



Gordon Turpin

Email: [REDACTED]

17th January, 2023

[REDACTED]
Ms Andrea Copsey
Programme Manager

Dear Ms Copsey,

**Re: Response to Waltham Forest Local Plan (LP1) 'Shaping the Borough' Examination
- Further matters, issues and questions (MIQS) - Stage 2 topics**

The following comments are principally directed at the vision, strategies and attendant policies that will impact the future development and vibrancy of the Highams Park Neighbourhood Plan Area and its community. As such our comments are largely in response to the following questions raised by the Examiners:

- a. *"2.4 Overall, is the scale and distribution of housing and employment growth justified, including with regards to general conformity with the London Plan's housing target for the Borough, flood risk, the effect on Habitats Sites, and the effect on air quality? Are any main modifications necessary for soundness?"*
- b. *"3.1c. Is it appropriate to rely to such a degree on future housing allocations in LP2?"*
- c. *"6.6 Overall, is the approach to tall buildings and building heights positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan? Are any main modifications, including to Policy 57, necessary for soundness?"*

With particular reference to the following documents:

1. Examination Stage 2 Topic Paper LPE30, dated September 2022 and
2. LPE46.1_Skyline Study November 2021_Introduction Methodology and North Waltham Forest Sites

With regard to question (a) relating to the soundness of the housing targets, we refer the Examiners to page 24 of document LPE30 which proposes an increase in the housing target to 540 dwellings for Highams Park compared with the target of 400 in the previous submission version of the Local Plan. This is inconsistent with the table on page 229 which shows a cumulative housing target of 585 for the Highams Park area. This latter figure represents a 46.25% increase in the housing target for the Highams Park Plan area over and above that which was consulted on with residents.

In response to the 'Shaping the Borough' consultation in 2020, many residents expressed concerns as to the soundness and adverse impact of excessive housing targets on the character and feel of the Highams Park area. The Highams Park Planning Group (HPPG) also submitted a detailed letter to the Council dated 27th November 2020 expressing our concerns as to the soundness of the housing targets and proposed site allocations. We will not repeat our comments here as they are already well documented, but we should like to state that it is unpardonable for the Council not only to have been 'tone deaf' to the concerns of residents and those of HPPG but to have increased the housing targets by 46.25%. Given that our concerns have not been addressed in the revised Local Plan, and the significant increase in the housing targets, our reservations as to the soundness of the Local Plan as articulated in our letter of 20th November 2020 still stand.

We have reviewed the proposed site allocations in the Highams Park area in the table on page 229 of document LPE30 and have doubts about the soundness of the proposed allocations for **1. 472 - 510 Larkshall Road and James Yard** (145 dwellings) and **2. Highams Park Industrial Estate** (400 dwellings) which make up most of the housing target for the Highams Park Area as well as **3. Larkwood Leisure Centre- Nursery and land to rear of Larkwood Leisure Centre** which directly abuts the Highams Park Neighbourhood Plan area.

1. 472- 510 Larkshall Road and James Yard

The land on this site is comprised of multiple owners none of whom have agreed to the parameters proposed by the Council's Masterplan for this site which will make it difficult for the Council to achieve a coherent development and to achieve the proposed housing target of 145 dwellings.

In that respect, of particular relevance, is the property known as 480-510 Larkshall Road, E4 9HH which is referred to on page 30 of LPE30 (paragraph 7.4.3.4) and forms part of this overall site. A planning application for a six and seven storey development with 68 dwellings for this part of the site, which accounts for nearly half of the target for the overall site, was refused by the Council in March 2022 (Application Ref: 203040). That decision was subject to a six-day Public Inquiry finishing on 1st December last year (PINS Ref No 3304178). The Inspector's decision is awaited.

There were seven reasons for refusal of which No 1 was of significant relevance to this issue:

"The proposed development, by reason of building height, scale and massing, would be a visually incongruous and an out of keeping form of development that would harm the character and appearance of the Highams Park District Centre. The proposal would therefore be at odds with the predominant built form of the surrounding area and contrary to Policy D4 of the London Plan (2021), Policies CS2 and CS15 of the Waltham Forest Local Plan Core Strategy (2012), Policy DM29 of the Waltham Forest Local Plan Development Management Policies (2013) and Policies CDP1 and CDP2 of the Highams Park Neighbourhood Plan (2020)."

The Council robustly defended their decision at the Inquiry.

The below extracts from the Council's Statement of Case to the Inquiry makes it quite clear that as the local planning authority, they considered the quantum of development proposed for this part of the site to be inappropriate; in particular, the height, density and massing due to the impact it would have on the character of the Highams Park District Centre. As well as the application being in breach of London Plan and National Planning Policy.

"6.6 Policy CDP2 of the Neighbourhood Plan encourages development that make a positive contribution to the character of existing buildings and taking into account the predominant local character, setting and any distinctive building design features as described in the relevant Character Assessment for the area in which the development is located.

The National Design Guide ("the NDG") also advises at paragraph 43 that well-designed new development is integrated into its wider surroundings, physically, socially and visually. Further, proposals for tall buildings require special consideration for example in terms of their location and siting, relationship to context; impact on local character, views and sight lines; and composition - how they meet the ground and the sky. As regards the NPPF, chapter 12 relates to achieving well-designed places and the creation of high quality and sustainable development.

6.7. There does not appear to be any dispute that the Proposed Development is a tall building: see, for example, the Appellant's Statement of Case at paragraph 5.28 where, without any apparent disagreement, the Appellant quotes paragraph 9.83 of the OR (Officer's Report) where the officer reached this conclusion. Even if this is not common ground, the Council submits that the Proposed Development should be considered to be a tall building for the purposes of the London Plan (see in particular Policy D9) and for the local development plan documents (see in particular policy CS15 of the Core Strategy referring to 'taller buildings', policy DM29 of the Development Management Policies and paragraph 5.7.2 of the Urban Design SPD).

6.8. The adopted development plan documents and the Urban Design SPD consistently recognise that: (1) the building heights in the Council's area are generally low, mostly two to three storeys in height, with few residential tower blocks; (2) there are limited opportunities within the Council's area where buildings of a height like the Proposed Development will be appropriate; and (3) 'proposals involving building heights of



this 480-510 Larkshall Road Written Statement of Case Waltham Forest Council scale will require a particularly convincing and robust design case and in many circumstances may still be considered inappropriate'. The Proposed Development must be assessed in light of all these factors. This is all the more the case because the local area, both immediately and more widely, around the Appeal Site is characterised by buildings heights of two to three storeys, with a small number of higher buildings at four storeys.

6.10. The Council submits that on a proper understanding of the local character and appearance of the area in which the Appeal Site is situated, the Proposed Development would be visually incongruous and out of keeping form of development in the street scene and the local area by virtue of the excess height, scale and massing of the Proposed Development. The height, scale and massing of the Proposed Development would have an unacceptable impact on the surrounding townscape which consists of mainly two to four storey buildings forming the Highams Park District Centre, including in local views (both immediate and wider) within, through and across the District Centre. These harmful effects arise from the Proposed Development considered as a whole and from the greater height, massing and scale of blocks B and C in particular.

6.12. Overall, the Proposed Development is not a successful design led approach to the Appeal Site, as required by local and national policy set out above. There is an absence of a clear and robust design rationale which properly recognises and understands the local area, in particular local distinctiveness, as manifested through 480-510 Larkshall Road Written Statement of Case Waltham Forest Council its key characteristics, such as building height, scale and massing. The Proposed Development's height, scale and massing does not positively respond to this local context and distinctiveness as required by the local and national policies set out above."

480-510 Larkshall Road occupies the largest part of what is quite a small site. Given the grounds on which this application was refused (height density and massing), it seems reasonable to assume that the other parts of the site would be subject to the same planning constraints.

However, notwithstanding the Council's robust defence of the refusal of planning permission at the recent Inquiry it is clear from pages 29 to 38 of the LPE46.1_Skyline Study that the design team are still proposing 6-8 storeys on this site. Given the apparent conflict within the Council over 'appropriate' development, it is our view that the housing target for the site at 472- 510 Larkshall Road and James Yard is unsound, as it is likely to have been substantially overstated.

2. Highams Park Industrial Estate

This site is currently exclusively designated for light industrial use and is close to the 472- 510 Larkshall Road and James Yard site, being less than 50m walk away on the other side of Larkshall Road.

Part of this site runs directly adjacent to Larkshall Road and was consulted on by Joseph Homes in September 2021 regarding the possibility of redeveloping this site for mixed light industrial and housing. During the consultation HPPG enquired about the proposed heights the buildings would have and made it clear that height was an issue due to the impact of the taller buildings on the character of the area.

Joseph Homes would not reveal the height of the mixed used buildings that they considered would be needed to make the proposed redevelopment viable. Although the results of the consultation have not been made public, we understand that Joseph Homes were surprised by the negative feedback to their plans due to people's concerns about the likely adverse impact on the character and feel of the area.

However, it is clear from pages 37 to 46 of the LPE46.1_Skyline Study that the design team are also proposing 6-8 storeys for this site. HPPG consider this would be highly damaging to the feel and character of the Highams Park area. Given the reasons for refusal of buildings of the same height proposed for 480-510 Larkshall Road, we feel that 400 dwellings is an unrealistic target for this site. Accordingly, we believe that this site allocation is unsound for the same reasons as the James Yard site.

3. Larkswood Leisure Centre - Nursery and land to rear of Larkswood Leisure Centre

We also have strong reservations about the soundness of the target of 280 homes for the above site which abuts the Highams Park Neighbourhood Plan area and is on the borders of the ancient woodland of Larks Wood.

There was considerable opposition from local residents to this allocation in LBWF's consultation and to a currently undetermined planning application (ref: ID 222505) for a seven-storey block of 72 homes on part of this site. HPPG objected to this planning application on the following grounds:

- It is a gross over development of the site, given its proximity to Larks Wood and Site A. Both these tracts of land are designated as Local Green Space and are important wildlife corridors in this part of the borough.
- The development is wholly out of character with the light suburban form of this part of the borough which is comprised primarily of semi-detached two storey dwellings and there are no high-rise buildings within fifteen minutes walking distance of this site.
- The travel plan does not provide sufficient onsite parking for an outer London site with a PTAL Rating of 2.

We think it is useful to provide some context of the adjoining areas of Local Green Space. They constitute an area of semi-ancient woodland that is a remnant of a much larger tract of woodland that once included Epping Forest. The wood is on hilly ground, with fine oak and hornbeam trees, and known for its wildflowers.

The light and noise pollution, and inevitable increase in footfall, caused by the building of 72 new homes immediately abutting these important areas of Local Green Space will be detrimental to the wildlife habitat. It is therefore of great concern that little or no mitigation measures to reduce the impact on Site A or Larks Wood are included in the biodiversity assessments and impact reports submitted with the application.

The importance of these two areas of Local Green Space is evident by their recent designations: Larks Wood in 2020; and Site A in 2021, so we view the absence of any mitigation measures of the impact on Larks Wood and Site A of this development as a serious failing.

We consider that this allocation for the Larkswood Leisure Centre - Nursery and land to rear of Larkswood Leisure Centre is unsound for the reasons outlined above.

4. Summary

Based on the preceding comments, our responses to the following questions by the examiner are as follows:

Question: *2.4 Overall, is the scale and distribution of housing and employment growth justified, including with regards to general conformity with the London Plan's housing target for the Borough, flood risk, the effect on Habitats Sites, and the effect on air quality? Are any main modifications necessary for soundness?"*

We do not disagree that more housing is required throughout the Borough, but new development must respect existing character - that surely must be a given consideration of any development and we consider the imposition of apparently arbitrary and inappropriately high target figures for the sites referred to be unrealistic. Coupled with the unacceptable heights for developments referred to in the Skyline report - a view we have to again emphasise was shared by the Council in refusing the development at 480-510 Larkshall Road - we share the Examiners' apparent concerns that the Council have not properly considered these matters.

It is clear from the excessive number of dwellings being squeezed on to the proposed site allocations in the Highams Park area that the Council is struggling to meet the target of 584 dwellings for the area. The proposed target should be reduced to a level that would not cause irreparable damage to the character and feel of the Highams Park area. The overall housing target in the Local Plan should be reduced to that proposed by the London Plan.

Question: *3.1c. Is it appropriate to rely to such a degree on future housing allocations in LP2?"*

For the reasons stated above, we believe that the principal site allocations in the Highams Park area are unsound and accordingly it is inappropriate for the Local Plan to rely to such a degree on the site allocations in LP2. Although the above comments are based on an empirical review of site allocations in the Highams Park area, we are aware that residents in other parts of the Borough have similar concerns regarding the lack of respect in the site allocations for the character of the areas where they live. To resolve this issue, it is our view that all housing targets and prescriptive heights currently included in the Local Plan site allocations should be removed. Not just for Highams Park but for all sites across the Borough.

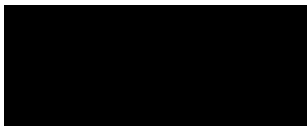


Question: *6.6 Overall, is the approach to tall buildings and building heights positively prepared, justified, effective, consistent with national policy, and in general conformity with the London Plan? Are any main modifications, including to Policy 57, necessary for soundness?"*

Surely it is a tenet of planning practice that every application is considered on its individual merits but if adopted these height targets will inevitably become the 'goal' for developers and other valid considerations, such as local and surrounding character, will tend not be adequately assessed as required by National Planning Policy.

As can be seen from our analysis of the site allocations for the Highams Park area, conflicts between developers and the Local Planning Authority have already arisen due to the prescriptive site allocations contained in the draft Local Plan (e.g. 480-510 Larkshall Road). The overly prescriptive site allocations proposed would be taken by developers as a 'pre-approval' of planning applications proposed for an allocated site. This would undermine the ability of the Local Planning Authority to properly assess the impact of taller and more intensive buildings on the character of the areas where they are proposed and will also undermine the planning approval consultation process. It is our view that this is contrary to National Planning Policy which calls for proper assessment of the impact of a particular development on the character of an area. Target heights should therefore be removed from site allocations.

Yours sincerely,



Gordon Turpin
Chair
Highams Park Planning Group