


London Borough of Waltham Forest

Report Title **Delegation of Planning Powers from London Legacy Development Corporation (LLDC) and the adoption of the Leyton Mills Supplementary Planning Document (SPD)**

Meeting / Date Cabinet, 9th July 2024

Cabinet portfolio Councillor Ahsan Khan,
Deputy Leader (Housing
and Regeneration)



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Wards affected Leyton, Cathall, Grove Green, Lea Bridge

Public access Open

Appendices Appendix 1 – draft Interim Scheme of Delegation 1
September – 30 November 2024

Appendix 2 - draft Interim Scheme of Delegation 1
December 2024

Appendix 3 – Key Features of MOU between LBWF,
LLDC and GLA MOU

Appendix 4 - Leyton Mills SPD

Appendix 5 – Leyton Mills SPD Consultation Report

Appendix 6 - Equalities Impact assessment

Appendix 7 - Sustainability Appraisal

Summary

- 1.1 The London Legacy Development Corporation (LLDC) was established in 2012 to deliver the Olympic Games Legacy and was given statutory planning powers over parts of the four 'Growth Boroughs' - Hackney, Newham, Tower Hamlets and Waltham Forest. In Waltham Forest, this applies to a relatively small part of the borough in Leyton, primarily consisting of the Eton Manor (Tennis and Hockey Centre) site and the Temple Mills bus depot – albeit with the development potential for up to 5,400 homes. On 1 December 2024, the LLDC is expected to transfer its planning powers back to the boroughs.
- 1.2 Full Council approval of the transfer of the LLDC's planning powers back to the Council is required. Subject to Cabinet endorsement, this will be sought from Full Council on 18 July 2024. A decision to adopt a

Supplementary Planning Document (SPD) for the Leyton Mills area is also sought from Cabinet.

2. Recommendations

2.1 Cabinet is recommended to:

- 2.1.1 Endorse and recommend to Full Council to agree the proposal by the LLDC to approve a first interim delegation scheme to enable the delegation of a limited range of planning functions, including the determination of planning applications and other applicable applications, from the London Legacy Development Corporation (LLDC) to the Council from 1 September 2024 to 30 November 2024.
- 2.1.2 In the event that the relevant Statutory Instrument (SI) to formally transfer all of the LLDC planning functions back to the Council on 1 December 2024 is not laid in time, to endorse and recommend to Full Council to agree the proposal by the LLDC to approve a second interim delegation scheme to enable the delegation of LLDC planning functions to the council from 1 December 2024 until such time as the SI receives parliamentary approval and the planning functions are formally transferred.
- 2.1.3 Agree to the principle of entering into a Memorandum of Understanding (MOU) with the LLDC and the Greater London Authority (GLA), to secure the key features listed in Appendix 3.
- 2.1.4 Authorise the Corporate Director of Regeneration, Planning & Delivery, in consultation with the Director of Governance and Law make any further amendments to the MOU after negotiation with the LLDC and GLA.
- 2.1.5 Adopt the Leyton Mills Supplementary Planning Document (SPD) (Appendix 4).
- 2.1.6 Authorise the Corporate Director of Regeneration, Planning & Delivery to make any further minor amendments necessary to the Leyton Mills SPD prior to its publication.

3. Proposals

Delegation of Planning Powers from London Legacy Development Corporation (LLDC)

- 3.1 In the lead up to the 2012 Olympics, host boroughs established the Growth Borough Partnership (GBP), whereby the boroughs could come together under shared governance to seek to maximise the benefits of the Olympics and raise shared issues with the LLDC with a single voice. Along with Waltham Forest, Newham, Hackney and Tower Hamlets as the immediate adjoining boroughs, Greenwich and Barking & Dagenham were also part of the original GBP.

- 3.2 The GBP stopped meeting from 2016 and was formally put into hibernation in 2018. However, it was then re-started with just the four immediate adjoining boroughs in 2021, to jointly represent borough interests as the LLDC transitioned into a new entity, particularly in the lead up to the transfer of planning powers back to the four boroughs from December 2024. Waltham Forest has played an active role within the GBP, chairing the officer led sub-group during 2022/23, with the Leader leading the borough at both GBP committee meetings and LLDC Board meetings.
- 3.3 The role of the GBP continues to evolve, with its recent work prioritising an Inclusive Economy Strategy for the Queen Elizabeth Olympic Park, seeking to maximise benefits for residents of all the boroughs. Following the full transfer of planning powers, the inclusive economy is proposed to form the key focus for the GBP going forward from 2024/25. Each Mayor/Leader of the four boroughs takes a turn being Chair of GBP for a one- or two-year cycle. Cllr Williams has taken over as Chair from May 2024. Cllr Williams is taking over as Chair at a pivotal time, when the LLDC reduces the scale and scope of its powers, but also with an opportunity to improve the direct benefits for Waltham Forest residents.
- 3.4 The London Legacy Development Corporation (Establishment) Order 2012 created the LLDC and the London Legacy Development Corporation (Planning Functions) Order (2012) made it the Local Planning Authority for the whole of its administrative area (the LLDC area) from 1 October 2012.
- 3.5 In September 2022, the Mayor of London approved the transfer of LLDC's statutory town planning functions back to the Growth Boroughs with effect from 1 December 2024 and formally requested the Secretary of State for the Department of Levelling Up, Housing and Communities (DLUHC) to prepare the necessary SI to formalise this.
- 3.6 The scope of the SI was agreed with DLUHC officials in April 2023 and was originally scheduled to be drafted over the summer of 2023. This has been delayed due to reprioritisation within the Department. DLUHC officials have advised that the SI will be laid before Parliament before the summer recess, and that this should provide sufficient time for it to come into force from 1 December 2024. However, particularly given the upcoming General Election, there is a significant risk that it may not be in place in time and, therefore, the LLDC and Growth Borough officers have prepared a 'Plan B' approach. This is the LLDC delegating all of its town planning functions to the respective boroughs, until such time as the SI is in force.
- 3.7 An interim scheme of delegation is proposed to delegate a limited range of planning functions, including determination of all new planning applications and other applicable applications to the Growth Boroughs for their areas from 1 September 2024 to 30 November 2024. This will reduce the number of "on-hand" cases that would subsequently need to be transferred on 1 December 2024 (if the SI is made in time).

- 3.8 In the event that the SI is not made in time to take effect on 1 December 2024, a second scheme of delegation is proposed to enable the delegation of all LLDC planning functions to the Council from the LLDC until such time as the SI receives parliamentary approval and takes effect.
- 3.9 Alongside the SI, the transfer of any rights and liabilities from the LLDC to the Growth Boroughs must be set out in a Statutory Transfer Scheme. The Statutory Transfer Scheme was agreed by Executive Decision by the Deputy Leader and Portfolio Lead Member for Housing and Regeneration on 7 November 2023, and covers planning data, grant agreements, section 106 agreements and residual planning fees and CIL administration fee income.
- 3.10 Once the Statutory Instrument is made, the LLDC will continue in its role as Mayoral Development Corporation with a reduced geographical area and with no statutory planning powers. The LLDC will largely have a convening role, as well as the day to day management of the Queen Elizabeth Olympic Park (QEOP) where assets remain in its ownership. This reduced area will not include any land within Waltham Forest's administrative area, so no representative of the borough will have a statutory seat on the new LLDC Board. A MOU between Waltham Forest, LLDC and the GLA is therefore proposed to ensure that existing obligations to deliver legacy benefits for the borough's communities are met, as well as ensuring Waltham Forest has on-going involvement in shaping the Olympic legacy as a host borough.
- 3.11 The MOU will set out key features of the special relationship between the LBWF, LLDC and the GLA which will be jointly monitored by all parties. It will include a full list of the legacy benefits, delivery programmes and potential future contractual benefits on which LBWF, the LLDC and the GLA will collaborate, these are set out in Appendix 3.
- 3.12 Legacy benefits, framed by an Inclusive Economy Strategy being developed in partnership with the GBP, include targets for apprenticeships, local employment, education and work experience opportunities and access to facilities and assets, as well as broader inclusive economy benefits such as business support, food security and green economy and including retrofit skills. The MOU will also set out shared outcomes relating to enhanced physical connectivity between Waltham Forest and the QEOP – including walking/wheeling and cycling bridge connectivity via Leyton Mills (as referenced in this wider report).
- 3.13 In line with the council's missions to build an economy that works for everyone and ensure every family and every child is given every opportunity, these legacy benefits are particularly important for Waltham Forest, given the communities directly to the north of QEOP represent some of the borough's most deprived – including within Leyton, South Leytonstone and Lea Bridge.

- 3.14 In addition, the LLDC is reviewing its governance arrangements and it is proposed that LBWF will become a member of the proposed Inclusive Economy Sub-Committee of the LLDC Board, to which performance in relation to legacy benefits will be reported and through which Inclusive Economy strategy will be developed and monitored. This is similar to the current work of the LLDC's Regeneration and Community Sub-Committee.

Leyton Mills Supplementary Planning Document (SPD)

- 3.15 In terms of planning policy, the recently adopted Waltham Forest Local Plan Part 1 (LP1) and the LLDC Local Plan set an overarching inclusive growth framework for the delivery of a high quality, sustainable, mission-led development in the Leyton Mills area of the borough. After the transfer of planning powers, the LLDC Local Plan and associated adopted supplementary planning guidance will continue to have planning weight in the former LLDC administrative area until they are replaced by new ones prepared by Waltham Forest.
- 3.16 To ensure a well-coordinated approach to inclusive and sustainable growth in the Leyton Mills area that delivers all six borough missions, both before and after transition of planning powers, Waltham Forest has worked in partnership with the LLDC to develop the Leyton Mills SPD (Appendix 4). This is one of a suite of six priority SPDs that Waltham Forest is currently preparing to implement and deliver the vision of Local Plan Part 1 in accordance with Mission Waltham Forest.
- 3.17 The area the Leyton Mills SPD covers includes the Eton Manor and Temple Mills bus depot sites, which currently fall within the LLDC administrative area, as well as the New Spitalfields Market and Leyton Mills Retail Park sites. The Temple Mills bus depot, New Spitalfields Market and Leyton Mills Retail Park are all proposed site allocations in Local Plan Part 2.
- 3.18 A SPD is only able to build upon and provide more detailed advice or guidance on policies in an adopted local plan. They can provide further guidance for development on specific sites, or on particular issues. They cannot introduce new planning policies. Here, the SPD is seeking to build upon policies in both Waltham Forest Local Plan (Part 1) and the LLDC Local Plan and provide further guidance for development on specific sites.
- 3.19 The SPD is fully informed by the Leyton Mills Development Framework, which the Council and LLDC developed in consultation with local communities, key landowners and other stakeholders in 2021.
- 3.20 The SPD will play a key role in seeking the delivery of infrastructure priorities across the area to support planned and inclusive growth. A particular focus on connectivity is needed, because the area has suffered for many years from physical severance meaning that the residents in this part of Waltham Forest have not had full and inclusive access to the range of facilities the QEOP has to offer. This includes the creation of a new walking/wheeling and cycling bridge from the

Leyton Mills retail park into the Eton Manor site (as captured in the MOU), and other safe and accessible crossings throughout the area.

3.21 The SPD is structured around a vision made up of the following four themes, each intended to deliver the six borough missions and four principles of Exemplar Design.

SPD Vision Theme	Summary of Key Deliverables	Borough Missions
<p>A quality place to live with new homes and accessible amenities.</p>	<p>Up to 5,400 new high quality, net zero homes, including affordable homes for rent.</p> <p>New and improved sports, leisure and recreation facilities that are accessible to all communities.</p> <p>Local social and community infrastructure, particularly in relation to early years, education and health are monitored and met.</p> <p>New and enhanced civic, cultural and community uses that contribute to the social heart of the area and attract sustainable inward investment.</p>	<p>Tackle the housing crisis head on</p> <p>A great place to live and age well</p> <p>Every family and every child given every opportunity</p>
<p>A vibrant neighbourhood with a strong local economy and good jobs.</p>	<p>Support and enhance the Leyton District Centre in accordance with emerging Town Centre Framework.</p> <p>A new cultural destination that will cement Leyton's place 'on the map', attract sustainable investment and benefit the local economy for everyone.</p> <p>New and improved industrial floorspace and high quality, modern and attractive workspace, including affordable workspace for small businesses and Start-Ups.</p>	<p>Build an economy that works for everyone</p>
<p>A safe and well-connected place for walking, wheeling and cycling</p>	<p>Increase and improve walking, cycling and wheeling infrastructure across the area, including the delivery of a new walking/wheeling and cycling bridge between Leyton Mills Retail Park and Eton Manor.</p> <p>New bus stops, amend and/or extend existing bus routes and create a new rail station at Ruckholt Road to significantly improve access to public transport.</p>	<p>Safe, green neighbourhoods where everyone can thrive</p>
<p>Protected and enhanced</p>	<p>Protect and enhance Hackney Marshes and the River Lea in</p>	<p>Lead the way for a net-zero</p>

SPD Vision Theme	Summary of Key Deliverables	Borough Missions
biodiversity, new open spaces and climate resilience.	<p>accordance with London Wildlife Trust recommendations.</p> <p>A range of new and enhanced, fully accessible green, open spaces for amenity and play.</p> <p>Manage and reduce flood risk and open up the Dagenham Brook.</p> <p>Improve air quality and reduce noise pollution.</p> <p>Supply renewable energy to all homes and workspaces.</p>	borough.

Table 1: SPD themes, key deliverables and Borough Missions

3.22 Embedded throughout the SPD are the four intertwined values of Exemplar Design, as follows:

3.22.1 Human Value will be secured by seeking to ensure community safety, the delivery of health and well-being benefits of living with dignity and privacy in comfortable, accessible and high quality homes, and inclusive access to the social and community infrastructure needed to live and age well.

3.22.2 Social Value will be delivered by seeking to significantly increase accessible and inclusive connectivity for local people throughout the area, including the creation of the new walking/wheeling and cycling bridge and safer crossings, new and enhanced sports and leisure facilities in the Queen Elizabeth Olympic Park, and the equitable distribution of the benefits of planned growth for all.

3.22.3 Environmental Value will be secured through seeking net zero carbon design across all uses, protecting and enhancing the River Lea, Hackney Marshes and wider Lea Valley Regional Park, increasing tree coverage, biodiversity and urban greening, improving air quality, and reducing the risk of surface water flooding.

3.22.4 Financial value will be secured by seeking the delivery of accessible, affordable housing, creating new high quality workspaces (including affordable workspace), increasing good local jobs and access to skills and training, and attracting investment into the area.

4. Options & Alternatives Considered

4.1 The LLDC has the power to delegate its planning functions to London boroughs under Section 203 of the Localism Act 2011. The four relevant boroughs have been working closely with the LLDC and the GLA to ensure a smooth transition, and to put in place 'Plan B'

arrangements as set out above, should the SI not be ready in time. There are no alternative options to this.

- 4.2 In relation to the adoption of the SPD, the alternative option would be to do nothing (i.e. not to adopt the SPD as amended following consultation). If this option were to be pursued, development in the area would still be likely to come forward and planning applications would be assessed against Local Plan policies, but without the overarching, holistic vision of the SPD and greater certainty about important considerations like infrastructure delivery. Furthermore, without the SPD there would be no framework for the area agreed with the LLDC.

5. Council Strategic Priorities (and other National or Local Policies or Strategies)
 - 5.1 The transfer of planning powers back to Waltham Forest will ensure planning applications on the current LLDC administrative area are assessed against the policies of Local Plan Part 1, which is in alignment with Mission Waltham Forest and the Climate Action Plan.
 - 5.2 The Waltham Forest Local Plan (Part 1) was adopted 29th February 2024. Through Examination in Public, the Local Plan (Part 1) was found to be consistent with national policy and in general conformity with the London Plan.
 - 5.3 If adopted, the Leyton Mills SPD will ensure inclusive growth in the Leyton Mills area and will help to reduce inequalities and deliver benefits and investment for local people in line with all six Mission Waltham Forest Borough Missions. Links between the Missions and the SPD vision and deliverables are set out in Table 1 above.
 - 5.4 The SPD cannot introduce new policy, but must instead provide supporting guidance and detail to the policies already adopted in the Waltham Forest Local Plan (Part 1) and LLDC Local Plan.

6. Consultation
 - 6.1 As reported above, the SPD is fully informed by the Leyton Mills Development Framework that was prepared in consultation with local communities, ward councillors, landowners and other stakeholders in 2021. In the process of evolving the Development Framework into an SPD, further consultation has taken place over the last year.
 - 6.2 Ward councillor 'walkabouts' took place in April and June 2023 and Members have been fully briefed on progress throughout.
 - 6.3 Proportionate and proactive engagement has also taken place with elected members in Hackney, including their Mayor and deputy Mayor. This has been positively informed by a Waltham Forest led ecological survey, undertaken by the London Wildlife Trust, to assess potential impacts of developing the New Spitalfields Market site in particular on Hackney Marshes. The survey identified a number of positive ecological benefits of redeveloping the site, which is currently occupied

by an extensive surface-level car park and market building, to deliver significant biodiversity and ecology net gain sustainable drainage solutions to reduce flood risk and remove pollutants from water running off into the ecologically sensitive River Lea. It also proposes mitigations to ensure that new buildings on the site, including potential tall buildings, do not cause any harm to the Marshes. The measures identified in this survey are fully embedded within the proposed SPD.

- 6.4 During the summer of 2023 (12 June to 6 August 2023), informal public consultation and engagement took place on the council's emerging suite of six priority SPDs - including the Leyton Mills SPD. The engagement included drop-in workshops across the borough, where officers took the consultation to local people on their high streets and retail parks – including the Leyton Mills retail park. Over 1000 conversations were held with residents and businesses. Focused engagement took place with traditionally 'less heard from' groups, including the Waltham Forest Young Advisors.
- 6.5 Comments from the informal public consultation were taken forward when drafting the current version of the Leyton Mills SPD. This included providing more detail on potential enhancements for ecology and biodiversity, providing further detail on building heights - including guidance on setting tall buildings away from Hackney Marshes - and seeking a diverse range of uses across the area.
- 6.6 As required under the planning regulations that govern the preparation of SPDs and the Waltham Forest Statement of Community Involvement, statutory consultation then took place. This exceeded the statutory requirement for a four week consultation, and ran for six weeks between 4 March and 14 April 2024. A public notice was placed in a local newspaper and copies of the document were made available in the borough's libraries and at the Fellowship Square reception. The statutory consultation was also promoted through social media, newsletters and in Waltham Forest News and everyone on the Council and LLDC planning databases were notified. Individual emails were sent to key stakeholders and landowners.
- 6.7 Full details of the consultation and supporting documentation were available on a dedicated 'Let's Talk' web page.
- 6.8 Additional work was undertaken to focus on reaching traditionally 'less heard from' groups, including a follow up 'You Said, We Did' workshop with the Young Advisors and promotion to private renters through local estate agents 'E10 Homes' who circulated details of the consultation to those on their tenant database.
- 6.9 Given the geographic focus of the SPD, local people who live and work in the surrounding area were also sent a letter about the consultation. This was sent to over 450 homes and business. A drop-in event was held outside Asda on the Leyton Mills retail park on 14 March 2024.
- 6.10 Approximately 120 respondents submitted circa 750 responses. The majority are either positive or neutral. Many responses are supportive of the overall vision for the area and in particular welcome the

ambitions for new infrastructure including the proposed pedestrian and cycle bridge link to the Queen Elizabeth Olympic Park. Many respondents are keen to see new smaller, independent shops coming to the area whilst others are keen to see the retention of TK Maxx and B&Q alongside a re-provided Asda supermarket. Other responses raised the need for greater consideration of sustainable travel and sustainable drainage and the potential impacts of tall buildings. Some feel that - although the document is informative - it is also overly long. Sustainable travel, sustainable drainage and the impact of tall buildings have all been very carefully considered in line with the principles of Exemplar Design, and the SPD provides guidance on how all three can be delivered for the benefit of the area, along with generous, green and accessible open spaces and key infrastructure. An executive summary will be published on the Council web site to address concerns that the document is overly long. The document is designed to be easily navigable so that readers can focus on relevant sections, rather than having to read it from cover-to-cover.

- 6.11 Responses have been received from key stakeholders, landowners (including Asda, Aviva and City of London Corporation), Lea Valley Regional Park Authority, TfL neighbouring boroughs. Continued engagement with landowners, partners and other stakeholders (including TfL, Lea Valley Regional Park Authority, Asda, Aviva, the City of London Corporation and Stagecoach) will also continue both before and after adoption.
- 6.12 Full details can be found in the SPD consultation report at Appendix 5. The SPD has been revised in response to the consultations received and includes providing greater detail on water processes and management such as seeking hydraulic modelling as part of deculverting, providing 8m buffer zones between development and flood defences, referencing greywater management, and ensuring groundwater is considered. Greater detail has been added on aquatic and semi-aquatic species. The potential provision of a health facility has been included, as has the provision of a bus stand to allow drivers to change shift. Wording on the need for public areas to be and feel safe including for women and girls has been strengthened and detail has been added to ensure meanwhile uses will not bring significant adverse impacts on existing residents.

Delegation of Planning Powers from London Legacy Development Corporation (LLDC)

- 6.13 Consultation responsibility in relation to this rested with the GLA and LLDC. LBWF responded formally at the time.
7. Implications
- 7.1 Finance, Value for Money and Risk
 - 7.1.1 There are no current live planning applications, appeals or enforcement cases in the Waltham Forest part of the LLDC

administrative area. Any applications received after 1 September 2024, and subject to the interim delegation of planning powers, can be managed with existing resources, and covered by the transfer of any planning fee, as agreed.

- 7.1.2 With the transfer of planning powers, the implementation of any future planning application would see any CIL or Section 106 contributions paid directly to the Council.
- 7.1.3 There are no direct financial implications arising from the development of the MOU or SPD and co-ordination will be resourced by staff in Regeneration Planning and Delivery and Stronger Communities services.
- 7.1.4 Well planned, inclusive and sustainable growth, as directed by the new Local Plan and supporting SPD for the Leyton Mills area, will generate revenue, for the borough and provision of services that residents and businesses rely on through, for example, additional council tax and business rates. The planned and inclusive growth proposed will also result in increased Community Infrastructure Levy (CIL) income to be invested in local supporting infrastructure. The delivery of new affordable homes will allow households to move out of Temporary Accommodation, thus reducing costs to the council.

7.2 Legal

Delegation of Planning Powers from London Legacy Development Corporation (LLDC)

- 7.2.1 The LLDC as a Mayoral Development Corporation has the power to delegate its planning functions to a London borough or the City of London under Section 203 of the Localism Act 2011. Where the powers are delegated the borough can arrange for the discharge of those functions by a committee, sub-committee or officer. Whilst such a delegation is in place the LLDC retains the power to carry out planning functions within the area but this will be removed when the Statutory Instrument formally transferring all of the LLDC planning functions back to the Council receives parliamentary approval and takes effect.

Leyton Mills Supplementary Planning Document (SPD)

- 7.2.2 The Government's Planning Practice Guidance provides that SPDs should "build upon and provide more detailed advice or guidance on policies in an adopted Local Plan, they cannot introduce new planning policies into the Development Plan". It also goes on to state that SPDs "should not add unnecessarily to the financial burdens on development".
- 7.2.3 SPDs are not subject to independent examination and do not have Development Plan status; they therefore do not need to be approved by Full Council.
- 7.2.4 Regulation 8(3) of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations") provides that the

contents of a SPD must not conflict with the adopted development plan.

- 7.2.5 Regulations 11 to 16 of the 2012 Regulations set out the requirements for producing SPDs.
- 7.2.6 Prior to the adoption of a SPD, Regulation 12(a) requires a statement to be prepared setting out:
- i. the persons the local planning authority consulted when preparing the supplementary planning document;
 - ii. a summary of the main issues raised by those persons; and
 - iii. how those issues have been addressed in the supplementary planning document;
- 7.2.7 Regulation 12(b) provides that there must be a minimum consultation period of 4 weeks and that the statement referred to in paragraph 7.2.6 above has to be made available together with the SPD online, at the Council's principal office, and at such other places within the borough as considered appropriate (during normal office hours).
- 7.2.8 The statutory consultation process outlined above complied with legal requirements. It was undertaken at a formative stage, provided adequate information for an intelligent response and adequate time for a response. To complete this process, Members must conscientiously take into account the views expressed by those who have taken part in the consultation when making their decision. Consultation responses are not binding on members but need to be taken into account.
- 7.2.9 The Council must also as soon as reasonably practicable after adoption: (i) make the SPD and adoption statement available for inspection online, at its principal office, and at such other places within the borough as considered appropriate (during normal office hours), and (ii) send a copy of the adoption statement to anyone who has asked to be notified of the adoption of the SPD (Regulation 14).
- 7.2.10 Subject to Cabinet approval, once the Leyton Mills SPD is adopted, it will be a material consideration in the determination of planning applications in the Leyton Mills area.
- 7.3 Equalities and Diversity
- 7.3.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 7.3.2 The process of the delegation of planning powers does not in itself raise any equalities and diversity issues. Any planning applications

would be assessed against the Local Plan policies and the SPD both of which have been subject to an Equalities Impact Assessment. Details relating to the SPD are set out below.

- 7.3.3 Development of a memorandum of understanding between the LLDC, LBWF and GLA will ensure that benefits arising from the Olympic Park will continue to flow to borough residents. The Council's Employment and Skills team will work with the LLDC to ensure opportunities are targeted at residents most in need in line with the Council's Stronger Community preventative agenda.
- 7.3.4 An Equalities Impact Assessment for the Leyton Mills SPD was completed on 13 February 2024 (please see Appendix 6).
- 7.3.5 The main findings are that the SPD will have positive impact on all people including those with protected characteristics relating to age, gender, race, colour, nationality, faith, disability, pregnancy or maternity status, sexual orientation, gender reassignment, marital status, socio-economic status, or structural disadvantage.
- 7.4 Sustainability (including climate change, health, crime and disorder)
 - 7.4.1 There are no perceived direct adverse impacts in relation to the delegation of planning powers
 - 7.4.2 Climate emergency policies are embedded in the Waltham Forest and LLDC Local Plans, which have been found sound by the Planning Inspectorate. Examples include policies that seek to reduce emissions by promoting sustainable transport, encourage sustainable design and construction, address the risk of flooding and overheating and protect the natural and open environment.
 - 7.4.3 The Leyton Mills SPD provides further supplementary detail to these policies, particularly under the theme protecting and enhancing biodiversity, new open spaces and climate resilience.
 - 7.4.4 Any planning applications proposed in the SPD area will be subject to climate change policy and supplementary guidance, applied and tested on a site specific basis. The SPD is supported by Sustainability Appraisal at Appendix 7. The Sustainability Appraisal assesses the significant environmental, social and economic effects of potential development in the SPD area. It also incorporates a process called Strategic Environmental Assessment (SEA). Strategic Environmental Assessment (SEA) in England is mandated by the SEA Directive (Directive 2001/42/ EC: Assessment of the Effects of Certain Plans and Programmes on the Environment) and is regulated by the Environmental Assessment of Plans and Programmes Regulations 2004 Statutory Instrument No.1633 ('the SEA Regulations'). The SEA Directive aims at a high level of protection of the environment, and to integrate the consideration of the environment into the preparation and adoption of plans and programmes, with a view to promoting sustainable development.
- 7.5 Council Infrastructure

- 7.5.1 The LLDC and Growth Boroughs have acknowledged that TUPE does not apply to the transfer of town planning functions from LLDC to the Boroughs. This is due to the fragmentation of planning activity across the Boroughs, and the exemption included in the regulations for public sector reorganisation which provides that TUPE does not apply to the transfer of administrative functions between public administrative authorities.
- 7.5.2 It has now also been agreed by LLDC and the Boroughs (having taken legal advice) that the Cabinet Office Statement of Practice (CoSoP) will not be applied to staff affected by the transfer of planning functions.
- 7.5.3 There is however, a shared commitment to retain talent wherever possible, and therefore the Council will proactively share and encourage LLDC colleagues to apply for any available vacancies that may arise.

Background Information (as defined by Local Government (Access to Information) Act 1985)

None