6. In the context of Policy CS15 of the Core Strategy, should Policy BHL8 establish a range and upper limit of 6 storeys on building heights, including the gateway site BHL1?

Relevant reps

Bhlps33 (IPIF) – Policy wording should not apply a rigid approach to building heights.

Bhlps45 (Workspace) – Policy should not place an upper limit on building heights, or restrict landmark locations to the Station Hub.

Bhlps38 (TfL) – Proposed building heights are too restrictive.

Council response

6.1 A number of representors have raised issue with how the AAP addresses building heights; essentially requiring more flexibility for buildings above 6 storeys in order to optimise development densities.

6.2 Core Strategy Policy CS15 (Well Designed Buildings, Places and Spaces) sets out the Council’s strategic approach to building heights across the entire borough. It states that 'tall' (10 storeys plus) and 'taller' (5-9 storey) buildings may be appropriate in key growth areas including Blackhorse Lane, subject to detailed analysis of their local and historic context, and other key criteria set out in English Heritage/ CABE guidance. 'Gateway' sites and key junctions along principal roads are offered as examples of where 'taller' buildings may be deemed appropriate, but the policy is clear that such sites will still be subject to detailed analysis of local and historical context. Furthermore, supporting text (paragraphs 18.20 – 18.22) states that there will be very few locations in the borough where 'tall' buildings will be considered appropriate, and that 'taller' buildings are also only likely to be appropriate in limited circumstances.

6.3 The Blackhorse Lane AAP provides more detailed guidance on building heights appropriate to the area, drawing on an assessment of local and historic character provided through the Urban Design Framework (document ref: KE185). This found that building heights of predominantly 3-6 storeys to be appropriate in terms of harmonising with the existing, largely 2 storey Victorian residential, and post war industrial, urban context. It is also mindful of the environmental designations covering nearby Walthamstow Wetlands. Notably the Habitats Regulations Assessment (document ref: BHLSD9), whilst supporting existing policy wording, also states that tall buildings ‘could have impacts through visual disturbance to birds for which Lee Valley SPA and Ramsar are designated.’
6.4 Essentially the AAP helps implement the Core Strategy by providing the detailed analysis of local and historical context that development proposals would normally need to provide under Core Strategy Policy CS15. Subsequently it provides more detailed, locally specific guidance on appropriate building heights for the area.

6.5 As set out in paragraph 3.1.2 of the AAP, the document seeks to focus on issues specific to the local area. Securing a pattern of development that respects the existing context and urban grain, whilst balancing this with wider regeneration objectives, and the need to promote growth and investment, are key themes of the AAP. On this basis, the Council is of the view that a plan-led approach, with locally specific guidance on building heights, is necessary. Proposed alternative wording by IPIF and Workspace would undermine this plan-led approach in favour of reactive, piecemeal developments.

6.6 The Council considers that the approach set out in AAP Policy BHL8 is consistent with guidance in the NPPF (document ref: KE157) that ‘design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally’ (paragraph 59), and that Local Plans ‘provide detail on form, scale, access and quantum of development where appropriate’ (paragraph 157). In addition, it is worth noting that representors themselves have acknowledged that ‘the use of a range of building heights can often be useful to help guide developers to understand what heights are likely to be appropriate in certain areas’ (representation bhlps33 - IPIF and representation bhlps45 – Workspace).

6.7 The Council disputes the comment set out in representation bhlps33 and bhlps45 that the wording of Policy BHL8 (d) in relation to building heights would stifle architectural innovation (representation number bhlps32 and bhlps45). It is the Council’s view that there is more than sufficient scope for architects to express innovation in design in bringing forward developments within the range of 3-6 storeys as proposed. Further, the Council draws attention to paragraph 3.5.13 of the AAP. This states that ‘any proposals that exceed this height will require very strong justification and must be exemplars of design quality.’ Such wording indicates the upper limit of 6 storeys does not impose a rigid limit on new developments; instead it offers a guide to what the Council would normally consider to be acceptable in principle. It is on this basis that the Council has already prepared a Statement of Common Ground with Transport for London.
6.8 Finally it is worth noting that the range of building heights set out in Policy BHL8 has been subject to a significant level of public consultation. As can be seen from the Statement of Consultation (document ref: BHLSD4), local opposition to significant increases in building heights has been a key theme of responses to consultation at the Issues and Options, and Preferred Options stage. Furthermore, substantial increases in building heights could result in new objections from statutory bodies who have to date supported the plan; e.g. Natural England.

Word count

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