

**MATTER 3 – HOUSING LAND SUPPLY  
AND BOROUGH WIDE HOUSING POLICIES**

1. The Council’s approach makes it difficult to engage with the real issues, both because of the separation of LP1 (which has always contained “strategic locations” and now also includes the areas for tall buildings) from LP2 (which contains the “site allocations” – that is, what is proposed for individual large sites) and also because of the separate discussions of “strategic locations”, tall buildings, and site allocations. In reality, these are three aspects of the same thing.<sup>1</sup> For instance, the choice of a place as a “strategic location” is then deployed as a justification for putting a tall building in that place. In reality the choice to make this a strategic location is the same choice as the choice to allow tall buildings.
2. We are very concerned that the real issue (which is, with regard to each separate place, whether to permit the extent of development and the heights of buildings which the Council proposes for that place) will get lost between LP1 and LP2 – when LP1 is considered, we are told that we are not to address the planning objections to what is proposed for each individual site, but we fear that when LP2 comes to be considered we will be told that the planning objections to what is proposed for each individual site cannot be considered because the sites will already have been identified (in LP1) as strategic locations and locations for tall buildings.
3. We are compelled to address the separate questions in the way that they have been put by the Inspectors, but (with respect) we do so under protest.

***Q 3.1 – DELIVERABLE SUPPLY OF HOUSING LAND***

4. We submit that the answer is No, primarily because the answer to Q 3.1(c) is No.

***Q 3.1(c) – RELYING ON ALLOCATIONS IN LP2***

5. The issue does not relate only to whether it would be physically possible to put the number of dwellings allocated onto the sites listed, or whether the owners of the sites may be induced to sell them for the developments proposed. We submit that it is not appropriate to rely on the allocations proposed in LP2, because on most if not all of the sites the planning objections to development of the scale, and height, proposed in LP2<sup>2</sup> are such that in planning terms the housing allocation in LP2 should not be permitted.
6. We are a voluntary organisation, with limited resources. Members of our committee and two other members of WFCS have each looked at a group of sites and have submitted separately their individual comments. In what follows we will rely on the comments of Mr Boote, Mr Gilbert, Dr Munday, Mr Stannard, Ms Sterland, and Ms Weiss, and on the writer’s separate individual comments on sites in South Leyton and at Whipps Cross. We are not asking the Inspectors to determine, at this stage, in relation to each site whether the planning objections to what the Council is proposing are valid, but we are inviting the Inspectors to consider the nature and extent of the planning objections in relation to each site and to draw the overall (“strategic”) conclusion that the majority of what the Council proposes should not be allowed.

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<sup>1</sup> We almost said, three sides of the same coin.

<sup>2</sup> When we refer to LP2, we include the Skyline Studies (LPE46), which provide information as to the heights of buildings proposed under LP2.

7. To give a general explanation of the main planning objections:

- The Council wishes, in effect, to treat heritage assets and conservation areas as manicured little islands of history and beauty within a landscape filled with tower blocks and horizontal slabs of housing. In fact, the **settings** of listed buildings and conservation areas matter. The National Planning Policy Framework (2021 version) ("the NPPF") says at paragraph [200]:

*"Any harm to . . . the significance of a designated heritage asset ( . . . or from development within its setting), should require clear and convincing justification."<sup>3</sup>*

The proposals in LP2 include, for example, a tower block looming over and dwarfing the tower and South front of St John the Baptist Church Leytonstone (the tower is the local landmark in Leytonstone Town Centre, and the Church is listed Grade II), another tower block looming over Leytonstone House (which is Georgian and listed Grade II), and the tower blocks proposed for the Leyton Mills site will loom over the Council's new conservation area in Leyton Town Centre and the Victorian buildings of Leyton Library and the former Leyton Town Hall (1881 and 1895, and both listed Grade II). We submit that in each of these cases (and others) the harm to the significance of the listed buildings would be substantial and so these proposals in LP2 should be rejected on planning grounds.

- The Council speaks (LPE30, 3.5.2.1) of a "character-led" approach to intensification. However, in places where bombing during World War II knocked a few holes in the townscape and the 1950's replacement buildings were insensitive, the Council would in effect treat this fact not as a reason to take opportunities to replace the 1950's structures with more sympathetic buildings, but rather as a reason for destroying what is left of the character of the area. Take for instance the Leytonstone High Road (which the writer knows well). This is a long Victorian main street, with parades of 3-storey and (towards the South) 2-storey terraced buildings. Experience has found that 5-storey buildings (such as Harris House and Marnie Court) do not destroy this character, if they are set back a little distance from the Victorian building line and their frontages are divided into vertical units by the use of differing materials, etc. However, the Council proposed to allow a tower block on the B&M site, just North of Harrow Green, and still proposes one at Joseph Ray Road, which (even if the tower were – to quote LPE30 3.5.1.1 – of "the highest quality") would stick out like a sore thumb.
- At other sites in LP2 (and also the Temple Mills Bus Depot site added by LPE30 3.5.4.5) the extent and height of the development proposed would intrude on the skyline of protected open land in Epping Forest and the Lower Lea Valley<sup>4</sup>, which has a status equivalent to that of Green Belt. The NPPF says at [145] "Once Green Belts have been defined, local planning authorities

<sup>3</sup> [emphasis added].

<sup>4</sup> It is not an accident that so many of the Council's sites are close to the edges of protected open land. The Council's whole approach to the choice of strategic locations/ locations for tall buildings/site allocations has been not plan-led ("Where in the Borough would be an appropriate place to put any such development?") but landlord (or developer)-led, based on a canvass for sites. Most of the large sites for industrial, utility, or institutional uses were on the edge of the main built-up area, and it is these which are now being put forward by their owners.

*should plan positively to enhance their beneficial use, such as looking for opportunities . . . to retain and enhance landscapes [and] visual amenity”, and also at [174] “Planning policies . . . should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes”.*

8. We should perhaps develop the argument about why intrusions on the skyline as seen from protected open land matter. We begin with an example of an intrusion<sup>5</sup>:



9. This landscape was designed by Lancelot (“Capability”) Brown, and is listed Grade I (and the column itself is also listed Grade I). When a designed landscape is listed Grade I that must mean that (except for absolutely overriding considerations) the intention of the designer must be respected. Capability Brown intended that in this view the column should be the “eye-catcher”, the feature that draws the viewer’s eye. But now (disregarding the crane, which we may hope is temporary) the tower block poking up above the trees draws the eye away.
10. Epping Forest and the Lower Lea Valley are not designed landscapes. However, we submit that in both cases there are purposes which are parallel to the intention of Capability Brown, and must be respected in the same way.
11. The Epping Forest Act provides that “*The Conservators shall at all times as far as possible preserve the natural aspect of the Forest*”.<sup>6</sup> The Superintendent of the

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<sup>5</sup> At Syon Park at Brentford.

Forest has informed us that this is “an early picturesque movement landscape description”,<sup>7</sup> and thus relates to the qualities of the landscape as seen, as if forming a picture; and what the Conservators understand as the value of the landscape which they are to preserve is well illustrated by the photographs of extensive views, without any intruding buildings, on pages 7 and 8 of the Epping Forest Annual Review for 2020-2021. We submit that the “natural aspect” of Epping Forest land is enshrined by statute as to be respected in the same way as the listing of Syon Park (and of the column) requires the intention of Capability Brown to be respected.

12. As regards the Lower Lea Valley, the preamble to the Lee Valley Regional Park Act 1966 begins:

*“Whereas owing to the increasing demand for the development of land for housing, industrial and other urban purposes there is an increasing scarcity of land available for recreation, sport, entertainment and the enjoyment of leisure:*

*And whereas it is anticipated that the demand for urban development in the south-east of England will in the future greatly increase:*

*And whereas there is in Greater London and the counties of Essex and Hertford an area adjoining the river Lee which is suitable for development as a regional park **for the purpose of providing opportunities for recreation, sport, entertainment and the enjoyment of leisure:**”<sup>8</sup>*

The statutory purpose of providing opportunities for recreation and the enjoyment of leisure will include, as a substantial part, providing opportunities for “walking” activities<sup>9</sup>, which will in turn include providing opportunities for people to enjoy spaces which are wider and more natural than urban parks, and provide clear enough horizons for them to feel unenclosed and feel that they have escaped from the urban environment.<sup>10</sup> (If the purpose stated in the 1966 Act does not apply to land in the Lower Lea Valley which does not belong to the Regional Park Authority, still in relation to land which is Green Belt, or Metropolitan Open Land which is equivalent to Green Belt, the purposes stated by the NPPF include “*looking for opportunities . . . to retain and enhance landscapes [and] visual amenity*”<sup>11</sup> and intrusions on the skyline which produce a feeling of being in an urban environment will interfere with this purpose.)

13. With regard to whether the housing allocations in LP2 will be deliverable, despite the nature and extent of the apparent planning objections to the scale and height of development proposed, we may also point out that the proposals in LP2 will probably come to be considered under a NPPF which will by that time have been amended in accordance with the Secretary of State’s letter of 5 December 2022.

<sup>6</sup> Epping Forest Act 1878 s7(3) [emphasis added].

<sup>7</sup> Letter from Mr Thomson of 21 July 2022.

<sup>8</sup> [emphasis added].

<sup>9</sup> See our main comments on the Council’s SANG’s strategy, paragraph 10.

<sup>10</sup> See our main comments on the Council’s SANG’s strategy, paragraphs 18-19, with the paragraphs in the Epping Forest Visitor Survey 2017 referred to there.

<sup>11</sup> See paragraph 7 above.

**Q 3.1(e) – PARTICULAR SITES**

14. With regard to Joseph Ray Road, the capacity is not realistic for the general reasons given above together with Ms Sterland's detailed observations. With regard to other sites in the list, please apply the general reasons in conjunction with the comments by other members of WFCS.

**Q 3.3**

15. As a voluntary organisation with very limited resources, we have not been able<sup>12</sup> to model how many dwellings could be built on each site if what was to be built were mansion flats no higher than 8 storeys or thereabouts. However, we believe that it would be possible to deliver the London Plan housing target without tall buildings<sup>13</sup> on sites where there are valid planning objections to them. (As we say in relation to Matter 6, the situation in Walthamstow Town Centre is already such that there would be no point in attempting to prevent further tall buildings and what matters there is that further development – including the heights of buildings – should be governed by an orderly plan, as at Canary Wharf, and not be an ugly jumble like the skyline of the Eastern half of the Square Mile.)
16. On the other hand, we anticipate that the Council's proposed higher housing target would not be deliverable without tall buildings in locations where there are valid and strong objections to tall buildings.
17. Therefore, we believe that the Council's proposed housing growth is dependent on tall buildings, and this is not justified.

**Q 3.5 FIRST QUESTION -- THE PLAN'S OVERALL APPROACH TO HOUSING SUPPLY**

18. Not justified, and not consistent with national policy, for the reasons given above.
19. In addition, part of the Council's justification for the scale of development proposed for particular locations (as "strategic locations", locations for tall buildings, etc) is in terms of accessibility by public transport (PTAL's). However, when a site has a PTAL of only 2/3 (out of the maximum score of 6) and is dependent on buses or a long walk to a tube/rail station<sup>14</sup> the Council proposes to go ahead regardless.
20. Also, the Council relies on stations on the Barking to Gospel Oak Overground line as giving a PTAL of 5 or 6 ("very good" or "excellent" connectivity).<sup>15</sup> But this line does not itself go anywhere that is useful to many people; it is mostly used to travel to Blackhorse Road and change for the Victoria Line. For PTAL purposes the Barking to Gospel Oak line should be viewed in the same way as a bus route which takes one to a useable train or tube station.<sup>16</sup>

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<sup>12</sup> Except in relation to the Spitalfields Market and Leyton Mills sites, for which we received a very generous donation.

<sup>13</sup> Defined as 10 or more storeys.

<sup>14</sup> As with Whipps Cross, which (from the writer's experience) is a brisk 15 minutes walk to Leytonstone Tube, and (according to Google Maps) 15 minutes walk to Wood St Station.

<sup>15</sup> For example, in relation to sites in the Baker's Arms area (LPE30 5.2.7.4).

<sup>16</sup> We think that in reality very many of those who live in the Bakers Arms area and have to commute take a bus to Leyton Tube.

21. Further, the figures for PTAL do not appear to take account of the capacity of the lines in question, in particular the Overground line from Chingford by way of Walthamstow Central to Liverpool St<sup>17</sup>, the Victoria Line, and the Central Line, to carry large numbers of additional passengers. We understand that the Council may have plans to improve the capacity of some stations, but there are no plans to improve the capacity of the Central and Victoria lines. (With regard to access from the Central Line, or from the line down the Lea Valley to Stratford, to the Elizabeth Line, this depends on the capacity of the platforms at Stratford station, and there is no space to improve capacity there.)

**Q 3.5 SECOND QUESTION – MAIN MODIFICATIONS**

22. The Council should accept the London Plan housing target. The Council must also accept the restrictions set out in our main comments on the Council's SANG's strategy at paragraph 28.

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<sup>17</sup> Where the frequency of trains on this one line is constrained by the total number of trains, on all lines, +which can get in and out through the narrow entrance to Liverpool St station.