

# Development Control Policy Manual

*Newham's Local Development Framework*



November 2008



# What this document is about

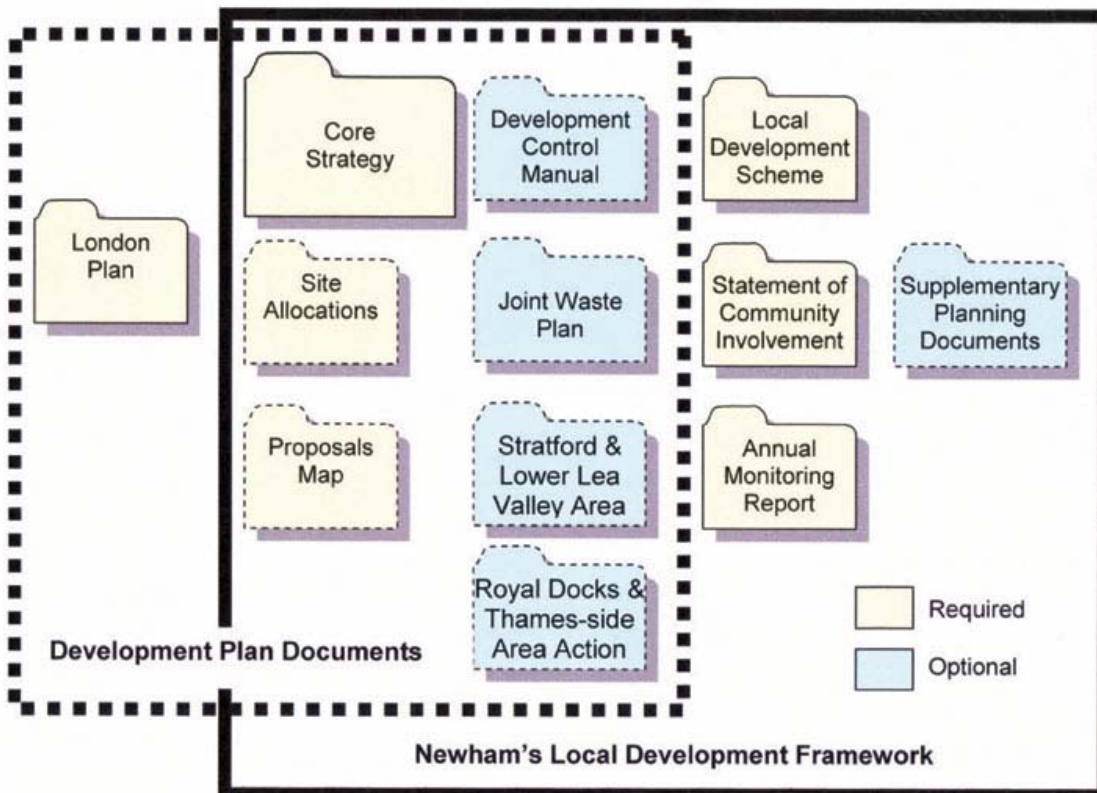
## 1 What this document is about

**1.1** The London Borough of Newham is currently preparing its Local Development Framework. This is a group of documents that will guide development in the borough in the future, setting out the planning policy for at least the next 20 years.

**1.2** The government introduced this new system for planning policy in 2004. Under the old system, there was a single statutory development plan for Newham - the Unitary Development Plan - which set out policies for determining planning applications. Later, the London Plan became a statutory plan for London as a whole. Recently, the Secretary of State decided which parts of the UDP can remain until they are replaced by new documents.

**1.3** The new system is different. Instead of having a single Unitary Development Plan (backed up by Supplementary Planning Guidance), we will have a folder made up of a number of different documents which will form our Local Development Framework. The diagram below outlines the structure and make-up of Newham's LDF.

Diagram of Local Development Framework Documents





# How the different policy documents fit together

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### 2 How the different policy documents fit together

**2.1** The most important document in our LDF is the Core Strategy, which sets out what the planning process in Newham is trying to achieve and the key policies for doing this. All other documents in the LDF must be consistent with it. The Core Strategy is currently being produced to a similar timetable to this Development Control Policy Manual - however the intention is adopt the Core Strategy first (in September 2010), and to adopt the Development Control Manual in the following summer.

**2.2** The London Plan also forms part of the statutory planning framework for Newham - the plan, produced by the Mayor of London, sets out policies for London as a whole. The London Plan was originally adopted in 2004, but parts of it have recently been reviewed and updated. The latest version (February 2008) can be seen on the GLA website. Newham's policies (including those in the DC Policy Manual) must be in general conformity with the London Plan. Following the election of a new Mayor of London it is likely that some further changes will be to the London Plan, and these will inform future versions of this Manual.

**2.3** The UDP currently remains in force - however some policies that were out-of-date or were inconsistent with the London Plan have been deleted. These are listed on the Council's web-site. The other policies in the plan have been 'saved'. Over time the saved UDP policies will also disappear as they are replaced by the LDF.

**2.4** The Council's existing supplementary planning guidance (SPG) will also be phased out - to be replaced by new supplementary planning documents.

**2.5** This process is shown in the diagram below:





# Timetable for preparing this document

## 4 Timetable for preparing this document

**4.1** There are five key steps when preparing a Development Plan Document such as this.

### 1. Issues and Options

We consult with stakeholders on a range of options that could be included in the Development Control Manual. THIS IS WHERE WE ARE NOW.

### 2. Preferred Options <sup>(1)</sup>

We consult on the final choice of options that we want to put in the manual. It is planned to do this in the spring of 2009.

### 3. Submission Draft

We submit our final draft of the DC Manual to the Government and consult on it. This is scheduled for April 2010, a little after the Examination for the Core Strategy takes place (as this needs to be done first).

### 4. Examination in Public

The Planning Inspectorate considers whether the submitted document is acceptable (sound), taking into account any consultation responses.

### 5. Adoption

If the Planning Inspectorate thinks that the Development Control Manual is acceptable, we can then adopt it, and it becomes a new Development Plan Document.

(1) *The government has recently changed the rules on plan preparation, giving councils more flexibility. Formal consultation on Preferred Options is no longer required. However the Council still wishes to consult during the process of developing options, but has not decided yet what form this will take.*



# Some Facts about Newham

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## 6 Some Facts about Newham

**6.1** The London Borough of Newham has only existed in its present form since 1965. It covers 3858 hectares and is located five miles east of the City of London. The borough is bounded by the River Thames in the south, the River Lea in the west, the River Roding in the east, and Wanstead Flats to the north. Around a quarter of a million people live here.

**6.2** Along the banks of the Lea and the Thames is an 'arc' of industrial land formed by Stratford, Canning Town, Silvertown, and North Woolwich. This area has been termed the Arc of Opportunity. To the north and east of these areas are the residential neighbourhoods of Forest Gate, Manor Park, Little Ilford, Green Street, Plaistow, Beckton and East Ham.

This is Newham





## Population Facts

- Newham has the highest number of births in London, with births greatly outnumbering deaths.
- 34% of the population are within the White:British ethnic group. The next largest groupings are Black:African (13%), Indian (12%) and Pakistani (8%). However different cultures are evident throughout the borough. In Green Street, many shops are showcases for the mainly Indian and Pakistani communities. In Manor Park and East Ham, Tamil-owned shops and restaurants are more common. Parts of Forest Gate show a greater African influence, whilst Canning Town reflects a more 'traditional' East End, but with a significant African and Caribbean contribution. Stratford is perhaps the most cosmopolitan area but nowhere in Newham is culturally exclusive.
- In 2001 there were 92000 households in Newham. The borough has the largest household size in England, at 2.64 persons per household.
- Almost one out of every six households in Newham consists of five residents or more. This is higher than any other London borough and compares with a London average of only 8.3%.
- Newham also has the highest percentage of households with residents under the age of five in England, at over 17%. More than 11% of households in Newham are lone parents, the highest in London.
- The economic activity rate (ie people aged over 16 who are either in employment or seeking work) was 65.9 compared with 74.5% in London and 78.3% in England and Wales (2005/6).
- Unemployment was also high than the London average, but has dropped noticeably over recent years.
- Newham has a lower proportion of managers, senior officials and professional occupations (19%) than either London (24%) or England and Wales (28%).

Source: *Focus on Newham LBN 2007*





# Development Control in Newham

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## Number and type of applications received

**7.3** In the year ending 31<sup>st</sup> March 2008, Newham Development Control Service considered 1782 applications. Of these 1247 (70%) were permitted and 414 (23%) were refused. The remainder comprised observations to either the ODA or the LTGDC. The level of refusals is quite high, and as described below, will be subject to further analysis.

**7.4** The applications were divided into the following categories:

| Type                       | Number | Percentage |
|----------------------------|--------|------------|
| Full Applications          | 980    | 55%        |
| Approval of Details        | 210    | 12%        |
| Change of Use only         | 37     | 2%         |
| Advertisements             | 118    | 7%         |
| Council's Own Development  | 40     | 2%         |
| Certificates of Lawfulness | 217    | 12%        |
| Observations to ODA/LTGDC* | 128    | 7%         |
| Other                      | 52     | 3%         |

\* including approval of details

**7.5** The geographical distribution of all the applications is summarised by postal area below

| Area                              | Number | Percentage |
|-----------------------------------|--------|------------|
| E6 East Ham                       | 362    | 20%        |
| E7 Forest Gate                    | 363    | 20%        |
| E12 Manor Park                    | 214    | 12%        |
| E13 Plaistow                      | 190    | 11%        |
| E15 Stratford                     | 270    | 15%        |
| E16 North Woolwich                | 262    | 15%        |
| Olympic Park and rest of ODA Area | 105    | 6%         |
| Other                             | 16     | 1%         |



# Development Control in Newham

## 7

### Planning Appeals

**7.7** During the year 2007/8, 80 appeals were made against planning decisions made by Newham council - 49 relating to planning applications and 31 relating to enforcement notices. Sixty of these appeals (ie 75%) were dismissed - suggesting that the Council's planning policies are robust and are being properly applied. Appeals relating to decisions on planning applications were slightly more successful (from the appellants' point of view) than were enforcement appeals:

| Planning Applications |          | Enforcement Notices |         | Total     |          |
|-----------------------|----------|---------------------|---------|-----------|----------|
| Dismissed             | Allowed* | Dismissed           | Allowed | Dismissed | Allowed* |
| 35 (72%)              | 14 (28%) | 24 (77%)            | 7 (23%) | 60 (75%)  | 20 (25%) |

\* includes two appeals that were only partly allowed.

**7.8** The rest of this analysis concentrates on appeals against planning decisions.

**7.9** The number of appeals against planning decisions (49) should be seen in the context of approximately 980 decisions on planning applications made by Newham Planning in 2007/08.

**7.10** The 49 appeals can be broadly categorised as follows:

| Type   | Number of Appeals | Allowed or Part Allowed |
|--|-------------------|-------------------------|
| Householder applications, and residential conversions        | 23                | 4 (15%)                 |
| New development eg redevelopment for housing, mixed uses etc | 10                | 2 (20%)                 |
| Change of use only   | 5                 | 2 (40%)                 |
| Other  | 10                | 6 (60%)                 |

**7.11** Obviously some of these numbers are quite small, so one should be wary of drawing firm conclusions, but it seems like the appellants' chances of success for householder schemes, residential conversions and redevelopments is pretty low. Of the new development schemes, the largest were a four or five storey building in Stratford for student accommodation (two appeals), a seven storey mixed use scheme, also in Stratford, a 5-8 storey mixed use scheme in Canning Town and a ten storey block of flats in Upton Park. All these appeals were dismissed. Reasons for refusal (which were upheld by the Inspectors) include excessive density, impact on amenity, insufficient car parking and excessive height.

**7.12** Further analysis of the appeals which were allowed is taking place for inclusion in the Council's evidence base.



# Development Control in Newham

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**7.17** It can be seen that four policies are repeatedly used:

- EQ19 (Urban Design) - 100 times
- EQ45 (Environmental Protection) - 72 times
- EQ49 (Contaminated Land) - 42 times
- T15 (Parking Standards) - 82 times

**7.18** The UDP contains both strategic (Part One) and local (Part Two) policies. Reference has been made to 26 of the 47 strategic policies, with S3 (Quality of Development) and S4 (Sustainable Development) featuring particularly prominently.

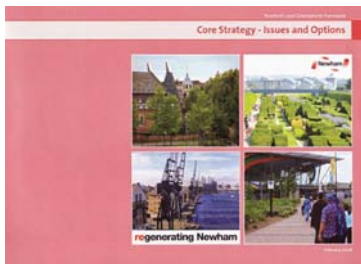
**7.19** In relation to the Part Two policies:

- there are 26 policies on Urban Regeneration with but only five of these have been referred to at Committee with the most frequent use being UR1 (Major Opportunity Zones).
- there are 64 policies on Environmental Quality of which 44 have been referred to. As noted above, EQ19 Urban Design Considerations is the most frequently cited policy of any in the UDP. EQ45 Pollution is also very prominent with 72 references.
- there are 21 Housing policies of which 17 are referred to. Many of these are referred to frequently.
- there are 17 Employment policies of which 12 are referred to, although none very frequently.
- there are 23 policies on Shopping and Town Centres of which only 9 are referred to, and then only to a very limited extent.
- there are 32 Transport policies of which 19 have been referred to; some of these on a frequent basis, particularly T15 Parking Standards for New Development (82 times).
- there are 8 Leisure and Indoor Recreation policies and only one of these has been referred to (LR1) (two occasions).
- there are thirteen policies covering Open Space and Outdoor Recreation. Six of these have been referred to on an infrequent basis with OS7 (Green Space Protection) the most prominent.
- there are 2 Tourism policies both of which have been referred to on a number of occasions.
- there are 18 policies on Community Services of which 16 have been referred to, with CS2 Planning Requirements of Community Meeting Places at the highest level.



## 8 Newham's Core Strategy

**8.1** The issues and options for Newham's Core Strategy were published for consultation in February 2008. The key issue for the strategy is how to plan for the massive rate of change expected - including the Olympics Games and subsequent legacy, Stratford City, the regeneration of Canning Town and the swath of development opportunities north of the Thames stretching from the Royal Docks to Beckton.



**8.2** Key aspects of the Strategy relevant to Development Control are set out below.

- A key aim of the Core Strategy is to implement Newham's Sustainable Community Strategy (SCS). This sets out a vision for Newham - by 2010 Newham will be a major business location and a place where people choose to live, work and stay. This is supported by seven key priorities:
  - investing in young people
  - improving health and well-being
  - making Newham safer
  - building an active and inclusive community
  - ensuring a better environment
  - meeting people's housing needs
  - increasing employment and business growth.
- As well as implementing the SCS, the Core Strategy will provide the spatial context for a wide variety of plans and strategies prepared by the Council and the other agencies working in Newham. Of particular importance is the London Plan - the 2006 version of the Plan proposes over 35000 homes in Newham up to 2016 - the highest housing target in London. Alterations to the London Plan increase this further with 32000 homes and 50000 jobs in Stratford and the Lower Lea Valley alone.
- Key principles that all planning decisions must take account of are listed. These are:
  - Sustainable development and tackling climate change.
  - Improving the Quality of Life for Newham residents.
  - Creating places that are locally distinctive which people can be proud of.
  - Supporting social cohesion, by seeking to meet the needs of all and ensuring that the regeneration taking place benefits Newham's existing communities.



### Option 1: Key Features

- Protected employment-only areas along the Lower Lea Valley, the Thames riverside, north of the Royal Docks and most of east Beckton
- Newham would become London's industrial powerhouse, providing crucial employment land for businesses squeezed out of other boroughs. We would accommodate green industries, creative industries, and storage and warehousing, together with more traditional employment sectors.
- Mixed use hubs would be developed in Stratford, Albert Basin and around Canning Town station, providing further jobs.
- Canning Town and Silvertown Quays would be the only areas developed predominantly for housing.

### Option 2: Key Features

- Development of new, high specification business parks in east Beckton, to provide a new Strategic Industrial Location for a range of businesses.
- Protection of the Royals Business Park and the land immediately south of City Airport for employment uses, delivering a range of accommodation including offices and workspaces.
- Active relocation of existing industrial businesses from the Lower Lea Valley to east Beckton. The Lower Lea Valley would be redeveloped to create a new, mixed use neighbourhood, built at relatively high density compatible with local transport accessibility and place-making objectives.
- A high density, mixed use hub developed at Stratford, offering a range of accommodation including retail, office, workspaces and housing.
- New residential developments at the eastern end of Thameside West, both ends of Thameside East, Canning Town and at Albert Basin.
- Protection of reduced Strategic Industrial Locations at Thameside West, Thameside East and Beckton Gateway. Retain existing protection of London Business Park. New Strategic Industrial Locations at east Beckton (proposed Beckton Riverside SIL) and the docks.
- Newly developed areas would be vibrant and busy, with a significant increase in both the residential and working population. The character of these new areas will be very different to existing neighbourhoods, and the population will inevitably change the types of households.



## 9 DC Policy Objectives

**9.1** Taking the Core Strategy as a starting point, broad objectives have been set for development control, and these are reflected in the remaining sections of this document. The proposed objectives are:

- **To implement the overall aims of Newham's Sustainable Community Strategy, the relevant policies in the London Plan and the key principles and spatial policies set out in Newham's Core Strategy.**
- **To improve the quality of the local environment.**
- **To meet national, regional and local housing needs.**
- **To ensure that new development in Newham brings overall benefits to the community. Section 106 agreements will be used to achieve this where necessary.**
- **To ensure that the principles of sustainable building and construction are applied to new development schemes.**
- **To ensure an appropriate and efficient mix of land uses.**
- **To regenerate the borough through high quality urban design, coupled with conserving the best of the past.**
- **To protect and enhance open space and the natural environment.**
- **To encourage a shift to more sustainable travel in Newham, with an emphasis on public transport, walking and cycling.**
- **To ensure that buildings and public spaces are easy to use, congenial and fit for purpose.**
- **To ensure that adequate job opportunities are available for Newham residents.**
- **To ensure that the people in Newham have easy access to the local facilities that they need and that these are usable by all members of the community.**

### CONSULTATION QUESTIONS

**Do you agree with these objectives?**

**Are there any others that should be added?**



## 10 Sustainable Design and Construction

### Strategic Context

The Core Strategy suggests a range of approaches to achieve more sustainable buildings in Newham - varying from applying the minimum national standards, to creating exemplar eco-zones, to seeking to greatly improve environmental performance across the whole borough. The strategy also discusses the need to make more efficient use of land. The London Plan also supports sustainable design and construction, whilst proposed alterations to the Plan have strengthened this aspect, particularly in relation to energy efficiency. The seriousness of climate change is being increasingly recognised, as is the important contribution that planning can make in reducing the scale of the problem and in adapting to it.

### POLICY ISSUES

**10.1** The DC Manual will almost certainly have stronger policies than those set out in the current UDP. To assist discussion some possible policies relating to sustainable development in Newham are suggested below:

- *All new non-residential developments in excess of 1000 sq metres should seek to achieve a 25% reduction in non-renewable energy use measured against a standard benchmark figure for a 'normal' development of the same size and type. This can be achieved by using a mixture of on-site renewables, local CHP schemes, passive solar gain etc, insulation, low energy fittings etc. The target figure should be achieved within three years of the building's completion.*
- *Water-saving schemes and sustainable urban drainage schemes should be standard in all major schemes.*
- *Adequate recycling facilities should be provided.*
- *Living roofs <sup>(1)</sup> should be included wherever practical.*
- *Applications for schemes in excess of 5000 sq metres should be accompanied by an environmental statement that covers building materials, construction methods, construction waste management and future environmental management arrangements.*

(1) *Essentially vegetated roofs, or roofs with vegetated spaces - see [www.livingroofs.org](http://www.livingroofs.org) for more information.*



## Options for discussion

- Should the Council adopt national standards or aim for higher standards on the lines set out in the example policies above?
- Should policies such as those set out above be applied throughout the borough, or just in designated areas (eco-zones). If the latter where should these be?
- Are the size limits (1000 sq metres etc) set out in the example policies reasonable?
- Should there be targets for living roofs, energy use etc?
- How important is it to use land efficiently, for example by encouraging high densities in accessible locations?
- Is it fair to ask developers of schemes with poor accessibility to contribute to improving local transport facilities?
- How best can the planning system encourage an increase in renewable energy use in Newham, both for large scale schemes and for domestic use?





## Other

- Newham Sustainability Checklist SPG
- Climate Change Adaptation by design; a guide for sustainable communities, TCPA 2007
- Climate change and the indoor environment: impacts and adaptation, CIBSE Jan 2005
- Water resources for the future Environmental Agency, Mar 2001

## Waste

- See Joint Waste Plan for relevant documents.





**Table 1 (Cont.)**

| Use                  | Policies relating to the loss of these uses   |
|----------------------|---|
| Retail               | At present certain retail locations are 'protected' which means that there are restrictions on changes of use away from retail use. These locations include parts of the town centres at Stratford, East Ham Green Street, Canning Town, Forest Gate and East Beckton as well as a number of smaller local centres. |
| Industry/Warehousing | This is broadly the same as for business use set out above, but in some areas a change from industry to business use may be desirable.  |
| Leisure/Community    | At present community uses such as community centres and places of worship are protected so long as they still meet a local need.  |

**Table 2**

| Use                  | Policies relating to gains of these uses   |
|----------------------|--|
| Residential          | Permission is normally given to new residential uses if the environment is suitable. This is likely to continue. However new residential will not be permitted in the protected employment areas identified in the Core Strategy (as discussed in Table 1 above).  |
| Business Use         | There are relatively few locations where business use is unsuitable in principle. Options for preferred locations are as set out in Table 1.   |
| Open Space           | Similarly there are few locations where open space are unsuitable. Preferred locations for new open space will be identified in the Core Strategy.   |
| Retail               | Large scale retail uses will normally only be permitted in designated town centres.  |
| Industry/Warehousing | Industry and warehousing will only be permitted in the designated employment areas, other than those which are better suited to business use.  |
| Leisure/Community    | Large scale entertainment and leisure uses should only be permitted in town centres, other accessible locations, or as part of major regeneration schemes. Thameside and dockside locations may also be suitable. Uses such as schools, health facilities and community buildings should be provided where they are most needed. |



## Options for discussion

Are there any circumstances where loss of residential should be allowed?

Are there any circumstances where loss of open space should be allowed? Should there also be strict controls over the loss of private open space, including private gardens? Should playspaces and playgrounds be protected?

Do you agree with the policy to 'protect' retail uses in certain locations? Should the Council seek to protect more shops than at present, or less?

What policies should the Council adopt in relation to other uses in shopping centres, such as take-aways, banks and local services?

Should the Council encourage more mixed use schemes? If so, what kind of uses go together well?

In theory live-work schemes should be welcomed as they reduce the need to travel. However in practice there are difficulties in ensuring that they remain as genuine live-work rather than residential. Given this problem, should the Council permit live-work schemes? If so, what locations would be suitable?

Are there any other uses that the Council should try to protect - for example pubs (assuming these are viable) and community buildings?

The Core Strategy also raises other land use issues, including new 'cultural quarters', expanding the evening economy and possibly designating a new town centre at either Plaistow or West Ham. Also what policies are needed in relation to existing 'out-of-centre' shopping schemes in Newham, such as Gallion's Reach shopping park?





## 12 Urban Design, Conservation and Environmental Quality

### Strategic Context

The Core Strategy consultation places a high priority on excellence in design. In particular new developments in regeneration areas should be integrated into the wider area, be locally distinctive and have a sense of place. The strategy also speculates on how the rest of Newham (outside the main arc of regeneration opportunity in the west and south) should develop. For example should there be more intensive developments in some of the district and local centres in central Newham.

### POLICY ISSUES

**12.1** In the past Newham had many social, economic and environmental problems that needed urgent attention. A vast amount has been achieved, but perhaps due to other more pressing issues the quality of urban design may not have had the highest priority. Is it now time to raise the bar and aim for higher standards of design?

**12.2** Should the council try to raise standards everywhere or concentrate its efforts on certain key sites which could become showcases of good design? A possible distinction could be drawn between 'design quality' which should be standard everywhere, and 'design excellence' which would be the objective for key regeneration sites.

**12.3** Many people believe that areas should be 'locally distinctive' Is this the case for Newham? What are the main characteristics of your neighbourhood - where you live, work or shop - that are important and should be kept? One possible approach would be to carry out a detailed study of Newham and define separate 'character areas' which would form the basis for detailed design policies. Additionally, applicants for planning permission would have to show that their schemes had taken into account the social, physical, historic and cultural characteristics of the local area. On the other hand perhaps we should just accept that Newham will change and allow new buildings to speak for themselves rather than looking back to the past.

**12.4** Perhaps locally distinctive policies should only apply in conservation areas - these are areas with special architectural or historic interest which should be preserved or enhanced. At present there are nine in Newham, at Three Mills, the Woodgrange Estate, Durham Road, Romford Road, Forest Gate, East Ham, Sugarhouse Lane and two in Stratford (University and St Johns). Should any more conservation areas be declared - and if so, where?

**12.5** Subject to various criteria, the UDP currently allows high buildings (defined as over 4-5 storeys) at Stratford, the Lower Lea Valley, the Royal Docks, Beckton and in other areas with good accessibility. It seems likely that further tall buildings





































































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