

# GREATER LONDON AUTHORITY

## Mayor's Office

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**Our ref:** 1573b/02  
**Your ref:** 2011/0898  
**Date:** 30 October 2012

Dear Mr Scourfield,

**Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008**  
**The former Walthamstow Greyhound Stadium site**

I refer to your letter of 18 October 2012 informing me that Waltham Forest Council is minded to grant planning permission for the above planning application. I refer you also to the notice that was issued on 24 October 2012 under the provisions of article 5(1)(b)(i) of the above Order.

Having now considered a report on this case I am content to allow Waltham Forest Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal or to take over the application for my own determination.

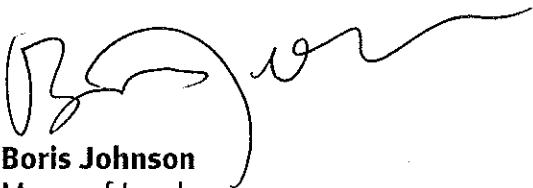
I share the sadness of many about the demise of dog racing from this historic corner of London. However, I believe this proposal will provide a major boost for Walthamstow, creating new jobs and new homes, many of which will be affordable and attract desperately needed new investment into the area.

Whilst no viable plan has been put forward to bring racing back I am pleased the new development will preserve many of the historic elements of the stadium including a sprint circuit along the route of the old track. In addition a huge £2 million contribution to the surrounding community has been secured from the developer which will deliver vastly improved local sports and leisure facilities for generations of east Londoners to enjoy.

With regard to the BMX facility detailed plans for its implementation and management have yet to emerge and I would ask the applicant and the local authority to consider these carefully including the role they play in meeting local community and leisure needs. Should these need to change over time I would expect both the local authority and the applicant to review this provision.

The application represents EIA development for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. I have taken the environmental information made available to date into consideration in formulating my decision.

Yours sincerely



**Boris Johnson**  
Mayor of London

cc Jennette Arnold, London Assembly Constituency Member  
Nicky Gavron, Chair of London Assembly Planning Committee  
Ian McNally & John Pierce, DCLG  
Alex Williams, TfL

## The former Walthamstow Greyhound Stadium site

in the London Borough of Waltham Forest

planning application no. 2011/0898

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

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

### The proposal

Part-demolition of existing buildings, and redevelopment to provide 294 residential units, together with sport and leisure provision, a sixty to eighty space nursery, and a cafe with creche facilities, with open space provision, access and parking.

### The applicant

The applicant is **London & Quadrant**, and the architect is **Conran & Partners**.

### Strategic issues

The principle of the housing-led redevelopment of the site is acceptable and in accordance with strategic planning policies. The outstanding issues regarding the detailed design of the additional on-site **leisure provision, housing, children's play space, urban design, inclusive design, climate change** and **transport** raised at Stage One have been addressed and the application is now considered acceptable in strategic planning terms.

### The Council's decision

In this instance Waltham Forest Council has resolved to grant permission.

### Recommendation

That Waltham Forest Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal or direct that he is to be the local planning authority.

### Context

1 On 19 July 2011 the Mayor of London received documents from Waltham Forest Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. On 23 August 2011 the Council formally referred the application to the Mayor. This was referred to the Mayor under Category 1A and 1B of the Schedule to the Order 2008:

1A: "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats".

1B: "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres."

2 On 21 September 2011 the Mayor considered planning report PDU/1573b/01, and subsequently advised Waltham Forest Council that while the application is generally acceptable in strategic planning terms, the application does not comply with the London Plan, for the reasons set out in paragraph 124 of this report; but that the possible remedies set out in paragraph 125 of this report could address these deficiencies.

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, the application has been revised in response to the Mayor's concerns (see below). On 8 May 2012 Waltham Forest Council decided that it was minded to grant planning permission for the revised application, and after negotiations on the section 106 agreement and completion of the GLA's independent assessment of the viability of the scheme, on 18 October 2012 it advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged, direct Council under Article 6 to refuse the application or issue a direction to Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 31 October 2012 to notify the Council of his decision and to issue any direction.

4 Since publication of the Stage I report the Council's Core Strategy has been adopted and the Government has published the National Planning Policy Framework (NPPF). Where this is relevant this is discussed in the sections below.

5 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

6 The decision on this case, and the reasons will be made available on the GLA's website [www.london.gov.uk](http://www.london.gov.uk).

## Update

7 At the consultation stage Waltham Forest Council was advised that the application did not comply with the London Plan, for the reasons set out in paragraph 124 of the above-mentioned report; but that the possible remedies set out in paragraph 125 of that report could address these deficiencies:

- **Sport and leisure:** The Council should secure the proposed financial contribution towards off-site leisure use within the legal agreement, in addition to the leisure facilities being proposed on-site. Further discussions regarding the design and layout of the additional on-site measures are required to ensure that these are appropriately incorporated into the application.

- **Housing:** Further discussions are required with regard to financial viability, including an independent assessment of the applicant's viability report, to ensure that the development is providing the maximum reasonable amount of affordable housing.
- **Children's play space:** Whilst the approach to play provision is supported in accordance with London Plan Policy 3.6, further discussion is required with regard to securing the design concepts presented at this stage, through to the detailed design.
- **Inclusive design:** The applicant should submit indicative flat layouts demonstrating that the requirements of London Plan Policy 3.8 will be met. In addition, further information is required regarding how the principles of inclusive design have been adopted in the design of the public realm, including the proposed play spaces.
- **Climate change:** Whilst the broad approach to the proposed energy strategy is supported and in accordance with London Plan priorities, the carbon dioxide emission savings reported from both energy efficiency measures and the combined heat and power plant, need to be verified and evidenced. In addition, further information is required regarding the cooling strategy. Should the carbon dioxide emission savings be amended following further review, a detailed renewable energy strategy will be required.
- **Climate change adaptation:** The applicant should submit a more detailed strategy, demonstrating that all the of the Mayor's essential standards within the SPG, and the relevant London Plan Policy requirements, will be met as a minimum.
- **Transport:** The applicant is required to provide a financial contribution towards bus capacity improvements, and towards improving the operation of the Walthamstow Avenue/Chingford Road junction and Crooked Billet Roundabout. The Council should secure the delivery of a travel plan, delivery and service plan, and construction logistics plan.

8 Revisions to the application were submitted in December 2011 and April 2012. The GLA was not consulted on these changes at the time and comments on these changes are set out in this report. The changes are summarised as follows:

- The level of residential accommodation has been reduced from 301 units to 294 units.
- The density is reduced from 329 to 316 habitable rooms per hectare.
- The children's nursery adjacent to the site has been redesigned and will be 1-2 storeys high.
- Blocks F,G,H and I,J,K have been reduced from five storeys to four storeys in order to reduce disruption to the main tote board silhouette.
- A visual break has been incorporated into block FGH together with enhancements to the glazing to the central core to block IGK to allow more light to penetrate into the courtyard garden.
- The height of blocks O,P,Q has been lowered on the western periphery from seven storeys to five storeys to allow for a more gradual transition to the adjoining houses.
- The rear elevation to the proposed houses in B,C,D has been remodelled to minimise the potential of overlooking to the rear gardens of Rushcroft Road. This is achieved through the incorporation of angled windows and obscure glazing.
- The design of the two proposed family houses in Rushcroft Road has been revised to more closely reflect the surrounding vernacular and the front dormers have been removed.

- Two of the units in blocks L,M,N and the units on the eastern flank of blocks O,P,Q have been provided with angled glazing in order to protect amenity of surrounding existing residents and residents of block R.

9 An updated leisure offer is also proposed including:

- The creation of a 'stadium trail' incorporating a sprint circuit around the route of the former greyhound track, and extending beyond the site to create links to other local spaces in the vicinity of the site. The trail will include way-finding to maximise its use and accessibility and will incorporate elements of an outdoor gym and/or trim trail.
- Improved links through the informal open space to the south-east of the site to create an enhanced connection to the Pool and Track facility on Chingford Road.
- A climbing wall within the main Tote building.
- The creation of a skateboard park on the upper deck of the Tote car park.
- £250,000 contribution to the Community Sports Trust to help support the ongoing operation of the Stadium Sports Centre. This fund will assist in staging community events linked to the existing and enhanced sport and leisure offer.
- In recognition of the fact that the previous use of the site has historically provided a borough-wide leisure facility a section 106 contribution of £1,750,000 is being put forward towards improvements to existing off-site leisure facilities. The funds are to be allocated to the existing Waltham Forest Pool and Track on Chingford Road, located less than 1km from the site. The proposed contribution will allow for the range of improvements identified by the Council to be carried out in full. These improvements include refurbishment of the athletics track, a new soft play area for children, the provision of full size artificial playing pitches, a dry dive pit, a youth gym and spinning studio.

10 The April 2012 amendment consisted of not deculverting the section of the River Ching, as previously proposed, and associated changes to the footpath to the side of the development.

11 The following section 106 contributions are proposed in addition to those set out above:

- Affordable housing- 60 units with review mechanism
- Education: £1,046,170
- Health: £354,046
- Transport: £286,000
- Environment Agency: £73,644 towards environmental improvements within the Brook catchment area
- Controlled Parking Zone: £60,000
- Section 278 agreement: £46,400 towards junction improvements outside the site and towards stadium trails

## Principle of use

12 The Stage I report set out the following on principle of use: *'The Council has identified this site as a key site for development, and has indicated that a housing, employment, leisure or community use is appropriate. The site is not within a town centre, and is in a predominantly residential area. The proposal includes housing, leisure and community use, and will provide employment opportunities. Together with the on-site uses, the applicant will provide a substantial financial contribution to improvements to sports provision at an existing sports centre.'*

13 *The existing stadium has been closed since 2008. The proposed redevelopment of the site addresses strategic priorities with regard to housing delivery, and provision of social infrastructure, particularly sports facilities, within an Olympic borough. The loss of the existing facility is appropriately off-set with uses more appropriate to the site's location and characteristics, and the off-site contribution will help to address borough-wide shortfalls in sports provision. The principle of the redevelopment is therefore acceptable in strategic planning terms.'*

14 Since the publication of the Stage I report the Waltham Forest Core Strategy has been published following the examination in public. Walthamstow Dogs Stadium is identified in the Core Strategy as a Site Opportunity Location. The Core Strategy sets out that the Site Opportunity Locations are expected to contribute to overall housing, employment and leisure provision with supporting social and community facilities. It is envisaged that more detailed proposals will be brought forward in area action plans or a site allocations DPD. This proposal has come forward ahead of their preparation.

15 At the Core Strategy EIP the Inspector considered the issue of the loss of the greyhound stadium in his report and looked specifically at whether the revival of the leisure use is needed, justifiable and viable or whether the site is required for development to meet the needs of Waltham Forest identified in the Core Strategy.

16 He concluded that given the number of housing sites proposed and that their accumulated capacity exceeded the Council's housing target that the site was not crucial to the attainment of the target. He also concluded that the evidence submitted did not conclusively demonstrate that greyhound racing would be unviable given that much would depend on its management, like any business. However he also concluded that there is no evidence that there is need for a stadium in this location. There was no evidence submitted that suggested that the closure of this stadium had had an adverse impact on the sport as a whole. He sets out that there is no corporate plan for the greyhound racing industry and as such there is no evidence to suggest that there is a continuing need for a flagship stadium at this site. He goes on to set out that the London Plan is silent on the regional need for greyhound racing and that the Council's retail and leisure study sets out that there is limited potential for major commercial leisure facilities within the borough, suggesting potential only for a 4-5 screen multiplex cinema, private health club facilities and possible small to medium night club facilities. As such he concludes that the re-use of the site as a greyhound stadium is based on history and sentiment and not objective need. He concludes that the identification of the site for a mixture of uses including housing, employment, leisure and community uses, without specifying any particular mix or quantity, is the correct one.

17 It is understood that up to the closure of the Stadium in 2008 it was employing 58 full time staff and 393 temporary staff. The applicant has set out that the proposal will create up to 200 jobs during construction through a combination of main contractor staffing and sub-contractor trades on site; up to 25 jobs in the new nursery being provided on site (may be a mix of full time and part time subject to shift patterns); up to 20 jobs in the new leisure centre (would be the same in respect of shift patterns); and up to 3 full time L&Q posts involved the on-going management and maintenance of the site. In addition it is understood that the bus depot which has been

consented on half of the Stadium's former car park would create 270 posts on site alongside training for up to 100 people a year. The Peugeot Car Show Room scheme which has been consented on the other half of the car park site would provide 45-65 jobs. Whilst the proposal would result in a small loss of permanent jobs on site, from that which was on site when the stadium was operating, there is still a considerable amount of employment being generated by this application which is on balance acceptable.

18 The Stage I report set out the following with regards to arts, culture and entertainment provision: *'London Plan Policy 4.6 with regard to supporting arts, culture and entertainment provision, does not state that the loss of any such facilities should be resisted. Nevertheless, supporting such facilities could be considered to include resisting their loss through redevelopment. In other locations in London the re-provision of cultural facilities has been required through the planning process. However, in this instance it has to be considered that the use ceased three years ago. In addition, the policy makes clear that the sequential approach must be taken with regard to new facilities, which would prioritise new provision within town centre locations. The supporting text to this policy further prioritises night-time leisure and entertainment-type uses within town centres. In this respect, new large-scale leisure or entertainment facilities on this site would be resisted in favour of town centre locations, or areas of higher public transport accessibility levels, particularly given the residential nature of the immediate surrounding environment'.*

19 London Plan policy 4.6 sets out that existing cultural and visitor attractions especially in outer London should be promoted and developed and that opportunities should be sought to enhance the economic contribution and community role of arts, cultural and professional sporting and entertainment facilities. Supporting paragraph 4.33 sets out that London's internationally renowned historic environment, natural landscape and cultural institutions are a defining part of the capital's heritage as well as major visitor attractions. Paragraph 4.34 sets out that culture also plays a valuable role in place shaping. Paragraph 7.32 also sets out that recognition and enhancement of the multicultural nature of much of London's heritage can help to promote community cohesion.

20 Whilst the fact that the Walthamstow Greyhound Stadium is an iconic facility, which had an important cultural and entertainment role in East London, is not disputed given that the stadium has now been closed for four years, on balance, its loss is considered acceptable taking into account the other benefits of the application.

## **Sport and leisure**

21 The Stage I report set out the following on the sport and leisure offer:

*The principle of these measures is supported. The provision of additional on-site sporting opportunities will increase people's access to opportunities for physical activities, which better accords with Mayoral priorities with regard to sports participation. The relatively small scale nature of the provision responds appropriately to the site's characteristics and the residential nature of the surrounding environment, whilst ensuring that the site maintains a sense of local importance, by providing facilities for the surrounding community.*

*The additional measures are still to be designed in detail, and will need to be the subject of further discussions with the applicant and the Council. The measures will also need to be incorporated in full within the planning application, and appropriately secured by the Council in the section 106 agreement. It is important that the running track and associated equipment is appropriately incorporated into the public realm, particularly within the site, and that conflicts with pedestrians and vehicles are appropriately*



*managed. Furthermore, the provision of the skateboard and BMX park, in addition to the climbing wall, requires further detailed design discussions with regard to impact on the listed elements.*

22 Further discussions have taken place regarding the sport and leisure offer and GLA officers are satisfied that the measures are incorporated appropriately into the application, are secured appropriately in the section 106 agreement, have an acceptable impact on the listed elements and will be of community benefit. Council officers have confirmed that if the facilities proposed prove not to be feasible prior to implementation the applicant will need to propose an alternative facility/use and apply to the Council to vary the permission. Should this take place it is expected that the Council will consult the community and the GLA.

## **Housing**

23 The Stage I report set out that further discussions were needed on the affordable housing offer including discussion of results of an independent viability assessment.

24 The housing now proposed is 35 x 1 bed flats; 17 x 2 bed flats; and 37 x 3 bed flats. 2 x 1 bed houses; 4 x 2 bed houses; 10 x 3 bed houses; and 34 x 4 bed houses. 60 affordable housing units are proposed (20% by unit; 25% by habitable rooms). 40% of the units are affordable rent and 60% are intermediate units. When calculated by habitable rooms the mix is 56% affordable rent/44% shared ownership. There are 24 affordable rented units. Ten of these are 6 person 4 bed units and 14 of these are 7 person 4 bed units. 36 shared ownership units are proposed. The shared ownership units comprise 9 x 1 bed units; 11 x 2 bed 3 person units, 8 x 2 bed 4 person units and 8 x 3 bed units. The tenure mix and level of family housing is acceptable.

25 It is proposed that the affordable rented units will be delivered at a range of rents ranging from up to 50% of market rents for 4 bedroom units to up to 80% of market rent for 1 bedroom units. In light of the NPPF and the Revised Early Minor Alteration which promotes the affordable rent tenure this approach is welcomed.

26 The Council had the viability report independently assessed and the GLA also commissioned its own assessment. The Council's and the GLA's assessment has confirmed that the current level of affordable housing is the maximum reasonable amount. Notwithstanding this a review mechanism is proposed. 70 of the currently designated private units are reserved as potential additional affordable housing and the viability of the scheme will be reviewed at three points. Following the sale of the first 26 dwellings, and then following the sale of the first 60 dwellings, a viability sales report will be submitted to the Council. If this sales report produces values higher than those assumed in the viability assessment this will trigger a full review of costs and values of the scheme, if this more detailed review identifies a surplus then some or all of the 70 reserved units will be delivered as affordable housing according to the level of surplus. Units not converted to affordable will be sold by the applicant as private dwellings, with the exception of 10 units which will be held back until the scheme is completed and the remaining units sold.

27 Prior to the sale of the last 10 open market dwellings or no later than 12 months following the practical completion of the development as a whole the applicant is obliged to submit to the Council a final detailed viability reassessment. 50% of any surplus, up to a cap equivalent to a policy compliant housing mix, determined at this point would be provided as a cash payment to be spent on additional affordable housing in the borough or to make up the shortfall on section 106 payments for this proposal. This approach is acceptable. The applicant's viability assessment assumes grant funding of £480,000 (£20,000 per unit). However, it is understood that the site has not been allocated grant funding in the applicant's current affordable housing programme. The applicant's viability assessment also shows that the development has a shortfall of £412,000. As

such the scheme appears, on paper, to have a deficit of £892,000. It should be noted however, that the viability assessment includes 20% developers profit and it would not be unusual for a housing association to proceed with a development accepting lower than usual profit levels given that it is a housing association. In response to objectors raising this as an issue the applicant has given assurances that the proposed development would be funded from its reserves.

### **Children's playspace**

28 The Stage I report set out that quantum of playspace was in excess of the SPG guidance but that further discussion was needed on the quality of the spaces. Further information has been provided on the playspaces proposed and this demonstrates that the spaces will be of a good quality.

### **Urban design**

29 At the consultation stage the proposal was consistent with the design policies of the London Plan. The Council has attached a condition to the planning consent requiring the submission of details of the materials as requested at Stage I. The Council was also asked to satisfy itself that the approach to building height in the southeast corner of the site addressed local design policies as this part of the site is not an intuitive location for an increase in built scale in townscape terms. The Council's committee report states that the proposal is in accordance with the broad principles set out in its informal Urban Design Guidance for the site and would not unduly compromise the setting of the listed kennels.

30 The density of the proposal has reduced since Stage One. As set out in the Stage One report density guidelines are only part of the consideration when assessing an application. The site is located in a primarily suburban location and the density of the scheme is beyond the range set out in the London Plan. However it should be noted that the current stadium is of a very different character to the surrounding housing, this in itself would not justify a higher density on this site but when considered with the high design quality of the scheme and the level of amenity space it is considered acceptable.

31 The proposal has been amended since the consultation stage as described above. The various amendments to the design of the buildings do not raise any strategic concerns. The amendment to retain the culverted section of the River Ching, which was previously to be deculverted and naturalised, results in a new indicative landscaping scheme for this area. The retained culvert would now be landscaped and incorporate a boundary treatment.

32 The culvert, which currently lies beneath the Popular Stand, will potentially protrude at ground level in places when the stand is removed and it is proposed to incorporate this into a landscaped bund where this occurs. It is important that the detailed design of this area strikes a balance between the privacy and security of the ground floor units in the block to the north and the overlooking of the public footpath to the south to promote the safety and security of its users.

33 This matter has been discussed with the applicant and the material submitted includes cross sections and indicative details for this area. The Council has also attached conditions requiring details of the landscaping and boundary treatments. GLA officers are satisfied that the amended proposal would continue to open up this area and be of significant benefit to the locality, particularly given the public safety issues arising from the currently narrow and secluded alley to the south of the Popular Stand.

34 The amended proposal is consistent with the design policies of the London Plan.

## Heritage

35 The Stage I report set out the following on heritage assets:

*'On the basis of the material submitted in connection with this application the proposed approach is appropriate and would both restore the heritage assets on the site and bring them back into beneficial economic use, thereby enhancing the prospects of their ongoing preservation. The proposal would also, through the considered positioning and design of the proposed buildings, preserve the setting of the listed buildings on the site. The overall approach to the heritage assets on the site is supported and consistent with the expectations of the London Plan.'*

36 Since the publication of the Stage I report the NPPF has been published.

37 London Plan policy 7.9 sets out the following in the planning decisions section:  
'Wherever possible heritage assets (including buildings at risk ) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality.'

38 The NPPF sets out that in determining planning applications local planning authorities should take account of:

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a contribution to local character and distinctiveness.

39 When a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh harm or loss or all of the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site; and
- No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- The harm or loss is outweighed by the benefit of bringing the site back into use

40 The Entrance Range, including a pair of slightly tapered pylons that flank the east entrance from Chingford Road and the Tote Board are Grade II listed. The dog kennels at the opposite end of the dog track are separately listed at Grade II. Between the two the racing track is flanked by the spectator stands and associated buildings and on the southern side by the popular entrance building.

41 The proposal retains the kennels in their entirety. The proposal also retains the Entrance Range and the Popular Gate. The listing for the latter makes mention of the connected former stand to the east of the Popular Gate and west of the South Stand. This was converted to a

restaurant in the 1990's and is described in the listing as being of lesser interest. English Heritage has not commented on the loss of this element and its loss is not considered to cause substantial harm to this heritage asset.

42 The proposal would demolish the intervening North and South spectator stands. These are not of special interest and an application for spot listing of the stands was dismissed in 2010 but are nevertheless within the curtilage of the listed buildings. Given that the stadium was not listed as an entity in itself and that the Listed Heritage Assets are retained, as described above and brought back into beneficial use, the proposed demolition would not result in substantial harm to the Heritage Assets.

43 English Heritage has raised concerns, but no objection, regarding the massing in the centre of the site and the juxtaposition of the scale of the eight storey block next to the listed kennels. The building adjacent to the single storey kennels steps up from one to five to eight storeys as it moves away from the kennels. The kennels being designed for their former occupants are the lowest element on the site being significantly smaller in scale than the Tote building and the stands. This would continue to be the case though the proposal rightly seeks to reconcile the diminutive scale of the kennels with that of the proposed residential accommodation in this part of the site for townscape reasons. It is not accepted that the significance of the building as greyhound kennels would be harmed by the proposal.

44 The Stage I report set out that the massing in the centre of the site allows sight of both the kennels and the Tote from the linear open space and the track layout route. The report also set out that the buildings in the centre of the site would appear as subservient background elements behind the Tote and car park and would, importantly, avoid interference with the distinctive silhouette of the upper part of the Tote, preserving the current backdrop of clear sky. As such the impact on listed buildings is considered to be limited and is not considered to cause substantial harm.

45 As such the tests set out in paragraph 35 above do not apply. GLA officers consider that the significant heritage assets on the site are preserved and that the development does not cause substantial harm to them and is therefore acceptable.

### **Inclusive design**

46 At stage I the applicant was asked to submit indicative flat layouts demonstrating that the requirements of the London Plan would be met and further information was requested on how the principles of inclusive design has been adopted in the design of the public realm including the playspace. Large scale plans and further information has been provided which demonstrates that the application will be inclusively designed.

### **Blue ribbon network and flooding**

47 Since the publication of the Stage I report the proposal has been amended and the deculverting of the River Ching is no longer proposed. It is understood that the amendments have been made in response to consultation with the Environment Agency as it was not possible to produce a design for deculverting which did not increase the risk of flooding to surrounding properties. The current proposal would maintain the current situation in that the site will accommodate 1,400 cubic metres of water above ground. In order to offset the missed opportunity of deculverting a contribution of £73,644 has been secured towards environmental improvements in the Brook Catchment Area. As such the proposed amendment is acceptable.

## **Climate change mitigation**

48 The Stage I report set out that clarification should be given of the level of energy efficiency savings, an indicative heat network drawing should be provided, further information on loads for the CHP should be provided and further discussion is needed on the renewables proposed.

49 The applicant has confirmed that through energy efficiency measures alone the development will reduce its carbon dioxide emissions 13% below those of a 2010 Building Regulations compliant development. While this is below the very high level (30%) of savings suggested in the original energy statement, it is still a good level of energy efficiency which is deliverable in the final design. The proposal overall meets the 25% carbon dioxide reduction target set out in London Plan policy 5.2.

50 The applicant has provided a drawing showing the route of the proposed heat network linking the dwellings and buildings.

51 The additional information contains heat load profiles and confirms that a CHP unit with an electrical output of approximately 250kW<sub>e</sub> will be installed as the lead heat source for the development. This is estimated to have an electrical efficiency of 36% and supply the majority of the heat load, enabling it to achieve the carbon dioxide savings suggested.

52 Further information on the passive measures that will be adopted to avoid the need for active cooling have been provided - these include using a high level of thermal mass to reduce swings in internal temperatures and shading devices.

53 No renewables are proposed on-site and given that the London Plan carbon reduction target is met, and that this is acceptable to the Council, this is acceptable.

54 As such all outstanding issues have been addressed.

## **Climate change adaptation**

55 The Stage I report set out that further information on sustainable design and construction should be provided. The applicant has submitted a statement setting out its response to the London Plan chapter 5. This clarifies that green and brown roofs will be provided, that water consumption will be limited to 105 litres per person per day, that low water use fittings will also be used and that rainwater harvesting is proposed. This is acceptable.

## **Transport for London's comments**

56 At stage 1, the proposed parking ratio of 0.7 spaces per residential unit was considered reasonable given the housing mix and location. In order to minimise vehicular trips and prevent overspill parking, TfL also supports the section 106 obligation that prevents residents from obtaining on street permits. Furthermore, 20% of all spaces (both active and passive) will include an electric charging point, which will be secured by condition.

57 TfL welcomes the provision of two car club vehicles; one car at first occupation and a further one, triggered by a certain level of usage of the first. At the outset, one year's car club membership and £25 credit will also be provided for each dwelling.

58 After extensive negotiations with the applicant, the impact of these proposals on the bus network has been agreed. Accordingly a contribution of £210,000 to TfL has been secured through the section 106 agreement to mitigate additional bus trips. Similarly, the applicant undertook junction capacity modelling and has agreed to contribute £76,000 to TfL towards the installation

of SCOOT (Split Cycle Offset Optimisation Technique) at the Walthamstow Avenue/Chingford Road junction and Crooked Billet roundabout. The TfL contributions will be paid together in three tranches; £146,000, £70,000 and £70,000 respectively, triggered by the three phases of the development itself.

59 Other measures that will be secured through the section 106 agreement or conditions as appropriate include minimum cycle parking provision, car park management plan, travel plan and construction method statement.

## **Response to consultation**

60 English Heritage responded to the initial consultation in August 2011 and set out that it was pleased that the application proposal establishes the memory of the track layout better than earlier versions of the scheme but that it remained concerned that the height and massing of the buildings in the centre of the site impede the sense of space as a former stadium. It considered that the scale was too great and that this would be to the detriment of the Tote building and would harm its setting. It also set out that the central parking garage is extensive and a different parking layout might have avoided this dominant massing in the centre of the site. It states that it is pleased that the former kennels will be used as community stores in connection with the pocket allotments but is concerned of the effect of the part 8 storey building on the setting of the kennels which are essentially single storey. It considers that this juxtaposition of scales is to the detriment of the listed kennels. English Heritage then responded to the revised application in February 2012 when it set out that it welcomed the reduction in height of the blocks next to the Tote building but remained concerned about the massing in the centre of the site in relation to the setting of the listed buildings. It remains concerned about the juxtaposition of scales next to the listed kennels. In February 2012 English Heritage also responded to the Listed Building Application setting out that it was concerned that there would be changes to the fabric and balustrade of the car park in order to accommodate the BMX facility. In May 2012 English Heritage confirmed that following discussion with the architects it was satisfied that no alterations would be needed and that this was satisfactory. English Heritage's responses were made before the publication of the NPPF. English Heritage has subsequently confirmed that the publication of the NPPF does not change its comments on the proposal. The heritage issues are discussed in the above heritage section

61 The Environment Agency do not object to the revised scheme provided that a contribution of £73,644 is secured in the section 106 agreement and that appropriate conditions are included in the decision notice. The contribution has been secured in the section 106 agreement and appropriate conditions have been included in the decision notice.

62 CABE are supportive of the proposal. It sets out in its consultation response to the original iteration of the proposal that the scheme presents an architecturally strong response to the site's heritage assets and suburban setting. In CABE's view buildings of the scale, massing and architectural expression proposed will form an appropriate setting for the retained Tote and kennels. It sets out that the arrangement of height, bulk and massing appears to resolve the relationship with neighbouring homes. It set out however that there would be benefit in introducing more visual links through the central linear blocks to allow views into the central raised garden and assist in further breaking down their scale. In its response to the final iteration it sets out that the proposed amendments, in particular those to the central linear blocks and nursery, are welcomed and produce a scheme that is more sensitive to the heritage of the site and the amenity of neighbouring properties. It also sets out that the efforts to secure leisure and community uses within the scheme to serve the wider community are commendable and that these will be crucial to realising a place that feels inviting and fully integrated with the surrounding neighbourhood. It also commends to the sustainability credentials of the scheme.

63 Sport England has no formal objection to the proposal.

64 The NHS requested a contribution towards health care. A contribution of £354,046 towards healthcare has been secured through the section 106 agreement.

65 English Heritage (Archaeology) asked for an appropriate condition to be attached. This has been attached.

66 Neighbour notification consultation letters were sent out to neighbouring streets and a notice was published in the local paper and site notices were displayed in relation to original iteration of the proposal in July 2011 and the revised proposal in December 2011.

67 A total of 1005 objections were received objecting to the original iteration of the proposal.

68 Issues raised included viability; loss of employment use; loss of greyhound stadium; loss of leisure use; increase in traffic congestion; impact on parking in the local area; overdevelopment; lack of social infrastructure; visual impact; design; loss of heritage assets; insufficient parking; increase in crime; loss of access to school during construction; site should retain recreational use; there should be more leisure facilities; loss of trees; noise; health and vermin issues; need to maintain wildlife habitat; loss of privacy; overlooking; air pollution; litter; damage to properties during construction; concern regarding new accesses into the site.

69 The Council's committee report sets out that of these 1005 objections 210 were from 107 local addresses.

70 167 representations were received supporting the proposal. Reasons stated include animal wellbeing and welfare and support for additional housing. Three other representations offered comments on the proposal.

71 At the time of the Council's committee report a further 410 objections/petition signatures had been received by the Council together with 18 letters of support and three providing comment in relation to the revised scheme. The additional matters raised include lack of community consultation; the proposed on site leisure facilities; gangs, graffiti and vandalism will be attracted by the leisure facilities; the leisure facilities will have a negative impact on similar nearby leisure facilities; movement of bus stops; location of substation; health and safety in the event of a fire; no CCTV or police base on site.; loss of red and white fencing/metalwork and lights at the front of the building; impact on access to/from the church; increase in crime resulting from the underground car park; loss of light; impact on values of neighbouring properties; effect on Rushcroft Road; insufficient family housing; increase in flooding; out of character; would prefer a cinema and bowling alley; the site should have an employment use.

72 The Council has received four objections since the publication of the committee report. These do not raise any additional issues

73 Responses were received by the Council from the Walthamstow Stadium Area Residents/community association. The issues raised are summarised as follows: Overlooking, loss of privacy, increase in crime, increased flooding, hours of construction, impact of construction and inappropriate leisure offer on site due to other facilities in the area.

74 A response was received by the Council from the Church of Christ the King, situated opposite the site. It raised issues regarding traffic congestion and the safety of the underground car park.

75 At the time of writing the GLA has received directly a total of 2,380 representations relating to this application. These representations split down into three categories: representations raising objections to the proposal; representations objecting to the proposal and making the proposition that there is an alternative viable proposal to retain the stadium; and those objecting to the notion of reopening the stadium on the grounds of animal cruelty. A number of this last category also object to the application on the grounds of promoting addiction to gambling.

76 116 objections were received in the first category and the only additional issue raised over and above those set out above is that land contamination, given the site's history as a rubbish dump, has not been dealt with sufficiently.

77 274 objections were received in the second category including several representations from The Save Our Stow Campaign. The principal issue raised is that an alternative proposal for retention of the greyhound stadium and delivery of some housing is a viable and preferable alternative to the planning application currently under consideration. The Save Our Stow Campaign has set out that the alternative proposal it is promoting would result in the generation of 500 jobs.

78 Whilst the consideration of an alternative proposal is not a material consideration in the determination of a planning application the applicant has undertaken a viability assessment of the alternative proposal. Limited information was provided from the promoter of the alternative scheme. This viability assessment concluded that the proposal would not be viable. The GLA commissioned its own independent review of the applicant's assessment and the material submitted by the promoter and this has also concluded that the proposal would not be viable.

79 1,990 objections were received in the third category of representations relating to animal cruelty if the greyhound stadium were to reopen. Issues raised include the condition of kennels for the raising of greyhounds and the length they are locked in, ill treatment of the dogs whilst being kept for racing, culling of retired dogs and those younger dogs that are not suitable for racing, injuries to dogs whilst racing, the use of surplus dogs in medical research, the use of retired greyhounds to supply blood to veterinary practices, the sale of dogs organs to the Royal Veterinary College and promotion of gambling. Of these objections 464 also raised the issue that the current proposal includes affordable housing and that this is supported.

80 Objections were received directly by the GLA and to Waltham Forest Council from The Right Honourable Iain Duncan Smith MP, and Stella Creasy MP.

81 Stella Creasy MP set out that the application should be refused on heritage and planning grounds emphasising that the application would permanently alter the use of this site from its original intended purpose. She sets out that there is an alternative viable use. She also raised loss of jobs and economic activity as objections and that the proposal does not create a sustainable and balanced mix of housing tenure which meets local and London-wide housing needs

82 The Rt. Hon. Iain Duncan Smith set out that L and Q's plans were not value for money, that the stadium is an iconic feature of the local community and a heritage asset which should be preserved together with the jobs and economic activity associated with it. He set out that the vast majority of his constituents and local residents want to see greyhound racing on this site and are opposed to L and Q's plans. He also sets out that the development would put added pressure on local infrastructure such as schools and transport. He also sets out that only 40% of units will be affordable and that none of these will be for social rent and as such will not meet the needs of local residents. As such he considers that the very limited public benefits do not outweigh the substantial harm and loss of significance to this designated heritage asset. He also attaches Save Our Stow Campaign's critique of the Stage I report to his letter. Matters raised within this critique not listed elsewhere are that Greyhound Racing should be considered as a sport as it has to comply



with the Safety of Sports Ground Act 1975 and the Fire and Safety of Places of Sports Act 1987. In addition the campaign also contends that the Stadium should be considered social infrastructure. The Stage One report acknowledged that the stadium had a sporting use however, it set out that the strategic priority for was for facilities which enable use by the public for community and sporting activities, either solely, or through the dual-use of facilities. The existing greyhound stadium provided no opportunities for visitors or the local community to actively participate in sporting activities at the site.

83 Objections were received directly by the GLA from Matthew Hancock MP for West Suffolk, Lynne Featherstone MP for Hornsey and Wood Green, the All Parliamentary Greyhound Group, Darren Johnson, Londonwide London Assembly Member, Jennette Arnold, London Assembly Member for Hackney, Islington and Waltham Forest, Cllr John Moss (councillor for Larkwood Ward) and Andrew Boff, Londonwide London Assembly member, John McCririck (horse racing pundit), Waltham Forest Liberal Democrats, the Greyhound Board of Great Britain, North London Business and CPRE London.

84 Matthew Hancock MP objects to the application on the grounds of the loss of the greyhound stadium and the low level of affordable housing in the proposal. A number of greyhound kennels and greyhound trainers are based in his constituency.

85 Lynne Featherstone MP sets out that a constituent has contacted her and is concerned that the stadium has not been used for the benefit of the community for some time. She asks for an update to pass on to her constituent.

86 The All Parliamentary Greyhound Group objects to the loss of the stadium on heritage grounds and wants the stadium to reopen as a greyhound stadium. It sets out that there the heritage asset is not preserved and that there is an alternative viable use

87 Darren Johnson, AM supports the proposal setting out that affordable homes are a priority and that greyhound racing is a cruel sport and to which he has received a number of objections from constituents. He also objects to the proposal on the grounds of increasing gambling opportunities into an area where there is already an over concentration of gambling outlets. He sets out that there is little economic demand for a greyhound stadium given that there were once 33 tracks in London and now there are three. As such any scheme relying on a return of greyhound racing would probably fail and leave the site to be empty once more. He urges the Mayor to consider improvements to the housing element but not to consider an alternative scheme.

88 Jenette Arnold, AM sets out a number of concerns with the scheme including the lack of social housing, that there are only 24 affordable rented units. She sets out that other proposals have been put forward that would create jobs, entertainment facilities and a better mix of housing. She urges the Mayor to discuss further alternative schemes and to listen to local campaigners.

89 Cllr John Moss and Andrew Boff, AM raised objections to the development on the grounds of density and over development.

90 John McCririck (horse racing pundit) sets out that the stadium should be retained and that an alternative proposal retaining the stadium and building housing would be viable.

91 Waltham Forest Liberal Democrats point out that the decision at Waltham Forest Council's planning committee was not unanimous. They set out that the iconic leisure facility should not be lost and that the housing proposed does not meet the council's policies.

92 The Greyhound Board of Great Britain sets out that greyhound racing continues to rank as the country's fourth most popular spectator sport and that Walthamstow stadium, in each of its last five years prior to its sale, was the best attended stadium in the country.

93 North London Business support the proposal setting out that the need for housing is high, that the level of affordable housing is reasonable in this economic climate, the development will bring a boost to the local economy by job generation, It would not be viable to reopen the stadium. Further delay in planning will lead to degradation of the historic buildings and the new residents will help the economy in the local high streets.

94 CPRE object to the application on the grounds of loss of open space in the centre of the site and agrees with other areas of objection raised by local MP's.

95 A number of objections were received directly by the GLA and the Council from the Save Our Stow Campaign. The issues they set out are as follows: there is an alternative viable proposal to re-open the stadium; the EiP Inspector confirmed that the facility was viable; the loss of employment, community and leisure facilities from the site should be resisted; determination of the application is premature prior to the site allocations document being adopted; the housing unit mix and level of affordable housing is not policy compliant; the design with respect to heritage is not appropriate; the design in terms of overlooking and impact on neighbouring housing amenity is not policy compliant; the scheme is too dense and does not comply with the GLA matrix; the flood modelling is inaccurate as the fact that the site was a rubbish tip has not been taken into account; many of the consultees are not aware that there is no longer a proposal to deculvert the river and as such the amenity improvements in this area are no longer proposed; the contamination of the site has not been properly investigated; the scheme does not provide adequate compensation for the loss of leisure facilities; the scheme is not viable; the traffic figures are out of date; there has only been superficial public consultation; the proposed dance studios, allotments and nursery facilities are not commercially viable; the applicant should not have landbanked this site.; the proposal would generate 500 jobs. In addition the Campaign has asked for the Mayor to take over the proposal.

96 These matters have all been dealt with in this report, the Stage I report or in the Council's committee report.

## **Article 7: Direction that the Mayor is to be the local planning authority**

97 Under Article 7 of the Order the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance the Council has resolved to grant permission with conditions and appropriate planning obligations, which satisfactorily addresses the matters raised at stage I, therefore there is no sound planning reason for the Mayor to take over this application.

## **Legal considerations**

98 Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. He also has the power to issue a direction under Article 7 that he is to act as the local planning authority for the purpose of determining the application and any connected application. The Mayor may also leave the decision to the local authority. In directing refusal the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor

may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

## **Financial considerations**

99 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 03/2009 (*'Costs Awards in Appeals and Other Planning Proceedings'*) emphasises that parties usually pay their own expenses arising from an appeal.

100 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

101 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the council to do so) and determining any approval of details (unless the council agrees to do so).

## **Conclusion**

102 Whilst the fact that the Walthamstow Greyhound Stadium is an iconic facility, which had an important cultural and entertainment role in East London, is not disputed given that the stadium has now been closed for four years, on balance, its loss is considered acceptable taking into account the other benefits of the application.

103 The outstanding issues regarding the detailed design of the additional on-site leisure provision, housing, children's play space, urban design, inclusive design, climate change and transport raised at Stage One have been addressed and the application is now considered acceptable in strategic planning terms for the reasons detailed within this report.

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21 September 2011

**The former Walthamstow Greyhound Stadium site**

in the London Borough of Waltham Forest

planning application no. 2011/0898

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

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008

**The proposal**

Part-demolition of existing buildings, and redevelopment to provide 301 residential units, together with sport and leisure provision, a sixty to eighty space nursery, and a cafe with creche facilities, with open space provision, access and parking.

**The applicant**

The applicant is **London & Quadrant**, and the architect is **Conran & Partners**.

**Strategic issues**

The principle of the housing-led redevelopment of the site is acceptable and in accordance with strategic planning policies. However, there are outstanding issues regarding the detailed design of the additional on-site **leisure provision, housing, children's play space, urban design, inclusive design, climate change** and **transport**, that must be addressed before the application can be considered acceptable in strategic planning terms.

**Recommendation**

That Waltham Forest Council be advised that while the application is generally acceptable in strategic planning terms, the application does not comply with the London Plan, for the reasons set out in paragraph 124 of this report; but that the possible remedies set out in paragraph 125 of this report could address these deficiencies.

**Context**

1 On 19 July 2011 the Mayor of London received documents from Waltham Forest Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. On 23 August 2011 the Council formally referred the application to the Mayor. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 3 October 2011 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

- 2 The application is referable under the following Categories of the Schedule to the Order 2008:
- 1A: *"Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats".*
  - 1B: *"Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres."*
- 3 Once Waltham Forest Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.
- 4 The Mayor of London's statement on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## **Site description**

5 The 3.28 hectare site is located on Chingford Road, approximately two kilometres to the north of Walthamstow town centre. The site is bound to the south by residential properties and privately owned open space, to the west by Chingford Road, to the north by residential properties, and to the east by Rush Croft Sports College, and Council owned open space.

6 The River Ching runs along the southern boundary of the site. The river enters a culvert at the south east corner of the site, remains culverted for approximately 160 metres, before emerging as an open channel to the rear of the residential properties on Empress Avenue, towards the south of the site. The southern boundary of the site is also designated as a green corridor in the Council's Unitary Development Plan (2006).

7 The site housed the former Walthamstow Greyhound Stadium, which ceased operations in August 2008. The stadium use began in 1933. Previous to this the site was used by a football club. When fully operational, the stadium held five greyhound race meetings a week, and had a capacity of approximately 5,000 people. Prior to its closure, the site also included a nightclub, in addition to the food and drink offer associated with the stadium use. The site has a series of Grade II listed structures connected with its former greyhound use. The listed elements are grouped into two main structures, namely the dog kennels and connected Tote board at the eastern end of the site, and the main Tote board, car park and the west spectator stand, at the western boundary.

8 The site is located on the A112 Chingford Road, which is a borough road, and part of the Strategic Road Network. The nearest part of the Transport for London Road Network is the A406 Southend Road which is located 200 metres to the south of the site, and laid out as a grade separated junction. The nearest station is Highams Park, which is at least 1.3 kilometres to the east and provides rail services on the Liverpool Street to Chingford line. Walthamstow Central Station is approximately two kilometres to the south, which also provides services on the Victoria Line. Blackhorse Road Station on the London Overground (Barking to Gospel Oak) and Victoria Line is located three kilometres to the west of the site. The area is served by eight bus routes with stops located immediately adjacent to the site frontage on Chingford Road, or on the Crooked Billet Roundabout. The site benefits from a moderate level of accessibility with a public transport accessibility level of three, on a scale of one to six, where six is considered excellent.

## Details of the proposal

9 London & Quadrant is seeking full planning permission, and listed building consent, for the redevelopment of the site to provide 301 residential units, leisure use, a sixty to eighty space nursery, a cafe (to include creche facilities), and open space provision, including allotments, together with servicing and parking. The application also includes the deculverting of the River Ching along the southern boundary of the site.

10 The proposal includes the demolition of all unlisted buildings on site. With regards to the listed elements, the scheme proposes both part-demolition of some of the listed structures, together with the conversion, alteration and extension to the remaining listed buildings.

## Case history

11 Proposals for the redevelopment of the site were first subject to formal pre-planning application discussions with GLA officers in December 2008. The scheme considered here has been subject to formal pre-planning application discussions since December 2010. Issues discussed related to land use, housing, design, climate change, and transport.

12 The proposals were also the subject of a pre-application meeting with Transport for London. Following this meeting, the main outstanding issues were the impact on traffic flow on the Transport for London Road Network, and capacity on the bus network.

## Strategic planning issues and relevant policies and guidance

13 The relevant issues and corresponding policies are as follows:

- Sport/leisure *London Plan; PPG17; PPS Consultation: Planning for a Natural and Healthy Environment; the Mayor's A Sporting Future for London*
- Mix of uses *London Plan*
- Retail/town centre uses *London Plan; PPG13, PPS4*
- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft*
- Affordable housing *London Plan; PPS3; Housing SPG, Housing Strategy; Interim Housing SPG; Housing SPG EiP draft*
- Density *London Plan; PPS3; Housing SPG; Interim Housing SPG; Housing SPG EiP draft*
- Urban design *London Plan; PPS1*
- Historic Environment *London Plan; PPS5*
- Access *London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*

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

15 The Council's draft Core Strategy (submission stage 2011), and draft Development Management Policies document (consultation stage 2011) are relevant material considerations. The Council has also produced an Urban Design Guidance document for the former Walthamstow Greyhound Stadium site (2009), although as this has not been the subject of public consultation, and is not adopted, it has little material weight.

## **Principle of development**

### Loss of the greyhound stadium use

16 The site is not designated within the Council's Unitary Development Plan, or identified in the London Plan, for a specific land use. The site is not within a town centre, but is located in a predominantly residential neighbourhood. The site has historically been used as a greyhound stadium, with the last race held in August 2008. The site has subsequently been vacant.

17 Policy CS1 of the Council's emerging Core Strategy identifies this site as a key site for development, and states that growth will be distributed and managed by *"encouraging high quality development at key sites including Walthamstow Dogs Stadium.... for appropriate uses that will benefit the wider community including housing, employment, leisure and community uses."* Paragraph 5.4 of the Core Strategy provides further guidance in support of this policy and states that *"Other key sites, such as Walthamstow Stadium... have the capacity to provide a minimum of 2,500 homes, which is approximately 22% of total capacity"*.

18 It is recognised that the previous greyhound stadium did provide a stadium-type use, that fulfilled a spectator sport and leisure-type purpose, and its loss therefore needs to be appropriately considered.

19 London Plan Policy 3.19 states that *"Proposals that result in a net loss of sports and recreation facilities, including playing fields should be resisted"*. Supporting paragraph 3.109 makes clear that this policy should be read in conjunction with Policy 3.16 regarding social infrastructure. Policy 3.16 states that *"Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted"*. Furthermore, London Plan Policy 4.6 states that *"The Mayor will, and boroughs should, support the continued success of London's diverse range of arts, cultural, professional sporting, and entertainment enterprises and the cultural, social and economic benefits that they offer to its residents, workers and visitors"*.

20 London Plan policy resists the loss of sports facilities. This is supported by national planning guidance on open space, sport and recreation. As made clear in London Plan Policy 3.19, the Mayor's strategic objective is to increase participation in, and tackle inequality of access to, sport and physical activity in London. This is supported by the Mayor's 'A sporting future for London' document, which seeks to build on the legacy of the 2012 Olympic and Paralympic Games by *"...securing a sustained increase in participation in sport and physical activity amongst Londoners"* and by *"...using sport to assist in tackling social problems including ill health, crime, academic under achievement, and lack of community cohesion"*.

21 In considering sporting facilities in the context of London Plan policies, the strategic priority is for facilities which enable use by the public for community and sporting activities, either solely, or through the dual-use of facilities. The existing greyhound stadium provided no opportunities for

visitors or the local community to actively participate in sporting activities at the site. Furthermore, it must be noted that Sport England does not identify greyhound racing as a sport.

22 London Plan Policy 4.6 with regard to supporting arts, culture and entertainment provision, does not state that the loss of any such facilities should be resisted. Nevertheless, supporting such facilities could be considered to include resisting their loss through redevelopment. In other location in London the reprovision of cultural facilities has been required through the planning process. However, in this instance it has to be considered that the use ceased three years ago. In addition, the policy makes clear that the sequential approach must be taken with regard to new facilities, which would prioritise new provision within town centre locations. The supporting text to this policy further prioritises night-time leisure and entertainment-type uses within town centres. In this respect, new large-scale leisure or entertainment facilities on this site would be resisted in favour of town centre locations, or areas of higher public transport accessibility levels, particularly given the residential nature of the immediate surrounding environment.

23 Furthermore, although the Council recognises the greyhound stadium facility as a commercial based leisure use within its Unitary Development Plan, and seeks to retain existing leisure uses (TRL17), its policies seek to direct new leisure provision within town centres (Policy TRL16).

24 London Plan Policy 3.16 does resist the loss of social infrastructure in areas of defined need without their reprovision. The policy makes clear that *"The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered."* The London Plan does not provide a definition for social infrastructure. In the supporting text to Policy 3.16, a number of uses are provided as examples, including health provision, educational facilities, including nurseries, sports and play facilities, and cultural and community uses. Uses are described as those "...which contribute to making an area more than just a place to live," and those which make "...residential areas more attractive and turning them into sustainable neighbourhoods and communities". Social infrastructure facilities are therefore those which are necessary to support the provision of housing. It is also clear in the policy itself that social infrastructure is infrastructure which has an identifiable need, by virtue that its loss is only resisted in areas of identified need for that type of infrastructure.

25 It is not considered therefore that a greyhound stadium constitutes social infrastructure, in that a defined local need for such a use cannot be identified or measured, and that it cannot be seen to be necessary to support sustainable neighbourhoods. Therefore, the loss of the greyhound stadium use is not deemed to be contrary to London Plan Policy 3.16.

26 It is clear, following an assessment of strategic policies, that the priority for sporting facilities in London is for those which enable community use and provide opportunities for active participation in sport. It is important to note in this context that Sport England does not define greyhound racing as a sport. It is also apparent that the greyhound stadium does not constitute social infrastructure, and that whilst the London Plan seeks to support London's diverse cultural offer, including professional sporting enterprises and entertainment uses, that these uses are generally appropriate to town centre locations, or those with higher public transport accessibility. The loss of the greyhound stadium use is therefore considered on balance not to be contrary to London Plan policy.

27 In recognition of the loss of the existing facility, the application includes a community sports centre on-site to provide facilities for local activities, which could include exercise classes, combat sports, table tennis, and children's gymnastics. The principle of providing on-site leisure and sport-based space for local groups and classes is strongly supported.



28 Through discussions with GLA officers, the applicant has also proposed a number of additional on-site measures, which are set out below:

- A skateboard and BMX track located on the upper deck of the Tote car park.
- A climbing wall within the main Tote building.
- A stadium trail, including a sprint circuit around the greyhound track, linking through to wider routes to the Lee Valley and Epping Forest. The stadium trail will include way-finding measures, as well as outdoor gym equipment.
- Improved links through the existing area of open space to the south-east of the site.
- A financial contribution of £250,000 towards the running of the on-site facilities, which is to be operated by a community sports trust.

29 The principle of these measures is supported. The provision of additional on-site sporting opportunities will increase people's access to opportunities for physical activities, which better accords with Mayoral priorities with regard to sports participation. The relatively small scale nature of the provision responds appropriately to the site's characteristics and the residential nature of the surrounding environment, whilst ensuring that the site maintains a sense of local importance, by providing facilities for the surrounding community.

30 The additional measures are still to be designed in detail, and will need to be the subject of further discussions with the applicant and the Council. The measures will also need to be incorporated in full within the planning application, and appropriately secured by the Council in the section 106 agreement. It is important that the running track and associated equipment is appropriately incorporated into the public realm, particularly within the site, and that conflicts with pedestrians and vehicles are appropriately managed. Furthermore, the provision of the skateboard and BMX park, in addition to the climbing wall, requires further detailed design discussions with regard to impact on the listed elements.

31 Whilst the on-site provision of sport and leisure space is supported, including the additional measures proposed, it does not in itself address the scale of the previous greyhound stadium use. Therefore, Council and GLA officers have sought a financial contribution from the applicant towards the provision of off-site leisure and sport use. The applicant has agreed a financial contribution of £1,750,000. At this stage it is expected that this contribution will be directed towards improving the Council's Waltham Forest Pool and Track facility.

32 Waltham Forest Pool and Track facility is located on Chingford Road, approximately one kilometre to the south of the application site. The Council owned sports centre currently provides an eight-lane sports track, a 25-metre indoor pool, a diving tank and boards up to five metres, a learner pool, a dance studio and a fitness suite. The facility is located approximately half way between the site and Walthamstow town centre. Although not a town centre site, it is an existing leisure centre facility, which is located on the main route from the site to the town centre. This facility will therefore be accessible to the residents of this development, and those existing communities surrounding the stadium site. The existing leisure centre site, in closer proximity to the town centre, will also ensure that the improvements delivered are accessible to those across the borough.

33 The Council has identified a number of potential facilities that could be provided on-site, that are not currently available in existing facilities elsewhere in the borough. The Council has stated that the contribution secured could deliver all of the following improvements:

- A climbing wall – with the potential to build on school-based climbing up to club level opportunities.
- Youth gym and soft play – to assist in the provision of sports facilities for young children and adults, seeking to increase the activity levels of children and young people.
- Athletics track – track refurbishment and provision of a small seated stadium, to help increase participation in athletic related activities.
- 3G sports pitch – the Council's playing pitch strategy indicates that there is currently a deficit of two full size pitches in the borough. A new pitch at this facility could help address this shortfall.
- Dry dive pit – building on being the only Olympic host borough with diving facilities, the existing facility could be expanded to include dry dive facilities. This would help improve training opportunities and encourage new participation in this sport.
- Spinning studio – build on the existing fitness centre offer to provide a new spinning facility for general fitness.

34 Discussions are ongoing with the applicant and the Council regarding the details of what will be delivered, including further discussions regarding costings and timescales for delivery. However, as demonstrated above, the financial contribution, and the potential improvements that it could provide, will deliver quantitative and qualitative improvements to existing sport and leisure provision in the community, and across the borough as a whole. This accords with the Mayor's strategic priority to improve participation in sports and recreation. It also provides additional sporting facilities in an Olympic borough, therefore strengthening the ability of London to deliver on the Olympic legacy priorities, as detailed in London Plan Policy 2.4.

#### Development of the site for housing

35 London Plan Policy 3.3 states that *"The Mayor recognises the pressing need for new homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford"*. Furthermore, London Plan Policy 3.4 requires sites to optimise housing output.

36 The site is not within a town centre, and is within an existing residential neighbourhood. It is not identified in the London Plan for a particular use. The site is identified within the Council's emerging Core Strategy for uses including housing, and is included as one of three key sites within the borough that has the ability to deliver up to 22% of the borough's total housing capacity. The principle of housing on this site is therefore supported in accordance with strategic and local policy.

#### Other proposed uses

37 In addition to the on-site leisure and sport use, the application also includes a nursery, cafe with creche facilities, and allotments. The provision of allotments is strongly supported in line with London Plan Policy 7.22, whilst the provision of a nursery and cafe, with creche, is supported in accordance with London Plan Policy 3.16. The provision of these social infrastructure facilities will provide opportunities for the existing community to engage with, and benefit from, the

redevelopment of the site, and provide a range of uses to help activate the site. This provision is strongly supported in accordance with London Plan Policy 3.16.

### Conclusion

38 The Council has identified this site as a key site for development, and has indicated that a housing, employment, leisure or community use is appropriate. The site is not within a town centre, and is in a predominantly residential area. The proposal includes housing, leisure and community use, and will provide employment opportunities. Together with the on-site uses, the applicant will provide a substantial financial contribution to improvements to sports provision at an existing sports centre.

39 The existing stadium has been closed since 2008. The proposed redevelopment of the site addresses strategic priorities with regard to housing delivery, and provision of social infrastructure, particularly sports facilities, within an Olympic borough. The loss of the existing facility is appropriately off-set with uses more appropriate to the site's location and characteristics, and the off-site contribution will help to address borough-wide shortfalls in sports provision. The principle of the redevelopment is therefore acceptable in strategic planning terms.

### **Housing**

40 The proposal includes the provision of 301 residential units, 105 of which will be affordable. The proposed mix of units, by tenure, is provided below:

	<b>Private</b>		<b>Affordable rent</b>		<b>Intermediate</b>		<b>Total</b>
	Unit	%	Unit	%	Unit	%	
One-bed	26	(13%)	1	(2%)	4	(8%)	31 (10%)
Two-bed	133	(68%)	15	(29%)	40	(75%)	188 (63%)
Three-bed	26	(13%)	11	(21%)	9	(17%)	46 (15%)
Four-bed	11	(6%)	25	(48%)		0	36 (12%)
<b>Total</b>	<b>196</b>	<b>(65%)</b>	<b>52</b>	<b>(17%)</b>	<b>53</b>	<b>(18%)</b>	<b>301</b>

(Proposed mix of units – taken from Table 6.3 within the applicant's planning statement)

### Affordable housing

41 London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so, each council should have regard to current and future requirements for affordable housing at local and regional levels, its own overall target for affordable housing provision, and the need to encourage rather than restrain residential development. Policy 3.11 states that borough targets should take account of matters including current and future housing requirements, the strategic targets and priority accorded to affordable family housing, the need to promote mixed and balance communities, and the viability of future development, and that within those targets 60% of affordable housing should be for social rent, and 40% for intermediate rent or sale.

42 The applicant is proposing to provide 52 affordable rent units and 53 intermediate units. The affordable rent product proposed accords with the revised definitions of affordable housing within Planning Policy Statement 3: Housing (June 2011), and together with the intermediate units, results

in the provision of 35% affordable housing, when measured by units (40% when measured by habitable room).

43 The applicant's financial viability assessment submitted in support of the planning application is required to be independently assessed. This assessment is to be commissioned by the Council, and funded by the applicant. Without this independent assessment, it is not possible to confirm whether the applicant is providing the maximum reasonable amount of affordable housing in accordance with London Plan Policy 3.12. As part of discussions regarding the applicant's viability assessment, the use of future cascade review mechanisms will need to be addressed.

44 The applicant has indicated that the affordable rent units will be provided at rents ranging from 50% to 80% of market rents. Further information is required from the applicant and the Council regarding the affordability of the units, disaggregated by unit size, and proposed rental level, and how these compare with traditional social rented units with regard to rental costs. It is acknowledged that rent discounts at 50% may result in affordable rent units which would be affordable to a greater proportion of those on the Council's housing waiting list, and in this regard, be comparable to traditional social rented units.

#### Tenure split

45 London Plan Policy 3.12 seeks to ensure that 60% of the affordable housing delivered throughout the Plan period is social rented housing, and that 40% is intermediate provision. The application provides 59% affordable rent and 41% intermediate provision, when measured by habitable room. The application does not provide any social rented units. The proposed mix does not therefore accord with strategic policy 3.12.

46 The Council, in its Core Strategy, also establishes a broad tenure split for the affordable housing to be delivered over the plan period, seeking 60% of the total housing within the borough to be social rented housing, with 40% as intermediate provision.

47 Planning Policy Guidance 3: Housing formally introduces affordable rent as a new social housing product. This shift in national housing policy is not currently reflected in strategic planning policies for London.

48 Affordable rent, although not operated under the same agreements as social rented housing, is considered an affordable housing product, and is intended to be available to those eligible for social rented housing. It is also solely a rented product, as opposed to intermediate housing, which typically involves an element of sale to the occupier. In the recent funding programme issued by the Homes and Communities Agency for the period 2011 to 2015, it has been made clear that funding for social rented products will only be supported in limited circumstances.

49 It is acknowledged that the target within London Plan Policy 3.12 is not a site specific target, and that the recent shifts in government policy are not currently reflected in strategic policy. The introduction of a new affordable housing product, together with the lack of government funding for social rented housing, will impact on the ability of developments to meet the strategic target within Policy 3.12. Affordable rent is an affordable housing rented product, and the application prioritises this above the provision of intermediate housing, which does acknowledge broad strategic objectives. Furthermore, as discussed in paragraph 44 above, it is likely that the affordable rent units that are targeted at 50% market rent, will in fact be affordable to those tenants who would have previously been allocated social rented housing. On balance, therefore, subject to the caveats set out in paragraph 44, the proposed tenure split is acceptable.

## Mix of units

50 London Plan Policy 3.11 accords priority to family housing within affordable housing provision. In addition, London Plan Policy 3.8 requires developments to provide a range of housing sizes and types. This is supported by the London Plan Housing Supplementary Planning Guidance, which seeks to secure family accommodation within residential schemes, particularly within the social rented sector, and sets strategic guidance for councils in assessing their local needs. Also relevant is Policy 1.1C of the London Housing Strategy, which sets a strategic target for 42% of social rented homes to have three or more bedrooms.

51 The Council has established a preferred housing mix within its emerging Development Management Policy Development Plan Document, which is provided below:

	<b>One-bed</b>	<b>Two-bed</b>	<b>Three-bed</b>	<b>Four-bed</b>
<b>Market housing</b>	10%	40%	40%	10%
<b>Intermediate housing</b>	10%	40%	40%	10%
<b>Social housing</b>	10%	30%	50%	10%

(Policy DM5 – Waltham Forest Council Development Management Policy Development Plan Document)

52 The application includes 27% family accommodation across all tenures. In accordance with strategic priorities, family accommodation has been prioritised within the affordable element, with 69% of the affordable rent units being proposed for families, with the majority of these units being four-bed houses with gardens.

53 As discussed above, strategic policy does not currently reflect the recent shifts in affordable housing, particularly the amendments to the definitions of affordable housing to include affordable rent products, and changes to funding priorities. However, it is acknowledged that affordable rent is to be targeted at those eligible for social rented housing, and that it is an affordable housing product markedly different in funding and operation to intermediate housing. In this context, the prioritisation of family accommodation within the affordable rent element does recognise strategic objectives, and is therefore supported.

54 Within the private and intermediate provision, 18% of units are family accommodation. This does not accord with the Council's target of 50% family accommodation within those tenures. The Mayor's Housing SPG (2005) does not establish a specific target for private and intermediate family accommodation, but acknowledges that access to housing within the private sector is in relation to ability to pay, rather than housing requirements. The Mayor's Housing Strategy (2010) provides updated guidance on this issue, and states that *"While there is obviously a significant demand for family-sized market homes in the capital, the Strategic Housing Market Assessment found little net requirement for this type of housing across London, although there are bound to be local variations"*.

55 The Mayor's Housing Strategy provides further updated guidance with regard to intermediate provision and sets a target of 16% of homes within this tenure to be family sized. The application includes nine three-bed intermediate properties, which represents 17% of intermediate provision. This accords with the target within the Housing Strategy.

56 Given that the proposal accords priority to family social housing above other tenures, and the nature of the affordable rent product, together with the limitations to the delivery of traditional social

rent, the proposed mix is broadly in accordance with the strategic objectives established in London Plan Policy 3.11, and as set out in the Mayor's Housing Strategy, and is therefore acceptable.

### Density

57 London Plan Policy 3.4 seeks to optimise the potential of sites, having regard to local context, design principles and public transport accessibility. The site has a public transport accessibility level of two to three and its immediate setting is suburban in character. The London Plan density matrix therefore suggests a residential density of between 150 and 250 habitable rooms per hectare.

58 The proposal has a density of 329 habitable rooms per hectare. The London Plan density matrix is not intended to set a prescriptive set of densities, however, as made clear in the Mayor's Interim Housing Supplementary Planning Guidance document (April 2010), *"Where proposals are made for developments above the relevant density range they must be tested rigorously"*. A range of relevant factors are detailed against which applications should be assessed, including aspects of 'livability' related to proposed dwelling mix, design and quality, amenity provision and space, physical access to services, sustainable design and construction, car parking and the wider context of the proposal.

59 As detailed above, the application provides a significant proportion of family affordable accommodation, a large proportion of which are four-bed houses with gardens. An assessment of the units against the standards within the Mayor's Housing Design Guide (as detailed below) concludes that the units themselves are of a high standard, and the overall approach to play and recreation space provision is supported (see paragraphs 63 to 71). The overall design of the scheme accords with the principles of the London Plan (see paragraphs 72 to 87), and the approach to site layout and building height appropriately takes its cues from the existing built development. The approach to climate change is broadly supported (see paragraph 99 to 113), and as detailed in the transport section of this report, the parking levels proposed are in accordance with London Plan policies. Therefore, on balance, the density of the development is acceptable and appropriately optimises the site's potential.

### Housing quality

60 Policy 3.5 of the London Plan introduces a new policy on the quality and design of housing developments. Part A of the policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the policy states that new dwellings should generally conform with the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and explanation. In particular, paragraph 3.32 makes clear that *"Securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities"*.

61 The Mayor's draft Housing Design Guide (July 2009) and the Interim Housing SPG (EiP version – August 2010), provides further guidance on the implementation of these policies.

62 The applicant has provided a detailed assessment of the proposed residential units against the standards and policies within the London Plan and the Mayor's draft Housing Design Guide, which demonstrates broad compliance with the necessary standards. A total of 96% of the units meet the minimum space standards within Table 3.3 of the London Plan, with 86% of units exceeding these standards. There are no single-aspect north-facing units, and no family single-aspect units. In addition, all of the units meet the standards for private amenity space, with 93% of the units

exceeding these standards. On balance, the units will be of a suitable quality and adequately address London Plan Policy 3.5.

#### Children's play space

63 Policy 3.6 of the London Plan sets out that *"Development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs"*.

64 Using the methodology within the Mayor's Supplementary Planning Guidance *'Providing for children and young people's play and informal recreation'*, the development is expected to be home to 167 children. The breakdown of the expected age ranges is provided below.

Age range	Expected child population
<b>0-4</b>	62
<b>5-11</b>	63
<b>11+</b>	42
<b>Total</b>	<b>167</b>

(Expected child population)

65 The guidance sets a benchmark of 10 sq.m. of usable child playspace to be provided per child, with under-five child playspace expected to be provided on-site. Subject to the condition and location of existing facilities, it may also be necessary to provide facilities for older children.

66 In accordance with strategic guidance, the applicant has submitted a play strategy, which includes a review of existing play facilities. This demonstrates that there are no play facilities within a safe and reasonable route from the site, largely due to the proximity of the A406, which acts as a substantial barrier to movement south, particularly for children. In the light of this assessment, and given the size of the development site, and the total number of residential units proposed, the proposal should therefore be self sufficient with regard to play provision. Consequently, a total of 1,670 sq.m. of play is required, with specific facilities needed for each of the three main age groups, as specified in the Mayor's strategic guidance.

67 The proposal includes a series of dedicated play spaces, amounting to 1,455 sq.m. of provision:

- Six dedicated areas for doorstep play totalling 335 sq.m. These spaces are primarily intended for use by the under fives.
- Two areas of local play space for the five to eleven age group, totalling 710 sq.m.
- Four areas of youth space for those aged over twelve, totalling 410 sq.m.

68 The applicant has provided some indicative sketches to illustrate the design of these spaces, as well as providing details of the types of facilities to be provided. The indicative design of these spaces is promising, and the architects have shown imaginative use of natural features for play. However, the status of these sketch plans is not clear. It is essential that the design approach presented at this stage is carried forward into the detailed design stage. Further discussion with the Council and the applicant is therefore required regarding how these design concepts will be secured.

69 The proposed spaces amount to 1,455 sq.m. This is a shortfall of 185 sq.m. against the requirements within the Mayor's SPG.

70 As detailed in the design section of this report, the overall concept of the proposal is to create a central area of semi-private open space at the centre of the site, together with a series of public plazas. This approach delivers significant areas of open space that have the capacity to provide informal play and recreation opportunities. As recognised in paragraphs 3.27 to 3.30 in the Mayor's SPG, playable spaces, where the wider public realm and public spaces are developed with informal or playful landscaping features, can provide spaces for children's play whilst also being suitable for the whole range of users/residents. The applicant has sought to adopt this approach to the design of the public realm across the scheme, and particularly the central courtyard, and plaza in front of the main Tote board. The approach taken to provide dual-use of public and semi-public spaces for play and general recreation is strongly supported and will ensure that the site has activity throughout. However, as detailed above, whilst the initial concepts for these spaces are supported, further discussion is required to ensure that these design sketches are carried through to the detailed design stage.

71 The applicant has provided a breakdown of the proposed spaces, which demonstrates that in addition to private gardens and terrace spaces, and the proposed dedicated play spaces, the development includes 2,315 sq.m. of communal shared garden spaces, and 4,851 sq.m. of soft and hard landscaped areas. Overall, there is 8,621 sq.m. of public realm and recreation space, including designated play. This is considerably above the 1,455 sq.m. of play space required using the methodology within the Mayor's SPG. This scale of provision is strongly supported, particularly given the site is currently located in an area of deficiency for play and has no existing facilities within a safe walking distance of the site. To ensure that the design of the public realm and recreation spaces is of a sufficient high quality, further discussion is required with the Council and the applicant regarding securing the design concepts presented through to detailed design.

## **Urban design**

72 Good design is central to all objectives of the London Plan, and is specifically promoted by the policies contained within chapter seven, which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to optimising the housing potential of sites, the quality of new housing provision, designing out crime, local character, public realm, architecture, heritage assets, and the Blue Ribbon Network.

73 The proposed design has been developed from a thorough analysis of the application site and its context. This analysis has, in particular, considered: the significance of the listed buildings and the historical use of the site; the prevailing character of the surrounding neighbourhood and opportunities to enhance this; and the River Ching and opportunities to enhance this through de-culverting, improving flood mitigation and enhancing footpath links and habitat.

### Layout

74 The proposed layout would successfully echo the historic geometry of the site. It would follow the alignment of the stands and curvature of the track in the proposed routes and built form and retain the Tote building and kennels (Grade II listed) in situ, giving these prominence within the area. This would, importantly, promote the understanding and interpretation of the history of the site, the relationship between the individual heritage assets, and assist in promoting a distinct sense of place.



75 The proposal would also be consistent with the pattern of development in the surrounding neighbourhood, which is typified by terraced housing on an east-west alignment perpendicular to Chingford Road, as seen at Empress Avenue and Rushcroft Road.

76 This arrangement would be readily navigable for residents and visitors and allow direct connection to Chingford Road. It also takes account of existing and future pedestrian desire lines in the neighbourhood. In particular it would introduce a north-south route through the site from Empress Avenue to Rushcroft Road and the Rush Croft Sports College, offering a clear improvement to the current route via Chingford Road. This route would also connect with the enhanced riverside path, and thereby allow easy access to this for existing residents of Rushcroft Road and the area beyond, and improve connection to Chingford Road for those walking or cycling along the river corridor.

77 The proposed layout has taken full account of the London Plan Blue Ribbon Network policies, and would de-culvert the River Ching in this location, address flood mitigation and improve access and to the river corridor (as discussed in paragraphs 92 to 98). This is a significant benefit of the scheme, particularly given the public safety issues arising from the narrow and secluded alley to the south of the Popular Stand. As well as promoting access to, and the use of, the riverside space, the proposal would also introduce new housing directly overlooking this area and thereby promote its passive surveillance.

78 The landscape masterplan for the site is well considered and would create a series of distinct, but linked, spaces responding the character of each part of the site. In particular the proposal would maintain a linear open space in the centre of the site, allowing views to the listed buildings at either end, and would celebrate the latter by focusing community amenity spaces such as allotments and play areas in front of each of the listed buildings. The proposals for the River Ching corridor would naturalise this through the site and introduce new habitat, which is welcomed. The extensive use of shared surface streets is appropriate to the residential character of the area, especially given the probable number of families with young children in the area.

#### Scale and massing and appearance

79 The scale and massing of the proposed buildings has been determined in response to the specific context of each part of the site and is on the whole well considered. Those buildings backing onto the two-storey houses on Rushcroft Road and Empress Avenue would be two to four-storeys with generous gardens between. These are well conceived as contemporary townhouses built in brick with metallic cladding to the upper levels.

80 The townhouses would face the linear apartment buildings in the centre of the site, which would be up to five-storeys. The scale and massing of these buildings has been carefully considered in relation to the listed buildings on the site. At their eastern end the buildings have been tapered to diminish their bulk and, in tandem, to mirror the concave form of the kennels. This would create a well-defined and proportioned amenity space that would manage the change in scale and would appropriately be centred on the kennels.

81 At the western end of the site the buildings would also be tapered, which together with their scale of five-storeys, would ensure that they would not interfere with the silhouette of the Tote when viewed in dynamic views from Chingford Road. These views, which take in the Tote and the car park frontage, are widely recognised and central to the appreciation of the special architectural and historical interest of the site. In these views the proposed buildings would appear as subservient background elements behind the Tote and car park and would, importantly, avoid interference with the distinctive silhouette of the upper part of the Tote, preserving the current backdrop of clear sky. This approach is supported.

82 The architecture of these buildings would reference the 1930's architecture of the listed buildings, with extensive use of clear and obscure glazing framed within banded expressed floor plates in white concrete. The design is well handled and would complement the setting of the listed buildings. The local authority should ensure that the materials used are of the high quality demanded by this approach, through the use of conditions on any planning permission.

83 The buildings in the southeast corner of the site would range from five to eight storeys. The applicant has, in discussion with the local authority, proposed buildings of a greater scale in this location to mark the site in views from the east. The proposed buildings would step-up in scale from the southern end of the single-storey kennels and from the proposed two to four-storey buildings to the west. As discussed through the pre-planning application process, GLA officers consider that this part of the site is not an intuitive location for an increase in built scale in townscape terms, although there is some merit in providing overlooking of the riverside open space to the east. The Council should satisfy itself that the approach to building height in this location satisfactorily addresses local design policies.

#### Heritage assets

84 The application proposes the restoration and conversion of the listed Tote building and Kennels and is accompanied by a listed building application for determination by the local authority in parallel with this application.

85 The Kennels would be refurbished and used to provide storage and community space for the allotments. The Tote building would be restored and the car park brought back into use as such. The rear of the building would be stripped of various contemporary additions, notably those associated with the nightclub, and then augmented with an extension. This would enable the creation of four studios, for dance and fitness classes, and a communal cafe and reception area beneath the Tote itself. The extension would be treated in glass and steel and, whilst harmonious with the modernist form of the original building, would be visually distinct so as to enable a clear understanding of the different elements.

86 On the basis of the material submitted in connection with this application the proposed approach is appropriate and would both restore the heritage assets on the site and bring them back into beneficial economic use, thereby enhancing the prospects of their ongoing preservation. The proposal would also, through the considered positioning and design of the proposed buildings, preserve the setting of the listed buildings on the site. The overall approach to the heritage assets on the site is supported and consistent with the expectations of the London Plan.

#### Summary

87 In summary the proposal is consistent with the design policies of the London Plan, specifically policies 7.1, 7.4, 7.5, 7.6, and 7.8.

#### **Inclusive design**

88 London Plan Policy 7.2 requires all future development to meet the highest standards of accessibility and inclusion, and requires design and access statements submitted with planning applications to explain how the principles of inclusive design, including the specific needs of disabled people, have been integrated into the proposed development and how inclusion will be managed and maintained. London Plan Policy 3.8 expects 10% of all new housing to be wheelchair accessible or easily adaptable for wheelchair users. Further guidance to this policy is provided in the Mayor's Supplementary Planning Guidance *'Accessible London: achieving an inclusive environment.'*

89 Whilst the design and access statement states that all units will be designed to Lifetime Homes standards and 10% will be designed to be adaptable for wheelchair units, this is not demonstrated with indicative flat layouts. The applicant has indicated where the wheelchair accessible units will be located, including a commitment that units located above ground floor being served by two lifts, which is strongly supported. However, the applicant should submit flat layouts illustrating the design of these units to ensure that the standards will be met. The Mayor's Best Practice Guide on wheelchair accessible housing provides a useful checklist that can be used to demonstrate the adaptability of the new homes proposed.

90 The design of the landscaping and the public realm, including the entrances to buildings, is crucial to how inclusive the development will be to many people. The pedestrian routes to all of the buildings, and within the buildings and courtyards, should be designed to ensure full and easy access for all users. In addition, all public spaces and recreation/play facilities should be designed to ensure access for all. Whilst the applicant has provided written commitment that these standards will be met in the detailed design, further evidence is required to ensure that the commitments are delivered in the final scheme.

91 At this stage it is not therefore possible to determine whether the proposals accord with London Plan policies 3.8 and 7.2.

## **Blue Ribbon Network and flooding**

### Blue Ribbon Network

92 The River Ching currently runs in a culvert along the southern boundary of the site. The river enters the culvert in the south east corner of the site, and emerges from the culvert 160 metres to the west. As a major tributary to the River Lea, the River Ching forms part of the Blue Ribbon Network.

93 London Plan Policy 7.24 makes clear that *"The Blue Ribbon Network is a strategically important series of linked spaces."* Policy 7.28 of the London Plan seeks the restoration of the network and states that *"Development proposals should restore and enhance the Blue Ribbon Network by taking opportunities to open culverts and naturalise river channels..."*

94 The application deculverts the River Ching for its entire route on the southern boundary of the site. This is strongly supported in accordance with London Plan Policy 7.28. Built development has been pulled back from the river, and an improved pedestrian and cycle route has been introduced along its banks, together with a number of open spaces fronting the river, to increase the amenity value of this important asset. These measures will assist with flooding (discussed below), and will help improve the amenity value of the river, providing a much improved environment to the southern boundary of the site.

### Flooding

95 Part of the application site is located within a Flood Zone 3a, as defined by the Environment Agency, indicating it suffers from a high probability of flooding. London Plan Policy 5.12 states that *"Development proposals must comply with the flood risk assessment and management requirements set out in PPS25 over the lifetime of the development..."*

96 Given that residential uses are proposed, an exceptions test is required under PPS25. London Plan Policy 5.12 states that *"Developments which are required to pass the PPS25 Exceptions Test will need to address resilient design and emergency planning by demonstrating that the development will remain safe and operational under flood condition; a strategy of either safe evacuation and/or safely remaining in the building is followed under flood conditions; key services including electricity, water etc*

*will continue to be provided under flood conditions; and buildings are designed for quick recovery following a flood”.*

97 The applicant has submitted a flood risk assessment in response to national, strategic and local policy requirements with regard to flood risk. This includes details regarding emergency planning in the event of a flood. As part of the wider flood risk strategy, the applicant is proposing sustainable urban drainage measures, including permeable surfaces, swales, and green roofs. These measures are supported in accordance with London Plan policies 5.11 and 5.13.

98 Subject to the assessment of the proposal by the Council, and any comment provided by the Environment Agency, the proposal with regard to flooding is acceptable, and accords with strategic planning policy.

## **Climate change**

99 The London Plan climate change policies as set out in chapter five collectively require developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise carbon dioxide emissions (Policy 5.2).

### **Climate change mitigation**

100 London Plan policies 5.2, 5.6 and 5.7 focus on mitigation of climate change and require a reduction in a development's carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewables.

#### Energy efficiency standards

101 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameter will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting.

102 The development is estimated to achieve a reduction of 54 tonnes per annum (7%) in regulated carbon dioxide emissions compared to a 2010 Building Regulations compliant scheme. Using the tables provided by the applicant in sections 4.1 and 4.2 of its submitted energy strategy, it appears that carbon savings of 30% beyond 2010 building regulations will be achieved with the use of energy efficiency alone for the residential element. Whilst strongly supported, these savings appear to be very high. Further clarification regarding the level of savings achieved through energy efficiency is therefore required.

#### District heating

103 There are no district heating networks within the vicinity of the proposed development.

104 A site wide heat network, served from a single energy centre, is proposed for the development. The network will provide heat to all of the apartments and buildings. This approach would allow the development to take heat from an external heat network should one be available in the future. The applicant should provide schematics showing an indicative route for the on-site heat network, showing all buildings connected to it.

105 A 235 sq.m energy centre is proposed in order to house the required heat generating plant. Drawings have been submitted showing the location of the energy centre.

#### Combined heat and power

106 The applicant is proposing to install a gas-fired combined heat and power plant. The applicant should provide further details regarding the capacity of the plant proposed, supported with the submission of heat load profiles.

107 A reduction in regulated carbon dioxide emissions of 261 tonnes per annum (36%) will be achieved through this second part of the energy hierarchy. As with the proposed energy efficiency savings, these savings appear to be high. In order to be able to verify the carbon savings, the applicant should confirm the assumptions used for the calculations, for instance the electrical efficiency of the CHP plant, and the proportion of the development heat load supplied by the CHP plant.

#### Cooling

108 The applicant should clarify what design features are being proposed to reduce the demand for cooling in the first instance. The applicant should clarify where a need for active cooling would exist and explain how these requirements would be provided.

#### Renewables

109 As part of the renewable proposals the applicant has concluded that either photovoltaic or a biomass boiler could be used to supply energy to the proposed development.

110 As stated by the applicant, the reported carbon savings achieved with the use of energy efficiency measures and combined heat and power plant are enough to fulfil the London Plan carbon reduction targets. However, further information is required to verify the carbon savings claimed under the energy efficiency and combined heat and power sections. If the carbon savings are subsequently amended, a more detailed evaluation regarding which renewable energy technology is the optimal solution will be required.

#### Overview of carbon savings

111 As currently reported, the estimated regulated carbon emissions of the development are 467 tonnes of carbon dioxide per year, after the cumulative effect of energy efficiency measures and CHP have been taken into account. This equates to a reduction of 315 tonnes per year in regulated emissions compared to a 2010 Building Regulations compliant development, equivalent to an overall saving of 40%.

#### **Climate change adaptation**

112 London Plan Policy 5.3 seeks to ensure future developments meet the highest standards of sustainable design and construction. Specific policies relate to overheating (5.9), living roofs and walls (5.11), urban greening (5.10), sustainable drainage (5.13), water (5.14 and 5.15) and waste (5.17). Further guidance is provided in the London Plan Sustainable Design and Construction SPG.

113 Whilst the applicant has submitted an energy and sustainability strategy, it focuses primarily on the proposed energy strategy, and does not adequately detail the sustainable design and construction standards and features which will be included within the development. It is not therefore possible to determine whether the proposal accords with London Plan policies 5.3, 5.9, 5.10, 5.11, 5.13, 5.14, 5.15 and 5.17. The applicant should submit a more detailed strategy, demonstrating that

all the of the Mayor's essential standards within the SPG, and the relevant London Plan Policy requirements, will be met as a minimum.

## **Transport for London**

### Car parking

114 The provision of 212 parking spaces to serve 301 dwellings, resulting in a ratio of 0.7 spaces per unit is, considered reasonable in accordance with London Plan Policy 6.13 *'Parking'*. A further sixty spaces will be provided for the various non-residential units. In accordance with London Plan Policy 6.13, and Table 6.2, TfL welcomes the applicant's commitment that 20% of all spaces will include an electric charging point (active provision), with an additional 20% passive provision for future use. In addition, TfL welcomes the provision of two car club vehicles, and the commitment for a third bay to be reallocated from the visitor spaces, should demand arise.

### Cycle parking

115 The commitment to provide cycle parking in accordance with TfL's cycle parking standards and London Plan Policy 6.9, *'cycling'* for all elements of the development is welcomed. The provision of Sheffield stands for visitors close to building entrances is also welcomed. Spaces should be provided in a secure, accessible and sheltered location. The provision of showering and changing facilities within the non residential buildings is supported in order to encourage employee cycle use.

### Buses

116 TfL considers that overall, the approach to trip generation is reasonable and complies with TfL's Best Practice Guidance. However, the use of the 2001 census has its limitations, due to its age and as it provides data on travel to work. Consequently, the assessment appears to have underestimated bus usage. It is expected that a high proportion of underground and train passengers will use this mode to access either Blackhorse Road, or Walthamstow Central station from this site, rather than walk to Highams Park station. Furthermore, TfL does not agree with the assessment methodology that disperses bus trips evenly across the eight local bus services close to the site.

117 When taken with other planned/committed developments in the area, TfL expects that this development will cause a capacity problem on the bus network, particularly on the Blackhorse Lane corridor. In accordance with London Plan Policy 6.3 *'Addressing effects of development on transport capacity,'* and Policy 6.7 *'Better streets and surface transport,'* TfL has therefore requested a contribution towards mitigating the capacity problem on the network, which has not to date been committed to by the applicant. TfL reiterates that this development is likely to generate the need for an additional journey in the busiest directions in the peak hour. A contribution of £210,000 (£70,000 per annum for a typical period of three years) is therefore considered reasonable and necessary.

118 TfL welcomes the applicant's confirmation that with the alteration to the site frontage along Chingford Road, the existing accessible bus stop and shelter will be reused. The provision of signage to indicate routes through the site is also welcomed in order to assist with wayfinding and encourage walking in accordance with London Plan Policy 6.10 *'Walking'*.

119 In response to TfL's initial comments, the applicant is currently undertaking further work to address issues in relation to junction capacity modelling, in accordance with London Plan Policy 6.11 *'Smoothing traffic flow and reducing congestion'*. In order to mitigate the traffic impact of this development, and to enhance access to the site by bus, the operation of the nearby signal junctions during peak and off peak periods should be improved. TfL has there recommended the introduction of SCOOT (Split Cycle Offset Optimisation Technique) at the Walthamstow Avenue/Chingford Road

junction and Crooked Billet Roundabout. SCOOT would provide a general benefit for development traffic and, specifically during the off-peak period, would assist with reducing delays to minor arms of the junctions. Whilst TfL welcomes the applicant's initial offer of £70,000 towards the installation of SCOOT at the Walthamstow Avenue junction, discussions are ongoing to determine whether this can be increased overall to £150,000. A proportion of this contribution could then be pooled towards improvements to the Crooked Billet roundabout.

### Travel planning

120 In order to manage travel demand, and in accordance with London Plan Policy 6.3, "*Assessing effects of development on transport capacity*", TfL welcomes the submission of a site wide travel plan. In response to TfL's request, the applicant has also agreed to provide a delivery and service plan and construction logistics plan. These commitments should be secured and monitored through the section 106 process.

### **Local planning authority's position**

121 It is understood that the Council will determine this application, together with the proposal at the adjacent site, and the application for the redevelopment of the former Walthamstow Greyhound Stadium, in Autumn 2011.

### **Legal considerations**

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

### **Financial considerations**

123 There are no financial considerations at this stage.

### **Conclusion**

124 London Plan policies on sport and leisure, housing, children's play space, urban design, inclusive design, the Blue Ribbon Network, flooding, climate change and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- **Sport and leisure:** The loss of the greyhound stadium is acceptable in land use planning terms, subject to the Council securing the off-site leisure and sports contribution, and further detailed discussions regarding the provision of the additional on-site facilities. The provision of allotments and social infrastructure facilities is strongly supported in accordance with London Plan Policy 7.22 and 3.16 respectively.

- **Housing:** The applicant's viability report will need to be subjected to independent review. It is not therefore possible to determine at this stage whether the proposal accords with London Plan Policy 3.12.
- **Children's play space:** The application provides sufficient play and amenity space in line with London Plan Policy 3.6, and the initial design concepts for these spaces are strongly supported. However, further discussion is required regarding how this quality and design approach will be carried forward to the detailed design phase, to ensure full compliance with London Plan Policy 3.6 and the Mayor's SPG: Providing for children and young people's play and recreation.
- **Urban design:** The design rationale, and the approach to heritage assets, is broadly in accordance with London Plan policies 7.1, 7.4, 7.5, 7.6 and 7.8.
- **Inclusive design:** Whilst the applicant has provided written commitments, it is not possible to determine at this stage whether the proposal accords fully with London Plan policies 3.8 and 7.2.
- **Blue Ribbon Network and flooding:** The application accords with London Plan policies 7.24, 7.28, 5.11, 5.12 and 5.13, with regard to the Blue Ribbon Network and flooding.
- **Climate change mitigation:** Whilst the energy strategy is broadly in accordance with strategic priorities with regard to climate change mitigation, it is not possible at this stage to determine whether the proposal accords with London Plan policies 5.2, 5.6 and 5.7.
- **Climate change adaptation:** The applicant has not provided a detailed sustainability statement. It is not therefore possible to determine whether the proposal accords with London Plan policies 5.3, 5.9, 5.10, 5.11, 5.13, 5.14, 5.15 and 5.17.
- **Transport:** The proposal does not accord with London Plan policies 6.2, 6.3, and 6.11 with regard to bus capacity, managing travel demand, and smoothing traffic flow.

125 On balance, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- **Sport and leisure:** The Council should secure the proposed financial contribution towards off-site leisure use within the legal agreement, in addition to the leisure facilities being proposed on-site. Further discussions regarding the design and layout of the additional on-site measures are required to ensure that these are appropriately incorporated into the application.
- **Housing:** Further discussions are required with regard to financial viability, including an independent assessment of the applicant's viability report, to ensure that the development is providing the maximum reasonable amount of affordable housing.
- **Children's play space:** Whilst the approach to play provision is supported in accordance with London Plan Policy 3.6, further discussion is required with regard to securing the design concepts presented at this stage, through to the detailed design.
- **Inclusive design:** The applicant should submit indicative flat layouts demonstrating that the requirements of London Plan Policy 3.8 will be met. In addition, further information is required regarding how the principles of inclusive design have been adopted in the design of the public realm, including the proposed play spaces.



- **Climate change:** Whilst the broad approach to the proposed energy strategy is supported and in accordance with London Plan priorities, the carbon dioxide emission savings reported from both energy efficiency measures and the combined heat and power plant, need to be verified and evidenced. In addition, further information is required regarding the cooling strategy. Should the carbon dioxide emission savings be amended following further review, a detailed renewable energy strategy will be required.
- **Climate change adaptation:** The applicant should submit a more detailed strategy, demonstrating that all the of the Mayor's essential standards within the SPG, and the relevant London Plan Policy requirements, will be met as a minimum.
- **Transport:** The applicant is required to provide a financial contribution towards bus capacity improvements, and towards improving the operation of the Walthamstow Avenue/Chingford Road junction and Crooked Billet Roundabout. The Council should secure the delivery of a travel plan, delivery and service plan, and construction logistics plan.

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