGEMENT POLICIES PROPOSED SUBMISSION

Thank you for your recent consultation on the above.

We would like to offer our support to the inclusion of Policy DM 38 Telecommunications within the Local Plan’s Development Management Policies document. We welcome the inclusion of this policy within the Local Plan to facilitate telecommunications development and support its provisions which we find to be in accordance with the guidance within the recently published National Planning Policy Framework (NPPF) relating to both development planning and to support for communications infrastructure.

We trust you find the above comments of assistance. Please do not hesitate to contact me should you wish to discuss this further or wish to arrange a meeting.

Yours faithfully

Ginny Hall MRTP
SENIOR PLANNER

direct dial:
e-mail:
Local Plan Development Management Policies

Publication Stage Representation Form

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Ms</td>
</tr>
<tr>
<td>First name</td>
<td>Rose</td>
</tr>
<tr>
<td>Last name</td>
<td>Freeman</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Planning Policy Officer</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>The Theatres Trust</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
</tr>
<tr>
<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation
Name or organisation: The Theatres Trust

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>DM18 and DM28</td>
</tr>
</tbody>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes [ ]  No [ ]
(2) Sound  Yes [ ]  No [ ]

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]
(2) Justified [ ]
(3) Effective [ ]
(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We support the document and find it to be Sound in relation to the cultural content of policies DM18 and DM28.

However, as para.19.1 on page 124 specifically lists cultural facilities as an important element of Waltham Forest’s social and physical infrastructure, we are surprised this term is not included in the Glossary description of social infrastructure. For clarity and consistency we suggest cultural facilities are added to the examples of Social Infrastructure on page 419.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.
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(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- [ ] No, I do not wish to participate at the oral examination
- [ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:     Date:  12 September 2012

- [ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

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### PART A

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<thead>
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</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td></td>
</tr>
<tr>
<td>First name</td>
<td>Claire</td>
</tr>
<tr>
<td>Last name</td>
<td>Martin</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Policy Officer</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>Lee Valley Regional Park Authority</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
</tr>
</tbody>
</table>
Telephone number

Email address

1 If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

Part B
Please use a separate sheet for each representation

Name or organisation: Lee Valley Regional Park Authority

3. To which part of the DMP does this representation relate?

Paragraph 41.6  Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  No

(2) Sound  Yes  No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
Please refer to the attached letter dated 14 September.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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The Authority endorses the insertion of a new policy DM40 ‘Lee Valley Regional Park’ in the DMP document that supports the PDF proposals and establishes that these will be treated as a material consideration in the planning decision making process. The justification text under ‘Lee Valley Regional Park PDF’ requires a couple of minor amendments to reflect the adoption of the Area 2 Proposals and correct the summary concerning location of visitor facilities within the Lea Bridge Road area. The required amendments are shown in bold below and text to be deleted shown with a strikethrough. It is proposed that these are dealt with as minor modifications to the DMP document.

Lee Valley Regional Park PDF

Paragraph 41.6

During In 2011 the Lee Valley Regional Park Authority has developed and consulted on detailed proposals for an area of the Park that corresponds largely to the area covered by the NOF. The These proposals are scheduled to be were adopted in the future January 2012. Details of the proposals include:

c) Lea Bridge Road Area

Enhancement of existing visitor facilities at the Waterworks Centre and a
broadening of visitor facilities including visitor accommodation at the Ice centre and Riding Centre to provide services for the general Park visitor. Provision of visitor accommodation as part of the enhanced visitor offer at the Waterworks centre.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: _________________________  Date:  14/09/12

√ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
14th September 2012

Dear Gordon

RE: Consultation on the London Borough of Waltham Forest’s Proposed Submission version of its Local Plan Development Management Policies document: Response from Lee Valley Regional Park Authority

Thank you for consulting the Regional Park Authority on the Proposed Submission version of the Local Plan Development Management Policies document.

This matter was considered by the Authority’s Lower Lee Valley Regeneration and Planning Committee on the 13 September 2012 at which Members approved the following comments as the Authority’s formal response to the London Borough of Waltham Forest.

Proposed Submission Version of the Local Plan Development Management Policies

The Authority welcomes the changes that have been made to the Development Management Policies document and the numerous references to the Regional Park which are now included throughout the Proposed Submission document. Given the substantial area of the Regional Park that lies within the Borough (approx. 557.8 hectares, or 14% of the total Park area) these policies will be critical in protecting, enhancing and guiding development within and adjacent to the Park.

‘Water’ and DM39 Minerals are supported. The Authority also welcomes the provisions under DM23 ‘Tourist Development and Visitor Attractions’ which in exceptional circumstances, may allow tourist accommodation to be located close to a visitor attraction rather than in an existing town centre. This policy could assist in delivering the Authority’s visitor accommodation proposals at the Waterworks Centre and nature reserve and may enhance potential for visitor facilities in association with the Walthamstow Wetlands project.

Lee Valley Regional Park Policy

The Authority endorses the insertion of a new policy DM40 ‘Lee Valley Regional Park’ in the DMP document that supports the PDF proposals and establishes that these will be treated as a material consideration in the planning decision making process. The justification text under ‘Lee Valley Regional Park PDF’ requires a couple of minor amendments to reflect the adoption of the Area 2 Proposals and correct the summary concerning location of visitor facilities within the Lea Bridge Road area. The required amendments are shown in bold below and text to be deleted shown with a strikethrough. It is proposed that these are dealt with as minor modifications to the DMP document.

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During In 2011 the Lee Valley Regional Park Authority has developed and consulted on detailed proposals for an area of the Park that corresponds largely to the area covered by the NOF. These proposals are scheduled to be adopted in the future January 2012. Details of the proposals include:

c) Lea Bridge Road Area

Enhancement of existing visitor facilities at the Waterworks Centre and a broadening of visitor facilities including visitor accommodation at the Ice centre and Riding Centre to provide services for the general Park visitor. Provision of visitor accommodation as part of the enhanced visitor offer at the Waterworks centre.

The Authority wishes to be kept informed of the outcome of this consultation and any minor modifications made to the Proposed Submission document.

Yours sincerely

Stephen Wilkinson
Head of Planning and Strategic Partnerships
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

<table>
<thead>
<tr>
<th>PART A</th>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td></td>
<td></td>
</tr>
<tr>
<td>First name</td>
<td>Cathy</td>
<td></td>
</tr>
<tr>
<td>Last name</td>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Planning Associate Director</td>
<td></td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>Tesco Stores Ltd</td>
<td>GL Hearn</td>
</tr>
<tr>
<td>Address</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
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<td></td>
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<tr>
<td>Email address</td>
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</tbody>
</table>
Part B

Please use a separate sheet for each representation

Name or organisation: Tesco Stores Ltd

3. To which part of the DMP does this representation relate?

Paragraph __________________________ Policy DM18

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes [x] No

(2) Sound
   Yes [ ] No [x]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective [x]
(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The wording of the policy is in conflict with itself in part (A) – Social and Physical Infrastructure. It is stipulated that 'all' the specified criteria must be met; however, this is not possible. Part b. sets out that loss is acceptable where there are adequate alternative facilities already available, whilst part c. requires that a replacement facility is provided. In the instance where facilities are being provided for a public body e.g. healthcare or education and are no longer required because there is an oversupply i.e. satisfying part b., it is illogical that replacement facilities should be provided under part c.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.
After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part c. should be removed. The controls set out by part a. which specifies that there should be no shortfall and part d. requires applicants to demonstrate impact on provision as a consequence of any proposal are sufficient. It is therefore suggested that the policy should be amended to read as follows:

The Council will resist the loss of social infrastructure facilities unless all of the following conditions are met:

a. No shortfall in provision will be created by the loss;
b. Adequate alternative facilities are already available in the area;
c. A replacement facility that meets the needs of the local population is provided, with a preference for on-site provision; and
d. The specific social infrastructure facility is no longer required in its current use. Where this is the case, evidence will be required to show that the loss would not create, or add to, a shortfall in provision for the specific infrastructure type and demonstrate that there is no demand for any other suitable community use on the site. Where appropriate, a replacement facility that meets the needs of the local population shall be provided, with a preference for on-site provision.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- [ ] No, I do not wish to participate at the oral examination
- [ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: _______17.9.12___________

- [ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B

Please use a separate sheet for each representation

Name or organisation: Tesco Stores Ltd

3. To which part of the DMP does this representation relate?

Paragraph [Appendix 1 Schedule 5] Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes [x] No [ ]

(2) Sound
   Yes [ ] No [x]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

   (1) Positively Prepared [ ]
   (2) Justified [x]
   (3) Effective [ ]
   (4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

As part of Appendix 1, UDP Schedule 5 (Mixed Use Regeneration Areas MURA1, MURA4 and MURA6) are listed as being saved. This is inconsistent with the current list of saved policies which does not include Schedule 5. Furthermore, it is contradicted by Appendix 2 (Proposals Map Changes) which clearly states at page 276 that all Mixed Use Regeneration Area designations will be removed.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The reference at Appendix 1 to Schedule 5 and MURA1, MURA4 and MURA6 should be removed.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

n/a

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ____________ Date: ____________

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B

Please use a separate sheet for each representation

Name or organisation: Tesco Stores Ltd

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Schedule 4</th>
<th>Policy</th>
</tr>
</thead>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
    - Yes [x]
    - No [ ]

(2) Sound
    - Yes [x]
    - No [ ]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]
(2) Justified [ ]
(3) Effective [ ]
(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The designation of the Highams Park District Centre to include the Tesco store and surrounding land is supported.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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n/a

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

|x| No, I do not wish to participate at the oral examination
| | Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

n/a

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:  

Date: 17.9.12  

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP) For office use only Reference No: 348818 Date received: 17/09/2012

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PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Mr</td>
</tr>
<tr>
<td>First name</td>
<td>Simon</td>
</tr>
<tr>
<td>Last name</td>
<td>Jones</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Head of Planning</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>North East London NHS Foundation Trust</td>
</tr>
<tr>
<td></td>
<td>Ingleton Wood LLP</td>
</tr>
</tbody>
</table>

¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.
Part B
Please use a separate sheet for each representation
Name or organisation: Ingleton Wood LLP (Iain Hill)

3. To which part of the DMP does this representation relate?
Paragraph 2.26 Policy DM1

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes [ ] No [ ]
(2) Sound Yes [ ] No [X]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) Is unsound because it is not:

(1) Positively Prepared [ ]
(2) Justified [X]
(3) Effective [ ]
(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Notwithstanding that the overall objectives of the policy in terms of the promotion of sustainable and mixed use developments are both clear and supported, particularly the recognition and flexibility that the policy provides in relation to circumstances where mixed use development may not be considered appropriate on individual sites, the policy is considered to be unsound in that it fails to provide the most appropriate strategy when considered against reasonable alternatives and is not in accordance with national policy.

More specifically Para 2.26, which relates to the Wood Street Key Growth Area, fails to recognise that development proposals that may be key to the overall regeneration of the area may come forward in advance of the preparation of the Area Action Plan (AAP). Whilst the Council’s objective of preparing an AAP for this area in order to ensure a comprehensive and holistic approach to the redevelopment of a cluster of sites is supported, it should not be at the expense of enabling developments to come forward prior to the adoption of this document which, at the time of writing, may be 12 – 18 months.

Development proposals will act as a significant catalyst for the regeneration of the Wood Street Growth Area and should, in principle, be encouraged by the Council provided they accord with the general objectives of the AAP that is currently being prepared by the Council.
The fact that the policy fails to recognise this scenario means that it is not the most appropriate strategy for the area, and contrary to guidance contained within the National Planning Policy Framework does not enable the Local Plan to respond to changing circumstances or provide clear opportunities to make land available and proactively take opportunities to deliver sustainable development.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make paragraph 2.26 of Policy DM1 sound, it is recommended that additional text is added to state that whilst a development framework will be prepared by the Council for the Wood Street Area, its preparation will not prevent applications which facilitate the regeneration and renewal of the area coming forward in advance of the adoption of the framework which are in accordance with its general objectives.

The additional text should state that 'the Council will closely work with landowners and developers to bring forward key regeneration and renewal schemes which accord with the objectives of the framework. The Council, in principle, support developments coming forward in advance of the adoption of the framework (AAP) provided they accord with their general objectives for the growth area.

The proposed amendment will provide clarity to the supporting text of the policy, making it clear that any developments which come forward within the growth area prior to the adoption of the proposed Area Action Plan will not be considered premature. This clarity will prevent the potential delay of developments which are key to the delivery of the Council’s objectives for the growth area.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☒ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
The issue is fundamental to my client’s future development plans for the area and accordingly we wish to discuss and gain clarity on the matter with an Independent Inspector.

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: Iain Hill_________ Date: 17th September, 2012_________

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Ingleton Wood (Iain Hill)

3. To which part of the DMP does this representation relate?
   Paragraph   Policy  DM18

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  Yes  No
   (2) Sound  Yes  No  
   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared
   (2) Justified
   (3) Effective
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The Policy as drafted is ambiguous and therefore fails to provide the most appropriate strategy in the context of reasonable alternatives. In addition, the policy is contrary to national planning guidance as it fails to provide a clear indication of how a decision maker should react to a development proposal.

More specifically, the draft Policy advises that the Council will resist the loss of social infrastructure facilities unless all criteria listed within draft Policy DM18 are satisfied by an applicant. Notwithstanding this, the supporting text (para 19.6) advises that proposals classified as social infrastructure, which includes health facilities, will need to provide replacement facilities that meet the needs of the local population in an appropriate location, or (our underlining) show that the loss would not create or add to a shortfall in provision for specific community use.

There is, therefore, clearly a degree of ambiguity between the Policy and the supporting text, given that the former requires all criteria within the policy to be to be satisfied whilst the later provides an either or scenario.

If an applicant can satisfy Condition d of the draft policy i.e. that the specific social infrastructure is no longer required, they should not be required, as per the requirements of draft Condition C, to provide a replacement facility. This is a contradictory statement that would place an unnecessary financial burden on a development.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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In order to make the Policy sound, it is recommended that the wording is revised to make it clear that where an applicant can demonstrate that the loss of a use classified as social infrastructure is justified and would not lead to a shortfall in provision, they will not be required to provide a replacement facility.

To achieve this clarity minor amendments are required to the text. The requirement for all conditions to be satisfied needs to be removed, and after Condition C the word ‘and’ needs to be replaced with ‘or’.

The proposed amendments will provide clarity and ensure that the decision maker and applicant are clear in respect of the interpretation of the policy.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☑ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The lack of clarity provided by the Policy in respect of the development of social infrastructure uses provides a serious issue for my client’s long term asset strategy, and accordingly it is requested that the opportunity is provided to discuss the issue at the oral part of the examination.

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.
Signature: __________ Date: 17th September, 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Ingleton Wood (lain Hill)

3. To which part of the DMP does this representation relate?
   Paragraph   Policy  DM3

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant   Yes   No
   (2) Sound   Yes   No ✓

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) Is unsound because it is not:
   (1) Positively Prepared
   (2) Justified ✓
   (3) Effective
   (4) Consistency with national policy ✓

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Whilst the draft Policy's recognition that, subject to the submission of a viability assessment, residential developments may provide less than 50% affordable housing is welcome, the Council’s deferred payment mechanism is considered to be impractical and unviable.

The Policy is, therefore, not considered to be justified as it does not represent the most appropriate option, given the alternatives that are available. In addition, the draft policy is considered to be contrary to national planning guidance as it fails to provide flexibility to enable the policy to respond to changing circumstances.

Whilst the principle of a deferred payment mechanism is not opposed, the Council’s proposal that should viability improve between the grant of planning permission and completion, they will seek to claw back the inclusion of affordable housing units via physical provision rather than a financial payment, is likely to give rise to serious financial and design implications, which may prejudice the delivery of residential developments.

It is recognised that on certain larger schemes that will be delivered in phases that the Council’s deferred payment mechanism may be suitable. However, on certain residential developments, particularly smaller schemes, the requirement to revise a development once it has started on site in order to accommodate additional affordable housing is likely to lead to extensive redesign work by a developer, resulting in additional
costs and a delay in completion dates. It would also lead to difficulties in designing schemes that work ‘practically’ with poor relationships potentially being created between affordable and market units in order to provide the additional affordable units.

It is therefore considered that as drafted the policy would prejudice the delivery of residential development in Waltham Forest.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the Policy sound, it is recommended that additional text is added to either the Policy or the supporting text to make reference to a flexible approach in relation to the implementation of the Council's deferred payment mechanism.

More specifically, the Policy should advise that whilst the provision of additional affordable housing on site is preferred, the Council recognise that in certain circumstances it will not be practical or financially viable for a developer to revise their plans to physically provide affordable housing on site. In such cases the Council will give consideration to financial payments in lieu of the provision of affordable units on site.

The revised wording would ensure that the policy both presents the most appropriate option and accords with national planning guidance, given that it is capable of responding to changing circumstances. The flexible approach will remove what could be a barrier to the provision of residential development in Waltham Forest.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☒ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
The Council’s approach to affordable housing provision, and specifically the proposed deferred payment method, is a key matter that will affect development viability. It is a significant matter that merits discussion in more detail at the oral part of the examination.

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ______________  Date: 17th September, 2012_____

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Ingleton Wood (Iain Hill)

3. To which part of the DMP does this representation relate?

<table>
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<th>Paragraph</th>
<th>Policy</th>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

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<th>(1) Legally Compliant</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>(2) Sound</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

| (1) Positively Prepared |       |
| (2) Justified           | ✓     |
| (3) Effective           |       |
| (4) Consistency with national policy | ✓ |

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Generally, the policy is clear in its requirements. However, the policy is not considered to be sound given that it requires that all residential schemes achieve Code for Sustainable Homes Level (CfSH) Level 4. Whilst the Council’s aspiration is understood, the proposed policy needs a degree of flexibility to recognise that in certain scenarios, such as the conversion of listed buildings, achieving CfSH Level 4 may be neither achievable nor viable.

The additional cost associated with achieving CfSH Level 4 and its impact on development viability needs to be seen in the context of other Council objectives, such as the provision of affordable housing, and flexibility provided to ensure the most beneficial scheme for the residents of Waltham Forest delivered.

On this basis, the policy as drafted is not considered to be justified, as an alternative approach exists which is more reasonable. In addition the policy is not considered to be realistic or sufficiently flexible to respond to changing circumstances and therefore does not accord with national planning guidance.

(continue on a separate sheet if necessary)

*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.*
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In order to make the Policy sound, it is recommended that the Policy is amended to provide a degree of flexibility by advising that whilst the Council will seek proposals for residential development to achieve CfSH Level 4, it is recognised that in certain cases this may not be achievable or viable. The policy should further advise that in such cases, the Council would expect the applicant to clearly demonstrate why CfSH Level 4 cannot be achieved.

The proposed wording would recognise the Council’s aspiration but provide a degree of flexibility to ensure the policy is realistic. This would result in the policy providing a more appropriate strategy which, in accordance with guidance contained in the National Planning Policy Framework, will allow the Policy to adapt to any changes in circumstances.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The issue is key to the viability of my client’s future development plans for the area and accordingly we wish to discuss and gain clarity on the matter with an Independent Inspector.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: __________________ Date: 17th September, 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Ingleton Wood (Iain Hill)

3. To which part of the DMP does this representation relate?
Paragraph  
Policy DM17

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  
       Yes  
       No
   (2) Sound  
       Yes  
       No  

   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared
   (2) Justified  
       ✓
   (3) Effective
   (4) Consistency with national policy  
       ✓

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The Policy as drafted is not justified as it does not provide the most appropriate strategy, given that more reasonable alternatives exist. In addition, the policy is not considered to accord with national planning guidance. In its current form the policy is both ambiguous and whilst inspirational is not considered realistic.

The Council states that in key growth areas such as Wood Street they will seek to limit parking to disabled spaces and what may be termed operational service spaces. Whilst the aspiration of the Council is understood, the fact that the Policy only encourages what may be termed car-free/capped development provides a degree of ambiguity.

More specifically, the Policy fails to provide any criteria or detail as to when proposals, including car parking within areas such as the Wood Street Growth Area, will be considered acceptable by the Council.

The Policy also fails to recognise that on certain sites, particularly mixed use development sites within regeneration and renewal areas, that the provision of parking spaces may be a key requirement to ensuring the delivery of a viable scheme.

(continue on a separate sheet if necessary)
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In order to ensure that the Policy is sound, additional text should be added to make it clear that, whilst the Council will promote car-free/capped development, they recognise that in certain circumstances parking may be required as part of a wider regeneration scheme/development in order to ensure viability.

As part of any such proposal the Council will expect an applicant to demonstrate why parking is required and why a car-free/capped development would not be viable or practical within a certain scheme.

The flexibility provided by the proposed amendment will ensure that the policy provides the most appropriate strategy when considered against reasonable alternatives and is realistic.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The provision of car parking as part of a development is a key consideration towards the viability of any proposed development. It is therefore requested that the matter is discussed at the oral part of the examination.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________  Date: 17th September, 2012____________________
If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation's name.

Please read the guidance notes before completing this form.

**PART A**

<table>
<thead>
<tr>
<th>1. Personal details</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Ms</td>
</tr>
<tr>
<td>First name</td>
<td>Sarah</td>
</tr>
<tr>
<td>Last name</td>
<td>Dawson</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Associate Planner</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>Aviva Investors</td>
</tr>
<tr>
<td>Address</td>
<td>C/O Agent</td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
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<tr>
<td>Telephone number</td>
<td></td>
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<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

1If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation
Name or organisation: Aviva Investors

3. To which part of the DMP does this representation relate?
   Paragraph  [ ]  Policy  DM3  [ ]

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  Yes  [ ]  No  X  [ ]
   (2) Sound  Yes  [ ]  No  X  [ ]

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5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
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   (2) Justified  [ ]
   (3) Effective  [ ]
   (4) Consistency with national policy  X  [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Please see attached letter

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Please use a separate sheet for each representation
Name or organisation: Aviva Investors

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<table>
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<tr>
<th>Paragraph</th>
<th>Policy</th>
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<tbody>
<tr>
<td></td>
<td>DM5</td>
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<th>(1) Legally Compliant</th>
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<th>(2) Sound</th>
<th>Yes</th>
<th>No</th>
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<td></td>
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<td>X</td>
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Signature: ___________________________  Date: 17th September 2012

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Part B
Please use a separate sheet for each representation

Name or organisation: Aviva Investors

3. To which part of the DMP does this representation relate?

Paragraph  [ ] Policy  DM7  [ ]

4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant  Yes  [ ]  No  [X]

   (2) Sound  Yes  [ ]  No  [X]

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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Part B
Please use a separate sheet for each representation
Name or organisation: Aviva Investors

3. To which part of the DMP does this representation relate?

   Paragraph  
   Policy: DM11

4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant  Yes  No  
   (2) Sound  Yes  No  

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Signature: ___________________________ Date: 17th September 2012

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Please use a separate sheet for each representation

Name or organisation: Aviva Investors

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<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
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<tbody>
<tr>
<td></td>
<td>DM12</td>
</tr>
</tbody>
</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  
Yes [ ]  No [X]

(2) Sound  
Yes [ ]  No [X]

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Part B
Please use a separate sheet for each representation
Name or organisation: Aviva Investors

3. To which part of the DMP does this representation relate?
   Paragraph [ ] Policy DM18

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
       Yes [ ] No X [ ]
   (2) Sound
       Yes [ ] No X [ ]

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Signature: 

Date: 17th September 2012

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12
Part B
Please use a separate sheet for each representation
Name or organisation: Aviva Investors

3. To which part of the DMP does this representation relate?
   Paragraph   Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant   Yes [x]   No   [ ]
   (2) Sound   Yes [x]   No   [ ]

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By Post & E-mail: planning.policy@walthamforest.gov.uk

Dear Sir

RE: LOCAL DEVELOPMENT FRAMEWORK DEVELOPMENT MANAGEMENT POLICIES DPD PROPOSED SUBMISSION CONSULTATION

We write in response to the consultation on the Development Management Policies Proposed Submission document. Our client, Aviva Life and Pensions UK Ltd, (hereafter referred to as “Aviva”), owns Leyton Mills Retail Park (hereafter referred to as “Leyton Mills”). Leyton Mills lies within the area identified as the retail boundary for Leyton Town Centre and within Zone B of the draft Northern Olympic Fringe Area Action Plan Preferred Options.

Our client supports the Local Development Framework process and supports the principle of putting in place a planning framework. Aviva has also supported this process by providing comments during earlier consultations regarding this document as well as the Core Strategy and draft Northern Olympic Fringe AAP. We enclose the representations made to the earlier Preferred Options Consultation in February 2011.

It is disappointing that the Northern Olympic Fringe AAP has been delayed and will not be published for consultation until the end of this year. It would be helpful for our client to understand the final policy direction that the Local Authority wishes to take for this area whilst reviewing the consultation of the Development Management Policies DPD.

For assistance the comments outlined below have been summarised into the chapter topics covered in the consultation document.

Policy DM3 – Affordable Housing Provision

We consider that this policy wording should reflect the recent introduction by national government of a new type of affordable housing called affordable rent.

The document does not acknowledge the recent consultation by the Mayor on a proposed minor early alteration to the London Plan. This consultation recognised affordable rent as a type of affordable housing, and requires boroughs to group affordable rent within the target for social rented housing.
Policy DM5 – Housing Mix

We consider that although the London Plan supports encouraging new development to offer a range of housing choice in terms of mix, including sizes and types, we consider that the wording should ensure that there is provision to provide a suitable housing mix without being too prescriptive. The policy should allow for variations where specific circumstances such as viability justify such a variation.

Policy DM7 – Internal and External Amenity Space Standards

This policy should reflect Policy 3.5 and Table 3.3 which sets out the minimum standards for new development of The London Plan 2011. Part C of Policy 3.5 states that ‘LDF’s should incorporate minimum space standards that generally conform with Table 3.3’. Part D of Policy 3.5 explains clearly that ‘Development proposals which compromise the delivery of elements of this may be permitted if they are demonstrably or exemplary contribute to achievement of other objectives of this Plan.’

Given the provision set out within The London Plan we would expect the policy to incorporate a greater degree of flexibility to allow scheme designs to reflect the constraints of development so as not to frustrate development proposals coming forward.


Our client welcomes the Council’s policy in order to achieve appropriate environmental standards. We consider that a degree of flexibility should be introduced to allow proposals that do not fully meet the policy requirements in all respect to be found acceptable where special circumstances can be justified.

Policy DM18 – Social Infrastructure

We consider that this policy should make reference to the Community Infrastructure Levy in securing necessary infrastructure and facilities.

Policy DM27

We support the policy, which seeks in the first instance to concentrate development proposals within the designated centres within the Borough.

We look forward to receiving confirmation of receipt of these representations in due course. Should you have any queries in the meantime please do not hesitate to contact me on 0207 446 6888.

Yours faithfully

/SARAH DAWSON
Associate
Mr. Gordon Glenday  
Head of Planning Policy and Regeneration  
Environment & Regeneration  
London Borough of Waltham Forest  
Fir Tree House  
Town Hall Complex  
Forest Road  
Walthamstow  
LONDON  
E17 4JF.

Dear Mr Glenday,


Statement of general conformity with the London Plan (Planning and Compulsory Act 2004, Section 24 (4) a)

Thank you for your letter of 30 July 2012 consulting me on the above document and requesting an opinion on general conformity.

On 11 of September 2012, I considered a report on this matter, reference PDU/LDF31/LDD11/01. This report constitutes my formal representations to the pre-submission consultation. Please note that this includes a representations relating to general conformity with the London Plan as well as other representations to clarify or improve policy. Representations relating to general conformity have been highlighted in bold for ease of reference.

As you will be aware, all development plan documents must be in general conformity with the London Plan under section 24 (1) (b) of the Planning and Compulsory Purchase Act 2004. However, it is my opinion that:

- The Managing Development submission document is not in general conformity with my London Plan in respect of affordable housing. The affordable housing policies need to be significantly re-worked to be in general conformity with the London Plan.

- Policies in relation to SIL/Borough employment land boundaries, open space, energy and transport also require strengthening and clarification.

- The DPD also needs to refer to current guidance documents.

Direct telephone: 020 7983 4100    Fax: 020 7983 4057    Email: mayor@london.gov.uk
If you would like to discuss any of my representations in more detail, please contact Sukhpreet Khull (020 7983 4806) who will be happy to discuss and arrange further meetings.

Yours sincerely

Boris Johnson
Mayor of London

cc       Jennette Arnold, London Assembly Constituency Member
          Nicky Gavron, Chair of London Assembly Planning and Housing Committee
          Ian McNally & John Pierce, DCLG
          Alex Williams, TfL
Consultation on Pre-Submission Document


Strategic issues

The development management policies document is not in general conformity with the London Plan in relation to its affordable housing policy. The report also includes comments on other matters relating to SIL and MOL designations that should be considered. The open spaces policies and energy section of the plan require further clarification. The proposed MOL designation of two wharves should also be clarified. Various transport issues are raised that should be considered to strengthen and clarify policies.

Recommendation

That the Mayor agrees to submit the comments set out in this report to Waltham Forest Council as the formal response to the Pre-Submission consultation, and that Waltham Forest Council be advised that the proposed Submission Document and proposals map are not in general conformity with the London Plan in relation to the above strategic issues.

Context

1. On 30 July 2012 Waltham Forest Council consulted the Mayor of London on the above Document. This report sets out information for the Mayor’s use in deciding what comments to make. The consultation period ends on 17 September 2012.

2. The Local Development Framework together with the Mayor’s Spatial Development Strategy, (“London Plan”) and the National Planning Policy Framework (“NPPF”) provides the essential framework for planning at the borough level. The “development plan” in London for the purposes of section 38(6) of the Act is:
   - The London Plan (2011), and
   - Development plan documents produced by the borough councils (and saved unitary development plan policies in transitional period), and
   - Neighbourhood Plans as appropriate.

3. There are three types of Local Development Documents (“LDDs”): Development Plan Documents (DPDs); Supplementary Planning Documents (“SPDs”); and Statements of Community Involvement. The document now being consulted on is a DPD with development plan status, which will be subject to an examination to test the ‘soundness’ of the plan.
4. The NPPF states that a plan is “sound” where it is positively prepared, justified, effective and consistent with national policy.

The Mayor’s role

5. All DPDs must be in general conformity with the London Plan, in accordance with Section 24(1)(b) of the PCPA. Section 24(4) of the PCPA requires boroughs prior to submitting it to the Secretary of State to request the opinion in writing of the Mayor of London as to the general conformity of a DPD with the London Plan and advises that they may request the opinion in writing of the Mayor as to the general conformity of any other LDD. The Mayor issues this opinion on DPD general conformity in accordance with Section 24(5) of the PCPA. Further to this Regulation 18 requires general consultation at the pre-submission stage. By virtue of Regulation 21(2) of the Regulations the Mayor has 6 weeks from the date of the request to provide his opinion on whether the DPD is in general conformity with the London Plan.

6. Mayor of London’s comments will be made available on the GLA website www.london.gov.uk.

Previous representations

7. The Mayor made representations on the proposals consultation stage of the plan preparation process on 2 March 2011 (report reference: LDF31/LDD/01), and representations were made by officers under delegated authority to the (Issues and Options) consultation stage in April and May 2010. A number of the issues that were raised at these stages have been satisfactorily resolved.

Proposed representations

8. The Waltham Forest Local Development Framework will replace the adopted March 2006 Waltham Forest Unitary Development Plan. It will set the Council’s approach to the planning of the borough up to 2026 and will consist of the Core Strategy, Proposals Map, Development Control Policies and Site Specific Allocations Documents and a number of SPDs.

Affordable housing

9. We welcome Waltham Forest’s approach that 60% of affordable housing should be for social and affordable rent and 40% for intermediate rent or sale. This reflects SPG on implementation of the 2011 London Plan and the approach proposed in the Revised Minor Alterations in the London Plan (REMA 2012).

10. However, the policy also refers to a guidance note (Strategic Policies for the Supply of Affordable Housing in Waltham Forrest). This guidance sets out maximum percentage market level rents for each property size. This guidance is not formal planning policy which has followed the necessary procedure prescribed by statute and while it can be referenced, the policy cannot supersede formal planning policy. Moreover, the approach of the guidance in capping rents (for 2 bed + units) will have the effect of constraining delivery and not maximising output.

11. Government is emphatic that “reintroducing rent controls ‘via the back door’ of planning policy is likely to hinder the supply of affordable and private rented accommodation, reducing
choice for tenants and simply meaning less housing is available to rent," (see letter attached). Similarly, the London Plan and the draft Housing Strategy emphasise that the priority for affordable housing is maximising supply, having regard to the availability of resources. The nationally set definition of the affordable rent product makes clear that it must be available at rents up to 80% of market rent (National Planning Policy Framework (NPPF). The approach which seeks to impose local, lower rent ceilings through the planning system (including by cross reference to housing documents) would compromise the flexibility necessary for the product to deliver affordable housing in different circumstances and in turn will not be compliant with national guidance and would not be in general conformity with London Plan (Policies 3.11 & 3.12). This point is made strongly in SPG on implementing the 2011 London Plan and Grant Shapps has confirmed it in the context of the NPPF through his representations on the Revised Early Minor Alterations (REMA).

12. The Waltham Forest Housing guidance note also states that any Housing Association programme in the borough should still contain an element of social housing at target rents. Again this approach could constrain delivery as there is limited funding for social rent through the Mayor’s investment programme, and delivering social rent is unlikely to maximise delivery of affordable housing units. It should be noted that for local plans to be found sound, the NPPF requires them to be ‘deliverable’ i.e. to take account of available resources.

13. Para 4.21 needs to be updated to reflect the introduction of the affordable rent product.

14. It appears that the Council is seeking affordable housing on small sites and where not possible requesting a small sites contribution. The text in the plan explaining the way that small site contributions will increase year by year (4.16-4.19) needs to be redrafted to make it clearer to the reader. It is understood that this approach to introduce the concept of small site contributions over a four year phased period, has been taken so developers are not confronted with the full contribution on publication of the policy which could impact this important source of housing delivery. Further justification to this policy is based on the assumption that viability should improve in a few years time, this will need to be monitored to ensure that the later year’s contribution are viable. Discussions have taken place with the Borough Officers writing these policies and it is understood that the wording will be reconsidered.

15. Overall, it should be noted that the affordable housing policies need to be re-worked in order for them to be in general conformity with the London Plan.

**Strategic Industrial Land**

16. Policy DM19 c), page 133– should state ‘proposal should comply with all other relevant aspects of the Local Plan and Strategic Plan.’

**Borough employment areas**

17. Chapter 21, page 140– The SIL area shown in purple next to Lea Bridge is slightly different to the suggested SIL boundary in the published Olympic Legacy SPG (page 34). Specifically, the Council’s Proposal’s map excludes two areas of SIL to the North East of the former Lea Bridge Station (SIL 5). This suggests that this land may be proposed for release, which unless justified against the Mayor’s SIL objectives and London Plan policies might be contrary to the London Plan boundaries and OLSPG boundary.
Tall buildings

Paragraph 33.5- It has been noted that an area based approach will be taken with regards to the development of tall buildings. Regard should be had to the Mayor’s OLSPG southern area.

Open space

Paragraph 14.4 takes a blanket approach to building on Green Belt and MOL. The wording used dilutes the protection afforded to such sites and misapply’s rational and strategic policy. ‘Where development is necessary’ should be deleted. The third and fourth sentences should be rewritten.

Paragraph 14.16 of the plan makes reference to the Mayor’s earlier supplementary planning guidance on play space and should be updated with the new title: “Shaping Neighbourhoods: Children and young people’s play and informal recreation supplementary planning guidance”, which is due to be published in September 2012. This new SPG has been approved by the Mayor.

Schedule 12-Metropolitan Open Land-Lea Bridge (South) states that Essex and Eastward Wharves are excluded from this designation, although the channel of the River Lee is included. It appears from the proposals map and this wording that the Council is proposing to de-designate the sites from their existing MOL protection and no rational or justification is provided on this matter in the main policies on Open Space in chapter 14. Clarification is sought on the rationale for de-designation of the MOL on these sites.

Energy

It is noted that chapter 13, paragraph 13.2 of the proposed plan, states that the London Plan requires 5% heat and power to be used from renewable energy sources. The London Plan used to stipulate a 20% requirement for the implementation of renewables in individual development proposals, however this is no longer the case. Paragraph 5.42 of the London Plan, however, states that “there is a presumption that all major development proposals will seek to reduce carbon dioxide emissions by at least 20% through the use of on-site renewable energy generation where feasible.”

Furthermore, the energy section of this plan should consider the payment in lieu of missing targets. In the event that the overall percentage savings in regulated CO2 emissions fall short of the target in Policy 5.2 of the London Plan, the applicant, in liaison with the Council, will need to arrange for a cash in lieu contribution to be paid towards off-site carbon dioxide reduction projects in the borough. The Council should have mechanisms in place to collect this money and the pot should be defined to secure the delivery of carbon savings elsewhere. This is similar to the collection of S106 contributions.

This would typically be based on the working assumption of £46/tonneCO2 over 30 years applied to the shortfall expressed in tonnes of CO2 per annum.

Transport and connectivity

Paragraphs 14.6 and 35.12 mention on cycleways. Page 40 of the OLSPG identifies a number of missing pedestrian and cycle connections, which should be acknowledged in the plan.
Figure 2.1, page 25 – TfL suggests that the proposed Crossrail 2 safeguarded section is included in the figure, as shown on the Draft LBWF Policies Map (July 2012) and referenced in the LBWF Core Strategy. The Council could consider including policy support for safeguarding Crossrail 2 in the DMP, to be consistent with the Core Strategy, in line with London Plan Policy 6.2 (Providing public transport capacity and safeguarding land for transport). It should be noted that as part of the TfL-lead review of Crossrail 2, other route alignments are also being considered. A final decision is expected to be made in 2013 regarding this, when the safeguarding is intended to be reviewed and updated if appropriate.

Figure 2.1 states the ‘proposed reopening of Lea Bridge Station’. It is understood that there are no firm proposals as such and therefore it is suggested that ‘proposed reopening of’ be replaced with ‘potential’.

The document should be checked for the latest naming conventions. For example, the Channel Tunnel Rail Link is now generally known as ‘High Speed One’.

Policy DM14, pages 97-98 – TfL supports the requirement to prepare a transport assessment for major development proposals. The policy should refer to TfL’s Transport Assessment Best Practice Guidance 2010, in line with London Plan Policy 6.3 (Assessing effects of development on transport capacity)

Figure 15.1, page 100 – The reference to ‘Leyton High Road’ station on TfL’s overground network should be amended to read ‘Leytonstone High Road’. For clarification, ‘Walthamstow’ rail and underground station should be referred to as ‘Walthamstow Central’. ‘St James’ Street’ rail station has been omitted on the map and should be included accordingly.

Policy DM15, pages 106-107 – To accord with London Plan Policy 6.3 and Policy 6.14 (Freight), TfL suggests that policy could require new developments to minimise the impact of freight through the submission of Construction Logistics Plans (CLPs) and Delivery & Servicing Plans (DSPs). Promotion of the uptake of the Freight Operators Recognition Scheme (FORS) should be included. Transfer of freight to rail and water must be considered where appropriate. These above measures should be secured in line with the London Freight Plan and should be coordinated with Travel Plans.

Paragraph G requires ‘development contributions towards enhancing public transport and infrastructure’, which is supported. However, to better reflect London Plan Policy 6.7 (Better Streets and Surface Transport), additional text in the policy or supporting text should be included to specifically mention the need to ensure bus standing garaging and drivers facilities are provided where needed.

Paragraph G refers to contributions to ‘signage’ and ‘timetables’. It would be more appropriate to state that contributions will be sought to ‘improve pedestrian way finding such as the Legible London initiative’ (which is referenced in the LBWF Core Strategy and supporting text paragraph 16.6), in line with London Plan Policy 6.10 (Walking) and ‘real time information’ respectively.

Policy DM16, pages 110-111 – Whilst TfL supports policies to create a high quality public realm and to balance the needs of different road users, DM16 should include wording to ensure that, where appropriate, congestion is tackled and that the bus network is promoted, in line with London Plan Policy 6.7 and Policy 6.11 (Smoothing traffic flow and tackling congestion). For example, it could state that, where appropriate, road space will be allocated and high levels of
priority will be given to bus services and that a coordinated approach to tackling congestion will be taken.

35 The Core Strategy references criteria for new road schemes. This is not reflected in the DMP. It is suggested that policy DM16 includes a paragraph on the assessment criteria for new road schemes, in accordance with London Plan Policy (6.12) Road Network Capacity.

36 Appendix 4 Parking Standards, page 288 – To ensure the efficient and appropriate use of dual use parking provision, a car parking management plan should be secured with developments. TfL suggests this should be included within the definition of ‘Dual use’ (London Plan policy 6.13).

37 Appendix 4 Parking Standards, page 294 – Standards of car parking for ‘Cinemas, conferences centres, leisure complexes, Sports Stadia’ notes that location is a factor when determining car parking in developments above 1000sqm. TfL suggests this can go further and distinguish between highly accessible town centre locations (where policy DM14 would encourage the location of such uses) and less accessible out of town locations.

38 Appendix 4 Parking Standards, page 295 – TfL suggests that ‘Taxis’ should go further to say that for some major developments, a dedicated taxi rank may also be appropriate.

39 Appendix 4 Parking Standards, pages 296–299 – Many of the standards within the DMP regarding cycle parking are well above the standards set in London Plan table 6.3 (Policy 6.13 Parking). For example, for use class B1, the London Plan standard is 1 space per 250sqm, whereas the DMP is proposing 1 space per 25sqm – 10 times the rate. There are similar high ratios with secondary schools (six time the London Plan standard) and theatres and cinemas (16 times the London Plan standard). Although any encouragement of cycling is welcomed, there is a concern that the levels of cycle parking required by the DMP are a deterrent to development and therefore not deliverable. TfL strongly recommend that the DMP adopts standards that better reflect those in London Plan table 6.3, which have been tested at an Examination in Public, have been adopted by many other boroughs and are generally adhered to in development proposals.

40 Glossary, page 412 – TfL suggests that for clarity the definition of Crossrail 2 is amended to read as follows: ‘Crossrail 2 (formerly known as the safeguarded Chelsea – Hackney Line) will link north-east and south-west London. The route alignment is currently being considered by TfL.’

General matters

Olympic Legacy Supplementary Planning Guidance (OLSPG) (July 2012)

41 Paragraph 2.23, page 28– This paragraph tense should be updated to reflect and reference the published Olympic Legacy Supplementary Planning Guidance ("OLSPG") and the Mayor’s commitment to achieve convergence between the Olympic host boroughs and the rest of London.

Appendix 2-Policies map Changes

42 Page 274–the fourth item in the table’s first column should be re-written to remove the word ‘proposed’ as the boundary for London Legacy Development Corporation has been defined in the OLSPG.
Legal considerations

43 All LDDs must be in general conformity with the London Plan in accordance with Section 24(1) (b) of the Act. This is a key test of the soundness of plans. The Mayor’s representations made at this stage will go forward to the examination in public and must include an opinion regarding general conformity with the London Plan.

44 The fact that a DPD is inconsistent with one or more policies in the London Plan, either directly or through the omission of a policy or proposal, does not, by itself, mean that the document is not in general conformity. Rather, the test is how significant the inconsistency is from the point of view of delivery of the London Plan.

45 Any expression of opinion from the Mayor that the development plan document is not in general conformity will be treated as a representation to be dealt with by the Inspector at the examination. The Planning Inspectorate has stated that the view of the Mayor’s opinion “will be given considerable weight” and that a lack of general conformity with the London Plan will need to be fully justified on the basis of local circumstances, based on relevant evidence.

46 The Mayor must also state why the policy is not in general conformity and his reasoning behind that opinion. The Inspector will determine whether he or she supports the opinion and recommend accordingly. The Mayor should provide the Inspector conducting the examination with any necessary additional information as appropriate, either through a representative or in writing according to the requirements of the Inspector.

Conclusion

47 The policies throughout the document are, on the whole, consistent with the London Plan. There are, however, some outstanding matters of non-general conformity that need to be addressed specifically in relation to the affordable housing policies. The SIL designation mentioned in the report should be reviewed as should the proposals to de-designate the two wharves in the MOL in Lea Bridge (South). There are some general updates that are required and clarification is required to be made to the energy, transport and open spaces policies, with additional strength to comply with the London Plan and national policy in so far as Greenbelt/MOL is concerned. The GLA therefore welcomes further discussions with Waltham Forest council planners so that the document can be made to be in general conformity with the London Plan before it progresses to the Examination in Public.

For further information, contact the Planning Decisions Unit
Colin Wilson, Senior Manager – Planning Decisions
020 7983 4783 email colin.wilson@london.gov.uk
Christine McGoldrick, Strategic Planning Manager (Development Plans)
020 7983 4309 email christine.mcgoldrick@london.gov.uk
Sukhpreet Khull, case officer
020 7983 4806 email Sukhpreet.khull@london.gov.uk

1 Development Plans Examination – A Guide to the Process of Assessing the Soundness of Development Plan Documents (The Planning Inspectorate, 2005), paragraph 1.2.5
The Conservators of Epping Forest welcome Strategic Objective 5 and the accompanying Core Strategy Policy 5 (CS5) which they consider comprehensive, robust and clear. However the Development Management Policy DM36 does not seem to fully incorporate the key aims of CS5 and does not seem to make clear links back to CS5 or to national policy. For example, in DM36A only SINCs are named in relation to development. In DM36B & 36F mitigation is not included.

DM36A needs to make clear the whole range of site designations within the borough and specifically needs to emphasise the importance and legal protections for the Epping Forest Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The policy should make clear the steps involved in the consideration of development proposals that may adversely affect the SAC and SSSI areas. As stated clearly in the CS5 London Borough of Waltham Forest is the Competent Authority under Part 1 Regulation 7 of the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations 2010). As such LBWF is required, subject to certain exceptions, to revoke, restrict or refuse planning permissions that would adversely affect the integrity of Epping Forest SAC. To enable
decisions to be made LBWF as competent authority may seek guidance of other authorities such as Natural England and may require an Appropriate Assessment to be carried out. The protection of the SSSI is also stronger than that covering SINCs and this needs to be stated as it must affect how LBWF examines development proposals that might affect Epping Forest. Although LBWF’s role as a Competent Authority is clear in the Core Strategy, in the DMP it is not referred to in either the Policy DM36 or the subsequent Justification section. In terms of enhancement of biodiversity Section 40 of the Natural Environment & Rural Communities Act 2006 places a duty on public authorities to have regard to conserving biodiversity. This legislative pillar should be referred to in DM36A in our opinion to make it clear the key importance attached to ensuring that the cumulative affect of developments should not further reduce or compromise wildlife that is at risk. As the draft DMP states in para 37.2 the borough "contains one of the highest percentages of priority species and habitats in London" and these are priority precisely because they are rare, limited or vulnerable to threats from development or land management changes. The Justification for DM36 expresses this well in paras 37.5 and 37.6 but this does not seem to have been incorporated effectively into the wording of the Policy DM36. This gap between the Justification text and that within the Policy DM36 is also apparent in DM36B and DM36F where mitigation measures need to be emphasised, as they are in DM36G. We would suggest that in DM36B the sentence is added: "....where retention, restoration or enhancement measures are not considered possible mitigation and compensation measures should be clearly set out with supporting evidence for their effectiveness and relevance in relation to supporting the specific biodiversity value of the borough and its key international sites". For DM36F it should emphasise more clearly, in our view, that if protection and enhancement are compromised, particularly in relation to green corridors linking to Epping Forest, that replacements are sought. There is much evidence for the importance of green corridors and a network of green islands in supporting biodiversity and also mitigating the impacts of climate change and pollution. Scientific research work on birds has shown that species richness in urban areas is strongly affected by tree numbers and distribution and there have been similar findings for bats and other protected species. Research has also shown clearly how trees ameliorate the impacts of air pollution on people living in cities. Establishing corridors and links with suitable native trees would improve the environment for local people significantly and help to "buffer" and support Epping Forest's biodiversity.
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**Respondent ID: 504786**  
12 Representations submitted (dmpps4-dmpps15)

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<tr>
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<td>The Conservators of Epping Forest</td>
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<td>Paul Thomson</td>
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<tr>
<td>Reasons for compliance and soundness</td>
<td>The Conservators of Epping Forest support the approach of this paragraph but consider that more emphasis needs to be placed on the legislative requirements for protecting biodiversity.</td>
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<td>Changes necessary for legal compliance and soundness</td>
<td>A suggested change to the text could be: &quot;Waltham Forest ....When assessing planning applications LBWF must discharge its duties as a Competent Authority in assessing potential development impacts in relation to Epping Forest SAC and will also have regard to its duty under the NERC Act 2006 to conserve biodiversity across the borough and, in particular, where such conservation is likely to enhance the biodiversity of Epping Forest SAC/SSSI.&quot;</td>
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Respondent ID: 504786
12 Representations submitted (dmpps4-dmpps15)

Comment on Development Management Policies Proposed Submission

Respondent ID 504786
Respondent The Conservators of Epping Forest
Contact Person Paul Thomson
Representation ID dmpps6
Response Date 15/09/2012
Submission Type Web
Consultation Point Chapter 43 - Policy DM42 - Paragraph 43.1
Legal Compliance Yes
Soundness No
Unsound because (4) Consistent with national policy; (5) Not Specified

Reasons for compliance and soundness
The Conservators of Epping Forest wholeheartedly welcome the inclusion of this specific Epping Forest policy in the DMPs. However, in line with our comments on the Biodiversity Policy DM36 there are some modifications and additions that we consider essential. Firstly, in the Strategic Objective box it is wrongly assigned as 6 rather than 5, which it now is. Further in paragraph 43.1 it needs to state clearly the full legal protection that the Forest enjoys as the DMP text currently only states that Epping Forest is a Site of Nature Conservation Importance in the borough - which is an inadequate summary of the site's significance, which elsewhere in the Core Strategy is accurately conveyed. Secondly, in para 43.1 the sentence does not express the City of London's legal title correctly. In paragraph 43.1 it needs to state clearly that although LBWF does not control Epping Forest, in relation to development proposals LBWF is the Competent Authority under the Habitat Regulations 2010 and needs to work closely with both the Conservators and Natural England in order to ensure the protection of the Forest from development. In the Policy box the title Policy DM42 needs to be inserted. Policy DM42A does not accurately reflect the Council's role in the protection of Epping Forest. In Policy DM42C the size of Epping Forest needs to be stated which provide a clear justification for the inclusion of a specific Epping Forest Policy in the Local
Plan. The Epping Forest long term management objectives stated are those of the 1998 Epping Forest Management Plan. These have been updated into 8 Objectives under the current management plan that was approved by the Conservators in 2004 and we would ask that these current 8 Objectives are substituted in the Policy DM42 - and these are given in the box below.

**Changes necessary for legal compliance and soundness**

Strategic Objective 5 needs to be inserted in the green box. In paragraph 43.1 substitute "City of London Corporation as the Conservators" for Corporation as this is the correct legal title of the Conservators' parent body. In 43.1 the opening sentence should read: "Epping Forest as a Special Area of Conservation, Site of Special Scientific Interest and Site of Nature Conservation Importance is not controlled..............." Following this corrected sentence we request that a further sentence be inserted that reads: "The Council is however the Competent Authority in relation to Epping Forest SAC under the Conservation of Habitats and Species Regulations 2010 and will discharge its duties by ensuring that it undertakes Appropriate Assessments of development proposals where necessary and works with other competent authorities and the owner to ensure the protection of the integrity of the SAC. "For DM42A it should state: "The Council, as is its duty as Competent Authority, will resist development that would compromise or adversely affect the integrity of Epping Forest SAC and will work closely with the Conservators of Epping Forest and other competent authorities to promote the conservation and enhancement of the features of interest and, more broadly, provide support to ensure that the green corridor for people and wildlife provided by Epping Forest's SAC/SSSI/SINC areas is integrated with and connected to other areas of nature conservation in the borough to ensure improved sustainability of protected species populations and habitats across the whole area. "In DM42B this should be re-phrased in the light of the fact that Epping Forest is an open space with entirely open public access protected by Act of Parliament. We suggest: "The Council will seek to ensure that any Improved facilities incorporate design features that reduce the impacts of disturbance, reduce the potential for damage to and raise awareness amongst the visitors of the nature conservation interests of the Forest to the maximum extent possible and in proportion to the likely impact of the facilities. "In DM42C we would recommend that it is changed to read: "In the light of the significance of Epping Forest as the largest area of open space in the borough (36% of all the borough's open space area), the Council supports the Epping Forest Conservators in their efforts to increase the range and quality of the leisure and amenity provision for visitors, including local
residents, in line with the latter's duties to provide for "recreation and enjoyment" of the Forest and subject to their compliance with the other policies of the Council within this plan. "In addition we would request that the following Epping Forest Management Plan Objectives are substituted in DM42C with the following current 8 Epping Forest Objectives: "Resources: To ensure the best use of resources and the effective engagement of staff and others in the protection and conservation of the Forest as a unique open space; Protection: To safeguard the physical and biological integrity of Epping Forest as a unique public open space and internationally-important site together with its protective Buffer Lands; Access: To provide for the sustainable use of the Forest for the recreation, enjoyment and education of all; Heritage: To preserve and interpret the varied heritage of the Forest for the education and interest of all; Trees: To conserve the Forest's ancient pasture woodland and neighbouring wooded areas in a favourable condition; Open Land: To enhance the mosaic of open habitats through extensive grazing, mowing and cutting, so as to encourage a varied sward together with a diversity of native flowering shrubs; Wetlands: To maintain and enhance the network of ponds and bogs, streams, ditches and their banks for wildlife and amenity; Monitoring: To maintain and enhance the diversity of wildlife in the Forest and its Buffer Lands by monitoring and responding to change and by regular auditing of the impacts of our management work."
**Comment on Development Management Policies Proposed Submission**

**Respondent ID** 504786  
**Respondent** The Conservators of Epping Forest  
**Contact Person** Paul Thomson  
**Representation ID** dmpps7  
**Response Date** 15/09/2012  
**Submission Type** Web  
**Consultation Point** Chapter 43 - Paragraph 43.2  
**Legal Compliance** Yes  
**Soundness** No  
**Unsound because** (5) Not Specified  

**Reasons for compliance and soundness**  
In line with our comments above on Policy DM42, paragraph 43.2 needs to set out clearly the legislative context in which the Council is acting. This paragraph also ought to re-emphasis the significance of the green corridor to the borough.

**Changes necessary for legal compliance and soundness**  
Para 43.2 should include reference to the Habitat Regulations 2010 and to the status of the Council as Competent Authority for the SAC. In Para 43.2 a second sentence could be inserted after the current opening sentence to state that:“Epping Forest covers 11% of the whole borough area and provides a continuous coherent open space for the whole of the borough's eastern edge from south to north. It represents 36% of the borough’s public open space and its protection is of immense importance to the protection and enhancement of the value and character of all the smaller open spaces nearby.”

**Oral Examination** N/A  
**Reasons for oral Examination** N/A  
**Attachment** No
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<td>Changes necessary for legal compliance and soundness</td>
<td>We would suggest the following re-phrasing of para 43.6: &quot;Parts of the Forest in the north of the Borough are larger and surrounded by a lower density of residential properties and as a result are less intensively used. However, they are all accessible by public transport, by both bus and train, and in Chingford, within a short walk of the railway and bus stations and a local bus stop, at the northerly most point of the Borough, a new visitor, interpretation and education centre with cafe opened in July 2012 providing enhanced facilities for visitors and providing a gateway into the Forest and the Borough's open spaces. &quot;We would also request that a map of Epping Forest, its facilities and the public transport links is provided in your final DMP. The Conservators can supply a map based on OS mapping which the Council could use under its Copyright Licence from the OS.</td>
</tr>
<tr>
<td>Oral Examination</td>
<td>N/A</td>
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<tr>
<td>Reasons for oral Examination</td>
<td>N/A</td>
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<tr>
<td>Attachment</td>
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<td>Comment on</td>
<td>Development Management Policies Proposed Submission</td>
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<tr>
<td>Respondent ID</td>
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<tr>
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<tr>
<td>Contact Person</td>
<td>Paul Thomson</td>
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<td>Consultation Point</td>
<td>Chapter 14 - Paragraph 14.4</td>
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<tr>
<td>Legal Compliance</td>
<td>Yes</td>
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<tr>
<td>Soundness</td>
<td>No</td>
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<tr>
<td>Unsound because</td>
<td>(5) Not Specified</td>
</tr>
<tr>
<td>Reasons for compliance and soundness</td>
<td>In the Conservators' view the protection of the Green Belt is of key importance, particularly given the limited number of green and open spaces in the Borough and the imperative to protect and buffer Epping Forest SAC. We welcome Policy DM13A which seems unequivocal but we are concerned that para 14.4 somewhat undermines this where it states: &quot;Although most development will not normally be acceptable in the Green Belt and MOL, there may be exceptions where the development is necessary.&quot; The paragraph then goes onto define the exceptions which relate to ancillary facilities such as changing rooms and storage. However, the Government's NPPF is clear that ancillary facilities as exceptions should not be allowed unless there are very special circumstances. We are concerned that open space is at such a premium in the Borough and may be important in protecting the Forest's &quot;natural aspect&quot; that para 14.4 should not be interpreted as allowing buildings into open space which would intrude upon or adversely affect the boundaries or character of the Forest and might contribute to increased disturbance.</td>
</tr>
<tr>
<td>Changes necessary for legal compliance and soundness</td>
<td>N/A</td>
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<tr>
<td>Oral Examination</td>
<td>N/A</td>
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<td>Reasons for oral Examination</td>
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<td>Chapter 15 - Paragraph 15.22</td>
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<tr>
<td>Unsound because</td>
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<tr>
<td>Reasons for compliance and Soundness</td>
<td>The Conservators warmly welcome the support of the Council in seeking to reduce the impacts of air pollution on Epping Forest.</td>
</tr>
<tr>
<td>Changes necessary for legal compliance and soundness</td>
<td>N/A</td>
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<tr>
<td>Oral Examination</td>
<td>N/A</td>
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<td>Submission Type</td>
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<tr>
<td>Consultation Point</td>
<td>Chapter 15 - Policy DM14 - Co-ordinating Land use and Transport</td>
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<tr>
<td>Legal Compliance</td>
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<td>Soundness</td>
<td>Yes</td>
</tr>
<tr>
<td>Unsound because</td>
<td>N/A</td>
</tr>
<tr>
<td>Reasons for compliance and soundness</td>
<td>The Conservators warmly welcome the support of the Council as the Competent Authority in seeking to reduce the impacts of air pollution on Epping Forest in relation to development proposals.</td>
</tr>
<tr>
<td>Changes necessary for legal compliance and soundness</td>
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<td>N/A</td>
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<td>Reasons for oral Examination</td>
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</table>
Comment on Development Management Policies Proposed Submission

Respondent ID: 504786

Representations submitted (dmpps4-dmpps15)

Comment on Development Management Policies Proposed Submission

Respondent ID: 504786

Respondent: The Conservators of Epping Forest

Contact Person: Paul Thomson

Representation ID: dmpps12

Response Date: 15/09/2012

Submission Type: Web

Consultation Point: Chapter 15 - Paragraph 15.23

Legal Compliance: Yes

Soundness: Yes

Unsound because: N/A

Reasons for compliance and soundness: Para 15.23 provides a welcome statement of the problems in conserving Epping Forest and reducing the impacts of air pollution on this internationally-important site. We would request an additional sentence to reflect the current situation.

Changes necessary for legal compliance and soundness: N/A

Oral Examination: N/A

Reasons for oral Examination: N/A

Attachment: No
The Conservators of Epping Forest have developed a Forest Transport Strategy (FTS), which is currently being implemented within the Essex County Council area of the Forest. The Conservators have been seeking the adoption of this FTS by the Council and have been discussing options such as enhanced crossing points, speed limit reductions and gateways/zoning with Council officers since 2008 with some progress on schemes in Forest areas such as along Rangers Road in Chingford. We would now wish to further refine existing proposals and develop new proposals with Council officers with the aim of the adoption of a Borough Forest Transport Strategy by the Council.
**Development Management Policies Proposed Submission**

**Respondent ID:** 504786  
**12 Representations submitted (dmpps4-dmpps15)**

<table>
<thead>
<tr>
<th>Comment on</th>
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<td>Consultation Point</td>
<td>Chapter 26 - Policy DM25 - Environmental Protection</td>
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<td>Soundness</td>
<td>Yes</td>
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<tr>
<td>Unsound because</td>
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<tr>
<td>Reasons for compliance and soundness</td>
<td>The Policy wording as currently set out does not make the clear the need for protection of the Epping Forest Special Area of Conservation (SAC) from air pollution. This should be included here, as it has been in other policies in the DMP, because of the Council's duty as a Competent Authority to ensure Appropriate Assessment of any developments considered likely to have an adverse impact on the integrity of the Forest. Given that the nitrogen deposition Critical Loads and the Critical Levels of air-borne nitrogen oxides are exceeded in the Forest any additional air pollution is likely to have an adverse impact on the integrity of the Forest vegetation and soils.</td>
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<tr>
<td>Changes necessary for legal compliance and soundness</td>
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<tr>
<td>Oral Examination</td>
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<td><strong>Representation ID</strong></td>
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<td><strong>Consultation Point</strong></td>
<td>Chapter 26 - Paragraph 26.8</td>
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<tr>
<td><strong>Legal Compliance</strong></td>
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<tr>
<td><strong>Soundness</strong></td>
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<tr>
<td><strong>Unsound because</strong></td>
<td>N/A</td>
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<tr>
<td><strong>Reasons for compliance and soundness</strong></td>
<td>This paragraph, in our opinion, needs further explanation of the context for the protection of Epping Forest from air pollution.</td>
</tr>
<tr>
<td><strong>Changes necessary for legal compliance and soundness</strong></td>
<td>N/A</td>
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<td><strong>Oral Examination</strong></td>
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<td><strong>Attachment</strong></td>
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</tbody>
</table>
Local Plan Development Management Policies

Publication Stage Representation Form

**Waltham Forest Local Plan Development Management Policies (DMP)**

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012

**By post:** Planning Policy and Regeneration, Sycamore House, London Borough of Waltham Forest, Town Hall Complex, Walthamstow, London E17 4JF

**By email:** planningpolicy@walthamforest.gov.uk

This form has two parts:

**Part A** – Personal details (only needed once irrespective of how many representations you make)

**Part B** – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

### PART A

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
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</thead>
<tbody>
<tr>
<td>Title</td>
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<tr>
<td>First name</td>
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<td>Last name</td>
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<td>Job title (where relevant)</td>
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<tr>
<td>Organisation (where relevant)</td>
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<tr>
<td>L&amp;Q Housing Trust</td>
<td>AKA Planning</td>
</tr>
<tr>
<td>Address</td>
<td></td>
</tr>
<tr>
<td>Post Code</td>
<td></td>
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</tbody>
</table>
Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph 2.28  Policy DM1

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  No

(2) Sound  Yes  No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared  

(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q support the principle of Policy DM1 which recognises the need for a mix of uses at appropriate locations (including the Site Opportunity Locations such as Walthamstow Stadium).

In respect of criterion (c), whilst the principle of a Site Allocations DPD is encouraged, it is important to recognise that some SOLs may be capable of coming forward in advance of its publication.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

In response to criterion (c):

(i) Clarification is sought that ‘employment’ in this part of the policy can refer to a range of uses, not just traditional B-class employment uses.

(ii) At the end of the policy, the following words should be added “...unless already brought forward through an appropriate masterplan approach.” The same wording should be added to the end of paragraph 2.28.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: AKA Planning Date: 17/09/2012

☑️ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
Paragraph 4.7 Policy DMP

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant Yes ☑️ No
   (2) Sound Yes ☑️ No ☑️

   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared ☑️
   (2) Justified
   (3) Effective ☑️
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q seek consistency with the Core Strategy in respect of ‘deferred’ affordable housing contributions.

Core Strategy Policy CS2 (Improving Housing Quality & Choice) treats deferred contributions for affordable housing as a potential financial payment should viability allow. The policy states that: “The Council will [then] require a subsequent viability assessment to be undertaken when the scheme is completed and largely occupied and should viability have improved, the Council will seek a further payment up to a maximum of the deferred sum” (our emphasis).

By contrast, the supporting text to Policy DM3 (Affordable Housing Provision) seems to suggest that this must be in kind provision. Paragraph 4.7 states that, “The Council will [then] require a subsequent viability assessment to be undertaken when the scheme is completed, or nearing completion and largely occupied and should viability have improved, the Council will seek further affordable housing provision up to a maximum of the policy shortfall” (our emphasis).

The Core Strategy and the proposed DM DPD are therefore inconsistent and contradictory.

The DM DPD makes no reference to the use of the dynamic viability model, which the Local Plan does. The Local Plan and the proposed DM DPD are again inconsistent in this regard.

L&Q suggest that the DM DPD should include reference to the publication of further guidance on the Dynamic Viability model and how it will be applied. This guidance should be more explicit about the cut-off point for deferred contributions, the level of flexibility that can be applied and the possible approaches to agreeing where such flexibility must be applied. L&Q would suggest that this guidance be issued alongside the DM DPD, with it then being subject to a full consultation.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the inspector, based on the matters and issues he/she identifies for examination.

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To ensure consistency with the Core Strategy, the third sentence of paragraph 4.7 could be amended to read:

"The Council will then require a subsequent viability assessment to be undertaken when the scheme is completed, or nearing completion and largely occupied and should viability have improved, the Council will seek a further payment up to a maximum of the deferred sum."

The following text is suggested for inclusion at the end of paragraph 4.7:

"The dynamic viability model will be used to assess potential viability and the level of affordable housing that can be provided. Further guidance on the application of this model will be provided."

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑️ No, I do not wish to participate at the oral examination

☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: AKA Planning Date: 17/09/2012

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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph 6.6  
Policy DM5

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes ✓ No 

(2) Sound  Yes No ✓

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective ✓
(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q support policy DMS5 and the clarification provided at paragraph 6.6 which states that the policy is to be applied flexibility to reflect site specific circumstances. Some sites are intrinsically better suited to providing a particular size of housing unit. The wider target might therefore be better set out for the purposes of annual monitoring rather than a prescriptive standard to be enforced on individual sites.

At the same time, L&Q would recommend that further clarification be provided over the application of the criteria set out in paragraph 6.6 to ensure that not all of the factors need to apply to any given site.

In appropriate circumstances, L&Q further suggest that the housing mix targets be applied as a percentage of the total habitable room provision, rather than as a percentage of the number of units. This approach is supported in the GLA’s Draft Housing SPD.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the text you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

L&Q recommend that the following text is included at the end of paragraph 6.6 (albeit that this does not question the soundness of the text as currently proposed):

'These criteria will be assessed equally, with no one criterion given greater weight over any other criterion. Flexibility will be allowed even if only a single criterion can be demonstrated satisfactorily.'

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- [x] No, I do not wish to participate at the oral examination
- [ ] Yes, I wish to participate at the oral examination
9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: AKA Planning Date: 17/09/2012

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
For office use only

Representation ID:
Dmpps61

Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

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<th>Policy</th>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

Yes ✓

No

(2) Sound

Yes

No ✓

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective ✓

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q support the objectives of this policy.

In respect of the standards for amenity space for flatted development, it is noted that the standards have been revised since the previous draft version of the DPD (which sought a more stringent provision of 15sqm per habitable room). This revision is considered to be a more realistic target.

At the same time, L&Q suggest that this policy should be applied flexibly on a site by site basis. For example, meeting the standards on a town centre development may exceed user requirements and impact upon scheme viability.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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To provide for the necessary degree of flexibility L&Q recommend that the words "where practical" be included at the start of criterion (b).

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

Yes, I wish to participate at the oral examination

No, I do not wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: AKA Planning       Date: 17/09/2012

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
   Paragraph   Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant   Yes    No

   (2) Sound   Yes    No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

   (1) Positively Prepared
   (2) Justified
   (3) Effective
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q wish to strongly support the objectives of policy DM8.

(continue on a separate sheet if necessary)

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(continue on a separate sheet if necessary)

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Signature:  AKA Planning   Date:  17/09/2012

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

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4. Do you consider the Local Plan Development Management Policies (DMP) is:

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(2) Sound

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<td></td>
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If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

<table>
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<td>☑</td>
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</table>

(3) Effective

<table>
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</thead>
<tbody>
<tr>
<td>☑</td>
</tr>
</tbody>
</table>

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
L&Q broadly support the aims of this policy.

However, it is suggested that point (D) needs to reflect the fact that viability may play a role in the delivery of such on-site renewable energy provision and so it must be demonstrated that this does not have an unduly detrimental impact on viability (particularly in a proposal is also contributing to existing/future Decentralised Energy Networks). This would be consistent with other policy requirements.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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It is recommended that criterion (D) be revised to include the words “where viable and practical”. The supporting text should also include reference to the range of renewable energies considered acceptable.

(continue on a separate sheet if necessary)

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Signature:  AKA Planning     Date:  17/09/2012

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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

<table>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   - Yes [✓]
   - No

(2) Sound
   - Yes [✓]
   - No

*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective
(4) Consistency with national policy

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L&Q wish to support Policy DM13 and in particular, DM13 (E) referring to the positive planning benefits of providing allotment space.

(continue on a separate sheet if necessary)

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Signature: AKA Planning Date: 17/09/2012

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Part B
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Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph  Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  No

(2) Sound  Yes  No

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L&Q wish to support Policy DM17 and the proposed maximum parking standards.

The requirement in criterion D to provide an electrical charging point for one in five parking spaces is a GLA standard. However, L&Q request that further independent research be carried out to assess the future demand for electric vehicles within the local area to justify such a policy requirement.

(continue on a separate sheet if necessary)

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Signature: AKA Planning  Date: 17/09/2012

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<tbody>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

- (1) Legally Compliant
  - Yes ☑
  - No

- (2) Sound
  - Yes
  - No ☑

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

- (1) Positively Prepared
- (2) Justified
- (3) Effective ☑
- (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.
Assuming that, when it was operational, Walthamstow Stadium was defined as a tourism/visitor attraction, it should be acknowledged in Policy DM23 that this policy should not apply to attractions that are not operational; and have no prospect of providing a viable offer. This is currently acknowledged in paragraph 24.12 but not in Policy DM23.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Policy DM23 (h) should be amended to read as follows:

“The loss of tourist and leisure attractions to alternative uses will only be allowed where the need for such use no longer exists, or there are overriding regeneration benefits to their loss, or it can be demonstrated that the existing use is no longer viable.”

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

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☐ Yes, I wish to participate at the oral examination

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Signature: AKA Planning Date: 17/09/2012

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3. To which part of the DMP does this representation relate?

Paragraph 30.17 Policy DM29

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes ☑ No

(2) Sound Yes ☑ No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(1) Positively Prepared

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L&Q support Policy DM29 and in particular the recognition – in line with the NPPF – that proposals will be supported which seek to maintain heritage assets which are falling into disrepair. L&Q would request that this point be more explicitly referenced in paragraph 30.17.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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L&Q request that the first sentence of paragraph 30.17 be amended to read as follows:

‘The Council will also use its powers to encourage that development proposals secure the sympathetic rehabilitation, maintenance and repair of listed buildings by putting them to viable uses consistent with their conservation. The Council will provide specialist design advice and (as resources permit) Historic Building Grant assistance in appropriate cases.’

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
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Signature:  AKA Planning    Date:  17/09/2012

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Part B
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Name or organisation:

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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

Yes [ ] No [ ]

(2) Sound

Yes [ ] No [ ]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(1) Positively Prepared

[ ]

(2) Justified

[ ]

(3) Effective

[ ]

(4) Consistency with national policy

[ ]

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L&Q wish to fully support the policy objectives.

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☐ Yes, I wish to participate at the oral examination  ☐ No, I do not wish to participate at the oral examination

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Signature: AKA Planning       Date: 17/09/2012

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Please use a separate sheet for each representation

Name or organisation:

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4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant
       Yes ☑️ No

   (2) Sound
       Yes ☑️ No

   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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L&Q wish to fully support the policy objectives.

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Signature: AKA Planning Date: 17/09/2012

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Dear Sir/Madam,

Development Management Policies Proposed Submission Consultation
Representations on Behalf of L&Q Housing Trust

Please find attached copies of representations submitted on behalf of L&Q Housing Trust.

I would be grateful if you could take these matters into consideration in finalising the Development Management Policies and keep us informed as the document progresses towards Examination.

Yours sincerely,

Adrian Kearley
On Behalf of AKA Planning

cc: L&Q

17 September 2012
<table>
<thead>
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<tr>
<td>Respondent</td>
<td>Essex County Council</td>
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<tr>
<td>Contact Person</td>
<td>Miss Zhanine Oates, Principal Planner</td>
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<tr>
<td>Representation ID</td>
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<td>Unsound because it is not</td>
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<td>Reasons for compliance and soundness</td>
<td>We welcome that Waltham Forest Council have welcomed comments and views in accordance with the Duty to Cooperate. The County Council have no views to express concerning the Development Management Policies Document. If you would like to discuss anything further we are happy to assist.</td>
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Respondent ID: 509339
5 Representations submitted
(dmpps51-dmpps55)

Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)  For office use only
Reference No: 509339
Date received: 17/09/2012

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 6pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

<table>
<thead>
<tr>
<th>PART A</th>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
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<tbody>
<tr>
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<td>Miss</td>
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</tr>
<tr>
<td>First name</td>
<td>Marie</td>
<td></td>
</tr>
<tr>
<td>Last name</td>
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<td></td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Associate</td>
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</tr>
<tr>
<td>Organisation (where relevant)</td>
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<td>Barton Willmore</td>
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<tr>
<td>Email address</td>
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</tr>
</tbody>
</table>

¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation
Name or organisation: The Mall Limited Partnership

3. To which part of the DMP does this representation relate?

Paragraph ——— ———  Policy ———

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes x  No ———

(2) Sound  Yes ———  No x

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared ———

(2) Justified x

(3) Effective x

(4) Consistency with national policy ———

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Please see attached letter.

(continue on a separate sheet if necessary)
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<th>(1) Legally Compliant</th>
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<th>No</th>
</tr>
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<tbody>
<tr>
<td>(2) Sound</td>
<td>Yes</td>
<td>No [x]</td>
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*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

| (1) Positively Prepared |        |
| (2) Justified           |        |
| (3) Effective           | [x]    |
| (4) Consistency with national policy | [x] |

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Please see attached letter

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Please see attached letter

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

n/a

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.
Part B

Please use a separate sheet for each representation

Name or organisation: The Mall Limited Partnership

3. To which part of the DMP does this representation relate?

Paragraph [ ] Policy [DM13]

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant [Yes x No [ ]

(2) Sound [Yes [ ] No x]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]

(2) Justified [x]

(3) Effective [x]

(4) Consistency with national policy [x]

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Please see attached letter

(continue on a separate sheet if necessary)

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Please see attached letter

(continue on a separate sheet if necessary)

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Please use a separate sheet for each representation
Name or organisation: The Mall Limited Partnership

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
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<tbody>
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<td>18.5</td>
<td>DM17</td>
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5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

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<td></td>
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Please see attached letter

(continue on a separate sheet if necessary)
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☐ No, I do not wish to participate at the oral examination

☒ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please see attached letter

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.
Signature: _

Date: 17/09/12

☑ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Spatial Planning Team  
Environment & Regeneration  
Sycamore House  
Waltham Forest Town Hall Complex Forest Road  
London E17 4JF  

BY POST AND EMAIL (planning.policy@walthamforest.gov.uk)  

17th September 2012

Dear Sirs

RE: WALTHAM FOREST LOCAL PLAN – DEVELOPMENT MANAGEMENT POLICIES PROPOSED SUBMISSION CONSULTATION REPRESENTATIONS ON BEHALF OF THE MALL LIMITED PARTNERSHIP

We write in relation to the Local Plan Development Management Policies DPD (hereafter referred to as "the DPD"), on behalf of The Mall Limited Partnership in relation to their interests at The Mall in Walthamstow. For your ease of reference these representations are provided using the same chapter headings as the draft consultation document.

INTRODUCTION

Our Client supports the inclusion of Strategic Objective S014 which relates to safeguarding and strengthening the function of Walthamstow Town Centre.

MANAGING POPULATION GROWTH AND CHANGE

Our Client also supports the identification of Walthamstow Town Centre as a Key Growth Area within Policy DM1 Sustainable Development and Mixed Use Development. We note that, at Paragraph 2.27, Walthamstow Town Centre is also identified as part of a Key Regeneration Area, however there is no definition provided for these areas within the DPD. Further clarification should be provided regarding the key regeneration area locations and policy position and/or cross reference to the relevant Core Strategy policies, as appropriate.

Policy DM11 sets out the Council’s requirement in relation to resource efficiency and high environmental standards. Part E states that the Council will require non-residential developments greater than 100 sqm to achieve BREEAM "very good" or equivalent standards and major development to achieve BREEAM "excellent" or equivalent. While we agree that high environmental standards should be encouraged by the planning process, compliance with standards such as those required by BREEAM are dealt with under Building Regulations. In this regard we note that the Inspectors Report in relation to the Poole Core Strategy required the deletion of locally based carbon reduction requirements in order for the Core Strategy to be found sound. Accordingly Policy DM11 Parts D and E should be deleted from the DPD.

Policy DM13 relates to parks and gardens and states that all parks will be retained and development proposals will only be acceptable where they are ancillary to the open space use and inherent character. However as currently worded this policy is inconsistent with the emerging Walthamstow Town Centre Area Action Plan (AAP).
Selborne Park is identified in Schedule 17 of the DPD and therefore Policy DM13 is applicable. However Policies WTCP8 and 9 of the AAP support the extension of Selborne Walk shopping centre, which will necessitate the loss of part of this park. Policy DM13 should therefore be reworded to such that it is consistent with the emerging AAP and ensures the delivery of this town centre regeneration scheme can be achieved in accordance with the DPD policies.

**Policy DM17** relates to parking provision, and states that the Council will encourage car-free and car-capped development in appropriate locations. Paragraph 18.5 states that such locations include Walthamstow Town Centre/Regeneration Area. While the use of alternative modes of transport other than the private car, should be encouraged, the Council will need to ensure there is sufficient flexibility in this policy to allow an appropriate amount of car parking to be delivered to support the regeneration aspirations for Walthamstow Town Centre, such that potential new occupiers are not deterred from taking up space in Walthamstow.

**RETAINING MORE WEALTH WITHIN THE BOROUGH**

In general our Client is supportive of the implementation of the town centre hierarchy in **Policy DM27** and the protection afforded to the existing market in Walthamstow Town Centre. Additionally our Client is supportive of Paragraph 28.6 which identifies Walthamstow as the focus for large-scale retail and leisure developments. However as with the AAP, for the reasons set out above we consider there to be a conflict between Policy DM13, as currentlyworded, and Paragraph 28.6 of the DPD, which should be resolved before Submission of the DPD.

For your reference we enclose our earlier representations in relation to the Preferred Options Development Management Policies DPD.

We look forward to receiving confirmation of receipt of these representations in due course. Should you have any queries in the meantime please do not hesitate to contact me on 02074466888.

Yours faithfully,

---

**MARIE JASPER**
Associate

Encs.
1) Local Plan Development Management Policies Publication Stage Representation Form
2) Preferred Options Representations, letter dated 28th February 2011

cc. David James - The Mall Limited Partnership (w/encs)
Comments on DMP Preferred Options

Spatial Planning
Environment and Regeneration
Fri Tree House
Waltham Forest Town Hall Complex
Forest Road
Walthamstow
E17 4JF

BY POST AND EMAIL (planning.policy@walthamforest.gov.uk)

Dear Sirs

RE: WALTHAM FOREST LOCAL DEVELOPMENT FRAMEWORK
DEVELOPMENT MANAGEMENT POLICIES PREFERRED OPTIONS CONSULTATION
REPRESENTATIONS ON BEHALF OF THE MALL LIMITED PARTNERSHIP

Thank you for providing the opportunity to comment on the emerging Development Management Policies Preferred Options Document. The following representations are made on behalf of The Mall Limited Partnership in relation to their interests at The Mall in Walthamstow.

For your ease of reference these representations are provided using the same chapter headings as the draft consultation document and are set out in the same order.

PART 1 INTRODUCTION

Within Policy DM1 Walthamstow Town Centre, and other areas, are identified as both “AAP Areas” and “Other Growth Centres”. It is unclear why Walthamstow Town Centre is listed as an “Other Growth Centre” given it’s earlier identification as an “AAP Area”. Furthermore in relation the Other Growth Centres, Policy DM1 refers to “key regeneration areas”, these areas are identified on the Core Strategy Key Diagram, however Core Strategy Policy CS1 refers to these areas as “Key Growth Areas”. In relation to the Core Strategy consultation we have suggested that the terminology used is clarified. However we note that Policy DM1 suggests that the “Key Growth Areas” include the “Key Regeneration Areas” amongst other areas. This matter should be clarified in both the Core Strategy and Development Management Policies DPD.

In relation to Walthamstow Town Centre the supporting text to Policy DM1 refers to the Interim Planning Policy Framework at Paragraph 2.15. However, since the IPPF was prepared, changes in the economy and occupier interest make it less certain that the form and scale of development proposed will be deliverable. This view is confirmed by the lack of progress which has been made to date in relation to the Arcade site, as referred to in Paragraph 2.15 of the draft Development Management Policies DPD. Since adoption of the IPPF in May 2008 no suitable viable schemes have come forward which fulfil the IPPF requirements for the Arcade site, as such we understand that a predominantly residential scheme for the site may be more likely.

Therefore in order to facilitate growth and regeneration prior to the adoption of the AAP we consider it appropriate to commit to an immediate review of the IPPF, taking account of commercial considerations, and potentially relocating the retail offer anticipated on the Arcade site into proposals for an extension to “The Mall”. In relation to the Development Management Policies DPD the specific details of the IPPF should be removed so as not to prejudice alternative options being
considered and progressed through the planning process, as appropriate. Accordingly Paragraph 2.15 of the DPD should be deleted.

PART 2 MANAGING POPULATION GROWTH AND CHANGE

Policy DM11 sets out the Council’s requirement in relation to resource efficiency and high environmental standards. Part D states that the Council will require major developments to achieve at least Code Level 4 and BREEAM “excellent”. While we agree that high environmental standards should be encouraged by the planning process, compliance with standards such as those required by BREEAM and Code for Sustainable Homes are dealt with under Building Regulations. Therefore it should be noted that PPS1 Delivering Sustainable Development states the following:

"...Planning policies should not replicate, cut across, or detrimentally affect matters within the scope of other legislative requirements, such as those set out in Building Regulations for energy efficiency."

(Paragraph 30)

Furthermore we note that the Inspectors Report in relation to the Poole Core Strategy required the deletion of locally based carbon reduction requirements in order for the Core Strategy to be found sound. Accordingly Policy DM11 Part D should be deleted from the Development Management Policies DPD.

PART 4 RETAINING MORE WEALTH WITHIN THE BOROUGH

Policy DM26 relates to Managing Changes of Use in Town Centres and sets out the policies for non retail uses in town centre and retail parades. While it is appropriate for prioritise the provision of retail floorspace in town centres, PPS4 states the local authorities should:

"...set flexible policies for their centres which are able to respond to changing a. economic circumstances and encourage, where appropriate, high-density development accessible by public transport, walking and cycling." (Policy EC3.1a)

To this end we would stress the need to ensure the Development Management Policies DPD is sufficiently flexible to deal with changing economic circumstances, such that it does not unnecessarily prevent alternative uses coming forward in the event that it can be demonstrated that there is no demand for retail floorspace at some later date during the plan period, and an alternative use would contribute to the vitality and viability of the town centre.

Policy DM 27 relates to New Retail, Office and Leisure Development and encourages new town uses to be concentrated in designated centres and parades, in accordance with the hierarchy of town centres. It is unclear what is meant by "new town uses" within this policy, this matter should be clarified in the supporting text.

In general our Client is supportive of the implementation of the town centre hierarchy in Policy DM27 and the protection afforded to the existing market in Walthamstow Town Centre. Additionally our Client is supportive of Paragraph 28.5 which identifies Walthamstow as the focus for large-scale retail and leisure developments which is in accordance with PPS4 and the town centre hierarchy.

PART 5 WORKING WITH PARTNERS AND INFRASTRUCTURE

Policy DM37 relates to Planning Obligations, we also note from the supporting text that a separate area-based planning obligation strategy is anticipated in relation to Walthamstow Town Centre. Planning Circular 05/2005: Planning Obligations sets out guidance to Local Authorities of the use of planning obligations through the Section 106 process. Circular 05/2005 clearly sets out the requirements for obligations to be:

- Relevant to planning;
- Necessary to make the proposed development acceptable in planning terms;
• Directly related to the proposed development;
• Fairly and reasonably related in scale and kind to the proposed development; and
• Reasonable in all other aspects.

Policy DM37 Part C states that the Council may pool contributions relating to significant infrastructure. It is accepted that on occasions there may be a requirement to pool funds from other developments towards, for example, an upgrade of the strategic road network where that improvement can be justified as being required in relation to the development. However, the policy should specify a reasonable period within which the pooled contributions should be spent and we consider that 5 years would represent such a reasonable period. This is particularly the case, for developments where the build out can be much quicker than other forms of development. The passing of a longer period without spending contributions on mitigating the impact of the development would call into question whether the contributions are entirely necessary to make the proposed development acceptable in planning terms as required by Circular 05/05.

Policy DM37 Part D includes a list of s.106 contributions. The policy should be clarified to make clear that not all contributions listed are applicable to all forms of developments, for example, it would be unreasonable to seek education contributions in relation to a retail development. Consideration should be given to breaking the list down into contributions sought for residential, commercial and retail developments to provide clarity to developers.

APPENDIX 4 PARKING STANDARDS

Recent changes to PPG13 mean that the central requirement to express maximum parking standards no longer applies. Instead it is intended that local authorities will set parking standards for areas dependant on individual circumstances. In line with this change to PPG13 we consider that Policy DM17 should be amended as indicated below, to allow maximum parking standards to be applied flexibly so that individual circumstances can be fully taken into account.

Suggested revisions for Policy DM17

"The Council will seek to effectively manage parking and ensure the provision of safe and attractive parking facilities by:

A. requiring developments to provide well designed, high quality parking facilities in accordance with the Council’s maximum car parking and minimum cycle parking standards as set out in Appendix 4 unless individual circumstances can be demonstrated to justify a different approach to parking provision;"

We look forward to confirmation of receipt of these representations in due course. Should you have any queries in the meantime please do not hesitate to contact me on 0207 4466888.

Yours faithfully,

MARIE JASPER
Associate

cc: David James - Capital and Regional
**Respondent ID: 510426**
1 Representation submitted (dmpps41)

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<td>London Borough of Redbridge</td>
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<tr>
<td>Contact Person</td>
<td>John Pearce, Head of Planning Policy</td>
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<td>The Council has now reviewed the document and is content that the requirements under the &quot;duty to cooperate&quot;, as set out in the Localism Act 2011 have been satisfied, and the Council does not have any detailed comments to make regarding the proposed policies.</td>
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<td>Reasons for oral Examination</td>
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<td>Attachment</td>
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Dear Mr Glenday

London Borough of Waltham Forest - Development Management Policies Proposed Submission Consultation and Duty to Cooperate

Thank you for the opportunity to comment on the London Borough of Waltham Forest's Proposed Submission Development Management Policies local plan document.

The Council has now reviewed the document and is content that the requirements under the 'duty to cooperate', as set out in the Localism Act 2011 have been satisfied, and the Council does not have any detailed comments to make regarding the proposed policies.

Notwithstanding the above, the Council would like to be kept informed as the document progresses towards examination.

Please do not hesitate to contact me if you require any further information or clarification.

Yours sincerely,

John Pearce
Head of Planning Policy
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

PART A

<table>
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<th>2. Agent details (if applicable)</th>
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<tr>
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<td>Mr</td>
</tr>
<tr>
<td>First name</td>
<td>Neil</td>
</tr>
<tr>
<td>Last name</td>
<td>Kedar</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Head of Consents</td>
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<tr>
<td>Organisation (where relevant)</td>
<td>Transport for London</td>
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¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph [ ]
Policy DM1, DM17A, DM26, Schedule 7

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes [ ] No [ ]
(2) Sound Yes [ ] No [ ]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]
(2) Justified [ ]
(3) Effective [ ]
(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

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Please see paragraph 5 of TIL’s representation dated 17/09/2012, where TIL seeks clarification from the Borough regarding Blackhorse Lane Neighbourhood Centre boundary.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

No  No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 24/09/2012

[ ] Yes If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Transport for London

Date: 17 September 2012
Our Ref: TFL Property/Waltham Forest
Local Plan July 2012

Spatial Planning,
Sycamore House,
Waltham Forest Town Hall Complex,
London Borough of Waltham Forest
London
E17 4JF

Dear Sir/Madam


This letter is submitted on behalf of Transport for London (TfL) Property Development in its capacity as the owner of land within the London Borough of Waltham Forest, part of which has been identified in the Waltham Forest Local Plan Development Management Policies Proposed Submission Document.

Please note that this letter is not TfL’s response as London’s transport provider, nor does it represent an indication of the views of the Greater London Authority or of the London Mayor. A separate response dealing with TfL’s overall operational and land use planning/transport policy matters will be provided by TfL’s Borough Planning Team.

Overall, TfL Property supports ‘in principle’ the inclusion of TfL land within the Waltham Forest Local Plan Development Management Policies Proposed Submission Document. TfL Property supports the policies set out in the Document, in particular, policies DM1 (sustainable development and mixed use development), DM17A (car free and car capped developments), and DM26 (town centres).

In addition, the TfL owned car park at Blackhorse Road (as illustrated in the attached plan) represents an opportunity through future redevelopment, to help deliver the strategic objectives set out in the Document. Moreover, development on the site would assist the Borough in meeting its housing target of 760 units per annum, as prescribed in the London Plan, 2011.

Furthermore TfL Property supports the inclusion of Blackhorse Road LU Car Park within Blackhorse Road Neighbourhood Centre as prescribed in Schedule 7 of the Document. However we would like to point out that the description of Blackhorse Lane Neighbourhood Centre in Schedule 7 and the boundary shown on the proposals map (Map Ref NC5) appears inconsistent. TfL Property welcomes discussion with the Borough to clarify this matter.

MAYOR OF LONDON
TfL Property wishes to continue working with the Borough to help realise the Borough's aspirations and welcomes any opportunity to discuss development potential of TfL owned land, particularly at Blackhorse Lane. TfL Property is happy to share with the Borough TfL's proposals for Blackhorse Lane which will be sent you in due course. Furthermore the delivery of any proposals for high quality developments can only be achieved through the support of planning policy. TfL Property understands that the Blackhorse Lane Area Action Plan will be released for consultation in due course and we are happy to assist the Borough in the production of this Document.

In the meantime should you have any queries, please do not hesitate to call on...

Yours Faithfully,

Neil Kedar
Head of Consents
Consents Team
Transport for London

Enc:
Land ownership plan

Cc:
Mike McMorrow, TfL Property
Dear Mr Glenday

London Borough of Waltham Forest
Local Development Framework Development Management Policies, Proposals Map and Sustainability Appraisal Submission documents and Duty to Co-operate consultation letter

Thank you for the opportunity to comment on the Borough’s Development Management Policies DPD, Proposals Map and Sustainability Appraisal submission documents.

As the Government’s adviser on the historic environment English Heritage is keen to ensure that the protection of the historic environment is fully taken into account at all stages in the development of the Local Planning Process.

On the whole we welcome the policies provided to address the historic environment through development management. However, we have provided a number of minor comments which we believe will strengthen them further.

Development Management

Policy DM 4 Residential Extensions and Alterations (p44) – it might be useful to highlight the restrictions which may be applicable to conservation areas and to cross-reference this section with paragraph 30.11 regarding the use of article 4 directions to manage conservation areas.

Policy DM 6 Housing Conversions and HMOs (p55) – it might be useful to note that separate considerations and consents apply to listed buildings.
Policy DM8 Housing Quality and Accessibility (p63) – for consistency with the National Planning Policy Framework (NPPF), paragraph A should refer to “historic significance” rather than “heritage interest”.

Policy DM13 Open Space, Sport and Recreation (p86) – for consistency with the National Planning Policy Framework (NPPF), paragraph B should refer to “historic significance” rather than “heritage interest”.

Policy DM26 Shopfronts and Signs (p170) – it should be noted that these issues may be subject to additional controls in Conservation Areas.

Paragraph 30.6 (p187) – we welcome the list of heritage assets provided. In addition it might be useful to provide a brief definition of heritage assets before the list, ie “a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest (NPPF). In Waltham Forest these include…”

Paragraph 30.8 (p188) – we welcome the cross-reference to tall buildings.

Paragraph 30.17 (p190) – As with the supporting text relating to design, it might be useful to set out the requirements and levels of information expected of listed building consent applications?

Paragraph 30.23 (p191) – following paragraph 30.23 we recommend inserting a paragraph to clarify the Council’s approach to settings issues. Impacts on settings to heritage assets, including listed buildings, should be identified following the approach established in English heritage’s guidance document *The Setting of Heritage Assets* (2011). Essentially, according to this methodology, the contribution made by an asset’s setting to its significance should first be established, before determining any impacts on that significance from development within its setting.

Paragraph 30.26 (p191) – the Greater London Archaeology Service (GLAAS) charter *Archaeology and Planning in Greater London* (2010) provides further detailed advice on the need for desk-based assessments, on-site evaluation and mitigation strategies. The charter includes a recommendation that GLAAS be consulted on all sites over 0.4ha, which we would encourage the Borough to reflect in the text of paragraph 30.26

Paragraph 33.2 (p203) – For clarity it might be useful to acknowledge that the Core Strategy provides a definition of tall buildings, which takes into account the Borough’s particular built characteristics. We also suggest that the paragraph acknowledge that the Core Strategy identifies locations where tall buildings may be considered appropriate, *as well as those where they are considered inappropriate*.

**Proposals Map**

We would encourage the Borough to show all heritage assets on the proposals map, including listed buildings (national and local), Scheduled Monuments and any strategic and local views.

**Sustainability Appraisals**

We have no comments to make on the Sustainability Appraisal at this stage.

**Duty to Cooperate**
English Heritage is pleased to remain engaged in the development of the Borough’s Local Plan as part of on-going consultation and cooperation.

Conclusion

English Heritage would strongly advise that staff with expertise in heritage matters are closely involved throughout the preparation of the Development Management DPD and its associated Sustainability Appraisal, as they are often best placed to advise on: local historic environment issues and priorities, sources of data and consideration of options relating to the historic environment.

Finally, we should like to stress that this opinion is based on the information provided by you. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment.

Yours sincerely

Nick Bishop
Planning Advisor - LONDON
Respondent ID: 671377
1 Representation submitted (dmpps153)

Comment on Development Management Policies Proposed Submission

Respondent ID 671377
Respondent Three Rivers District Council
Contact Person Claire May
Representation ID dmpps153
Response Date 29/08/2012
Submission Type Email
Consultation Point Chapter 01 - Introduction - Paragraph 1.14
Legal Compliance N/A
Soundness N/A
Unsound because it is not N/A
Reasons for compliance and soundness At this stage there are no strategic/cross boundary issues that need to be addressed under the Duty to Co-operate.
Changes necessary for legal compliance and soundness N/A
Oral Examination N/A
Reasons for oral Examination N/A
Attachment N/A
Respondent ID: 679398
2 Representations submitted (dmpps16-dmpps17)

Comment on Development Management Policies Proposed Submission

Respondent ID 679398
Respondent Canal & River Trust
Contact Person Mrs Claire McLean, Area Planner
Representation ID dmpps16
Response Date 17/09/2012
Submission Type Web
Consultation Point Chapter 36 - Policy DM35 - Paragraph 36.16
Legal Compliance Yes
Soundness Yes
Unsound because it is not N/A
Reasons for compliance and soundness N/A
Changes necessary for legal compliance and soundness We would request that in addition to reference to the Environment Agency, the council also consult the Canal & River Trust as a statutory consultee for works affecting the River Lee Navigation. [Attachment – a photo]
Oral Examination No
Reasons for oral Examination N/A
Attachment Yes
The proposed standard requirement for a blanket buffer zone adjacent to watercourses is not justified or effective. The Lee Navigation was canalised for industrial transport, and this heritage is evidenced in some places by warehouse sites being hard up against its edges to much create wharves. Its role has now widened to include greater use for a range of leisure and recreation activities, and as a haven for wildlife and people, away from the hustle and bustle of urban living. We welcome biodiversity habitats and ecological enhancements established along its length, which can be introduced in a variety of forms, but a blanket requirement for a standard set back is not always characteristic of the canal environment, and in our experience of where this has been provided, has created ‘dead’ spaces that do not benefit the waterway. (please see [Attachment – a photo] We accept that there is minimal developable waterside land within LB Waltham Forest along the Lee Navigation, but it is our policy in all London boroughs that each waterside development be treated on its merits.
<table>
<thead>
<tr>
<th>Changes necessary for legal compliance and soundness</th>
<th>Remove requirement for buffer zones, or require buffer zones only 'where appropriate'.</th>
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<tr>
<td>Oral Examination</td>
<td>No</td>
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<tr>
<td>Reasons for oral Examination</td>
<td>N/A</td>
</tr>
<tr>
<td>Attachment</td>
<td>Yes</td>
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Local Plan Development Management Policies

Publication Stage Representation Form

<table>
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<th>Waltham Forest Local Plan Development Management Policies (DMP)</th>
<th>For office use only</th>
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<td>Reference No: 680479</td>
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<td>Date received: 17/09/2012</td>
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Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

<table>
<thead>
<tr>
<th>PART A</th>
<th>1. Personal details ¹</th>
<th>2. Agent details (if applicable)</th>
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<tbody>
<tr>
<td>Title</td>
<td>Mrs</td>
<td></td>
</tr>
<tr>
<td>First name</td>
<td>Roslyn</td>
<td></td>
</tr>
<tr>
<td>Last name</td>
<td>Deeming</td>
<td></td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Land Use Adviser</td>
<td></td>
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<tr>
<td>Organisation (where relevant)</td>
<td>Natural England</td>
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<td>Address</td>
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<td>Post Code</td>
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</table>
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
Paragraph  
Policy DM1

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
       Yes □      No □
   (2) Sound
       Yes □      No □

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared □
   (2) Justified □
   (3) Effective □
   (4) Consistency with national policy □

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM1 Sustainable Development and Mixed Use Development - Support
We welcome that the presumption in favour of sustainable development is established by this policy putting it at the heart of the plan. We also acknowledge that in paragraph 2.12 that the aim of moving from a net loss of biodiversity to achieving net gains for nature has been highlighted.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

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9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
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Signature:  
Date: 17/09/2012

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Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
   Paragraph  
   Policy  DM11

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  Yes  x  No
   (2) Sound  Yes  x  No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared  x
   (2) Justified
   (3) Effective
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM11 Resource Efficiency and High Environmental Standards - Support
Natural England is generally supportive of this policy which promotes resource efficiency to contribute to reducing climate change and carbon emissions. We also support the cross cutting approach outlined in the explanatory text of protecting existing habitats, creating new wildlife habitats and enhancing ecological value.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Signature:  Date:  17/09/2012

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### Part B

Please use a separate sheet for each representation

Name or organisation:

<table>
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<th>3. To which part of the DMP does this representation relate?</th>
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<td><strong>Paragraph</strong></td>
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**4. Do you consider the Local Plan Development Management Policies (DMP) is:**

(1) Legally Compliant  
Yes [x]  
No [ ]

(2) Sound  
Yes [x]  
No [ ]

*If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

**5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:**

(1) Positively Prepared [x]

(2) Justified [ ]

(3) Effective [ ]

(4) Consistency with national policy [ ]

**6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.**

**DM12 Decentralization and Renewable Energy**

We generally support this approach to renewable energy and welcome paragraph 13.19 regarding the acknowledgment of the impact of renewable energy systems on local amenity and character.

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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(continue on a separate sheet if necessary)

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☐ No, I do not wish to participate at the oral examination  ☐ Yes, I wish to participate at the oral examination

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(continue on a separate sheet if necessary)

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Signature:  Date:  17/09/2012

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Part B
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

Yes [x] No [ ]

(2) Sound

Yes [x] No [ ]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

[ ]

(2) Justified

[ ]

(3) Effective

[ ]

(4) Consistency with national policy

[ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM13 Open Space, Sports and Recreation
We welcome the recognition that development proposals affecting an open space must not adversely affect biodiversity value. In paragraph 14.4 we are pleased to note that open space designations make a valuable contribution to the wider green infrastructure network and that improvement to its quality and accessibility will be encouraged. We also acknowledge the council’s support of the Lee Valley Regional Park Authority’s Park Development Framework and delivery of the Walthamstow Wetlands Project.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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(2) Sound

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5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

x

(2) Justified


(3) Effective


(4) Consistency with national policy


6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM14 Co-ordinating Land Use and Transport
Natural England generally supports policies aimed at sustainable transport modes helping to reduce carbon emissions. We note that at bullet point (H) that this policy highlights the importance of the need for Transport Assessment/ statements if there is an increase in car traffic within 200m of the Epping Forest SAC and seeks to minimise further deterioration of air quality.
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Signature: Roslyn Deeming Date: 17/09/2012

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Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph  Policy  
---  ----  

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  x  No  

(2) Sound  Yes  x  No  

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared  x  

(2) Justified  

(3) Effective  

(4) Consistency with national policy  

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Natural England strongly supports this policy which protects and enhances this area for both its nature conservation and recreational value.
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(continue on a separate sheet if necessary)

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Signature: Roslyn Deeming  Date: 17/09/2012

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Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
   Paragraph  Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  Yes  x  No
   (2) Sound  Yes  x  No

   If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared  x
   (2) Justified
   (3) Effective
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM36 Biodiversity and Geodiversity
This policy is strongly supported by Natural England as we consider that it takes a positive approach to the protection and enhancement of the natural environment. We particularly welcome the inclusion at bullet point C which encourages biodiversity by design. We also welcome the aim to expand the green corridors network and to encourage links into surrounding boroughs.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Signature: Roslyn Deeming

Date: 17/09/2012

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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

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(1) Positively Prepared x

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6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM39 Minerals
We generally support this policy particularly bullet point (B) which protects the biodiversity and geodiversity of minerals sites, and (F) which seeks to avoid long term effects on the landscape and environment.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Signature: Roslyn Deeming Date: 17/09/2012

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
### Part B

**Please use a separate sheet for each representation**

**Name or organisation:**

<table>
<thead>
<tr>
<th>3. To which part of the DMP does this representation relate?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paragraph</td>
</tr>
<tr>
<td>DM35</td>
</tr>
</tbody>
</table>

**4. Do you consider the Local Plan Development Management Policies (DMP) is:**

- (1) Legally Compliant
  - Yes [x]
  - No [ ]

- (2) Sound
  - Yes [x]
  - No [ ]

*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

**5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:**

- (1) Positively Prepared [x]
- (2) Justified [ ]
- (3) Effective [ ]
- (4) Consistency with national policy [ ]

**6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.**

**DM35 Water**

We particularly support the provision for SUDs as it presents positive habitat opportunities and reflects the multi-functionality benefits of carefully planned and integrated green infrastructure. At paragraph 36.18 we acknowledge that land adjacent to waterways contributes to the green infrastructure network.
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Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph  Policy  DM30

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  x  No

(2) Sound  Yes  x  No

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(1) Positively Prepared  x

(2) Justified

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(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

DM30 Good Design
Natural England generally supports this policy particularly the provisions to enhance local character and distinctiveness and for high quality landscaping and tree planting which will increase biodiversity value.

(continue on a separate sheet if necessary)
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Signature:  Roslyn Deeming  Date:  17/09/2012

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23
Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph  
Policy DM24

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  
Yes  
No

(2) Sound  
Yes  
No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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X

(2) Justified

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DM24 Health and Well Being

Natural England generally encourages the health benefits from more active lifestyles that will be enhanced and facilitated by the delivery of a high quality and accessible natural environment. In particular we support paragraph 25.4 which encourages footpath links to wider Rights of Way networks and a wider cycle route network which can access surrounding countryside areas.
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Name or organisation:

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Paragraph  Policy  DM23

4. Do you consider the Local Plan Development Management Policies (DMP) is:
(1) Legally Compliant  Yes  x  No  
(2) Sound  Yes  x  No  

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(2) Justified  
(3) Effective  
(4) Consistency with national policy  

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DM23 Tourist Development and Visitor Attractions
We support this policy’s aim to improve access to the Borough’s natural assets and open spaces where it can be demonstrated that this will not compromise their unique character and biodiversity value.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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<td>x</td>
<td></td>
</tr>
<tr>
<td>(2) Sound</td>
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**DM15 Sustainable Transport Network**
Natural England supports the positive approach to walking and cycling networks. It will be important to recognise how these can be developed in the context of green infrastructure principles to deliver multi-functional environmental and community benefits.
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Signature: Roslyn Deeming Date: 17/09/2012

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Dear Mr Glenday

Planning consultation: Waltham Forest Local Plan – Development Management Policies Proposed Submission

Thank you for your consultation on the above dated 30 July 2012 which was received by Natural England on 09 August 2012.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

It is understood that as a Proposed Submission document responses to the plan should be made in the context of the “tests of soundness” under the provision of the Planning and Compulsory Purchase Act 2004 (as amended). In this fundamental respect Natural England does not consider the plan to be unsound, and raises no objection to the plan being taken forward to the examination.

However, there are a number of aspects of the plan that Natural England would like to expressly support, as well as recognising some elements where minor changes could be accommodated which would improve the overall environmentally sustainability credentials of the plan. These are set out as follows:

**DM1 Sustainable Development and Mixed Use Development**
We welcome that the presumption in favour of sustainable development is established by this policy putting it at the heart of the plan. We also acknowledge that in paragraph 2.12 that the aim of moving from a net loss of biodiversity to achieving net gains for nature has been highlighted.

**DM11 Resource Efficiency and High Environmental Standards**
Natural England is generally supportive of this policy which promotes resource efficiency to contribute to reducing climate change and carbon emissions. We also support the cross cutting approach outlined in the explanatory text of protecting existing habitats, creating new wildlife habitats and enhancing ecological value.

**DM12 Decentralization and Renewable Energy**
We generally support this approach to renewable energy and welcome paragraph 13.19 regarding the acknowledgment of the impact of renewable energy systems on local amenity and character.
DM13 Open Space, Sports and Recreation
We welcome the recognition that development proposals affecting an open space must not adversely affect biodiversity value. In paragraph 14.4 we are pleased to note that open space designations make a valuable contribution to the wider green infrastructure network and that improvement to its quality and accessibility will be encouraged. We also acknowledge the council’s support of the Lee Valley Regional Park Authority’s Park Development Framework and delivery of the Walthamstow Wetlands Project.

DM14 Co-ordinating Land Use and Transport
Natural England generally supports policies aimed at sustainable transport modes helping to reduce carbon emissions. We note that at bullet point (H) that this policy highlights the importance of the need for Transport Assessment/ statements if there is an increase in car traffic within 200m of the Epping Forest SAC and seeks to minimise further deterioration of air quality.

DM15 Sustainable Transport Network
Natural England supports the positive approach to walking and cycling networks. It will be important to recognise how these can be developed in the context of green infrastructure principles to deliver multi-functional environmental and community benefits.

DM23 Tourist Development and Visitor Attractions
We support this policy’s aim to improve access to the Borough’s natural assets and open spaces where it can be demonstrated that this will not compromise their unique character and biodiversity value.

DM25 Environmental Protection
Natural England generally supports this policy.

DM30 Good Design
Natural England generally supports this policy particularly the provisions to enhance local character and distinctiveness and for high quality landscaping and tree planting which will increase biodiversity value.

DM35 Water
We particularly support the provision for SUDs as it presents positive habitat opportunities and reflects the multi-functionality benefits of carefully planned and integrated green infrastructure. At paragraph 36.18 we acknowledge that land adjacent to waterways contributes to the green infrastructure network.

DM36 Biodiversity and Geodiversity
This policy is strongly supported by Natural England as we consider that it takes a positive approach to the protection and enhancement of the natural environment. We particularly welcome the inclusion at bullet point C which encourages biodiversity by design. We also welcome the aim to expand the green corridors network and to encourage links into surrounding boroughs.

DM39 Minerals
We generally support this policy particularly bullet point (B) which protects the biodiversity and geodiversity of minerals sites, and (F) which seeks to avoid long term effects on the landscape and environment.
DM40 Lee Valley Regional Park
Natural England generally supports this policy.

DM42 Epping Forest
Natural England strongly supports this policy which protects and enhances this area for both its nature conservation and recreational value.

Sustainability Appraisal
Natural England is satisfied that the Sustainability Appraisal is comprehensive in its coverage of issues and follows appropriate methodologies. We note that the report considers that there will be positive benefits in relation to conserving biodiversity and in protecting the ecological integrity of Natura 2000 sites. Positive benefits to the SA objectives have also been identified in relation to the green corridor of the Epping Forest.

Habitats Appraisal
We are satisfied with the HRA methodology that has been followed. We note that the HRA concludes that the Development Management Policies have no pathways of impact leading to likely significant effects on any European sites.

We would be happy to comment further should the need arise but if in the meantime if you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Roslyn Deeming on 03000603900. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Roslyn Deeming
Land Use Adviser
Local Plan Development Management Policies

Publication Stage Representation Form

<table>
<thead>
<tr>
<th>Waltham Forest Local Plan Development Management Policies (DMP)</th>
<th>For office use only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reference No: 680877</td>
<td>Date received: 13/09/2012</td>
</tr>
</tbody>
</table>

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012.


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

**PART A**

<table>
<thead>
<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Miss</td>
</tr>
<tr>
<td>First name</td>
<td>Eleri</td>
</tr>
<tr>
<td>Last name</td>
<td>Randall</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Planning Liaison Officer</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>Environment Agency</td>
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<tr>
<td>Address</td>
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<td>Post Code</td>
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<td>Telephone number</td>
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<td>Email address</td>
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¹ Please add your full name (including your surname).
If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

**Part B**

Please use a separate sheet for each representation

Name or organisation: Environment Agency

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6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We support the inclusion of Water Efficiency in Section B Point X.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.
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**Part B**

Please use a separate sheet for each representation

**Name or organisation:** Environment Agency

**3. To which part of the DMP does this representation relate?**

**Paragraph** B x  

**Policy** Policy DM 9

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- Yes [x]  
- No [ ]

(2) Sound  
- Yes [x]  
- No [ ]

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We strongly support Section B Point X ensuring that Gypsy and Traveller sites are not located in an area at high risk of flooding.

(continue on a separate sheet if necessary)

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|----------------------|-----|----|
(2) Sound             | Yes | No |

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We support the inclusion of the land contamination policy and text stating that a Preliminary Risk Assessment is required for sites which have the potential to be contaminated. We also support the inclusion of sustainable remediation and supporting text that certain uses may not be suitable within areas which are particularly sensitive to land contamination.
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Policy  

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(1) Positively Prepared  

(2) Justified  

(3) Effective  

(4) Consistency with national policy  

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We strongly support Policy DM 35 in particular Section D the Managing Flood Risk section ensuring that development does not cause a reduction in the volume of floodplain storage or increase flood risk elsewhere. In particular achieving Greenfield Run Off Rates through the maximisation of Sustainable Drainage Systems as this is an important flood risk consideration. We also support the references to buffer zones and Flood Defence Consent in Section E of this Policy in addition to the reference to the SuDS hierarchy in paragraph 36.12 and the references to considering the additional risk of flooding due to changes in groundwater level and flow.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: __________________________ Date: 13/09/2012

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: Environment Agency

3. To which part of the DMP does this representation relate?
Paragraph  Policy  Policy DM 36

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes  x  No  
(2) Sound  Yes  x  No  

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared
(2) Justified
(3) Effective
(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We strongly support this policy in particular Section B of the policy as it is an essential consideration for planning applications to value the resource on a site as well as retain, restore and enhance where appropriate.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,
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Signature: ___________ Date: 13/09/2012

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Dear Gordon

Development Management Policies Proposed Submission

Thank you for giving us the opportunity to comment on the Proposed Submission version of this document.

As stated previously in our Preferred Options response we thought the document was easy to read, well laid out and simple to navigate between policy statement.

We are particularly pleased that the vast majority of our comments in our earlier response at Preferred Options stage have been incorporated into this version.

Our representation forms are attached supporting the environmental protection, water and open space and biodiversity policies in particular Policy DM 25 Environmental Protection, Policy DM 35 Water and DM 36 Biodiversity and Geodiversity. In addition we support Section B point X in Policy DM 9 recognising that Gypsy and Traveller Provision should not be located in areas at high risk of flooding and Section B point X in Policy DM6 where converted homes will need to meet water efficiency requirements.

We hope you find our support for these policies helpful and if you need any further information or clarification please contact me.

Yours sincerely

Miss Eleri Randall
Planning Liaison Officer

Direct dial 020 7091 4044
Direct e-mail northlondonplanning@environment-agency.gov.uk
**Local Plan Development Management Policies**

**Publication Stage Representation Form**

**Waltham Forest Local Plan Development Management Policies (DMP)**

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

**Part A** – Personal details (only needed once irrespective of how many representations you make)

**Part B** – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

### **PART A**

<table>
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<tr>
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</tr>
<tr>
<td>Last name</td>
<td>Cherry</td>
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<tr>
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</tbody>
</table>

*1If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2*
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
   Paragraph: ____________  Policy: [DM4, SDM4]

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
       Yes [ ]  No [ ]
   (2) Sound
       Yes [ ]  No [ ]

   If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared [ ]
   (2) Justified [ ]
   (3) Effective [ ]
   (4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

   The council’s official officers do not know enough about the character and needs of the applicant and the area, almost invariably think, speak and act negatively because preconceived ideas are vastly different from actual. The only solution is for the council to listen and cooperate with the owner/applicant without neglectlessly and unreasonably (continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change,
as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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Council bureaucrats must patiently listen and do as the applicants want and must not contradict any future projects. Safeguarding flawed and unsuitable with abusive and

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☒ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To make sure my views are taken into account and understood correctly and applied fairly. Council officials are causing grief and torment too long.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 3rd Sept 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan
Development Management Policies (DMP)

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**PART A**

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<tr>
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</tr>
<tr>
<td>Last name</td>
<td>Barrett</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
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</tr>
<tr>
<td>Organisation (where relevant)</td>
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<td>Telephone number</td>
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<td></td>
</tr>
</tbody>
</table>

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Part B
Please use a separate sheet for each representation
Name or organisation: Lidl UK

3. To which part of the DMP does this representation relate?
   
   Paragraph | Appendix 4: Parking Standards | Policy | Development Management Policies

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   
   (1) Legally Compliant
   Yes [x] No
   (2) Sound
   Yes [ ] No [x]

   If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   
   (1) Positively Prepared [x]
   (2) Justified [x]
   (3) Effective [x]
   (4) Consistency with national policy [x]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Please refer to separate document attached (Ref: SG/12/0905/LPReps d1)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change.

(continue on a separate sheet if necessary)
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Signature: __________________________ Date: ______/______/______

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
1. INTRODUCTION

Waltham Forest Council has invited Lidl UK to comment on its Local Plan Development Management Policies Proposed Submission, which contains proposed planning policies that will be used to determine future planning applications. Representations received during the consultation period will be considered alongside the submitted Development Plan Policies by an independent Planning Inspector.

2. The following paragraphs constitute Lidl UK’s representations pertaining to Appendix 4 of the Proposed Submission, which sets out the Council’s proposed parking standards.

3. In respect of loading arrangements (page 290), a majority of Lidl stores operate on the basis of shared access by customer and delivery vehicles without difficulty. The loading bay itself is served by a dedicated HGV space, but it is entirely normal that these vehicles manoeuvre within the car park. Segregated access is both unnecessary and a wasteful use of developable land; it would also render many otherwise acceptable sites unsuitable for development by Lidl UK.
3 ELECTRIC VEHICLE CHARGING BAYS

4. The requirement for 20% of off-road parking spaces to provide electric vehicle charging is unrealistic. Electric vehicles remain too expensive and inconvenient for mass consumption and in 2011 accounted for fewer than one in 25,000 new car sales. Whilst this proportion is likely to increase over time, in the short/medium term one or two charging points will be more than adequate.

5. Furthermore, the proposed policy is unclear on the question of charging bay use by non-electric vehicles, i.e. as a normal parking space. The Council’s proposed overall parking standards (see further comments below) would severely limit the overall number of parking spaces available on a retail site and, in the current climate, if 20% are restricted to use only by electric vehicles a serious imbalance would arise. Non-electric vehicles would be forced to park off-site or more likely travel to alternative stores further afield, whilst the electric bays lie empty. Worse still, this situation would be difficult to manage and it seems highly likely that the electric charging bays would be used by all vehicles regardless of signage etc., bringing the entire concept into disrepute. This would be counter-productive and potentially damaging to the electric vehicle market.

6. The policy should instead require one electric vehicle charging bay, plus 20% passive provision for electric vehicles (e.g. cable ducts for future provision of charging bays). This would be significantly more in tune with reality than the proposed policy whilst sending out the right message that electric vehicles represent the future. Regardless of that, it is not particularly difficult to retro-fit electric charging points, so any given retail site could easily adapt to future market trends.

4 PROPOSED RETAIL PARKING STANDARDS

7. The proposed retail parking standards themselves are overly restrictive, to the point at which they would be counter-productive in terms of the wider objectives of sustainable development.
8. It is generally accepted that both emissions and congestion are reduced by providing food stores close to customer catchment areas, in part by reducing journey lengths and in part by widening transport mode choices. Conversely, fear of inadequate parking provision encourages car-borne food shopping trips to take place further afield. This is likely to be the case if the standards proposed by Waltham Forest Council are adopted.

9. By comparison with the mainstream food retailers a high proportion of Lidl customers undertake fewer trips but buy in greater quantities to take advantage of discounted prices. It is therefore vital to achieve an appropriate balance between parking restraint and provision; the Council’s proposals fail to achieve that aim.

10. A study undertaken by this Practice in relation to the proposed Lidl store at Clapham Road in Stockwell, based on comprehensive Lidl customer and vehicle surveys at similar sites in London, provides a numerical analysis of parking demand. It predicted the implications of limiting parking at the proposed level (30) by comparison with the level sought by Lambeth Council (15) under its 2007 UDP, which imposed a limit of one space per 75 sqm in areas of good accessibility (as now proposed by Waltham Forest in low PTAL areas).

11. It is noteworthy that Lambeth Council’s UDP parking standards were later superseded by the LDF Core Strategy 2011, which defers to the London Plan 2011 on the issue of off-street parking. In respect of food stores of between 500 sqm and 2,500 sqm, in areas with a Public Transport Accessibility Level (PTAL) of 5-6, the London Plan 2011 suggests a maximum provision of one space per 45-30 sqm. This equates to a provision within the range 25 to 37 spaces for the 1,101 sqm store at Stockwell, a typical Lidl store size. Clearly, then, the proposed level of 30 at Stockwell complies with the London Plan.
12. By establishing a relationship between parking demand and mode choice at each
survey site it was possible to test the implications of capping parking provision at a
variety of levels. The other key variable examined was the percentage of those
unable to park on site as a consequence of lower parking provision transferring to
other modes. In this analysis those not switching mode were assumed to continue
driving to the store but park elsewhere, for example on-street. In reality a sizeable
proportion would drive to another store, most likely further away. These trips were
grouped together and referred to as ‘displaced’.

13. It is acknowledged that some displaced car trips might be re-timed to avoid periods
of peak parking demand. However, whilst this might be a significant factor at stores
with large car parks, where there is capacity on the ‘shoulders’ of peak demand
periods, it is very much less likely where car parking is constrained. In these
circumstances the car park would be operating at capacity throughout the day and
there would be few opportunities and little incentive for car-borne customers to re-
time their shopping trips.

14. Unsurprisingly, the study showed that car trips turning to and from the site itself
would be lower if 15 parking spaces were provided, rather than the 30 proposed and
justified under the London Plan 2011. However, even if half of all displaced car trips
were to switch to other modes, a highly optimistic assumption, the number of car
trips with origins or destinations in the surrounding area would increase by about
100 on weekdays and 130 on weekend days. These additional trips would require
parking off-site for about one hour. Alternatively, many would continue to be made
to other stores further away from home, thereby failing to reduce CO₂ emissions.

15. If a more likely 25% modal switch were achieved among displaced car trips, the
number of additional parked cars to be accommodated in the surrounding area
would be in the order of 150 on Fridays and 190 on Saturdays.

16. Unconstrained parking demand at Stockwell was estimated at 44 cars, hence the 30
justified under the London Plan 2011 represented a good degree of constraint in
itself.
Conclusion

17. It would be wrong to assume that limiting food stores to parking provision in line with the Council’s proposals would attract proportionately fewer car-borne trips into the local area.

18. The analysis described above demonstrates that a high number of potential car-borne shopping trips to the site would instead either park in nearby streets/public car parks or continue to their current destinations. In other words they would be displaced, rather than removed from the local highway network, potentially causing as much if not more congestion as they travel further or circulate in search of parking. This is contrary to national planning policy and good transport planning practice.

19. It is concluded that there is no sustainable transport benefit in limiting the number of car parking spaces available to retail customers as proposed by the Council. Indeed it seems very likely that the proposals would increase pressure for on-street parking locally whilst failing to reduce carbon emissions. The London Plan 2011 nevertheless achieves a degree of traffic restraint because it does not accommodate unfettered demand and strikes a good balance between mitigating the potentially negative local impacts associated with on-street parking and the wider policy objective to reduce carbon emissions.

20. It is therefore strongly suggested that the food retail parking standards set out within the London Plan 2011 should be adopted by Waltham Forest Council and incorporated into its Development Management Policies.
Comment on Development Management Policies Proposed Submission

Respondent ID 681064

Respondent London Borough of Croydon

Contact Person Ms Lee Longhurst, Deputy team leader of Plan Making

Representation ID dmpps57

Response Date 12/09/2012

Submission Type Email

Consultation Point Chapter 01 - Introduction - Paragraph 1.14

Legal Compliance N/A

Soundness N/A

Unsound because it is not N/A

Reasons for compliance and soundness We acknowledge your statement of representation, Duty to Co-operate and Development Management DPD. The London Borough of Croydon has no comments.

Changes necessary for legal compliance and soundness N/A

Oral Examination N/A

Reasons for oral Examination N/A

Attachment N/A
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

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PART A

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<th>2. Agent details (if applicable)</th>
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<td>Fulgoni</td>
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<tr>
<td>Organisation (where relevant)</td>
<td>The Planning Bureau Ltd.</td>
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<td>Address</td>
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Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph 11.1 Policy Dm10

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes No

(2) Sound Yes No

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) Is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

We are pleased by the addition of consideration to Older Persons accomodation in Policy DM10. We are content that this policy suitably considers the housing requirements of older people in Waltham Forest.

(continue on a separate sheet if necessary)
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No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: Date: 29/08/2012

If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

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<th>Policy</th>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   - Yes [✓]
   - No [ ]

(2) Sound
   - Yes [ ]
   - No [✓]

*If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [ ]
(2) Justified [ ]
(3) Effective [✓]
(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

See attached submission statement

(continue on a separate sheet if necessary)
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See attached submission statement

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] Yes, I wish to participate at the oral examination

[ ] No, I do not wish to participate at the oral examination

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(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 29 AUG 2012

[ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Waltham Forest Local Plan
Development Management Policies

Representations of behalf of E & R Fuller
In respect of Essex Cordage Works and
Sutherland House, Sutherland Road
Walthamstow

1. My clients are the freeholders of the above site affected by the zoning as a Business Employment Area (9) and Policy DM20.

2. These representations should not in any way be taken as contradicting or at variance with representations already being considered in respect of the Blackhorse Lane Action Area Plan.

3. My clients support the Council's objectives of including their site within the Business Employment Area but consider that more emphasis should be set out in Policy DM 20 specifically referring to residential development as a facilitator of regeneration in this area.

4. Recent experience has shown that with similar redevelopment schemes with which my clients are concerned the capital value of new commercial development is less than the building costs thus rendering the projects unviable.

5. In connection with this particular site can I remind you of the submissions made in connection with the Action Area Plan in September last year (paras 3 and 4 refer) in that the situation is unchanged in terms of lack of interest from any B1 or any other commercial user.

6. It is therefore considered that Policy DM20 at para (c) should be more explicit and encouraging to residential development as forming an integral and fundamental part of any redevelopment scheme.

7. No other observations are offered in connection with the current proposals that are fully supported in principle subject to the comments set out above.

John Newton Associates

29th August 2012
**Local Plan Development Management Policies**

Publication Stage Representation Form

<table>
<thead>
<tr>
<th>Waltham Forest Local Plan Development Management Policies (DMP)</th>
<th>For office use only</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reference No: 682159</td>
</tr>
<tr>
<td></td>
<td>Date received: 17/09/2012</td>
</tr>
</tbody>
</table>

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

**Part A** – Personal details (only needed once irrespective of how many representations you make)

**Part B** – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

**Please read the guidance notes before completing this form.**

---

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<table>
<thead>
<tr>
<th>1. Personal details</th>
<th>2. Agent details (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title</td>
<td>Barts Heath NHS Trust</td>
</tr>
<tr>
<td>First name</td>
<td>Mr</td>
</tr>
<tr>
<td>Last name</td>
<td>Peter</td>
</tr>
<tr>
<td>Job title (where relevant)</td>
<td>Planning Director</td>
</tr>
<tr>
<td>Organisation (where relevant)</td>
<td>RPS</td>
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<tr>
<td>Address</td>
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<td>Telephone number</td>
<td></td>
</tr>
<tr>
<td>Email address</td>
<td></td>
</tr>
</tbody>
</table>

*If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2*
Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph: 2.28
Policy: DM1

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes [✓] No [ ]

(2) Sound
   Yes [ ] No [✓]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared [✓]

(2) Justified [ ]

(3) Effective [ ]

(4) Consistency with national policy [ ]

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

The document does not reflect the adopted core strategy.

(continue on a separate sheet if necessary)

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1. Policy DM1 - this policy addresses sustainable and mixed use developments. The policy identifies the Key Growth areas in accordance with the core strategy as being, Blackhorse Lane, the Northern Olympic Fringe, Walthamstow Town Centre and Wood Street. It also makes reference to Site Opportunity Locations where plans for such areas would be detailed in Action Area Plans and Site Allocation Development Plan Document. In accordance with the approved Core strategy however the surplus land at the Whipps Cross Hospital would fall within this later category. It is important to identify the surplus land in the same way that the core strategy has done, in terms of consistency and sound planning.

The hospital has identified 3.27 ha of underused land in the northwest corner of its site which will become available for development. It is considered that the site would accommodate a significant number of new homes to help meet the identified requirements of the borough.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

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Signature: ___________________________ Date: 17. Sept 2012
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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
   Yes □ No □

(2) Sound
   Yes □ No □

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   (3) Effective □
   (4) Consistency with national policy □

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1. Policy DM29 – The Whipps Cross Hospital site has an extensive array of Edwardian period buildings that appear on the council’s list of locally Listed Buildings. All the buildings that appear on the list are currently occupied as operational acute care hospital buildings. The secretary of state/English Heritage have twice considered and rejected both times the potential statutory listing of these locally listed buildings. Subsequent to those decisions, it was agreed between the hospital and the London Borough that should any of the buildings become surplus to hospital requirements then only the original chapel, gatehouses and water towers would be retained and converted to residential use. This agreement was termed “the minimum retention scheme” and it would be in accordance with the aims identified in criteria F of the policy. If any other of the locally listed buildings did ever become surplus to hospital requirements then the trust would be willing to consider the possibility of retention and conversion to residential use but only if such conversion represented a viable option for the trust and they would not be bound to retain them. Accordingly, the Trust does not support the suggested policy restriction imposed by DM29 and its accompanying paragraphs that could effectively prevent the demolition and development of its buildings that would be contrary to the agreement previously reached between the Council and the Hospital Trust and the earlier decisions of the SoS/English Heritage.

(continue on a separate sheet if necessary)

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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy</th>
</tr>
</thead>
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<tr>
<td></td>
<td>DM32</td>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
</table>

(2) Sound

<table>
<thead>
<tr>
<th>Yes</th>
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Support is given to the acceptance in policy DM32 and accompanying paragraphs that tall buildings will be permitted in any redevelopment of underused land subject to site planning and design brief.

(continue on a separate sheet if necessary)

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Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan
Development Management Policies (DMP)

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<thead>
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<tr>
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<td>Mr</td>
</tr>
<tr>
<td><strong>First name</strong></td>
<td>C/O Agent</td>
</tr>
<tr>
<td><strong>Last name</strong></td>
<td>Tudor</td>
</tr>
<tr>
<td><strong>Job title (where relevant)</strong></td>
<td>Jones</td>
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<tr>
<td><strong>Organisation (where relevant)</strong></td>
<td>Industry Property Investment Fund</td>
</tr>
<tr>
<td><strong>Address</strong></td>
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<tr>
<td><strong>Post Code</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Telephone number</strong></td>
<td></td>
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<tr>
<td><strong>Email address</strong></td>
<td></td>
</tr>
</tbody>
</table>

1If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.
Part B

Please use a separate sheet for each representation

Name or organisation: GVA (on behalf of Industry Property Investment Fund)

3. To which part of the DMP does this representation relate?

Paragraph | Policy wording | Policy | DM3 - Affordable Housing Provision
---|---|---|---

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant
Yes [X] No [ ]

(2) Sound
Yes [ ] No [X]

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(1) Positively Prepared [X]

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(3) Effective [X]

(4) Consistency with national policy [X]

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To explain and expand on our position.

(continue on a separate sheet if necessary)

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Signature: _______ _______ Date: 19/09/2012

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Part B

Please use a separate sheet for each representation

Name or organisation: GVA (on behalf of Industry Property Investment Fund)

3. To which part of the DMP does this representation relate?

Paragraph Policy wording Policy

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes X No

(2) Sound Yes No X

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

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(1) Positively Prepared X

(2) Justified X

(3) Effective X

(4) Consistency with national policy X

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(continue on a separate sheet if necessary)

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Signature: _____ Date: 14/04/2012

☒ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation
Name or organisation: GVA (on behalf of Industry Property Investment Fund)

3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
<th>Paragraph</th>
<th>Policy wording</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>DM21 – Non Designated Existing Employment Area</td>
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</table>

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant | Yes | No
(2) Sound | Yes | No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared | X
(2) Justified | X
(3) Effective | X
(4) Consistency with national policy | X

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To explain and expand on our position.

(continue on a separate sheet if necessary)

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Signature: ____________________________ Date: ___________ ___________ ___________ ___________

☒ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B

Please use a separate sheet for each representation

Name or organisation: GVA (on behalf of Industry Property Investment Fund)

3. To which part of the DMP does this representation relate?
   Paragraph: 
   Policy wording: 
   Policy: DM27 – New retail, office and leisure developments

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
       Yes [X] No 
   (2) Sound
       Yes [blank] No [X]

   *If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared [X]
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Signature: ______________________________ Date: 14/09/2012

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Dear Sirs

DEVELOPMENT MANAGEMENT POLICIES, LOCAL PLAN DOCUMENT (Proposed Submission Version July 2012) REPRESENTATIONS MADE ON BEHALF OF INDUSTRY PROPERTY INVESTMENT FUND

We respond on behalf of our client, the Industry Property Investment Fund (C/O Legal & General Property), which is the freehold owner of the Ferry Lane Industrial Estate. You will find attached a completed response form that accompanies the following representation.

Our client has been working hard with the Council in the preparation of the draft Blackhorse Lane Area Action Plan (AAP) and Urban Design Framework and significant progress has been made on the documents that will alleviate many barriers to new development. The Development Management Policies document should be drafted to be consistent with these documents, together with the NPPF. It is in this context that the following comments are made on affordable housing policy, the Council’s approach to housing mix and retail, and towards the treatment of existing employment sites.

Policy DM3 – Affordable Housing Provision

Commentary

The consideration of viability is not stressed enough in the current drafting of affordable housing Policy DM3 and this risks sufficient development coming forward to meet identified need.

Ensuring viability is a theme that underpins the NPPF. Paragraph 160 states that local planning authorities should work closely with the business community to understand their changing needs and identify and address barriers to investment, including viability. Paragraph 173 states:

“the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”
The need for deferred contributions should be applied with flexibility, having regard to other key priorities, such as attracting investment in order to deliver regeneration objectives and promote growth in key areas such as Blackhorse Lane.

Furthermore, to conform with the NPPF and London Plan, the policy wording should take account of the change in definition of affordable housing to include the affordable rent product in order to maximise the amount of affordable housing that can be viably delivered. The Mayor has published an early minor alteration to the London Plan to update the position on affordable housing and address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. Through the provision of affordable rent housing as part of development proposals, there is an opportunity to increase the viability of schemes and to therefore maximise the overall delivery of affordable housing provision.

It is noted in the supporting justification text to this policy that the affordable rent product is considered, and we support the position that applications will be “determined on a site by site basis with regards to a site’s location and with reference to viability”. However, by not referring to the affordable rent product within the policy wording, Policy DM3 will not be effective and will not comply with national and regional planning policy, insofar as it will fail to secure the maximum delivery of affordable housing.

Recommendation

On the basis of the above, we suggest the following re-wording:

“In accordance with policy CS2, the Council aims to provide 50% of new housing to be affordable, where viable, by:

A. seeking the provision of affordable housing within all residential developments in the borough. The Council will firstly seek this to be on site and secondly on a nearby site. Where this cannot practicably be achieved, the Council may accept an off site payment-in-lieu;
B. applying deferred contributions to housing sites capable of providing 10 or more homes which propose less than 50% affordable housing where appropriate. The need for deferred contributions will be applied flexibly in key regeneration areas;
C. seeking a tenure split of 60% social/affordable rented units and 40% intermediate housing units;
D. seeking the use of legal agreements in phased residential development to ensure that all parts or phases make appropriate provision of affordable housing; and
E. seeking affordable housing schemes to be ‘tenure blind’ to ensure homes across tenures are indistinguishable from one another;
F. The proportion of social rented homes that are delivered as the ‘affordable rent’ product will be determined on a site by site basis with regards to a site’s location and with reference to viability.”

Policy DM5 – Housing Mix

Commentary

The policy should recognise those instances where it is not practical or feasible to maximise family accommodation. At present, only the supporting text paragraph 6.6 states that the
housing mix of new development should be considered on a site by site basis and a flexible approach should be taken. Policy and supporting text should also be consistent with Policy BHL 3 of the emerging Blackhorse Lane AAP which states that “a higher proportion of family sized units will be sought on sites other than Site BHL 1: The Station Hub:

**Recommendation**

On this basis the policy and supporting text should be re-worded as follows:

“The Council will seek all housing developments to provide a range of dwellings sizes and tenures particularly focusing on the provision of larger family sized homes (three bed plus) in line, where appropriate, with the Council’s preferred housing mix table 6.1. The housing mix of new developments located in the key growth areas will be subject to site specific circumstances consistent with emerging AAP policy.”

**Policy DM 21 - Non Designated Existing Employment Areas**

**Commentary**

Clarification should be provided that the proposed criteria based assessment is not applicable to the key sites including the Blackhorse Lane regeneration area, where land use principles have been agreed through the AAP. Without the change, this policy could restrict residential development from coming forward in key areas which have been identified for new housing.

**Recommendation**

Taking this into account, we suggest the following re-wording:

a) “Within non designated employment land (i.e. land currently or last used for such purposes but not identified on the policies map), applications for alternative uses will only be permitted in the following circumstances:
- The site is demonstrated to be no longer fit for employment use;
- The Council is satisfied that the proposed use would not be better located in a town or district centre;
- Mitigation for the loss of employment land is provided in accordance with policy DM37 and the Council’s Planning Obligations SPD;
- In all other respects the proposed use is well designated and suitable to its surroundings.

Exceptions to the above include those instances where the Council has identified a preferred alternative land use for development sites and those sites located in the identified growth areas.

b) Where land last used…….”

**Policy DM 27 - New retail, Office and Leisure Developments**

**Commentary**

As well as encouraging of the development of new town centre uses within the Borough’s designated centres, Policy DM27 should acknowledge that opportunity exists within the wider Blackhorse Lane area (and not just the proposed neighbourhood centre around the station)
to introduce new retail and support services (such as a local convenience store) to serve the everyday needs of a growing population.

Recommendation

In order to create mixed and sustainable communities it is important to reduce the need to travel and provide the supporting infrastructure that they require. As such, in the identified growth areas, new forms of retail should be able to be located outside of identified centres where appropriate. On this basis, we recommend the following re-wording of criteria A and B of Policy DM27:

“A) proposals are concentrated within the designated centres/local parades taking into account the hierarchy of centres as set out according to Core Strategy Policy CS14. Proposals within these centres/local parades should be of a scale appropriate to the role and character of the centre/parade and its catchment. Opportunities exist to introduce new retail and other services to support the everyday needs of a growing population within key regeneration area.

B) Proposals located outside of designated centres / local parades and regeneration areas demonstrate compliance with the sequential test approach and are also supported by a retail impact assessment;

C) proposals for outdoor…”

We look forward to confirmation of receipt of these representations and would be delighted to meet with officers to discuss any part of our representations.

If you have any queries or wish to discuss, please do not hesitate to contact Nick Delaney (020 7911 2182) or Tudor Jones (020 7911 2493) of this office.

Yours faithfully

GVA
ACTING FOR INDUSTRY PROPERTY INVESTMENT FUND (C/O LEGAL & GENERAL PROPERTY)

CC. NICK BAKER (LEGAL & GENERAL PROPERTY)
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

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<th>1. Personal details</th>
<th>2. Agent details (if applicable)</th>
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<td>Philip</td>
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<td>Last name</td>
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<td>Joyce</td>
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<td>Job title (where relevant)</td>
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If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
Paragraph 27.13
28.7
Policy DM27

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant
        Yes [X]
        No
   (2) Sound
        Yes
        No [X]

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared
   (2) Justified
        [X]
   (3) Effective
   (4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

1. Strategic objective 1

Support the objective to strengthen the function of town centres to capitalise for shopping, culture, leisure, tourism and employment. However, we consider the hierarchy should be expanded to include reference to the key growth areas as identified in policy DM1.

Paragraph 27.13 states that neighbourhood centres represent local activity hubs for retail and other town centre activities. In addition we note that council considers that neighbourhood centres often include a key footfall generating feature or retail ‘anchor’ and range of shops that Council considers necessary to enable the centre to perform its local shopping role. On this basis there is a level of assumption that that each neighbourhood centre has an established role and shopping parade including a retail anchor.

Paragraph 28.7 includes the expected role for neighbourhood centres including top-up and basket convenience shopping on a smaller scale development than district centres

Neither the policy nor the justification take account of the unique role of the Blackhorse Lane centre as an emerging key growth area and a newly established neighbourhood centre (NC5).
It is considered the proposed prescriptive scale of development for the different centres within the hierarchy could prevent the Blackhorse Lane centre from developing a retail anchor or leisure uses to act as a catalyst for successful economic regeneration of the area.

On this basis we submit the Blackhorse Lane centre should be listed as an emerging centre with a specific growth requirement for large scale food retail and leisure uses to support the planned level of growth.

Alternatively the wording of the justification should be amended to indicate that large scale retail development or leisure uses would be appropriate were need has been established in neighbourhood centres within key growth areas close to public transport facilities.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Amend paragraph 28.7 to including the following text

Large scale retail and leisure development can be considered acceptable in neighbourhood centres within key growth areas subject to established future or current need in a location with good accessibility to public transport facilities.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

[ ] No, I do not wish to participate at the oral examination

[ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
To ensure that appropriate weight is given the future retail and leisure functions for identified neighbourhood centres located within key growth areas.

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: _________________________ Date: 17 September 2012

X If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2

**Part B**

**Please use a separate sheet for each representation**

**Name or organisation:**

3. **To which part of the DMP does this representation relate?**

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4. **Do you consider the Local Plan Development Management Policies (DMP) is:**

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*If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. **Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:**

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| (3) Effective |     |
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<th>(4) Consistency with national policy</th>
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6. **Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.**

1. **Strategic objective 1**

   Support the objective to capitalise on redevelopment opportunities to secure, physical economic and environmental regeneration and the delivery of key benefits for young people through mixed use development.

   Paragraph 2.8 identifies the need for wide variety of activities on single site or across town centres. In addition we note that Area Action Plans will identify key opportunity locations with guidance for future development including residential, employment, leisure, retail and social uses.

2. **Policy DM1 (B)**

   We support the policy to identify key growth areas and the inclusion of Blackhorse Lane. We note Council is currently preparing an AAP for Blackhorse Lane.

(continue on a separate sheet if necessary)
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

   [X] No, I do not wish to participate at the oral examination

   [ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 17 September 2012

[X] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box
Part B

Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph 2.21 Policy Policy DM1 B) (a)

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant Yes [x] No

(2) Sound Yes [x] No

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared

(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

1. We agree with the strategic Policy DM1 B) (a) that the council will seek to accommodate growth in key growth areas including the adoption of Figure 2.1.

2. Paragraph 2.21

We concur that mixed use development in within the Blackhorse Lane AAP boundary can significantly contribute meet towards achieving council’s general and specialist housing need. In order to better achieve the strategic policy aims, we consider that a key sentence should be re-worded as follows:

‘mixed-use development in this key growth area can help meet a range of housing need’.

We consider this small change would provide closer conformity with adopted Core Strategy (Policy CS2), the London Plan and London Plan draft Housing SPD and the identified and growing need for specialised types of housing principally Student accommodation to provide a wider choice of housing types.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

Yes, I wish to participate at the oral examination

No, I do not wish to participate at the oral examination

(continue on a separate sheet if necessary)

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note  the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: _________________________  Date:  17 September 2012

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Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

| Paragraph | 11.1 | Policy | DM10 |

4. Do you consider the Local Plan Development Management Policies (DMP) is:

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<td>(2) Sound</td>
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*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

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6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

1. Strategic objective 2

Support the objective to 'Ensure a continuous supply of land and homes to meet a range of housing needs including affordable housing, family housing and accommodation needs of specific groups within the community, whilst offering a range of housing choices which are of high quality in the right places.'

2. Paragraph 11.1

Paragraph 11.1 states the policy is applied to a number of uses including 'Residential colleges and training centres (student housing) (usually in Use Class C2)'. However, the majority of purpose built student accommodation is non-self contained with shared facilities and therefore classified as sui generis rather than either Use Class C2 or Use Class C3.

We consider the policy unsound and the reference to student housing should not be limited to that falling within Use Class C2.
3. Policy DM10

Part A of the above policy sets criteria to support the provision of specialised housing. Policy DM10 (A iii) includes the requirement for identified local need.

It is considered the restriction of local need is inconsistent with the London Plan and London Plan draft Housing SPD which states that LDF documents should not constrain provisions of student accommodation which meets strategic as well as local needs.

Furthermore the relevant polices seek the dispersal of student accommodation away from central London to other locations conveniently accessible by public transport and which can contribute to the local economy.

The restriction of specialised housing including student accommodation to provide for local need is unsound and should support proposals for purpose built student accommodation which meets a wider London need in locations close to public transport facilities which can contribute to the local economy.

(continue on a separate sheet if necessary)

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

1. We agree with this policy objective and do not consider that it should be revised

2. The wording of the sentence 'Residential colleges and training centres (student housing) (usually in Use Class C2)' is restrictive to the scope of student housing and not consistent with regional and local policy in reference to student housing; as such it is considered that reference to 'Use Class C2' should be removed.

3. Policy DM10 (A) should include an additional criteria relating to student accommodation to support London wide identified need in locations with good accessibility to public transport and would contribute to the local economy.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☐ No, I do not wish to participate at the oral examination

☒ Yes, I wish to participate at the oral examination
9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

In order to ensure the provision of student accommodation to meet the strategic requirements of the London Plan and to contribute the economic growth.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 17 September 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2.

Part B
Please use a separate sheet for each representation

Name or organisation:

3. To which part of the DMP does this representation relate?

Paragraph  
Policy DM26

4. Do you consider the Local Plan Development Management Policies (DMP) is:

(1) Legally Compliant  Yes [X]  No [
(2) Sound  

Yes [ ]  No [X]

If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

(1) Positively Prepared  

(2) Justified  [X]

(3) Effective  

(4) Consistency with national policy  

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

1. Strategic objective 1

Support the objective to strengthen the function of a hierarchy of town centres to capitalise for shopping, culture, leisure, tourism and employment. However, we consider the hierarchy should be expanded to include reference to the key growth areas as identified in policy DM1.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.
After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is necessary to include reference to growth areas to ensure the quantum of development intended for neighbourhood centres takes consideration of the strategic importance of neighbourhood centres within key growth areas including Blackhorse Lane.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

X No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 17 September 2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Mandora Site, Blackhorse Lane

Detailed Representations on Development Management Policies Submission Document

Macdonald Egan

September 2012
# Contents

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<td>DM10: Specialised Housing</td>
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<td>DM26: Managing Changes of Uses in Town Centres and DM27: New retail, offices and Leisure Developments</td>
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Representations on Development Management Policies Submission Document

1. Introduction

1.1. The following sets out detailed representations submitted on behalf of our client MacDonald Egan on London Borough of Waltham Forest (LBW), Development Management Policies (DMP), Proposed Submission Document dated July 2012. These representations are submitted in support of the future redevelopment of Mandora Site, Blackhorse Lane for the large scale mixed use purposes.

1.2. The detailed representations support the Submission Representation Forms received by LBW on 17 September 2012 and relate to the following policy numbers and focus on the opportunities for the provision of purpose built student accommodation and larger scale retail and/or leisure facilities such as a multi-screen cinema (circa 2,500sqm).

DM1 – Sustainable Development and Mixed Use Development
DM10 – Specialised Housing
DM26 – Managing Changes of Uses in Town Centres
DM27 – New retail, offices and Leisure Developments

1.3. The structure of the document includes a detailed review of each of the above policies. Policies DM26 and DM27 both relate to town centre type uses and are therefore considered together.
2. **DM1 - Sustainable Development and Mixed Use Development**

**Policy Context**

2.1. The policy is linked to strategic objective 1 and Core Strategy Policy CS1 and 2 on Location and Management of Growth.

2.2. Strategic objective 1 seeks to capitalise on redevelopment opportunities to secure physical, economic and environmental regeneration of the borough and ensure key benefits for local people. To achieve this objective policy DM1 is split into two parts which are described below.

2.3. Part A relates to Sustainable Development and highlights that Council are required to take a positive approach that reflects the presumption in favour of sustainable development in accordance with the key principle of the National Planning Policy Framework. Furthermore the policy requires council to collaborate with applicants to approve development were possible to secure development that improves the economic, social and environmental conditions in Waltham Forest.

2.4. Part B relates to Mixed Use Development with a focus on the provision of an appropriate mix of uses in development in the key growth areas including a contribution towards the supply of housing and employment. Part B (a) further states that council will seek to accommodate growth in the key growth areas which includes Blackhorse Lane. Further details of regeneration activities are to be included within Area Action Plans.

2.5. In accordance with the structure of the Local Development Framework the strategic aims for key growth areas are set out with the Core Strategy and Policy CS1 as referred above. Policy CS1 includes a target for the provision of 2,500 new homes and 1,000 new jobs for Blackhorse Lane. The AAP have reached the preferred options stage and includes similar aspiration in terms of the quantum of development.
2.6. We support the Council’s policy to accommodate growth within the key growth areas in accordance with the NPPF core principle to identify and then meet the housing, business and other development needs of an area; and the London Plan which seeks local authorities to plan for and accommodate growth over the next 15 years.

**Range of Housing Type**

2.7. However, we submit that the policy could be more proactive in achieving sustainable mixed use development by being more prescriptive within the justification on the types of housing that contribute to housing supply including specialist housing.

2.8. In addition to identifying the housing and employment opportunities, a balanced approach should also plan for additional retail and leisure facilities on a strategic level commensurate with predicted population and economic growth.

2.9. Paragraph 2.21 seeks that mixed use development within the emerging Blackhorse Lane centre and in particular AAP boundary significantly contribute towards achieving the council’s housing need, employment floorspace and within the newly designated neighbourhood centre a range of shops and services.

2.10. However, in order to achieve greater conformity we submit the paragraph should mirror the NPPF (part 6) to achieve a wider choice of high quality homes. More specifically, paragraph 50 of the NPPF requires local planning authorities to plan for a mix of housing based on both current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing required.
2.11. London Plan Policy 3.8 echoes the requirements of the NPPF for local authorities in the LDF to take account of a wide range of housing requirements. Furthermore Core Strategy Policy (CS2 c)) seeks to ensure a continuous supply of land and homes to meet a range of housing needs including affordable housing, family housing and accommodation needs of specific groups in the community, whilst offering a range of housing choices which are of high quality in the right places.

2.12. We consider that policy DM1 and paragraph 2.21 are in general conformity with national, regional and local policy. However, in order to better achieve the strategic objectives of the NPPF, London Plan and Core Strategy we consider that a key sentence within paragraph 2.21 should be re-worded as follows:

...mixed-use development in this key growth area can help meet a wide range of housing need, provide new fit for purpose employment floor space, and in the case of newly the designated neighbourhood centre, provide a range of shops and services,

2.13. It is considered the above change is particularly relevant with respect to the Mandora Site, Blackhorse Lane given its location immediately adjacent to a major transport interchange hub. The wide range of housing would allow for the development of a night time economy in the neighbourhood centre. In addition we submit a greater variety housing types and associated occupants would provide an opportunity to local retailers to extend trading hours across a wider part of day/night rather than concentrating activity within the traditional rush-hour peaks at either end of the standard working day.
3. **DM10 – Specialised Housing**

**Policy Context**

3.1. The policy is linked to strategic objective 2 and Core Strategy Policy CS2 on Location and Management of Growth. Due to the sites proximity to public transport facilities our client is seeking to bring forward redevelopment opportunities for which there has been a high level of expressed interest in the provision of student accommodation.

3.2. Strategic objective 2 seeks to ensure a continuous supply of land and homes to meet a range of housing needs including affordable housing, family housing and accommodation needs of specific groups within the community, whilst offering a range of housing choices which are of high quality in the right places.’

3.3. The objective is in accordance with part 6 of the NPPF which sets out the Government aim to deliver a wide choice of high quality homes. Paragraph 50 of the NPPF requires local planning authorities to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community In addition the objective complies with London Plan Policy 3.8 and Core Strategy policy CS2.

**Student Housing – Use Class**

3.4. Paragraph 11.1 includes further details on compliance with the core strategy and policy CS2 and a stated aim to support the development of higher education in the borough by supporting it with the required level of student housing. Paragraph 11.1 states that the policy (DM10) is applied to a number of uses including ‘Residential colleges and training centres (student housing) (usually in Use Class C2).’
3.5. Whilst we welcome the inclusion of student housing need we consider the reference to student housing usually in Use Class C2 is unsound and overly restrictive to the scope of student housing.

3.6. The Town and Country Planning (Use Classes) (Amendment) (England) Order 2010. Use Class C2 is classed as Residential Institutions including care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. This definition of student housing is effectively limited to that provided on campus together with teaching facilities. It is our understanding the majority higher education student do not live within a campus or residential college rather they tend to live within family homes, private rented general needs housing with a growing number accommodated within purpose built student housing blocks.

3.7. It is characteristic for purpose built student accommodation to include shared facilities such as kitchens, common rooms and bathrooms. As such these units are not self-contained or general needs housing and instead classified as *sui generis* within the Use Class Order. This classification is further established through the reference in the London Plan and draft London Plan SPD to student housing as ‘non self-contained’.

3.8. Furthermore, we note that Core Strategy paragraph 5.3 makes reference to Non self-contained units such as hostels and student accommodation. The reference to non self-contained accommodation (such as hostels and student accommodation) is inconsistent with paragraph 11.1 as outlined above.

3.9. For the reasons stated above the reference to student housing as usually Use Class C2 is unsound and reference to C2 should be omitted.


**Student Housing – Identified Need**

3.10. Part A of the above policy sets criteria to support the provision of specialised housing. Policy DM10 (A iii) includes the requirement for identified borough (local) need. It is considered that this restriction of local need is inconsistent with the London Plan and London Plan draft Housing SPD.

3.11. Policy 3.8 (h) of the London Plan 2011 states that local authorities in preparing their LDF should recognise the *strategic* and local requirements for student accommodation meeting a demonstrable need by working closely with stakeholders in higher and further education. Paragraph 3.52 highlights the requirement for some 18,000 - 27,000 places for student accommodation over the 10 years to 2021 and that new provision of student accommodation may also tend to reduce pressure on other elements of the housing stock currently occupied by students especially in the private rented sector.

3.12. This is repeated in Policy 3.8 (g). of the London Plan draft housing SPD and paragraph 3.1.50 which instructs councils in preparing their LDF that they should not constrain provisions of student accommodation which meets *strategic* as well as local needs.

3.13. The London Plan draft Housing SPD seeks the dispersal of student accommodation away from central London to other locations conveniently accessible by public transport and which can contribute to the local economy. Paragraph 3.1.50 highlights the Mayors concern that clustering of higher educational institutions in and around Central London means that particular pressure has fallen on a relatively small number of boroughs to meet student needs.

3.14. Paragraph 3.1.51 states that dispersal away these areas to locations which are conveniently accessible for students can offer competitive alternative provision and can contribute to local economies. A University
of London report is referenced stating that new provision of student accommodation should preferably be within 30 minutes travel time of the relevant university and the Outer London Commission has suggested that student accommodation might make a particular contribution to mixed use, town centre renewal.

3.15. On this basis it has been demonstrated that the restriction of specialised housing, including student accommodation, to provide for local need is unsound and should support proposals for purpose built student accommodation which meets a wider London need in locations close to public transport facilities which can contribute to the local economy.

3.16. Policy DM10 (A) should therefore include an additional criteria relating to student accommodation to support London wide identified need in locations with good accessibility to public transport and that would contribute to the local economy.
4. DM26-Managing Changes of Uses in Town Centres and DM27-New retail, offices and Leisure Developments

4.1. Given the site proximity to Blackhorse Lane station and the planned level of growth in accordance with the Core Strategy and Blackhorse Lane AAP our client Macdonald Egan is seeking to bring forward redevelopment opportunities for which there has been a confirmed interest for both a food retail store with some 2,500sqm or a similar size leisure or cinema use.

4.2. Both policies (DM26 and DM27) are linked to Strategic Objective 14 which seeks to strengthen the function of Walthamstow Town Centre, the District and Neighbourhood Centres capitalising their respective roles for shopping, culture, leisure, tourism and employment.

4.3. This objective is consistent with part 2 of the NPPF which requires LPAs to prepare planning policies which are positive and promote competitive town centres. In addition paragraph 23 of the NPPF recognises town centres as the heart of their communities and the requirement to pursue policies to support their vitality and viability.

4.4. Policy DM26 relates to the designation of shopping frontages and development management for proposed change of use and shop front design.

4.5. Policy DM27 seeks to encourage the development of new town centre uses that support and enhance the viability, vitality and function of the borough’s designated centres in accordance with Core Strategy policy CS14 which sets out the retail hierarchy of centres.

Key Growth Areas, Neighbourhood Centres and Town Centre Uses

4.6. In accordance with the Core Strategy policy CS1 and CS2 and draft policy DM1 of the DMP submission document Blackhorse lane is designated as a
key growth area for the borough with a high level of planned housing and employment generating growth.

4.7. Notwithstanding the above the Blackhorse Lane newly designated centre is included at the lowest end of centres hierarchy being a neighbourhood centre (identified as NC5 on the policy map).

4.8. Paragraph 27.13 states that neighbourhood centres represent local activity hubs for retail and other town centre activities. In addition we note that council considers that neighbourhood centres often include a key footfall generating feature or retail ‘anchor’ and range of shops that Council considers necessary to enable the centre to perform its local shopping role. On this basis there is a level of assumption that that each neighbourhood centre has an established role and shopping parade including a retail anchor.

4.9. Paragraph 28.7 includes the expected role for neighbourhood centres including top-up and basket convenience shopping on a smaller scale development than district centres.

4.10. Neither the policy nor the justification take account of the unique role of the Blackhorse Lane centre as an emerging key growth area and a newly established neighbourhood centre (NC5).

4.11. Whilst we support the objective to strengthen the function of town centres to capitalise for shopping, culture, leisure, tourism and employment. We consider the hierarchy should be expanded to include reference to the key growth areas.

4.12. We submit that the apparent restrictions on developing medium? scale retail and leisure uses within neighbourhood centres could inhibit the future growth of the Blackhorse Lane Centre. We note the expectation for neighbourhood centre to include an existing anchor or footfall generating

MacDonald Egan
use. The policy as it stands would prevent the newly designated Blackhorse Lane centre from developing such uses.

4.13. With the planned level of population growth we consider it is important to provide balanced and sustainable communities with easy access by public transport or walking/cycling to a range of shopping and leisure facilities.

4.14. On this basis we consider policy DM27 to be unsound and submit the Blackhorse Lane centre should be listed as an emerging centre with a specific growth requirement for medium scale food retail and leisure uses to support the planned level of growth.

4.15. Alternatively the wording of the justification should be amended to indicate that large scale retail development or leisure uses would be appropriate where need has been established in neighbourhood centres within key growth areas close to public transport facilities.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

PART A

<table>
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<th>1. Personal details</th>
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<tr>
<td>Title</td>
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<td>Stephanie</td>
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<td>Weeks</td>
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<td>Organisation (where relevant)</td>
<td>National Grid Property Holdings Ltd.</td>
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<td>Planning Perspectives LLP</td>
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1If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
**Part B**

Please use a separate sheet for each representation

**Name or organisation:**

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3. To which part of the DMP does this representation relate?

<table>
<thead>
<tr>
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<tbody>
<tr>
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<td>DM5: Housing Mix</td>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

<table>
<thead>
<tr>
<th>(1) Legally Compliant</th>
<th>Yes ✔</th>
<th>No</th>
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</thead>
<tbody>
<tr>
<td>(2) Sound</td>
<td>Yes</td>
<td>No ✔</td>
</tr>
</tbody>
</table>

*If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.*

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

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<td>(2) Justified</td>
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<td>(3) Effective</td>
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<tr>
<td>(4) Consistency with national policy</td>
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</table>

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

As this Policy stands it is seeking a range of dwelling sizes and tenures with a particular focus on the provision of larger family sized homes. This Policy is not considered effective as it does not allow for any flexibility and does not permit the ability for the housing mix to respond to market demand and the context of the site and its surroundings. This Policy is not effective and therefore fails the tests of soundness.

(continue on a separate sheet if necessary)

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*Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.*

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7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Policy DM5 on Housing Mix should be amended and read as follows:

"The Council will seek all housing developments to provide a range of dwelling sizes and tenures in line with the Council's preferred housing mix table 6.1 subject to market demand and a viability test of the proposed scheme."

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

☑️ No, I do not wish to participate at the oral examination
☐ Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: 21/09/2012

☑️ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Part B
Please use a separate sheet for each representation

Name or organisation:

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<td>DM7. Amenity and Internal Space</td>
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4. Do you consider the Local Plan Development Management Policies (DMP) is:

   (1) Legally Compliant
       Yes ☑️ No ☐

   (2) Sound
       Yes ☐ No ☑️

If you have entered 'no' to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:

   (1) Positively Prepared
       ☐

   (2) Justified
       ☐

   (3) Effective
       ☑️

   (4) Consistency with national policy
       ☐

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

   This Policy sets blanket amenity and internal space standards and does not allow for any flexibility. This Policy is not considered effective as the amenity and internal space standards for each scheme should be negotiated on its merits depending on the specific needs arising from the tenure and mix of housing provided and should not be dictated by blanket standards.

   (continue on a separate sheet if necessary)

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Policy DM7 on Amenity and Internal Space should be amended and read as follows:

"Internal Spaces
A. Proposals where possible should seek to meet the internal space standards as set out in tables 8.1 and 8.2;

External Amenity Spaces
B. Seeking proposals to meet as far as possible external amenity spaces as set out in table 8.3; and
C. Seeking proposals to meet as far as possible the play space standards as set out in table 8.3."

The word "minimum" should be removed from the headings for tables 8.1, 8.2 and 8.3.

(continue on a separate sheet if necessary)

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Signature: ____________________________________________ Date: 21/09/2012

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
Dear Sir/Madam

Representations on the Waltham Forest Development Management Policies Proposed Submission document

These representations have been prepared by Planning Perspectives on behalf of National Grid Property Holdings Ltd (NGP) in response to the consultation on the London Borough of Waltham Forest Development Management Policies Proposed Submission document. NGP landholdings in the Borough includes the following site:

- Gas Works, Lea Bridge Road, Leyton, E10 5YA.

The Lea Bridge Road Gas Works is a 2.72ha site in Leyton which will be decommissioned and available for development in due course. Although the site is not allocated on the Waltham Forest Local Plan draft policies map following the decommissioning of the Gas Holders on the site our client is keen for the site to be brought forward for residential led development.

As the London Borough of Waltham Forest are already aware, NGP’s sites are gasholder sites which need to be decommissioned and remediated before they can be developed for any other purpose. These upfront, abnormal costs that run into millions of pounds place a significant burden on the landowner at a very early stage in the development process.

It is of paramount importance for the Council to build flexibility into its Development Management Policies Development Plan Document to not only take into account sites that are likely to incur significant costs in being brought forward, but also to take into consideration the current challenging market conditions.

Policy DM 3 – Affordable Housing

NGP welcomes that the Council are willing to accept a viability case to demonstrate and justify why sites capable of providing 10 or more dwellings propose less than 50% of the required affordable housing. As previously discussed, the significant upfront abnormal costs associated with the decommissioning and remediating a NGP Gas Holder site place a significant burden on the site that could potentially prevent development from coming forward. To enable deliverability of the NGP site it is a necessity to consider the developments viability when seeking an appropriate level of affordable housing. The viability assessment for deferred contributions to housing sites capable of providing 10 or more homes which propose less than 50% affordable housing is supported.
Policy DM5 – Housing Mix

It is noted that the current ambition for this Policy is to seek a range of dwelling sizes and tenures particularly focusing on the provision of larger family sized homes. The type of housing should respond to the context of the site and its surroundings. Consideration should also be given to the types of properties that are required in specific sub areas of the borough. The provision of large family sized homes should be subject to market demand.

Policy DM7 – Amenity and Internal Space

This Policy sets specific amenity and internal space standards for properties. NGP urge Waltham Forest not to set blanket standards and that each scheme should be negotiated on its own merits depending on the specific needs arising from the tenure and mix of housing provided.

Policy DM8 – Housing Quality and Accessibility

This Policy seeks specific design standards for new residential development. On behalf of NGP we request Waltham Forest to adopt an element of flexibility into this Policy. The design and construction of new residential development schemes should be negotiated on a site by site basis depending on the specific needs arising from the tenure and mix of housing provided.

I trust that the above comments will be taken into consideration and the document amended accordingly. If you would like to discuss any matters further please do not hesitate to contact me.

Yours faithfully

Stephanie Weeks
Associate Partner
For and on behalf of Planning Perspectives LLP

Encl
Local Plan Development Management Policies

Publication Stage Representation Form

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<td><strong>Last name</strong></td>
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<td>DM 13</td>
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(2) Justified

(3) Effective

(4) Consistency with national policy

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Please refer to our previous letter, copy enclosed/attached for our reasons for considering the DMP as not legally compliant or sound.

In addition to the points identified, recent government announcement have called on Local Authorities to reconsider their Green Belt boundaries.

It would appear more appropriate to re-consider this area as opposed to say an area in the country side.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

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In relation to this site which is not a green ‘belt’ as such but an undeveloped area in a concrete belt, it is suggested that the policy could be adjusted so as to include for some buildings on the understanding that it would take account of areas set out in a manner sympathetic to the intentions of the Green Belt policies.

(continue on a separate sheet if necessary)

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- [ ] No, I do not wish to participate at the oral examination
- [X] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is not possible to explain every aspect of this representation through this form. At the oral examination it may be possible to compromise on various aspects having taken into account the officers' priorities.

(continue on a separate sheet if necessary)

Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature: ___________________________ Date: _____________

- [ ] If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.
For the attention of Gordon Glenday and Ian Butcher

Dear Sirs,

Re: Chingford Island (Site Adjacent to Costco), Harbet Road, South Chingford, E4 8GP

We are writing to request a variation to the policy to either de-classify or to be allowed to erect a building in the above small area of Green Belt adjacent to the North Circular Road.

Our client Stonestream Marbles bought this site from Thames Water on the understanding that they would be able to build a warehouse to transfer their stone business from Haringey to this site.

We have enclosed the following items for consideration –
1. The Site Policy Assessment
2. Site Investigation
3. Map showing the site in context with its surroundings
4. A drawing of a suitable scheme

The reasons for this request are as follows –

- The site was only defined as Green Belt area in 2006.
- The enclosed Site Investigation shows that it was used as a dump for redundant construction materials during the construction of the A406.
- There is no historical woodland, animal habitat or anything else of preservation interest present on the site.
- The draft policy map of Walthamstow shows a Green Corridor passing through the site. This will be included in the proposed scheme and enhanced as opposed to the current inaccessible situation.
- The site will provide an area of recreational facilities as set out in the Green Belt policies.
• The building will have basement storage area to provide for overspill of floodwaters if necessary. (Note that Costco has a basement parking area and despite heavy rainfall it hasn’t been flooded)

• Paving will be permeable. On the proposed scheme the area of paving has been minimised by the layout, which also makes use of the existing roads and areas.

• The major part of the building will have a "green roof" providing a protective habitat for birds and insects, etc.

• The area of the building is less than one third of the site.

• The building shown is included to prove that it could be architecturally interesting. The lower part will not be visible from the A406, which is 3 to 4 metres above the site level.

• No trees will be removed by this proposal but a large area of landscaping and tree planting would be added.

• This proposal could create employment for around 30 people.

• No cutting machinery will be used on the site. The building will only be used for storage and display.

I hope you are able to give consideration to the documents provided and re-designate the land as it was previously.

If you require any further information, please do not hesitate to contact us.

Yours faithfully,

Paul Shekleton
Site Policy Assessment
Construction of a single storey warehouse
Chingford Island (Land adjacent to Harbet Road, South Chingford, London E4 8GP)
Location

The site is located next to the Costco Wholesale Warehouse Club, just off the North Circular Road (A406) Walthamstow Avenue. It is situated in a predominately industrial area, with the Hastingwood Trading Estate located next to it and other businesses and retail parks such as Chingford Industrial Estate, Cork Tree Retail Park, B&Q, Safestore and other similar developments within a short distance.

Paradoxical to its fairly industrial location the site is designated as a part of the Greenbelt zone. This industrial or commercial locality of the site is even more prominent towards the west which comprises of more industrial estates and retail parks and is separated from the site by the Banbury Reservoir.

Paragraph 2.9 of the PPG2: Greenbelts, mentions - Wherever practicable a Green Belt should be several miles wide, so as to ensure an appreciable open zone all round the built-up area concerned. Boundaries should be clearly defined, using readily recognisable features such as roads, streams, belts of trees or woodland edges where possible. Contrary to this statement, the site looks like a small piece of undeveloped land surrounded by vast stretches of built up area. Also it seems to be the only undeveloped land cut out from a mass of developed area due to its position between Costco and BP garages.

It can be argued that Harbet Road which runs all the way into the Hastingwood Trading Park separating the site from the Banbury Reservoir makes a better boundary between built up area and the Green Belt.
Policy DM13 – Open Space, Sport and Recreation

A) Where development proposals within the Green Belt or Metropolitan Open Land (MOL) are considered appropriate in accordance with PPG2 and the London Plan they must additionally:

- implement a high standard of design in terms of scale, siting, landscape and response to context.
- complement and improve the quality of the open space uses.

B) Development proposals affecting an open space must not adversely affect, and where possible enhance:

- the inherent character of the space.
- access to and within the open space where appropriate.
- biodiversity value.

C) New usable open spaces and landscaping must be provided where appropriate, particularly in areas of deficiency and/or deprivation. Where new developments cannot contribute to usable open space provision or landscaping on-site, or provision is deemed insufficient to the scale or nature of the development, financial contribution will be sought.

D) Proposals for new areas of open space and landscaping must be accompanied by a maintenance plan at planning at planning application stage to ensure the long-term quality.

The Lee Valley Regional Park

G) Development proposals affecting the Lee Valley Regional Park must not contribute to adverse impacts on amenity, ecological integrity or visitor enjoyment of the Park and will be expected to deliver enhancements where possible.

Keeping in mind all of the above points we would like to propose a warehouse which will be in keeping with the general character of the site's surroundings. However, the proposed building will be a green building, surrounding areas within the site will be landscaped and more trees will be planted on the periphery. This will not only improve the existing condition of the site but will also act in response to all the points mentioned above and in PPG 2.
**Employment Opportunity**

The owners of the site are proposing to move their entire business from the London Borough of Haringey and into the London Borough of Waltham Forest, therefore providing an opportunity to increase employment within the borough with this development.

A vast stretch of land along the bend of the North Circular and to the immediate North of the site has been designated as a Strategic Industrial Location to create employment opportunity.

This strip of land is occupied by large scale commercial units such as Costco, Safestore and a Vauxhall vehicle dealership (site of the old Shadbolt veneer factory). It is surrounded by North Circular Road to the east and the north, Shadbolt Avenue to the west which provides the good transport links e3the south.

**The site is placed at the junction between the North Circular Road and the Harbet Road which connects to the Hastingswood Trading Estate. The site in comparison to all the commercial developments that surround it is modest in size would be more suited to the proposed use than its present state as a derelict plot of land used as landfill site when the A406 was constructed.**

The proposal will contribute towards creating employment opportunity in the Borough. It will not affect the neighbouring properties adversely which already form part of the Strategic Industrial Location.
Edge of Flood Plain

Policy DM35 - Managing Flood Risk

D) Flood risk should be managed by:

- submitting a site specific Flood Risk Assessment or drainage strategy at the planning application stage where required by national policy or for sites with a known risk of groundwater or surface water flooding;
- ensuring that development does not cause a reduction in the volume of floodplain storage or increase flood risk elsewhere;
- achieving greenfield run-off rates through the maximisation of Sustainable Urban Drainage Systems (SuDS) where possible; and, where SuDS cannot be implemented,
- justification must be provided outlining the reasons and demonstrating alternative sustainable approaches to the management of surface water;
- submitting a maintenance and management plan for all drainage systems, including SuDS;
- undertaking land swaps in suitable locations to relocate more vulnerable uses and enable the floodplain to be used as storage.

Adjacent are photographs of Costco which is situated to the north of the site and is a part of the flood zone. The development has a basement car park which in case of a flood would double up as water storage.

*Similar concept will be used on the proposed site. The proposed building will be built on stilts, approximately 1 metre above ground level. This is essential for the use of the building as a warehouse and will enable its loading bays to be at the same level as that of the loads in the vehicles loading and unloading.*

The void beneath the building will act as a water overspill in an event of a flood occurrence, and do so without damaging the building.
Site of Nature Conservation and Green Corridor

Policy DM36

Biodiversity
A) Development proposals will not normally be granted planning permission where they pose adverse direct or indirect effects on a Site of Importance for Nature Conservation (SINC) (See Schedules 14 to 16 and the Policies Map) or to protected or priority species. However, in an exceptional situation whereby a development creates an adverse impact on a Site of Importance for Nature Conservation or important species is permitted, financial or on-site contributions will be necessary to compensate for such impacts.
B) Where there are existing biodiversity resources on-site or in the vicinity of a development site, the developer must submit an assessment with the planning application to outline the value of this resource, along with measures to retain, restore and enhance where appropriate.
C) Where appropriate, development proposals must provide measures to support species and habitats through the use of landscaping on or adjacent to buildings. This may involve the inclusion of living roofs and walls or other measures which provide space for species to nest, roost or hibernate.
D) Where vacant or derelict land is awaiting redevelopment and has some value for nature conservation, the Council will expect it to be protected on a temporary basis.
E) Development proposals will be expected to improve sensitive public access to areas of nature conservation, especially in areas of deficiency.
F) Development proposals should protect, enhance and extend the network of Green Corridors where possible.
G) An arboricultural report must be submitted at the planning application stage where a development proposal will impact on trees. The loss or damage of trees should be avoided where possible; and where this cannot be achieved, mitigation and compensation measures should be outlined and implemented.

Geodiversity
(H) Development proposals which would cause harm to a designated site with geodiversity value will not be permitted unless any damaging impacts can be prevented by appropriate mitigation measures.
(I) Development proposals which would affect a designated site with geodiversity value should seek to retain, restore and enhance the geological interest where possible.

Recent soil tests carried out on the site have revealed a 1m to 1.5m depth of debris comprising of brick and concrete rubble, metal, wire, slates, tiles, clay pipe, thermalite blocks and plastic. The debris has then been covered with poor quality topsoil and grass.

Contrary to Policy DM36, there is very little left that could be describes as natural and therefore little to preserve on the existing site. The green corridor which is marked on the policy map is not clearly defined once you are on the ground and are close to the site.

The proposed development will not only replace these prevailing characteristics but will also provide new landscaping and new trees with a well defined green corridor usable by pedestrians and cyclists.
Archaeological Interest

Policy DM29

Development proposals which may affect the significance of heritage assets in Waltham Forest (both designated and undesignated) or their setting should demonstrate how these assets will be protected, conserved and where appropriate enhanced. In considering proposals, the Council will have regard to the following:

Archaeological Heritage

H) The Council will ensure the preservation, protection and where possible the enhancement of the archaeological heritage of the borough. Where proposals affect heritage assets of archaeological interest, preference will be given to preservation in situ. However, where loss of the asset is justified in accordance with national policy, the remains should be appropriately recorded, assessed, analysed, disseminated and the archive deposited.

Nothing of archaeological interest has been found on the site and recent research has failed to uncover anything of archaeological or historic interest.
Local Plan Development Management Policies

Publication Stage Representation Form

Waltham Forest Local Plan
Development Management Policies (DMP)

Representations can be made using this form or online:

http://walthamforest-consult.limehouse.co.uk/portal

If using this representation form, please return to the London Borough of Waltham Forest by 5pm on Monday, 17 September 2012


By email: planning.policy@walthamforest.gov.uk

This form has two parts:

Part A – Personal details (only needed once irrespective of how many representations you make)

Part B – Your representation(s). Please complete a separate sheet for every representation you wish to make, remembering to insert your name or organisation’s name.

Please read the guidance notes before completing this form.

PART A

<table>
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<tr>
<th>1. Personal details¹</th>
<th>2. Agent details (if applicable)</th>
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<td>Title</td>
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<td>Last name</td>
<td>Archer</td>
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<td>Job title (where relevant)</td>
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¹If an agent is appointed, please enter the person and/or organisation being represented in column 1 and complete all contact details in column 2
Part B
Please use a separate sheet for each representation
Name or organisation:

3. To which part of the DMP does this representation relate?
Paragraph 4.21  Policy DM3

4. Do you consider the Local Plan Development Management Policies (DMP) is:
   (1) Legally Compliant  Yes  Yes  No  
   (2) Sound  Yes  No  No  

   If you have entered ‘no’ to 4(2), please continue to Q5. In all other circumstances, please go to Q6.

5. Do you consider the Local Plan Development Management Policies (DMP) is unsound because it is not:
   (1) Positively Prepared  X  
   (2) Justified  X  
   (3) Effective  X  
   (4) Consistency with national policy  X  

6. Please give details of why you consider the DMP is not legally compliant or is unsound. Please be as precise as possible. If you wish to support the legal compliance or soundness of the DMP, please also use this box to set out your comments.

Islington and Shoreditch Housing Association has reviewed the proposals and strongly supports the general proposals for Affordable Housing delivery.

However, insisting that all affordable housing schemes must include 40% shared ownership regardless of the location or size of scheme, would mean that we have to be selective as to where we can develop i.e. some parts of the borough might not support a viable shared ownership programme.
Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at the publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7. Please set out what change(s) you consider necessary to make the DMP legally compliant or sound, having regard to the test you have identified at 5 above where this relates to soundness. You will need to say why this change will make the DMP legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We would request that other forms of intermediate tenure could be considered as an alternative, eg. Intermediate rent. Also, as occurs in other boroughs we would request that an exception is made for RSL led developments up to a certain size whereby they can be mono tenure, affordable rented housing if appropriate.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination?

- [X] No, I do not wish to participate at the oral examination
- [ ] Yes, I wish to participate at the oral examination

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:
Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

Signature:  

Date: 17/9/12  

☐ If you wish to be informed of the date of the submission of the document to the Secretary of State, please tick this box.