

<b>CONTEXT</b>	<b>Page</b>
3.1 Scope of Chapter .....	99
3.4 Vision for the Future .....	99
3.10 Objectives .....	99
3.11 Strategy .....	99
3.21 Current Issues .....	100
<b>POLICIES AND PROPOSALS</b>	
<b>Waterways</b>	
EQ1 Waterway Improvements .....	102
EQ2 Waterside Access .....	103
EQ3 Waterside Commercial Development .....	103
EQ4 Quality of Waterside Development .....	104
EQ5 Waterway Structures .....	104
EQ6 Extension of Waterside Sites into Waterways .....	105
EQ7 The Royal Docks: Preservation of the Open Nature of the Docks .....	105
EQ8 The Royal Docks Safeguarding of Viewing Points .....	105
<b>Nature Conservation</b>	
EQ9 Protection of Sites of Nature Conservation Importance .....	106
EQ10 Development on Sites of Nature Conservation Importance .....	107
EQ11 Species Protection .....	107
EQ12 Creation of Sites of Nature Conservation Importance .....	107
<b>Trees</b>	
EQ13 Tree Preservation Orders .....	108
EQ14 Tree Loss and Retention .....	108
EQ15 Inclusion of Tree Planting in New Development .....	109
EQ16 Green Corridors .....	110
EQ17 Creation of Woodland .....	110
<b>The Built Environment</b>	
EQ18 Promoting Urban Quality .....	111
EQ19 Urban Design Considerations .....	112
EQ20 Design Considerations: Residential Areas .....	112
EQ21 New Development: Landscaping .....	112
EQ22 Advertisement Hoardings .....	112
EQ23 Removal of Advertisements .....	113
EQ24 Energy Efficiency .....	113
EQ25 Access .....	114
EQ26 Safety .....	114
EQ27 High Buildings: Control .....	115
EQ28 High Buildings: Design Considerations .....	115

## **Conservation of the Built Environment**

EQ29	Designation of Conservation Areas.....	116
EQ30	Planning Proposals Within Conservation Areas.....	116
EQ31	Demolition Within Conservation Areas.....	116
EQ32	Additional Planning Controls (Article Four Directions) .....	116
EQ33	Protection of Trees.....	117
EQ34	Areas of Townscape Value .....	117
EQ35	Preservation of Listed Buildings.....	118
EQ36	Buildings of Local Interest .....	118
EQ37	Scheduled and Other Nationally Important Monuments.....	118
EQ38	Planning Applications Affecting the Setting of a Listed Building ....	119
EQ39	Repairs, Alterations and Extensions .....	119
EQ40	Demolition and Redevelopment of Listed Buildings.....	119
EQ41	Change of Use .....	120
EQ42	Treatment and Use of Highways.....	120

## **Archaeology**

EQ43	Archaeology: Investigation, Excavation and Protection .....	120
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## **Environmental Protection**

EQ44	Vacant Land: Environmental Improvements .....	121
EQ45	Pollution.....	122
EQ46	Air Quality Management.....	123
EQ47	Noise Impact Statement.....	123
EQ48	Noise - Sensitive Development .....	123
EQ49	Contaminated Land: Assessment, Remediation and Monitoring ...	124

## **Overhead Power Lines**

EQ50	Development Adjacent to Overhead Power Lines.....	125
EQ51	Removal of Overhead Power Lines and Safeguarding of Underground Route .....	125
EQ52	Underground Routes for Existing Overhead Power Lines.....	125
EQ53	Resistance to Further Proposals for Overhead Power Lines .....	125

## **Waste Management**

EQ54	Promoting Sustainable Waste Management .....	126
EQ55	Safeguarding of Suitable Sites.....	126
EQ56	Criteria for Assessing Waste Management Facilities.....	127
EQ57	Special, Hazardous, Chemical and Radioactive Wastes and Prescribed Processes .....	127
EQ58	Waste and Waste Disposal: Reclamation of Land .....	128
EQ59	Aggregates Extraction: Environmental Protection Criteria .....	129
EQ60	Aggregates Recycling.....	129
EQ61	Recycling.....	130

## **Floods and Tidal Protection**

EQ62	Protection of the Flood Plain and Urban Washlands.....	130
EQ63	Surface Water Disposal.....	130
EQ64	Tidal Defences .....	131

<b>Schedule of Proposals</b> .....	132
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### **Appendices**

EQ1	Designated Sites of Nature Conservation Importance Where Development Will Not be Permitted.....	134
EQ2	Other Sites of Nature Conservation Importance .....	135
EQ3	Notifiable Hazards.....	136

### **Maps**

EQ1	Thames Policy Area .....	137
EQ2	Areas of Nature Conservation Deficiency .....	138
EQ3	Areas of Deficiency in Tree Coverage .....	139
EQ4	Proposed Green Corridors in Newham .....	140
EQ5	Urban Woodlands .....	141
EQ6	Archaeological Priority Areas .....	143
EQ7	Minerals: Area of Search.....	145
EQ8	Areas Liable to Flood .....	147

## SCOPE OF CHAPTER

- 3.1 An environment that is safe, clean and accessible is an essential prerequisite for the development of sustainable communities and can make an important contribution to the quality of many people's lives. An attractive and well-maintained physical and natural environment can also play a part in retaining and attracting residents and new business investment and help support urban regeneration. Creation of a high quality environment is therefore a key aspect of the Council's Vision for the Borough.
- 3.2 The Council has accepted its obligations to ensure that future development moves in a more environmentally sustainable direction, in accordance with the main objectives adopted at the Earth Summit at Rio de Janeiro in 1992. Stressing the interdependence of social, economic and environmental concerns, sustainable development recognises that the integration of all these areas within an 'holistic' approach will lead to the fulfilment of basic needs, improved quality of life and a more prosperous future. In support of the global action plan called Agenda 21 drawn up at Rio to address these concerns, the Government produced the UK Strategy for Sustainable Development in 1994, which has recently been updated ("A Better Quality of Life – a Strategy for Sustainable Development in the United Kingdom", May 1999). This sets out an agenda for achieving a more sustainable future. Local authorities have been specifically charged with taking a lead and implementing many of the actions arising from the Agenda. Sustainable development can and is being defined in terms of identifiable and measurable goals, one of which is environmental improvements to the built and natural environment at a local level. The Council, in partnership with a wide range of organisations, community groups and other 'stakeholders', is currently developing a number of strategies and initiatives to bring about tangible improvements on the ground. Changes to the environment are being monitored through the production of Sustainability Reports, which will enable environmental issues to be better understood and addressed.
- 3.3 This Chapter deals largely with improvements at the local level. Good planning has a major contribution to make both to the built and natural environments, and is essential to the creation of an environment which is sustainable, safe and easily maintained. The chapter sets out policies that promote the principles of sustainable development, development of the Borough's water assets and nature conservation sites, improvements to the physical environment, and the adoption of standards for new development. Much of the day-to-day management and maintenance of the outdoor environment, such as street cleaning, however, falls outside the scope of a land use plan. Although these issues are not addressed here, they will continue to have a high priority, as part of this Council's commitment to the environment.

## VISION FOR THE FUTURE

- 3.4 Through the promotion of the principles of sustainable development, and through good environment stewardship, the built and natural environment will be transformed to provide a healthier and better quality of life for residents and workers. Major environmental improvements to the Borough's gateways, town centres, residential and employment areas will transform the image of the Borough, and provide an attraction for new businesses. These in turn can help to create employment opportunities.
- 3.5 The natural environment will be protected, enhanced and, where appropriate, sensitively developed to maximise its ecological, recreational and economic value. For example, the potential of the Borough's valuable water assets will be realised through the development of water-based sports in the Royal Docks, the increased use of water for transporting freight and the creation of a network of towpath walkways. Particular attention will be given to preserving and enhancing Newham's historical and natural heritage. A 'leisure arc' of landscaped open spaces, complemented by new urban woodlands and nature reserves, will be linked by a network of formal walkways and less informal nature trails in the Roding Valley, providing an invaluable local resource for residents and workers. These in turn will be linked westwards via the Greenway corridor with an extended network of walkways stretching southwards through the Lee Valley Regional Park to the Three Mills heritage centre and as far as Bow Creek Ecology Park in the Limmo Peninsula and Thameside, creating a north-south green chain down the Lea Valley.
- 3.6 The quality of the built and natural environment will also be upgraded, in terms of both its appearance and function especially in the Borough's town centres and its residential areas. General environmental improvements are sought across the Borough through a range of Council-led environmental initiatives. In addition it is developing close and responsive partnerships with other local authorities and other organisations to bring about environmental regeneration. The two most important of these are the London Lea Valley Partnership and the Thames Gateway London Partnership. A new environmental standard is being developed for the Thames Gateway regeneration area of East London, including Newham, and new development will be expected to meet these higher standards.

- 3.7 The design, layout, orientation and location of new buildings will play an increasing role in promoting energy efficient forms of development. Furthermore, the use of recycled building materials will be encouraged in construction projects, and buildings should be designed for endurance to help preserve valuable natural resources.
- 3.8 To protect the health of residents and the quality of their lives, refurbishments to existing buildings and all new development, including major transport infrastructure, will be required to meet higher environmental standards, in order to enhance amenity, improve design and landscaping, minimise nuisance and reduce the risk of all forms of pollution. This is in accordance with the approach being promoted by the Thames Gateway London Partnership, which regards improvements to the environmental image of the area as an essential pre-requisite for the social and economic regeneration of the Thames Gateway.
- 3.9 In order to realise this vision, the Council has developed a set of objectives and a strategy which are detailed below. These, together with the assessment of current issues, have guided the formulation of policies contained in this Chapter.

## OBJECTIVES

- 3.10 The Council's objectives for environmental quality are as follows:
- a) to improve the long-term quality and sustainability of the Borough's environment, by requiring all works/development to be of the highest standard of urban design, that is sensitive to and enhances the existing local character of the area;
  - b) to fully exploit the potential of the rivers and waterways for recreational, amenity, ecological and economic purposes;
  - c) to carefully maintain and enhance sites of nature conservation importance, in order to preserve their ecological value and extend the bio-diversity of fauna and flora, and identify new sites of nature conservation importance in areas of the Borough that are deficient in such sites;
  - d) where appropriate, to provide new areas of woodland and increase tree planting on Metropolitan Open Land, on existing green spaces, in areas deficient in open space and tree coverage, and in identified green corridors along major transport routes;
  - e) to improve the environmental quality of the Borough's main roads and town centres, by creating townscapes that are safe, attractive and accessible to all;
  - f) to protect or enhance Newham's heritage in the form of listed buildings, Conservation Areas, historic parks, archaeological remains and protected trees;
  - g) to encourage the early use of vacant land and the early treatment of contaminated land;
  - h) to take action against existing sources of environmental nuisance and restrict the potential intrusion and nuisance of new development;
  - i) to promote clean, efficient and effective waste management, including waste minimisation and the recycling of materials in new development; and
  - j) to promote improvements to the street scene, in particular by combating the accumulative effects of a range of factors such as noise, excessive advertising, accumulation of refuse, air pollution, and concerns over safety.

## STRATEGY

- 3.11 These objectives will be realised through the implementation of a strategy incorporating the policies included in this Chapter.
- 3.12 During the next ten years, major opportunities will come about to upgrade the environment of the Borough. This coincides with a growing awareness among local communities of the importance of a good environment to their quality of life, and the desire of the private sector to locate in safe, clean, and pleasant surroundings.
- 3.13 A good environment is an important pre-requisite for retaining existing and attracting new residents and businesses, which is an important objective of the Council's Urban Regeneration Strategy and associated Vision. The Council

seeks to enhance the urban environmental quality of residential areas, town centres and 'gateway' transport routes (see relevant policies in this Chapter). Wider improvements will be delivered to the Borough as a whole, in particular the poorer and more run-down areas, as part of its 'sustainable communities' and 'Newlook' initiatives.

- 3.14 Expanses of water and land which were formerly enclosed and inaccessible are now being opened up for the use and enjoyment of all, particularly in the Lea Valley, the Royal Docks and sections of the Thames. New developments create the opportunity for high standards of design and landscaping and incorporation of public areas of open space and wildlife habitats.
- 3.15 The full use of Newham's waterways will make it one of the best endowed boroughs in London in terms of access to water, and link it to the rest of the capital. The waterways can become part of a strategic Green Chain network, going northwards from the River Thames up the Lea and Roding Valleys to Epping Forest and westwards along the Thames and Grand Union Canal to the heart of London and beyond. Not only would Newham residents have access to a vast network of scenic footpaths, but more visitors would be attracted to the Borough.
- 3.16 In the areas of major redevelopment, the Council will be placing a strong emphasis on the creation of a high quality environment to support the regeneration process. A high quality of architectural design will be required in new development as part of the evolving new environmental standard for the Thames Gateway, together with enhancements to the natural environment
- 3.17 Large parts of the Borough are already densely developed and therefore unlikely to experience wholesale change in the foreseeable future. These are established and familiar shopping centres or residential areas, which are appreciated by local people but could nonetheless be upgraded. The New Deal for Communities initiative, group repair grants, Single Regeneration Budget (SRB) and other Government funded schemes are being used to bring about major environmental improvements to residential quality. Emphasis will also be placed on environmental improvements to the street scene through the Council's 'Newlook' campaign, as well as controlling development which could adversely affect the character of an area.
- 3.18 In densely built up residential areas, small changes can often make a considerable difference. The Council will continue to play its role through the development control system by ensuring that alterations or extensions to buildings do not affect the amenity of neighbours. Tenants and residents will be encouraged to play their part in improvements to their local area through planting schemes or removal of eyesores.
- 3.19 Many communities suffer from a fear of and experience of crime. The widespread introduction of close circuit television in town centres and at schools has deterred vandalism and graffiti and had a beneficial effect on reducing street crime. The integration of safety and security considerations in proposals for new development can also contribute towards the prevention of, and reduce the fear of crime. Developments can, for instance, be designed with safe and secure access routes, limit opportunities for vandalism and incorporate good lighting systems.
- 3.20 Future developments, particularly roads and new industries, are likely to produce more noise and other forms of pollution. The Council will need to balance the needs of industry with those of local residents. The Council will rigorously assess developments which involve special, hazardous, chemical and radioactive wastes and waste disposal. This should ensure the continued wellbeing of local residents.

## CURRENT ISSUES

- 3.21 The sustained improvement of the environment is a key part of the Council's regeneration strategy to attract economic investment and increase the life chances of Newham's residents. An improved environment can also tangibly enhance the quality of life of residents. Improvements to the physical environment are being focused primarily on those parts of the Borough where there is greater potential to raise environmental quality in the short term. This initiative will dovetail with a wider strategy to systematically upgrade the environment for people in the Borough, increase community safety, and improve the Borough's overall tone, appearance and attractiveness. Retaining and attracting a mix of residents can make an important contribution towards the creation of sustainable communities. The raising of environmental quality will increase the Borough's attractiveness as a place to live and work in London and help to foster regeneration.
- 3.22 The creation of a high quality urban environment involves tackling a range of issues, including promoting the reuse of derelict and brownfield sites, enhancing the quality of industrial and residential areas, and improving the role of town

centres and making them safer and more attractive. These are essential components of the future sustainable development of the Borough and key aspects of its regeneration.

- 3.23 The Borough has a rich and interesting heritage in terms of archaeological remains, sites of nature conservation importance, and buildings and townscapes of architectural and historical importance. Unfortunately, the protection and enhancement of certain aspects of Newham's heritage (i.e. archaeological remains and sites of conservation importance) have not been given sufficient priority in the past and features have been lost to development.
- 3.24 Waterways in the Borough have, during the last twenty years, been transformed from busy industrial trading arteries to quiet and underused areas. Some of these waterways require cleaning up and improved access if they are to fulfil a new recreational role. Much progress has already been made in the Lea Valley. In many instances sites of nature conservation importance have developed alongside the rivers on open spaces. There will be a need to ensure that increased public use of the waterways does not conflict with the ecological value of these sites.

## **POLICIES FOR ENVIRONMENTAL QUALITY**

### **WATERWAYS**

#### **Waterway Improvements**

- 3.25 The River Thames, the River Roding, the River Lea with its associated waterways and the large area of docks are valuable assets yet to be fully exploited. The potential exists for much greater use of these rivers and other waterways for recreational, amenity and ecological purposes.
- 3.26 New building projects need to further the Council's aims of developing the rivers and waterways as both local and tourism resources. To achieve this, new developments will need to create public access for all members of the community including disabled people, to water and river frontages. The environment of these areas requires upgrading. Issues such as water quality, views and landscaping need to be addressed. The nature conservation value of these areas can also be improved by sensitive development which create new habitats and preserve and enhance links to adjacent wildlife areas.
- 3.27 The potential exists for wide ranging leisure pursuits. These will be both low key such as walking, and active such as rowing and wind surfing. New developments need to increase the opportunities to undertake sport and leisure activities.
- 3.28 The rivers and docks have many historical, archaeological and cultural features. These must be retained to preserve their heritage. The Council will seek to enhance waterside environments by the preservation and display of important features and will enter into legal agreements and attach conditions to planning permissions in order to achieve this. The form, scale and aspect of built development needs to respect the waterways. In particular, buildings should not turn their back on the water. New river and dock side developments need to address safety issues, both in terms of water safety and creating safe living and working environments without fear of crime (Please refer to SPG Note 'Planning for Community Safety').

**POLICY EQ1:** THE COUNCIL, IN ASSOCIATION WITH THE APPROPRIATE AUTHORITIES, WILL PROMOTE IMPROVEMENTS TO RIVERS AND WATERWAYS IN THE BOROUGH BY:

- A) IMPROVING PUBLIC ACCESS WHERE APPROPRIATE;
- B) INCREASING THE NATURE CONSERVATION VALUE OF DESIGNATED AND POTENTIAL SITES OF NATURE CONSERVATION IMPORTANCE;
- C) ENCOURAGING LEISURE AND RECREATIONAL USES WHERE THESE WOULD NOT CONFLICT WITH NATURE CONSERVATION INTERESTS AND TRANSPORT AND INDUSTRIAL USES;
- D) ENHANCING WATERSIDE SITES THROUGH THE DEVELOPMENT OF APPROPRIATE DESIGNS;
- E) CONSERVING HISTORICAL, ARCHAEOLOGICAL AND CULTURAL FEATURES; AND
- F) IMPROVING WATERSIDE SAFETY.

- 3.29 In preparing proposals, consultation with English Heritage, including the Greater London Archaeological Service, the Environment Agency, the Royal Docks Management Authority, Sport England, British Waterways (BW), the Greater London Authority and the Port of London Authority will be necessary. Reference should also be made to the Sports Council's Recreation Strategy for the River Thames (1995).
- 3.30 A phased programme of works to the footways and cyclepaths in the Lea and Roding Valleys is under way. Voluntary efforts to clean up the River Lea and its tributaries and overall general improvements are being co-ordinated by the Lower Lea Project.

### **Waterside Access**

- 3.31 Rivers, canals and the Royal Docks provide opportunities to create attractive and ecologically valuable links between areas of water, open space and Green Chains. The Council's long term objective is the creation of safe, pleasant and continuous walkways alongside all the Borough's rivers and waterways and cycleways where appropriate, when development and redevelopment permits. The Council will seek the inclusion of additional features, such as seating and public art in appropriate circumstances. Where a current or former navigable/ waterway has had a towpath, it should be retained or restored. On the banks of the River Lea and its tributaries, including the Borough's canal system, towpaths should exist on one side of the waterway only. The Council will seek to achieve this through negotiation.

**POLICY EQ2:** EXCEPT WHERE: ACCESS TO THE WATERFRONT IS REQUIRED FOR TRANSPORTATION AND INDUSTRIAL USES; EXISTING TOWPATHS OR FOOTPATHS ALREADY PROVIDE ACCESS; EXCLUSION OF THE PUBLIC IS NECESSARY ON SAFETY AND SECURITY GROUNDS; NATURE CONSERVATION INTERESTS WOULD BE COMPROMISED OR WHERE THE CREATION OF A LANDSCAPED BUFFER WOULD BE DETRIMENTAL TO THE WATERSIDE CHARACTER OF THE AREA, THE COUNCIL WILL NEGOTIATE TO SECURE, OR IS COMMITTED TO SECURING, BY OTHER MEANS:

- A) ALONG RIVER AND CANAL SITES, A LANDSCAPED BUFFER STRIP ALONG THE WATER'S EDGE, INCORPORATING A PUBLIC WALKWAY, AND WHERE APPROPRIATE A CYCLEWAY; AND,
- B) ALONG DOCK EDGES OR QUAYSIDES, PUBLIC ACCESS WHICH CONNECTS AREAS OF PUBLIC SPACE, TOWN SQUARES AND SECTIONS OF THE STRATEGIC RECREATIONAL FOOTPATH NETWORK AND WITH THE PROVISION OF CONTINUOUS PUBLIC ACCESS AROUND DOCK EDGES AND QUAY SIDES WITHIN MAJOR OPPORTUNITY ZONES IDENTIFIED THROUGH THE PREPARATION OF URBAN FRAMEWORK PLANS.
- 3.32 The advice of the Greater London Authority, the Environment Agency and the Port of London Authority will be sought on riverside applications. In some cases it may be recommended that the public riverside walkway is set back so as not to conflict with nature conservation interests. Riverside and dockside walkways will not be considered as open space.

### **Waterside Commercial Development**

- 3.33 The River Thames and Lea Navigation are important areas for employment, industrial and commercial operations. The Council will encourage the consolidation and expansion of these uses (Please refer to Policy T27 in the Transport Chapter). However, in the past, some of these industries have created a poor environment, pollution and destroyed habitats. The Council will assess the needs of industry and the environment and minimise the impact of new developments on the waterways and wildlife.

**POLICY EQ3:** WHERE APPROPRIATE, AND BY MEANS OF PLANNING CONDITIONS AND LEGAL AGREEMENTS, THE COUNCIL WILL ENSURE THAT NEW PROPOSALS FOR INDUSTRY AND THOSE ASSOCIATED WITH WATERWAY FREIGHT TRANSPORT DEVELOPMENT WILL MINIMISE ANY ADVERSE IMPACT ON THE NATURE CONSERVATION VALUE OF THE AREA AND ON THE USE OF THE WATERWAYS IN THE BOROUGH FOR ACCESS AND LEISURE PURPOSES.

- 3.34 Parts of the riverside are designated Principal Employment Areas (Please refer to Policy EMP4 in the Employment Chapter) and the Council will discourage the relocation of industry from these areas and the severing of essential links to the river for industry.

## Quality of Waterside Development

3.35 The River Thames and its environs provide a prestigious and dramatic setting for waterside development. In recognition of this, the Government has designated a stretch of the waterside between Hampton in the west and Crayford Ness in the east as a special 'Thames Policy Area'. The broad extent of the Thames Policy Area is indicated in 'Strategic Planning Guidance for the River Thames', which contains detailed guidance on the approach to development that should be applied to the area. In addition to conserving or enhancing existing historical, archaeological, cultural and ecological features (please see Policies EQ1 and EQ10) ensuring the protection of river freight transport facilities (Please see Policy T27) and promoting public access to the river (Please see Policy EQ2), waterside development will be expected to be of the highest architectural and urban design standards. A high quality of urban design is not just an environmental objective, but is a specific requirement for sustainable development. The success of urban regeneration and where appropriate, the creation of higher density development will depend upon an attractive environment being created. Developers should have regard to 'The Tidal Thames: Landscape Assessment and Design Guidelines' (Environment Agency 1996). The boundaries of the Thames Policy Area in Newham are indicated in Map EQ1. The Council will produce detailed character appraisals within the Thames Policy Area and future Supplementary Planning Guidance in consultation with interested parties. This will be a material consideration in the assessment of applications for significant development within the area. While the policy below relates specifically to the Thames Policy Area, its principles will also be applied to waterside developments in other parts of the Borough, particularly the Lower Lea Valley.

**POLICY EQ4:** THE COUNCIL WILL SECURE ENHANCEMENTS TO THE ENVIRONMENTAL QUALITY AND LOCAL CHARACTER OF THE THAMES POLICY AREA (PLEASE REFER TO MAP EQ 1) AND OTHER WATERSIDE SETTINGS IN THE BOROUGH, BY PERMITTING DEVELOPMENT, SUBJECT TO OTHER POLICIES IN THE PLAN, THAT:

- A) ADDRESS THE WATERWAY AND ITS FRONTAGE AND DOES NOT TURN ITS BACK ON IT (PLEASE REFER TO POLICY EQ2);
- B) THROUGH ITS RELATIONSHIP WITH THE WATERWAY, OPEN SPACES AND OTHER BUILDINGS, PROVIDES FOCAL POINTS FOR PUBLIC RECREATION;
- C) THROUGH ITS SCALE, MASS, BULK, HEIGHT, USE OF MATERIALS, LAYOUT AND DESIGN OF ACCESS, LANDSCAPING AND BOUNDARY TREATMENT, PROVIDES A HIGH STANDARD OF URBAN DESIGN AND VISUAL AMENITY;
- D) CONTRIBUTES TOWARDS THE IMPROVEMENT IN THE QUALITY AND PROVISION OF OPEN SPACE ALONG THE RIVER;
- E) CONTRIBUTES TOWARDS THE CONSERVATION AND ENHANCEMENT OF THE ECOLOGY OF THE RIVER AND ITS ENVIRONS (PLEASE REFER TO POLICIES EQ1, EQ6 AND EQ10);
- F) PROTECTS AND ENHANCES HISTORIC BUILDINGS, ARCHAEOLOGICAL REMAINS, SITES, STRUCTURES, SKYLINES AND VIEWS OF IMPORTANCE (PLEASE REFER TO POLICIES EQ35, EQ43 AND EQ8);
- G) CONTRIBUTES TOWARDS THE VITALITY OF THE RIVER AND ITS FRONTAGE BY INCLUDING USES WHICH HELP PROMOTE THE USE OF THE RIVER FOR RECREATION AND TRANSPORT (PLEASE ALSO REFER TO POLICIES OS11, T24 AND T27);
- H) GIVES CONSIDERATION TO A MIXTURE OF USES, INCLUDING PUBLIC USES, ESPECIALLY ON THE LOWER FLOORS OF BUILDINGS FRONTING THE THAMES.

PROPOSALS FOR SIGNIFICANT DEVELOPMENT SHOULD BE ACCOMPANIED BY DESIGN STATEMENTS ADDRESSING THE ABOVE CRITERIA

## Waterway Structures

3.36 Permanently moored vessels and structures on the River Thames and Lea could encourage the public to make more use of these rivers. If these are sensitively designed, they can have a positive effect on the community and wildlife of the area.

**POLICY EQ5:** ANY VESSELS OR STRUCTURES SITUATED IN OR OVER RIVERS AND OTHER NAVIGABLE WATERWAYS SHOULD MAKE A POSITIVE CONTRIBUTION TO THEIR USE, PARTICULARLY FOR COMMERCE, INDUSTRY AND RECREATION. DESIGN OF VESSELS AND STRUCTURES SHOULD BE IN SYMPATHY WITH THE WATERSIDE LOCATION, INCLUDE ADEQUATE ON-SHORE SERVICING AND PARKING, WHERE APPROPRIATE, AND SHOULD NOT BE DETRIMENTAL TO WATERSIDE ECOLOGY AND NATURE

CONSERVATION. PERMANENTLY MOORED VESSELS SHOULD BE ORIENTATED TOWARDS PUBLIC ENJOYMENT OF THE WATERWAY AND BE ACCESSIBLE TO ALL SECTIONS OF THE COMMUNITY.

- 3.37 The term 'vessels and structures' is used here to cover permanently moored vessels, floating structures, other buildings and structures in on or over the river, including jetties and piers. Development should conform with the London Canals Committee's 'Guidelines for Canalside Moorings' (1993), which defines a permanent mooring as a permanent location for cruising boats. The guidelines also state that permanent moorings, whether residential or otherwise, would be undesirable on the towpath side of canals, with exceptions made for canal-orientated trading boats.
- 3.38 Many of the Borough's waterways have significant potential as transport routes and their banks and foreshores are unique open spaces, in particular the River Thames, which has a special environmental character of London-wide importance. Protection of the character and features of these waterways must be an overriding priority, and there should be a general presumption against any large scale infilling other than in exceptional circumstances, which may include where necessary the construction of new bridges, tunnels, jetties, piers and slipways. Where there are exceptional circumstances requiring reclamation of riverbeds/banks or infilling, these should be accompanied by adequate mitigation measures. The Council will also normally resist the infilling of wetland areas and the culverting of watercourses underground. In addition, the Council will ensure that any improvements or management of the Borough's waterways take account of the needs of nature conservation in accordance with other policies in this Chapter. The Council will consult the Port of London Authority and the Environment Agency about such proposals. The Royal Docks are excluded from the provisions of this Policy (Please refer to Policy EQ7 below).

**POLICY EQ6:** THE EXTENSION OF RIVERSIDE AND WATERSIDE SITES INTO THE BOROUGH'S RIVERS AND WATERWAYS (EXCLUDING THE ROYAL DOCKS), WHETHER BY RECLAMATION, INFILLING OR ANY OTHER METHODS, SHOULD NOT NORMALLY TAKE PLACE (PLEASE REFER TO POLICIES EQ2 AND EQ5).

#### **The Royal Docks: Preservation of the Open Nature of the Docks**

- 3.39 The three huge water bodies which make up the Royal Group of Docks are a striking landscape feature, as well as representing the Borough's industrial heritage. The Council wishes to protect these expanses of open water, but does not want to hinder imaginative development. Built development into the docks will be permitted where the essentially open nature of the docks is retained. Construction of water inlets will be encouraged where they increase the attractiveness and interest of the landscape, or allow opportunities for habitat improvement or creation.

**POLICY EQ7:** THE ROYAL GROUP OF DOCKS WILL BE PROTECTED AS AREAS OF OPEN WATER. BUILT DEVELOPMENT INTO THE DOCKS WILL ONLY BE PERMITTED WHERE THE OPEN NATURE OF THE DOCKS IS NOT SIGNIFICANTLY AFFECTED.

- 3.40 This Policy is intended to apply to permanent built development into the docks and not temporary structures or structures associated with the enjoyment of the docks, such as mooring jetties.
- 3.41 Important assets which are very prominent in the Royal Docks are the long and wide views. The Council wishes to protect these views and ensure that new built developments do not obstruct or restrict the open nature of the area.

**POLICY EQ8:** THE COUNCIL WILL IDENTIFY AND SAFEGUARD VIEW POINTS, VIEWING AXES AND VIEWING CONES IN THE ROYAL DOCKS FROM DEVELOPMENT THAT WOULD OTHERWISE IMPINGE UPON THEM.

- 3.42 Supplementary Planning Guidance will be produced by the Council for the Thames Policy Area showing viewing points, axes and cones, to take forward the LDDC's Visual Framework for the Royals, as reproduced in the Urban Regeneration Chapter, and these will also be reproduced in Urban Framework Plans for the Royal Docks.

## **NATURE CONSERVATION**

#### **Protection of Sites of Nature Conservation Importance**

- 3.43 Areas of ecological value, individually and collectively contribute to the nature conservation fabric of London and the biodiversity of fauna and flora. They provide a home for wildlife in an urban area and give local people the opportunity to have contact with the natural environment. The majority of areas with nature conservation value in Newham are

situated around the edge of the Borough and link with ecological areas in neighbouring boroughs. Many are formally managed parks and cemeteries which offer limited habitats for wild plants and animals. In order to address this, the Council and other organisations are developing natural habitats and ecology areas in several parks, and along the Lea Valley, the Greenway and the Roding Valley.

- 3.44 Implementation of the policies in this section will be guided by PPG9 and the provisions of the Wildlife and Countryside Act 1981. The London Ecology Unit documented the wildlife interest of the Borough in 1991 (see 'Nature Conservation in Newham', Ecology Handbook 17) and applicants will be required to take these interests into account when proposals for development are being worked up. This document will be updated in 2002. Designated Sites of Nature Conservation Importance (SNCI) are listed in Appendices EQ1 and EQ2 at the end of this Chapter.
- 3.45 SNCIs listed in Appendix EQ1 are considered by the Council to be irreplaceable natural assets playing an important role in conserving and enhancing the biodiversity of flora and fauna in the Borough. They often also provide a high level of amenity to local residents or play an environmental or educational role. Proposals for development on these sites will not be permitted. Minor development such as ecological interpretation centres which help to promote the management and public appreciation of the value of such sites may be permitted in exceptional circumstances. Development on adjoining sites must be considered in the context of their ecological impact on the wider surroundings and not in isolation to neighbouring protected SNCIs and therefore needs to be carefully controlled in order to preserve and enhance local biodiversity (please refer to paragraph 3.56 regarding tree and shrub planting on fringes of development sites adjoining SNCIs listed in Appendix EQ1).

**POLICY EQ9:** DEVELOPMENT WHICH WOULD HAVE AN ADVERSE IMPACT ON THE NATURE CONSERVATION VALUE OF DESIGNATED SITES OF NATURE CONSERVATION IMPORTANCE (SNCI) SHOWN ON THE PROPOSALS MAP AND LISTED IN APPENDIX EQ1 WILL NOT BE PERMITTED. PROPOSALS FOR DEVELOPMENT OF ADJOINING SITES WILL BE CONSIDERED IN THE CONTEXT OF THEIR ECOLOGICAL IMPACT ON SNCIS AND WHERE APPROPRIATE, SHOULD INCLUDE MEASURES TO PROTECT OR ENHANCE LOCAL PLANT AND ANIMAL COMMUNITIES.

- 3.46 Sites listed in Appendix EQ2 have generally been left as vacant land and over time have gained nature conservation interest. Some 'brownfield' sites designated for future development in Beckton and the Roding and Lea Valleys, have significant ecological value and there is considerable potential to enhance their future amenity. In drawing up planning briefs and determining planning applications, the Council will seek the conservation of existing biodiversity as well as its enhancement in appropriate cases. Landscaping proposals which only reflect concern for visual amenity and do not include measures to protect or enhance indigenous local plant and animal communities will not be acceptable, and relocation of habitats or individual species of flora and fauna will only be considered in exceptional circumstances as a 'last resort' measure. Developers are requested to identify the nature and extent of the existing wildlife resource by carrying out appropriate surveys of flora and fauna during the field season and before developing proposals for the site. Mitigation measures to ensure the conservation or enhancement of the site's biodiversity should be included as an integral part of any proposal for development of the site. Habitats preserved, enhanced, created or relocated as a result of development will be protected and the provisions of Policy EQ9 will apply to them.
- 3.47 Organisations such as the Greater London Authority (Biodiversity Group), English Nature and the London Wildlife Trust and in the case of waterway sites, the Environment Agency can provide useful advice and their views should be sought as part of pre-application discussions. Non-statutory guidance contained in the North London Local Environment Agency Plan (Environment Agency, January 2001); the Roding, Beam and Ingrebourne Local Environment Agency Plan Consultation Report and Action Plan (Environment Agency, December 1996); Management Guidance for the Thames Estuary (Thames Estuary Partnership, Institute of Environmental Policy, University College, London, October 1999) and the Lee Valley Regional Park Plan (Lee Valley Regional Park Authority, April 2000) contain information of relevance to the preparation of proposals for development of sites adjoining the Borough's waterways. Applicants should also have regard for SPG Note 'Lower Lea Valley Planning Framework' (July 2001). With regard to railside land, sewage works and water transport facilities already located on or adjoining S.N.C.Is listed in Appendix 2, applications for improvements or redevelopment necessary for continued operational use of the land will normally be permitted as the Council recognises the primary role of such land in the provision of important public services. The Government's UK Biodiversity Action Plan (1994) emphasises, however, that even in such cases as above, where the conservation of natural and local priority biodiversity species or habitats are at stake, the Council should explore options with the applicant for their protection. The Council also recognises that in exceptional circumstances, the overall environmental benefits of a proposal might be achieved at some expense to local nature conservation.

## Species Protection

- 3.48 The protection of species is an essential part of the Council's evolving strategy for sustainable development and Agenda 21. The key to the conservation of wildlife is the protection of the habitat on which it depends (as stated in paragraph 4 of PPG9). Some of this protection is achieved through policies that protect and promote the enhancement of the nature conservation interest of identified areas of land (Please refer to Policy EQ9 above and EQ10 below). PPG9 (paragraphs 44-48) deals specifically with the protection of species and paragraph 47 states that: "The presence of a protected species is a material consideration when a local planning authority is considering a development proposal which, if carried out, would be likely to result in harm to the species or its habitat. Local authorities... should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the protection of the species."
- 3.49 Some of the species included within relevant national, regional and local Biodiversity Action Plans may not be given statutory protection. This policy extends to these species, as they have been chosen to fulfil the requirements of PPG9 (paragraphs 1 and 2). Organisations such as English Nature, the London Wildlife Trust and the Greater London Authority (Biodiversity Group) offer useful guidance on whether particular species are covered by this policy, and whether any wildlife surveys have already been carried out on particular sites.
- 3.50 Where development is permitted that may affect species protected under this policy, the Council will impose conditions, where appropriate, and use its powers to enter into planning agreements to facilitate the survival of particular species, reduce disturbance to a minimum and, in exceptional cases, provide adequate alternative habitats to sustain at least the current levels of population.

**POLICY EQ10:** DEVELOPMENT PROPOSALS ON SITES OF NATURE CONSERVATION IMPORTANCE LISTED IN APPENDIX EQ2 SHOULD INCLUDE AN ECOLOGICAL STATEMENT OUTLINING COMPENSATORY MITIGATION MEASURES TO:

- A) CONSERVE EXISTING WILDLIFE HABITATS AND FEATURES OF NATURE CONSERVATION INTEREST; AND
- B) TAKE INTO ACCOUNT NATIONAL AND LOCAL BIODIVERSITY ACTION PLAN PRIORITIES. THE RELOCATION OF SPECIES OR RECREATION OF HABITATS WILL ONLY BE CONSIDERED IN EXCEPTIONAL CIRCUMSTANCES WHERE THE REASONS FOR THE PROPOSAL CLEARLY OUTWEIGH THE NATURE CONSERVATION VALUE OF THE SITE. THE COUNCIL'S PRIORITY IS TO CONSERVE EXISTING FEATURES/SPECIES AS PART OF ANY DEVELOPMENT SCHEME (PLEASE REFER TO POLICY EQ11 BELOW).

THE RELOCATION, REPLACEMENT OR RECREATION OF EXISTING PROTECTED INDIVIDUAL SPECIES OF FLORA/FAUNA OR ENTIRE HABITATS WILL ONLY BE CONSIDERED IN EXCEPTIONAL CIRCUMSTANCES, SUCH AS WHEN THIS IS NECESSARY BY REASON OF OVERRIDING PUBLIC INTEREST OR WHERE THE PROPOSED DEVELOPMENT WILL BRING BENEFITS OF PRIMARY IMPORTANCE TO THE ENVIRONMENT.

**POLICY EQ11:** PLANNING PERMISSION WILL NOT BE GRANTED FOR DEVELOPMENT PROPOSALS WHICH WOULD HAVE A SIGNIFICANT IMPACT ON BADGERS, OTHER SPECIES PROTECTED BY SCHEDULES 1, 5 OR 8 OF THE WILDLIFE AND COUNTRYSIDE ACT 1981 (AS AMENDED), OR BIODIVERSITY ACTION PLAN SPECIES THAT ARE UNCOMMON, DECLINING OR UNDER THREAT IN LONDON.

## Creation of Sites of Nature Conservation Importance

- 3.51 Opportunities may arise on vacant sites to protect or create nature conservation areas on a temporary or permanent basis. Often when sites are left, they can develop ecologically interesting flora and fauna. The Council wishes to ensure that these sites are protected or conserved and opened up to the public where appropriate. Environmental education has increased dramatically in schools in recent years, and the Council will help strengthen links between schools and community groups and their environment. This will be carried out in the belief that respect for the environment comes about when local people are involved in the protection of local sites.

**POLICY EQ12:** THE COUNCIL WILL CREATE FURTHER SITES OF NATURE CONSERVATION IMPORTANCE DURING THE PLAN PERIOD. IN IDENTIFYING SUCH SITES, THE COUNCIL WILL HAVE PARTICULAR REGARD TO THE FOLLOWING CRITERIA:

- A) ECOLOGICAL VALUE, BOTH IN TERMS OF FLORA AND FAUNA;
- B) RELATIONSHIP TO ADJOINING AREAS OF OPEN SPACE, EXISTING AREAS OF NATURE CONSERVATION IMPORTANCE AND GREEN CHAINS;
- C) LOCATION IN AREAS DEFICIENT IN ACCESSIBLE SITES OF NATURE CONSERVATION IMPORTANCE (PLEASE REFER TO MAP EQ2); AND
- D) RELATIONSHIP WITH RESIDENTIAL AREAS AND EDUCATIONAL ESTABLISHMENTS.

## TREES

### Tree Preservation Orders

- 3.52 Trees add character and visual amenity to urban areas and support a variety of wildlife. They also provide practical benefits, such as protection from dust and wind, screening of eyesores and shelter in exposed areas, such as the docksides. Furthermore, trees are the principal agent for removing carbon dioxide, one of the 'greenhouse gases', from the atmosphere and are a major net producer of oxygen. Trees of high amenity value on private land can be protected by Tree Preservation Orders made under the Town and Country Planning Act 1990.

**POLICY EQ13:** THE COUNCIL WILL MAKE TREE PRESERVATION ORDERS TO PROTECT INDIVIDUAL TREES OR GROUPS OF TREES CONSIDERED TO BE OF PARTICULAR IMPORTANCE TO THE LOCAL ENVIRONMENT AND WHERE PARTICULAR TREES, OR GROUPS OF TREES OR WOODLANDS OF AMENITY VALUE, ARE THREATENED.

- 3.53 Newham had approximately 451 Tree Preservation Orders (TPO's) in 2001, and further orders will be made as trees are identified.

### Tree Loss and Retention

- 3.54 Newham is deficient in both quantity and variety of trees and lacks mature tree cover. New developments cannot be allowed to reduce the existing number of trees. Where trees are lost the Council will ensure, by attaching conditions to planning permissions, that new trees are planted in sufficient numbers to prevent an overall loss in tree cover and ecological or amenity value.

- 3.55 Section 197(a) of the Town and Country Planning Act 1990 places a duty on local authorities to ensure that adequate provision is made for the preservation and planting of trees in new developments. The DoE White Paper 'This Common Inheritance' has also confirmed the need to protect and plant trees.

**POLICY EQ14:** PERMISSION WILL BE RESISTED FOR DEVELOPMENT PROPOSALS WHICH WOULD CAUSE UNACCEPTABLE LOSS OF TREES, OR WHICH DO NOT ALLOW FOR THE RETENTION OF EXISTING TREES OF AMENITY VALUE.

### Inclusion of Tree Planting in New Development

- 3.56 Well-planned new developments can make a positive contribution not just within their own site boundaries, but to the neighbourhood as a whole, if good landscaping, tree planting and appropriate tree shrub management schemes form a significant part of the development. Many developments such as shopping centres can have major open air car parks. Without good landscaping and trees, these can appear barren and offer little environmental benefit. New developments should make a significant contribution to the tree stock in the Borough particularly in areas of poor tree cover. Where necessary the Council will enter into agreements with developers or attach conditions to planning permissions to ensure tree and landscaping management schemes are provided as an integral part of new development and are operative for a set period (normally five years). Trees and shrubs planted on fringe areas adjoining Sites of Nature Conservation Importance listed in Appendix EQ1 should be selected to ensure compatibility with neighbouring vegetation with preference being given to local native species where possible.

- 3.57 The Council will seek a balance of native and foreign trees and encourage imaginative planting schemes which aim for a balance between appearance and size. The nature and amount of tree planting will be assessed on a site by site basis, but where sites are sufficiently large to accommodate trees and landscaping, developers should, as a guide,

seek to use two trees per dwelling in residential developments and one tree per car space in other forms of development. Where site constraints do not allow for the level of tree planting normally expected, a high standard of soft landscaping in the form of shrubs will be required instead. In areas of particularly poor tree cover as defined on Map EQ3 (Areas of Deficiency in Tree Coverage), or adjoining designated green space, green chains or green corridors, a greater number of trees may be required. Consent is required from the Environment Agency to plant trees within eight metres of a non-tidal or sixteen metres of a tidal waterway.

- 3.58 New development in this context refers to new free-standing construction but excludes conversions, extensions, alterations and changes of use.

**POLICY EQ15:** WHERE APPROPRIATE, THE INCLUSION OF A LANDSCAPING SCHEME, INCLUDING TREE PLANTING, WILL BE REQUIRED IN NEW DEVELOPMENTS AND MADE A CONDITION OF ANY PLANNING PERMISSION GRANTED. IN AREAS OF DEFICIENCY IN TREE COVERAGE, A HIGHER DENSITY OF TREE COVER MAY BE REQUIRED

### Green Corridors

- 3.59 Transport corridors should be pleasant in the interests of those who regularly pass through them or live adjacent. Certain road and rail routes carry very large volumes of traffic and their immediate environment leaves a major impression on visitors and on the image of Newham. Three particular elements add to poor environmental quality on certain transport corridors:
1. a general lack of landscaping, coupled with poor boundary treatments and building design, often located too close to the highway;
  2. the existence of adjoining vacant, derelict land in need of treatment; and
  3. the proliferation of advertisement hoardings seeking a location on a commercial road frontage, which detract rather than add to visual amenity (please refer to Policies EQ22 and EQ23).
- 3.60 The role and importance of trees, in particular, in enhancing environmental quality is recognised in 'Action for London's Trees', a Countryside Commission report published in 1993. It proposes dense tree planting along London's transport routes as a means of enhancing the perception of the city, and to create 'green corridors'. Green corridors can be defined as extensive contiguous areas of trees and open land which straddle the major transport routes. A pilot study of green corridors commissioned by the Government for routes in west London in 1995 demonstrates the opportunities and mechanisms by which this could be implemented. The Highways Agency has implemented planting schemes along certain sections of the A13 and A406 in Newham as a contribution to its general 'Landscape Strategy: London's Trunk Road Network' (1995), and more recently, as part of proposals for junction improvements along the A13.
- 3.61 The Council has identified a number of transport corridors where further planting will result in visible improvements to local environmental quality, and will seek sources of appropriate funding as part of a corporate green corridor strategy (Please refer to Map EQ4 for identified green corridors). The Council will also require substantial tree planting on development sites either adjoining or within identified green corridors to provide a visual screening or as a noise reduction measure. Where this is not possible, because of the nature of the development or site constraints, a financial contribution for off-site environmental improvements nearby in the corridor may be sought through Section 106 agreements.
- 3.62 Green corridors also sometimes act as valuable conduits for the movement of plants and animals between different habitats they require for survival. They also help to maintain the presence of certain species in areas where they would not otherwise be found. Typically, green corridors consist of open spaces, many of which are designated in the Plan as protected sites of nature conservation importance (subject to Policies EQ9 and EQ10), linked by less valuable areas for nature conservation that nevertheless have significant enhancement potential. Tree planting and other landscaping proposals must not be implemented at the expense of existing habitats of value. In addition, tree planting may not be appropriate along all stretches of the corridor and in these cases, opportunities to create other habitats such as acid grasslands, wetlands, and mixed habitats should be explored. Apart from improving visual quality, a main objective of all soft landscaping proposals along green corridors must therefore be the protection and enhancement of species and habitat biodiversity. Useful advice can be sought from the Thames Chase Partnership, Greater London Authority (Biodiversity Group), London Wildlife Trust, the Environment Agency and English Nature, in appropriate cases.

- 3.63 Through the implementation of the Council's green corridor strategy, as well its development control function, the Council is determined to make a marked impact on the image and appearance of the Borough. This will fulfil both environmental and economic objectives in that a high quality environment will improve confidence in the Borough and help attract investment.

**POLICY EQ16:** AS PART OF A GREEN CORRIDOR STRATEGY TO IMPROVE THE APPEARANCE OF THE BOROUGH'S TRANSPORT GATEWAYS AND PROMOTE REGENERATION, THE COUNCIL WILL:

- A) REFUSE ADVERTISEMENT CONSENT FOR, OR ISSUE DISCONTINUANCE NOTICES AGAINST, HOARDINGS, SIGNS AND OTHER ADVERTISEMENTS WHICH BY REASON OF THEIR SIZE AND SITUATION DETRACT FROM THE APPEARANCE OF THE CORRIDOR (PLEASE REFER TO POLICIES EQ22-23);
- B) CARRY OUT, IN PARTNERSHIP WITH OTHER AGENCIES, ENVIRONMENTAL IMPROVEMENTS TO VACANT AND DERELICT LAND WITHIN ITS OWNERSHIP, AND A PROGRAMME OF LANDSCAPING IMPROVEMENTS ALONG THE CORRIDORS GENERALLY;
- C) REQUIRE DEVELOPMENT PROPOSALS WITHIN OR ADJOINING IDENTIFIED CORRIDORS TO RETAIN EXISTING LANDSCAPE FEATURES AND TO CONTRIBUTE POSITIVELY TO THE COUNCIL'S ENVIRONMENTAL IMPROVEMENT OBJECTIVES WITH PARTICULAR ATTENTION TO LANDSCAPING, BOUNDARY TREATMENT OR OTHER STRUCTURES ADJOINING THE HIGHWAY, RAILWAY OR WATERWAY; AND
- D) EXPECT SOFT LANDSCAPING PROPOSALS TO PRESERVE AND ENHANCE THE NATURE CONSERVATION VALUE OF THE CORRIDOR.

### **Creation of Woodland**

- 3.64 Newham is severely deficient in woodland. A survey carried out by the London Wildlife Trust in 1985 found that less than eight hectares or 0.21 per cent of the Borough was covered by woodland. This compared to 3.5 percent in Redbridge and 6 per cent in Waltham Forest for example. Gradual colonisation by existing woodland of adjoining areas (Beckton Alps), infill planting (Forest Lane Park) and extensive planting of saplings (Cuckolds Haven, Northern Lagoons and Temple Mills) has led to a small improvement, and by 2000, there were approximately fifteen hectares of recreational woodland in the Borough. However, much of this consists of small immature clusters of comparatively recent origin.

- 3.65 The Council has set ambitious new targets for the creation of further areas of woodland: three hectares by the year 2003, and a further four hectares by 2007. There is potential for the creation of small areas of woodland in existing public parks. Greater scope exists for the planting of significant new areas of woodland on several areas of Metropolitan Open Land in the Roding Valley and in the Stratford to Thameside 'Arc of Opportunity' (please see SPG Note "Lower Lea Valley Planning Framework", July 2001). An opportunity also exists for the creation of a demonstration urban woodland on or adjoining the Stratford Rail Lands, as part of new green space to be provided when the area is redeveloped (please refer to Map EQ5: Urban Woodland). Opportunities also exist for the planting of temporary woodland on vacant development sites, as a green stop-gap measure until such time as new built development is forthcoming. Where appropriate the Council will enter into legal agreement with developers, or attach conditions to planning permissions in order to create new areas of woodland.

**POLICY EQ17:** THE COUNCIL HAS IDENTIFIED SEVERAL SITES IN THE RODING AND LOWER LEA VALLEYS AS POTENTIAL LOCATIONS FOR THE CREATION OF WOODLAND. THE COUNCIL WILL WORK WITH OTHER AGENCIES TOWARDS THEIR IMPLEMENTATION AND THE IDENTIFICATION OF FURTHER WOODLAND SITES WHERE FEASIBLE.

## **THE BUILT ENVIRONMENT**

### **Promoting Urban Quality**

- 3.66 Good design and a high quality environment should be the aim of all those involved in development. The planning system has a pivotal role in helping to conserve or enhance the quality of the urban environment. The Department of the Environment discussion document 'Quality in Town and Country' (1994) and the subsequent Urban Design

Campaign (1995) recognised that promoting urban quality can enhance the quality of life of the local community and help promote sustainability and economic regeneration.

- 3.67 This section sets out policies for maintaining and improving Newham's built environment and conserving its architectural, historical and archaeological heritage. They will help to ensure that all new development makes a positive contribution to Newham and people's lives.
- 3.68 The contribution of urban quality applies to the existing urban fabric, and affects individual buildings, the network of footpaths, streets and roads, the public realm and the whole landscape. Good urban design in particular can help to create, sustain and improve urban quality.
- 3.69 Key structural elements of the Borough are particularly significant in defining Newham's character. The preservation of their existing quality and the enhancement of their future potential is a strategic matter because of their visual significance, interest, character or public importance. In addition to the Thames and Thameside (Please see Policies EQ1, EQ2, EQ5 and EQ6), they include:
1. the network of town centres and high streets (Please see Policies SH1-10 in the Shopping and Town Centres Chapter);
  2. artery road corridors, gateways and interchanges (Please see Policy EQ16 Green Corridors);
  3. the strategic network of walkways and cycleways (Please see Policies T19-24 in the Transport Chapter and Policy OS6 Green Chains: Development and Implementation, in the Open Space and Outdoor Recreation Chapter);
  4. the interface between built-up areas and the Green Belt and Metropolitan Open Land (Please see Policies OS2 and OS4);
  5. strategic views, skylines and high buildings (Please see Policies EQ8 and E27-28); and
  6. Conservation Areas and Areas of Townscape Value (Please see Policies EQ29-EQ42).
- 3.70 In addition to the above elements, the Council has identified a number of through roads in the Borough where adjoining commercial and residential areas are of poor urban quality and lack a sense of cohesion and identity. In these areas, the Council will seek to consolidate these uses and dramatically improve their urban quality. This will be achieved through selective refurbishment and redevelopment, the promotion of high quality mixed-use development and where appropriate higher density residential redevelopment (please refer to Policy H16 in the Housing Chapter).

**POLICY EQ18:** THE COUNCIL WILL CARRY OUT A PHASED PROGRAMME OF ENVIRONMENTAL IMPROVEMENTS TO TOWN CENTRES, MAJOR TRANSPORT CORRIDORS, RESIDENTIAL AREAS AND OPEN SPACES AS PART OF ITS LOCAL ENVIRONMENT STRATEGY. ALL NEW DEVELOPMENT WILL BE ENCOURAGED TO PROMOTE THE HIGHEST QUALITY OF DESIGN TO FOSTER A POSITIVE ENVIRONMENTAL IMAGE FOR THE BOROUGH.

### Urban Design Considerations

- 3.71 In making planning decisions, it is important to consider the appearance of individual developments and how they relate to their surroundings. Their scale, character and materials can make a major contribution to, and impact on, their wider setting, and are cumulatively of strategic importance. The Thames Gateway Planning Framework (RPG9A, DoE June 1995) promotes a 'new environmental standard' for the East Thames Corridor. The Council therefore expects new development to incorporate the highest standard of architectural and urban design in order to significantly enhance urban environmental quality. Development must also aim to achieve a net landscape benefit. Redevelopment schemes can be the catalyst for upgrading a wider area, whilst refurbishment needs to relate to the existing character of an area. In new developments and estate refurbishments, the Council will encourage design which hides or minimises eyesores and nuisances and which promotes local individuality and identity, particularly through schemes which employ the highest quality of modern and traditional design. Supplementary Planning Guidance notes on design standards for new development and residential development respectively will be produced by the Council in 2001. In addition, the Thames Gateway London Partnership has recently published guidance on improving the environmental quality of new development. ('Heroic Change' Thames Gateway London Partnership, November 2001) These provides more detailed advice to applicants on the new environmental standards expected of development in the Borough.

**POLICY EQ19:** ALL NEW DEVELOPMENTS AND REFURBISHMENTS WILL BE ASSESSED HAVING REGARD TO THE FOLLOWING:

- A) LAYOUT, FUNCTION AND FORM OF THE SPACES CREATED BETWEEN BUILDINGS;
- B) ARRANGEMENTS FOR VEHICULAR AND CYCLE ACCESS, PARKING AND PEDESTRIAN MOVEMENTS;
- C) SCALE AND BULK IN RELATION TO THE PLOT SIZE AND SURROUNDINGS;
- D) MATERIALS AND DETAILS OF DESIGN INCLUDING LANDSCAPING;
- E) SAFETY, SECURITY AND PRIVACY OF THE DEVELOPMENT AND ITS SURROUNDINGS; AND
- F) AESTHETIC QUALITY IN TERMS OF THE INTRINSIC DESIGN OF THE PROPOSAL AND ITS RELATIONSHIP TO ITS SURROUNDINGS.

### **Design Considerations: Residential Areas**

3.72 In residential areas, the quality of the environment is greatly dependent on the appearance and upkeep of individual properties and their front gardens. This is largely the responsibility of the occupiers and owners of private properties. Small changes can often make a considerable difference to the quality of an area's environment. The Council will seek to ensure through the development control system that improvements to individual dwellings do not adversely affect the overall environmental quality of an area. Similarly, the Council will encourage property owners to improve badly-maintained sites or other open land and will in the last resort consider taking action under Section 215 of the Town and Country Planning Act 1990 in order to bring about improvements. Policy EQ20 also applies to the Council's own developments.

**POLICY EQ20:** THE COUNCIL WILL WORK WITH LOCAL RESIDENTS TO ENHANCE THE AMENITY AND RETAIN THE CHARACTER OF RESIDENTIAL AREAS. WHERE ALTERATIONS OR EXTENSIONS TO BUILDINGS ARE PROPOSED WHICH REQUIRE AN APPLICATION FOR PLANNING PERMISSION, PERMISSION WILL ONLY BE GRANTED FOR SENSITIVE DESIGNS WHICH RESPECT THE STYLE AND PATTERN OF DEVELOPMENT IN THE LOCALITY.

3.73 Residents should have regard to SPG Note 'Altering and Extending Your Home'.

### **New Development: Landscaping**

3.74 The attractiveness of buildings depends a lot on the visual quality of their setting. Good quality landscaping schemes are important for all new developments and conditions will normally be attached to all planning permissions requiring their inclusion. To ensure that landscaped areas are attractive, safe and well-maintained, their design and maintenance will be regarded as an integral part of all new development.

**POLICY EQ21:** WHERE PRACTICABLE, PROPOSALS FOR THE REFURBISHMENT OR ERECTION OF BUILDINGS WILL BE REQUIRED TO INCLUDE PROVISIONS FOR SOFT LANDSCAPING, WITH ARRANGEMENTS FOR MAINTENANCE CONTROLLED BY THE IMPOSITION OF CONDITIONS IMPOSED ON THE GRANT OF PLANNING PERMISSION.

3.75 Guidance on landscaping in new developments is contained within SPG Note 'Residential Planning Guidelines'.

### **Advertisement Hoardings**

3.76 These convey information and generate income for land owners. If in scale with the surrounding buildings, they can also add interest and colour to the street scene, or act as a useful screen for building sites or sites awaiting development. However, they can be prominent or obtrusive if insensitively sited, particularly in built up areas.

**POLICY EQ22:** ADVERTISING SHOULD BE SENSITIVELY LOCATED WITHIN THE STREET SCENE OR WATERWAYS TO AVOID VISUAL DETRIMENT AND TRAFFIC HAZARDS, IN PARTICULAR:

- A) THE COUNCIL WILL NORMALLY RESIST ADVERTISEMENT HOARDINGS WITHIN RESIDENTIAL SETTINGS;

- B) THE COUNCIL WILL NORMALLY RESIST WALL-MOUNTED HOARDINGS EXCEPT WHERE THEY ARE IN KEEPING WITH THE SCALE AND ARCHITECTURAL CHARACTER OF THE BUILDING. THEY WILL NOT BE PERMITTED WHERE THEY DETRACT FROM THE APPEARANCE OF A BUILDING, THE STREET SCENE OR WATERWAYS;
- C) FREE-STANDING HOARDINGS WILL NOT NORMALLY BE PERMITTED WHERE THEY ARE OUT OF SCALE WITH NEIGHBOURING BUILDINGS; RESULT IN EXCESSIVE CLUTTER ON THE PAVEMENT OR INTERRUPT VISIBILITY OF HIGHWAYS, ROAD JUNCTIONS OR TRAFFIC SIGNS AND HAVE AN ADVERSE EFFECT ON THE STREET SCENE OR THE AMENITY OF THE AREA;
- D) ADVERTISEMENTS ON SHORE-SIDE BUILDINGS AND PERMANENTLY MOORED VESSELS OR STRUCTURES ON THE RIVER THAMES SHOULD NOT CONSTITUTE A VISUAL HAZARD TO NAVIGATION, OR HAVE AN ADVERSE EFFECT ON THE QUALITY OF THE BUILDINGS OR THE AMENITY OF THE AREA;
- E) TEMPORARY ADVERTISING HOARDINGS MAY BE PERMITTED WHERE THEY SCREEN SITES AWAITING DEVELOPMENT; AND
- F) WHERE APPROPRIATE, THE COUNCIL WILL REQUIRE ADVERTISEMENT SITES TO BE FENCED, WITH ARRANGEMENTS FOR MAINTENANCE OF LAND WITHIN THE FENCED PERIMETER CONTROLLED BY THE IMPOSITION OF CONDITIONS ON THE GRANT OF PLANNING PERMISSION.

3.77 Guidance on this issue is contained within SPG Note 'Advertisement Hoardings and Panels'.

### Removal of Advertisements

3.78 The Council has the power to protect the amenity of an area and the safety of highways by issuing discontinuance notices on authorised advertisements, and prosecuting the owners of unauthorised advertisements. The Council wishes Newham to have an increasingly good image and be a safe place to walk and drive. Insensitively designed and sited advertisements severely erode the Borough's environment.

**POLICY EQ23:** THE COUNCIL WILL SEEK THE REMOVAL OF ADVERTISEMENTS WHICH ARE DETRIMENTAL TO VISUAL AMENITY OR HIGHWAY SAFETY.

### Energy Efficiency

3.79 The use of energy in homes and workplaces, leisure and retail facilities, is directly linked to sustainability. Ever-rising demand for energy has been satisfied by the production of more power, largely through fossil-fuel sources, and this undermines the sustainability objectives of conserving the earth's non-renewable natural resources and minimising the impact of global warming. The environmental impacts associated with energy production are well known, especially from coal and oil fired power stations. To achieve more sustainable use of energy, the Council will aim to stabilise and reduce energy use, through more efficient insulation in existing buildings and infrastructure, and by encouraging new development to achieve high standards of energy efficiency.

3.80 Energy savings can be made by better integrating landuse and transport interaction; by reducing the need to travel and by promoting energy-efficient modes of transport such as public transport, cycling and walking (Please refer to the relevant policies in the Transport Chapter), as well as by encouraging mixed use development in selected locations with good public transport accessibility (Please refer to Policy S5 in Part 1 of the UDP).

3.81 The Council will also encourage energy-conscious design. This includes the use of active and passive technologies (such as passive solar design) and the use of low embodied energy components and structures. Combined heat and power and district (or 'community') heating are also relatively efficient methods of using energy. There is wide scope for its employment in major developments, as well as in homes and workplaces.

3.82 Innovative design and thoughtful layout and orientation in new development can also help minimise energy consumption, and are regarded as key criteria in defining high quality development (Please refer to paragraph 3.71 for further information on forthcoming new design guidance). Applications should also have regard to the Council's Energy Efficiency Guidance contained in SPG Note 'Residential Planning Guidelines'.

**POLICY EQ24:** THE COUNCIL WILL AIM TO STABILISE AND REDUCE ENERGY USE BY ENCOURAGING:

- A) ENERGY-CONSCIOUS DESIGN IN ALL DEVELOPMENT PROPOSALS FOR NEW BUILDINGS, PARTICULARLY IN TERMS OF THEIR USE OF MATERIALS, SITING, LAYOUT AND ORIENTATION; AND
- B) DEVELOPMENT PROPOSALS INCORPORATING EXAMPLES OF BEST PRACTICE IN THE USE OF ENERGY-SAVING TECHNOLOGIES.

### Access

- 3.83 Most of the built environment, open spaces and transport within the Borough is not fully accessible. The Council is committed to trying to ensure that this situation is significantly improved over the Plan period, although its ability to do so is limited. Some aspects of access for disabled people into and within buildings are covered by 'Approved Document M of the Building Regulations 1991 - Access and Facilities for Disabled People' (HMSO) 1992 - known as 'Part M'. However, Part M is limited and even where applied the Regulations do not ensure full accessibility.
- 3.84 As a planning document, the UDP is not meant to duplicate the Building Regulations nor propose alternative standards. As a local planning authority, the Council's access policies are guided by the relevant sections of Planning Policy Guidance Notes 1, 3 and 12; PPG1 encourages local authorities and developers to consider the needs of disabled people.
- 3.85 Section 76 of the Town and Country Planning Act 1990 places a duty on the Council to draw the attention of developers to specified statutory and other responsibilities relating to disabled people. The Council and developers should also have regard to the relevant provisions of the Disabled Persons Act 1981 (Please refer to Circular 10/82 issued by the DoE, DHSS, DoT and DES).
- 3.86 Due to the inadequacies of current legislation, the Council will encourage developers to provide facilities in addition to those statutorily required for disabled people and will also press the Government to improve the legislation. Additional facilities that the Council will be seeking are contained in SPG Note 'Access for All'.
- 3.87 The Council recognises that the use of electric wheelchairs and scooters is becoming more common and that such vehicles require higher standards for manoeuvring, etc., which are not covered by existing legislation. In the absence of such legislation, the Council can only encourage developers to provide for such needs.
- 3.88 The Council also recognises that the needs of disabled adults and disabled children are sometimes different and that this needs to be taken into account by developers.
- 3.89 People who are not disabled but for whom the Borough is not accessible should also benefit from the Council's access policies. These people include people with young children, and those with heavy shopping. These people are referred to in the UDP as 'people with mobility difficulties'.

**POLICY EQ25:** WITH THE EXCEPTION OF PROPOSALS IN WHICH ACCESS IS NOT A MATERIAL CONSIDERATION, THE COUNCIL WILL GRANT PLANNING PERMISSION ONLY FOR THOSE DEVELOPMENTS WHICH PROVIDE ACCESS THAT SATISFACTORILY CATERS FOR THE NEEDS OF DISABLED PEOPLE.

### Safety

- 3.90 The design of buildings and the spaces round them can affect the sense of safety and security of people using them, as well as the incidence of crime. This is an issue of great importance to all residents, but particularly so to women. Well-designed spaces can minimise the fear and incidence of crime, vandalism, graffiti and dumping of rubbish and prevent deterioration of the environment.

**POLICY EQ26:** NEW DEVELOPMENTS AND REFURBISHMENTS SHOULD BE DESIGNATED TO PROMOTE SAFETY AND SECURITY AND MINIMISE MISUSE OF THE ENVIRONMENT. TO THIS END, THE COUNCIL WILL ASSESS ALL DEVELOPMENT PROPOSALS TO ENSURE THAT SATISFACTORY SAFETY AND SECURITY ARE ACHIEVED BY:

- A) INCREASING OVERLOOKING OF PUBLIC AREAS;
- B) PREVENTING THE CREATION OF DARK OR SECLUDED AREAS, OR ENCLOSED PUBLIC AREAS;
- C) ELIMINATING LEFT-OVER POCKETS OF LAND WITH NO CLEAR PURPOSE;

- D) THE PROVISION OF ADEQUATE LIGHTING; AND
- E) INCREASING THE USE OF PUBLIC AREAS BY PROMOTING A VARIETY OF LAND USES IN THEIR VICINITIES.

3.91 SPG Note 'Planning for Community Safety' includes advice on community safety issues.

### High Buildings: Control and Design Considerations

3.92 The impact of high buildings often spreads beyond a single borough. They may spoil the skyline or intrude on strategically or locally important viewpoints, or landmarks. Carefully located and well-designed high buildings can develop townscape character or add interest to an area. A high building is one which significantly exceeds the height of its surroundings, and includes all types of structures, such as masts, pylons, cooling towers, chimneys etc.

**POLICY EQ27:** THE COUNCIL WILL RESIST HIGH BUILDINGS (I.E. EXCEEDING THE EQUIVALENT OF FOUR/FIVE STOREYS IN HEIGHT):

- A) IN EXISTING RESIDENTIAL AREAS;
- B) IN CONSERVATION AREAS;
- C) ON THE EDGE OF THE GREEN BELT; AND
- D) ON THE EDGE OF METROPOLITAN OPEN LAND WHERE IT WOULD ADVERSELY AFFECT ITS SETTING AND CHARACTER.

IN THE PUBLIC SAFETY ZONE IDENTIFIED BY THE CIVIL AVIATION AUTHORITY (CAA) AROUND THE LONDON CITY AIRPORT, THE REQUIREMENTS OF THE TOWN AND COUNTRY PLANNING (AERODROMES) DIRECTION 1981 WILL BE EXERCISED.

**POLICY EQ28:** PROVIDED THEY PRESERVE VIEWING POINTS, AXES AND CONES IN THE ROYAL DOCKS IN ACCORDANCE WITH POLICY EQ8, DO NOT HARM THE COMPOSITION AND HARMONY OF EXISTING BUILDINGS OR THE SURROUNDING ENVIRONMENT, DO NOT ADVERSELY AFFECT THE SKYLINE OR DO NOT CAUSE A HAZARD TO AIRCRAFT, CONSIDERATION WILL BE GIVEN TO HIGH BUILDINGS (EXCEEDING THE EQUIVALENT TO FOUR/FIVE DOMESTIC STOREYS IN HEIGHT) AT:

- A) THE PERIPHERY OF STRATFORD TOWN CENTRE (EXCLUDING THE CENTRE'S CONSERVATION AREA);
- B) TEMPLE MILLS/LOWER LEA VALLEY AREA (EXCLUDING THE THREE MILLS AREA);
- C) THE ROYAL GROUP OF DOCKS AND THE FORMER BECKTON GAS WORKS SITE.
- D) MAJOR TRANSPORT INTERCHANGES IN THE AREA; AND
- E) AREAS ALREADY DEVELOPED WITH EXISTING HIGH BUILDINGS.

Planning applications concerning high buildings may need to be the subject of consultation with English Heritage, the GLA, the Royal Fine Arts Commission and British Waterways in the Lea Valley.

## CONSERVATION OF THE BUILT ENVIRONMENT

### Designation of Conservation Areas

3.93 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a responsibility upon the local authority to, from time to time, review their area and to designate, as Conservation Areas, those areas 'of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

3.94 To date the Council has designated seven Conservation Areas: Three Mills E3; Woodgrange Estate E7; Durham Road E12; Stratford (St. John's) E15, 420-440 Romford Road E7, 15-39 Woodgrange Road, Forest Gate, E7 and University Conservation Area, Stratford, E15. The Council considers conservation has an important contribution to make toward the future of Newham by protecting buildings which enhance the attractiveness of the Borough as a place to live, visit and invest in, thus supporting the regeneration process. Conservation Areas provide a focus for civic pride and, by preserving part of the Borough's history, contribute a sense of continuity and stability in a context of substantial

physical and social change. The Council will continue to review its area and designate new Conservation Areas or extend existing ones. The basis for selection will vary from area to area, but will in general accord with relevant guidance issued by the DETR.

**POLICY EQ29:** THE COUNCIL WILL CONTINUE TO PRESERVE OR ENHANCE AREAS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST BY DESIGNATING FURTHER CONSERVATION AREAS AND EXTENDING EXISTING CONSERVATION AREAS WHERE APPROPRIATE.

### **Planning Proposals Within Conservation Areas**

- 3.95 The character of an area derives not only from its buildings but also from the spaces surrounding them and uses to which the buildings are put. For any purposes of the Planning Acts relating to Conservation Areas, it is the Council's duty to pay special attention to the desirability of preserving or enhancing the character or appearance of such areas. These considerations will be applied by the Council when determining the acceptability or otherwise of development proposals and proposals for demolition in a Conservation Area.

**POLICY EQ30:** IN CONSIDERING DEVELOPMENT PROPOSALS IN A CONSERVATION AREA, THE PLANNING AUTHORITY WILL PAY SPECIAL ATTENTION TO THE DESIRABILITY OF PRESERVING OR ENHANCING THE CHARACTER OR APPEARANCE OF THAT AREA. APPLICANTS WILL BE REQUIRED TO PROVIDE SUFFICIENT INFORMATION ABOUT THEIR PROPOSED DEVELOPMENT AND ITS IMMEDIATE SETTING TO ENABLE AN ASSESSMENT TO BE MADE OF THE POTENTIAL EFFECT OF THE PROPOSAL. IN APPROPRIATE CASES, THIS MAY INCLUDE THE SUBMISSION OF DESIGN IMPACT STATEMENTS AS PART OF THE APPLICATION.

### **Demolition Within Conservation Areas**

- 3.96 Conservation Area Consent is required for demolition of buildings and structures within Conservation Areas including unlisted buildings. Demolition of a listed building, whether within a Conservation Area or not, requires the grant of listed building consent subject to certain exemptions. Planning permission may also be required for the demolition of certain buildings or their alteration by works of partial demolition. There will be a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of the area. The value of such buildings relates not simply to their appearance but to their historical importance as an integral part of the development of an area. Any consent granted for demolition may therefore be made conditional upon the letting of a contract for works of reinstatement or redevelopment. Such conditions will be used to ensure that the character or appearance of the Conservation Area affected is preserved.

**POLICY EQ31:** THERE IS A PRESUMPTION IN FAVOUR OF THE PRESERVATION OF BUILDINGS WHICH CONTRIBUTE POSITIVELY TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA. APPLICATIONS FOR CONSERVATION AREA CONSENT FOR THE DEMOLITION OF BUILDINGS IN A CONSERVATION AREA WILL BE GRANTED ONLY WHEN DEMOLITION AND SUBSEQUENT REDEVELOPMENT OF THE SITE WOULD PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF THE CONSERVATION AREA.

### **Additional Planning Controls (Article Four Directions)**

- 3.97 The Town and Country (General Permitted Development) Order 1995 extends planning control in Conservation Areas to include certain classes of 'permitted development'. Despite this, many smaller building works, especially to dwelling houses within Conservation Areas, remain outside planning control. Such works may adversely affect the character of a property and, cumulatively, that of a Conservation Area. To prevent such changes gradually eroding the character of such areas or buildings the Council may deem it necessary to bring certain permitted development works under planning control. The (General Permitted Development) Order enables Article 4 (1) Directions to be served and approved by the Secretary of State for Transport, Local Government and the Regions. Article 4 (2) enables local authorities to make directions withdrawing permitted development rights in relation to dwelling houses in Conservation Areas. Within Newham three Article Four Directions are now in force in the following Conservation Areas: Durham Road, Woodgrange Estate and 420-440 Romford Road. A Direction may also be made to protect the setting of a listed building.

**POLICY EQ32:** IN ORDER TO PRESERVE OR ENHANCE THE CHARACTER OR APPEARANCE OF CONSERVATION AREAS, OR THE SETTING OF LISTED BUILDINGS, THE COUNCIL WILL CONSIDER SERVING

ARTICLE FOUR DIRECTIONS, WHERE APPROPRIATE, TO BRING MINOR BUT SIGNIFICANT ALTERATIONS TO BUILDINGS, STRUCTURES AND OTHER DEVELOPMENT UNDER PLANNING CONTROL.

### Protection of Trees

- 3.98 Trees and other forms of soft landscaping make a vital contribution to the attractiveness of the local environment. Trees in Conservation Areas are protected and anyone wishing to carry out work to such trees must follow a procedure of notification to the Council. The Council has the power to make a Tree Preservation Order following the receipt of the notification of the intended works, if it considers these are unacceptable. Individual specimens and groups of trees in Conservation Areas may also be protected by Tree Preservation Orders. Trees may form an integral part of both the visual and historic character of a Conservation Area, an Area of Townscape Value or the setting of a listed building (Please refer also to Policies EQ13-EQ15).

**POLICY EQ33:** THE REMOVAL OF HEALTHY TREES IN A CONSERVATION AREA WILL BE RESISTED. ACCEPTABLE WORKS WILL NORMALLY BE RESTRICTED TO JUDICIOUS CROWN LIFTING AND/OR THINNING. WHEN REMOVAL IS CONSIDERED ACCEPTABLE, REPLACEMENTS WILL NORMALLY BE REQUIRED. NEW DEVELOPMENT SHOULD BE DESIGNED TO ENSURE MATURE TREES ARE RETAINED AND THEIR GROWING CONDITIONS ADEQUATELY PROTECTED (PLEASE REFER TO POLICY EQ14: TREE LOSS AND REPLACEMENT).

### Areas of Townscape Value

- 3.99 Throughout the Borough there are areas or groups of buildings or terraces which, by reason of their townscape character or by their juxtaposition with areas of open space, make a significant contribution to the local environment. Some of these groups contain statutory listed buildings, whilst others are included on the Council's local list (Please refer to Policies EQ30 - EQ32). This policy seeks to ensure that the collective impact of such buildings and spaces is not prejudiced by development proposals.

**POLICY EQ34:** IN ORDER TO PROTECT GROUPS OF BUILDINGS AND SPACES WHICH CONTRIBUTE TO THE LOCAL TOWNSCAPE, THE COUNCIL WILL DESIGNATE THE FOLLOWING AREAS AS AREAS OF TOWNSCAPE VALUE:

- A) WANSTEAD FLATS;
- B) EAST HAM TOWN CENTRE COMPLEX;
- C) ALL SAINTS CHURCH, CHURCH STREET NORTH, WEST HAM;
- D) BARGEHOUSE ROAD/WOOLWICH MANOR WAY;
- E) FOREST GATE STATION SQUARE AND TOWN CENTRE;
- F) CHELTENHAM GARDENS/HENNIKER GARDENS/ RANCLIFFE ROAD;
- G) WINSOR TERRACE, BECKTON;
- H) LEYTONSTONE ROAD; AND
- I) WEST HAM LANE.

WITHIN THESE AREAS, THE COUNCIL WILL REQUIRE DEVELOPMENT PROPOSALS TO HAVE REGARD FOR THE PARTICULAR TOWNSCAPE VALUE OF AN AREA, AND THIS WILL BE A MATERIAL CONSIDERATION IN THE DETERMINATION OF PLANNING APPLICATIONS (PLEASE REFER TO THE PROPOSALS MAP).

- 3.100 The Council, when reviewing its designation of Conservation Areas will give further consideration to whether or not Areas of Townscape Value in whole or in part, should be made Conservation Areas.

### Design Guidance for Conservation Areas.

- 3.101 In order to assist applicants the Council will, as resources permit, produce design guidance for each Conservation Area. This will specify both the qualities for which the area was designated and supply more detailed advice on the Council's policies in such areas. To date such design guidance has only been produced for the Woodgrange Estate

Conservation Area, whilst a general design strategy has been approved for Stratford Town Centre, which contains Stratford, St. John's Conservation Area and University Conservation Area. Design Guidance for Durham Road, Romford Road and Forest Gate is currently being produced.

### **Preservation of Listed Buildings**

3.102 Listed buildings are an irreplaceable resource of great importance for the contribution they make to knowledge of the past and to the character of the environment. Preservation and care of heritage may also make an important contribution to improving the image of a place and its attractiveness as a place to work, live and invest. Newham has been subject to extensive redevelopment and many of its older buildings have been lost. It is therefore important to preserve those that remain that are of special architectural or historic interest or provide a positive contribution to the townscape.

**POLICY EQ35:** UNLESS EXCEPTIONAL CIRCUMSTANCES ARE DEMONSTRATED, THE COUNCIL WILL REFUSE THE DEMOLITION OF A LISTED BUILDING.

### **Inclusion of Listed Buildings in Statutory List**

3.103 The Borough had 133 statutory listed buildings in 2001. Statutory listed buildings are protected under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990. Lists of buildings of special architectural or historic interest are compiled nationally by the Department of Culture, Media and Sport, on the advice of English Heritage. This list is not exhaustive and the Council, other bodies and individual members of the public may suggest further buildings for listing.

### **Buildings of Local Interest**

3.104 The Council's commitment to conservation will be reflected through its role as owner or occupier, in particular in its care and maintenance of its listed or locally listed buildings and buildings in Conservation Areas or Areas of Townscape Value. It will ensure conservation objectives are addressed in any redevelopment proposals and works, as applicable, affecting such buildings and in its disposal of land or buildings in its ownership.

3.105 The Council has also compiled a list of buildings of local interest. These buildings have been selected for their visual qualities, which make a valuable contribution to townscape and for their historic connections with the Borough's heritage. Although they do not enjoy the statutory protection of listed buildings, they are nonetheless worthy of preserving in order to retain the character of the area. They are a record of the area's history and the Council will encourage their link to the past for future generations.

**POLICY EQ36:** THE COUNCIL WILL NEGOTIATE WITH A VIEW TO MAINTAINING THE ARCHITECTURAL OR HISTORIC INTEGRITY OF BUILDINGS ON THE LOCAL LIST OF BUILDINGS OF ARCHITECTURAL OR HISTORIC INTEREST.

### **Scheduled and Other Nationally Important Monuments**

3.106 The Borough also contains two scheduled ancient monuments and one historic park. Scheduled monuments are protected under the Ancient Monuments and Archaeological Areas Act 1979. Scheduled Monument Consent is required for the carrying out of works in accordance with Section 2 of the 1979 Act. Applications for Scheduled Monument Consent are determined by the Secretary of State for Culture, Media and Sport. Newham also has one entry, the City of London Cemetery, on the National Register of Parks and Gardens of Historic Interest. The register is compiled by English Heritage and the Council may recommend additions be made to that list. PPG16 requires that the same degree of protection should be applied to nationally important monuments which are not scheduled, as to scheduled monuments. It is possible that the existence of further such monuments may be revealed as a result of future survey or archaeological evaluation.

**POLICY EQ37:** THE COUNCIL WILL PROTECT SCHEDULED MONUMENTS, OTHER NATIONALLY IMPORTANT MONUMENTS AND PARKS ON THE NATIONAL REGISTER BY PERMITTING ONLY THAT DEVELOPMENT WHICH WOULD NOT ADVERSELY AFFECT THEM OR THEIR SETTINGS AND WILL SAFEGUARD THESE SITES WHEN PLANNING NEW DEVELOPMENT OR ROADS. THE COUNCIL HAS COMPILED A LOCAL LIST OF PARKS AND WILL RECOMMEND ADDITIONS TO THE LIST AS APPROPRIATE. IN DETERMINING APPLICATIONS

UNDER THE PLANNING ACTS, THESE PARKS OR THEIR SETTING SHALL BE SAFEGUARDED TO PROTECT THEIR LOCAL CHARACTER.

### Planning Applications Affecting the Setting of a Listed Building

- 3.107 In determining applications for planning permission the Council will take into account any effect the proposal will have upon listed buildings and will consult English Heritage and take their comments into consideration. There will be a presumption against proposed developments which produce visual conflict with, or dominate, a listed building, or detrimentally affect views of it, or its potential for future use.

**POLICY EQ38:** WHEN DETERMINING APPLICATIONS FOR PLANNING PERMISSION AFFECTING A LISTED BUILDING OR ITS SETTING THE COUNCIL WILL CONSIDER THE EXTENT TO WHICH THE PROPOSAL DISPLAYS A SYMPATHETIC RELATIONSHIP TO THE BUILDING OR ITS SETTING, WITH PARTICULAR REFERENCE TO SCALE, STYLE, DESIGN, DETAILING, MATERIALS AND LAYOUT.

### Repairs, Alterations and Extensions

- 3.108 Such works and development can irreparably damage the architectural or historic integrity of a building if carried out in an unsympathetic manner. Preservation of the original fabric is always important for listed buildings and there will therefore be a presumption in favour of their retention. Where repair, alteration or extension and minor demolition works are necessary, they must relate sensitively to the original building and will require craftsmanship and professional skill of a high standard. In almost all cases the materials used for alterations, extension or repairs must match the original. Applicants for Listed Building Consent will therefore need to supply detailed information of their proposals in addition to drawings and plans. In some instances this may require the submission of structural reports, other information on technical matters and methods of working in order to allow proper evaluation of their impact on the character of the building.

**POLICY EQ39:** WHEN DETERMINING APPLICATIONS FOR LISTED BUILDING CONSENT AND/OR PLANNING PERMISSION FOR REPAIRS, ALTERATIONS AND EXTENSIONS TO LISTED BUILDINGS, A PRIME CONSIDERATION OF THE COUNCIL WILL BE THE DESIRABILITY OF PRESERVING THE BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL AND HISTORIC INTEREST WHICH IT POSSESSES.

### Demolition and Redevelopment of Listed Buildings

- 3.109 Listed Building Consent is required for the full demolition or alteration of listed buildings, for objects or structures attached thereto and for demolition of objects or structures within the curtilage. Listed Building Consent for substantial demolition may be determined by the Secretary of State for Transport, Local Government and the Regions.
- 3.110 Listed buildings are an irreplaceable part of our history. There will therefore be a strong presumption in favour of their retention and against their demolition.

**POLICY E40:** APPLICATIONS FOR LISTED BUILDING CONSENT FOR TOTAL OR SUBSTANTIAL DEMOLITION WILL BE CONSIDERED AGAINST THE FOLLOWING:

- A) THE IMPACT OF THE PROPOSAL ON THE SPECIAL ARCHITECTURAL OR HISTORIC INTEREST OF THE BUILDING OR ON A GROUP OF LISTED BUILDINGS OF WHICH IT FORMS PART OR ON ITS SETTING;
- B) THE CONDITION OF THE BUILDING AND THE COST OF REPAIRING OR MAINTAINING IT;
- C) THE ADEQUACY OF EFFORTS TO RETAIN THE BUILDING IN USE; AND
- D) THE MERITS OF ALTERNATIVE PROPOSALS FOR THE SITE.

### Change of Use

- 3.111 The best use of a listed building is that for which it was intended. In most cases this use can satisfactorily be reintroduced, but some buildings were designed for uses that are no longer required and if left empty, neglect becomes a considerable problem, perhaps ultimately a hazard. In these circumstances, change of use of a building may be acceptable if it will result in the preservation of an historic building and the activity would not be detrimental to

the character of that building. To encourage the preservation of a listed building, the Council may in special circumstances consider relaxing its development control requirements. Where alterations to the structure or fabric of a building are required to accommodate a change of use, the Council will, if necessary, require concurrent applications for planning permission and Listed Building Consent.

**POLICY EQ41:** WHERE IT IS NOT PRACTICABLE FOR A LISTED BUILDING TO CONTINUE IN THE USE FOR WHICH IT WAS DESIGNED, AND SUBJECT TO OTHER POLICIES IN THE PLAN, THE COUNCIL WILL PERMIT A CHANGE OF USE THAT WILL PRESERVE THE BUILDING AND ITS SETTING, AND ANY FEATURES OF ARCHITECTURAL OR HISTORIC IMPORTANCE WHICH IT POSSESSES.

### **Treatment and Use of Highways**

3.112 The treatment and use of highways can cumulatively have a determining effect on the quality and character of an area or the setting of a listed building. This includes factors such as surface materials, carriage crossovers, lighting, street and traffic signage, parking policies, street furniture and traffic management schemes. The Council is the highway authority for nearly all highways, including footways, within Newham. It may therefore determine the nature of most works and schemes, subject to statutory restrictions and requirements.

3.113 Elements of streetscape of historic significance and architectural merit form an important feature of the townscape in certain parts of the Borough. These include clocks and drinking fountains, memorials, cattle troughs, gas lamp standards and old signs. These can make a valuable and irreplaceable contribution to the distinctiveness of the local townscape. The Council will seek the maintenance and restoration of historic street artefacts and other structures in situ. Where this is not possible or desirable it will resite or store such items for future use.

**POLICY EQ42:** THE COUNCIL WILL ENSURE THAT ITS OWN AND OTHER PROPOSALS FOR DEVELOPMENT AFFECTING HIGHWAYS ARE COMPATIBLE WITH THE AIMS OF PRESERVING OR ENHANCING THE CHARACTER OR APPEARANCE OF CONSERVATION AREAS, AREAS OF TOWNSCAPE VALUE AND THE SETTINGS OF LISTED BUILDINGS.

## **ARCHAEOLOGY**

### **Archaeology: Investigation, Excavation and Protection**

3.114 Archaeological remains often provide the only evidence of the Borough's past. They are a finite and fragile resource very vulnerable to modern development and land use. The archaeology of the Borough is a community asset which should be preserved and the needs of development balanced and assessed against this. Early consideration of and consultation on archaeological issues will maximise preservation in accordance with PPG16. The destruction of such remains should be avoided if possible and either left in situ if the remains are of national or particular local interest, or excavated and recorded prior to development, where remains are of lesser importance. Site layouts designed to retain archaeological features intact will be considered favourably by the Council.

3.115 The Greater London Archaeology Advisory Service (GLAAS - part of English Heritage) provides impartial advice to Newham Council. Sites of potential archaeological importance, to which this policy relates, can be defined as any site within an Archaeological Priority Area (APA). APAs are defined by GLAAS as areas having particular interest or value (Please refer to Map EQ6), or as sites where it can reasonably be shown from existing sources of information (most notably the Greater London Sites and Monuments Record) that remains of archaeological importance may survive. For further information, please refer to SPG Note 'Archaeological Code of Practice'. An archaeological assessment (either a desk study or a preliminary field investigation) will normally be required for any development involving a site more than 0.4 acres within an APA. The Council will also require such an assessment for smaller sites within the APAs, and sites outside the APAs, where this is clearly justified by the archaeological sensitivity of the site. Developers should undertake early consultation with the Council, and recognised archaeological organisations such as GLAAS, to avoid uncertainty and later delays.

**POLICY EQ43:** THE COUNCIL WILL PROMOTE THE CONSERVATION, PROTECTION AND ENHANCEMENT OF THE ARCHAEOLOGICAL HERITAGE OF THE BOROUGH. DEVELOPERS OF SITES OF POTENTIAL ARCHAEOLOGICAL IMPORTANCE WILL BE REQUIRED TO PRODUCE A WRITTEN REPORT, AS PART OF THE APPLICATION FOR PLANNING PERMISSION, ON THE RESULTS OF AN ARCHAEOLOGICAL ASSESSMENT OR FIELD EVALUATION CARRIED OUT BY A SUITABLY QUALIFIED ARCHAEOLOGICAL CONTRACTOR; AND

WHEN REMAINS OF IMPORTANCE ARE IDENTIFIED, THE COUNCIL WILL SEEK PRESERVATION OF THE REMAINS IN SITU. ON OTHER IMPORTANT SITES, WHERE THE BALANCE OF OTHER FACTORS IS IN FAVOUR OF GRANTING PLANNING PERMISSION BY MEANS OF THE IMPOSITION OF CONDITIONS ON THE GRANT OF PLANNING PERMISSION, AND POSSIBLY BY LEGAL AGREEMENTS, THE COUNCIL WILL ENSURE THAT ADEQUATE PROVISION IS MADE FOR THE PROTECTION, EXCAVATION AND RECORDING OF REMAINS, AND THE SUBSEQUENT PUBLICATION OF THE RECORDS OF EXCAVATION, PROVIDING A WRITTEN ACCOUNT OF THE ARCHAEOLOGICAL EXPLORATION, INCLUDING RECORDS OF FINDS.

- 3.116 The Council will promote co-operation between landowners, developers and archaeological organisations in accordance with the British Archaeologists' and Developers' Liaison Group Code.

## ENVIRONMENTAL PROTECTION

### Vacant Land: Environmental Improvements

- 3.117 There are a number of vacant sites and buildings in the Borough either awaiting redevelopment or with little prospect of development. They vary greatly in size, some are Council-owned, others privately-owned. Typically these sites are empty or have disused buildings, and can become a nuisance to local residents and businesses as a result of fly-tipping or vandalism. Where appropriate, the Council will encourage community groups to propose environmental action plans for vacant sites.

**POLICY EQ44:** THE COUNCIL WILL CONTINUE TO BRING ABOUT THE EARLY DEVELOPMENT OF VACANT LAND AND BUILDINGS IN THEIR OWNERSHIP AND PROMOTE THE EARLY DEVELOPMENT OF VACANT OR UNDERUSED LAND AND BUILDINGS IN PRIVATE OWNERSHIP. FOR SITES IN COUNCIL OWNERSHIP WHERE SPECIFIC COMMUNITY NEED, SUCH AS OPEN SPACE, IS IDENTIFIED, THE USE OF THE SITE BY COMMUNITY GROUPS EITHER ON A TEMPORARY OR PERMANENT BASIS WILL BE ENCOURAGED. ON ALL SITES, WHERE NO IMMEDIATE USE CAN BE MADE OF VACANT LAND OR PREMISES, THE COUNCIL WILL SEEK SIMPLE ENVIRONMENTAL IMPROVEMENTS INCLUDING PLANTING AND FENCING, TO ENSURE THAT THE SITE CAUSES NO LOCAL NUISANCE AND IS NOT A SAFETY HAZARD AND DOES NOT ADVERSELY AFFECT VISUAL AMENITY.

- 3.118 The use of land and buildings will be subject to market conditions. This will effect the speed at which vacant land can be brought into use and the viability of putting vacant land to temporary uses.

### Pollution

- 3.119 Whether in the form of noise, unpleasant smells, unclean air or contaminated land, pollution is a growing concern. It comes from a number of sources, industry and traffic being the most common causes. Planning has a major role to play by separating conflicting land uses, for instance, by locating housing away from industry and roads and away from sensitive nature areas. In circumstances where pollution emissions arising from new development can be feasibly treated, conditions will be attached to a planning consent to ensure compliance and reduce pollution to acceptable levels. Where this is not feasible, planning permission will be refused.
- 3.120 Light from floodlights or other illuminations and dust or particulates is a direct result of, or incidental to, many retail and industrial developments. It is therefore desirable that the Council should seek to control their occurrence, as individually or combined they lead to environmental degradation and a reduction in the quality of life. Spillage of light from artificial sources has two main drawbacks. Firstly, it is an inefficient use of energy, directing light into areas which do not need to be illuminated; secondly, it also intrusive and offensive to nearby residential properties.
- 3.121 Dust, grit, and other particulate matter can also be a public nuisance and environmentally damaging in relatively small quantities. Strict controls must therefore be placed on land uses that generate them as a waste product.
- 3.122 As a result of planning applications for incinerators and combustion processes within Newham and in adjoining boroughs, the Council commissioned (with others) a study of the combined impact of these proposed developments on air quality in the Borough. The study concluded that when all the proposed plants were operating under 'worst case' circumstances, it is probable that a number of air quality standards will be approached and that the standard for nitrogen dioxide is likely to be exceeded (even at non-roadside sites). The reason that these standards will be approached or exceeded is because air quality in Newham is already very poor. Additionally, there is the probability

that adverse health indicators within the Borough are directly or indirectly related to this poor air quality. In order to protect the future health of the inhabitants of the Borough, the Council will resist all future applications for development of any kind that will result in significantly raised atmospheric concentrations.

- 3.123 Water pollution can have a potentially devastating effect on the environment, such as loss of river life and loss of amenity, and can have effects on human health and safety. Therefore, the Council will not permit development which is likely to adversely affect the water environment or which would prove unacceptable to the Environment Agency and other bodies. In addition, the Council, in consultation with these regulatory bodies, will use its powers to take action against those persons who breach conditions attached to a consent.

**POLICY EQ45:** PLANNING PERMISSION FOR ANY DEVELOPMENT, INCLUDING A CHANGE OF USE, WILL BE RESISTED WHERE IT WOULD INVOLVE UNACCEPTABLE LEVELS OF GENERATION BEYOND THE BOUNDARY OF THE SITE OF ONE OR MORE OF THE FOLLOWING:

- A) VIBRATION;
- B) SMELL;
- C) FUMES;
- D) DUST;
- E) GRIT;
- F) AIR AND WATER POLLUTANTS (PLEASE REFER TO POLICY EQ46);
- G) NOISE (PLEASE REFER TO POLICIES EQ47-EQ48)
- H) VEHICULAR OR PEDESTRIAN TRAFFIC;
- I) GROUND/SOIL POLLUTANTS (PLEASE REFER TO POLICY EQ49) AND
- J) LIGHT SPILLAGE.

### **Air Quality Management**

- 3.124 Under the Environment Act 1995, the Government is required to publish a national air quality strategy. The aim of this strategy is to map out, as far as possible, the future of ambient air quality policy in the United Kingdom. The United Kingdom National Air Quality Strategy was published in March 1997 and inter alia, sets out standards for eight pollutants to be achieved by 2005. The Act requires the Government to review its policies regularly.
- 3.125 The Environment Act 1995 also requires each local authority to carry out periodic assessments of air quality in their areas against the standards and objectives set out in the National Strategy. The results of this appraisal will determine what, if any, further action may be required. Areas in which air pollution levels are above those set in the National Strategy and appear likely to remain above them in 2005 must be designated as Air Quality Management Areas (AQMAs) by the local authorities concerned. Local authorities are then required to prepare action plans for the achievement of the air quality standards and objectives set out in the National Strategy. This will require close co-ordination of land use planning, transport planning, pollution control and economic regeneration functions and policies of the Council.
- 3.126 Transport is the main source of many significant pollutants in London. A White Paper on Integrated Transport Policy was published in July 1998. By guiding the location of new development, reducing the need to travel and promoting transport choices, landuse planning is an important part of an integrated strategy to achieve air quality objectives. While it can only make a small contribution to immediate improvements in air quality, planning positively to achieve environmental goals can have an important impact over the longer term. Planning also has a role in taking account of other emission sources (commercial, industrial and domestic) and the location of development sensitive to air quality.
- 3.127 Any air quality consideration relating to the use or development of land, or relevant to a pollution central authorisation or licence, is capable of being a material planning consideration. The weight to be attached to such considerations will depend on the scope of the pollution control system in each particular case and the impact on landuse and amenity. In determining a planning application, it will be important to consider the impact of commercial, industrial or domestic development on air quality caused by both the operational characteristics of the development and the traffic generated by it.

**POLICY EQ46:** THE COUNCIL WILL HAVE REGARD TO NATIONAL AIR QUALITY STRATEGY OBJECTIVES WHEN ASSESSING APPLICATIONS FOR DEVELOPMENT LEADING TO THE GENERATION OF TRAFFIC OR ATMOSPHERIC POLLUTION.

THE CUMULATIVE AIR POLLUTION IMPACT OF EXISTING USES AND THE PROPOSED DEVELOPMENT OF LAND WILL BE A MATERIAL CONSIDERATION IN THE ASSESSMENT OF PLANNING APPLICATIONS.

WHERE THE IMPACT OF PROPOSED DEVELOPMENT ON THE USE OR AMENITY OF LAND IS LIKELY TO BE SIGNIFICANT IN AIR QUALITY TERMS, THE DEVELOPMENT MAY BE REFUSED OR MEASURES TO MITIGATE IMPACT REQUIRED BY THE IMPOSITION OF CONDITIONS.

### **Noise Impact Statement and Conditions**

- 3.128 PPG 24 addresses the issue of noise from road traffic, railways, aircraft, industrial/commercial developments, construction and waste disposal sites, leisure uses and mixed sources. The guidance recommends greater emphasis be given to noise as a material consideration in determining development applications because of its potentially adverse effects on health and local amenity. It also defines noise-sensitive land uses such as housing, hospitals and schools. The Council will exercise its powers, where appropriate, to require assessments from applicants, either in determining the effect of new noise-producing uses proposing to locate near to noise-sensitive uses, or in determining the effect of existing noise-producing uses on proposed new noise-sensitive development. A summary of recommended noise exposure categories (NECS) for new dwellings near existing noise sources is provided in PPG 24, Annexes 1-3. Annexe 1 explains why the NEC procedure cannot be used in the reverse context for proposals which would introduce new noise sources into areas of existing residential development.
- 3.129 The Council will seek to protect areas and uses sensitive to noise and, where appropriate, will work with the Department of Transport, Local Government and the Regions, and developers to protect, for instance, uses adjoining new primary and secondary roads and rail lines, from noise pollution. The Council recognises that in the case of noise a variety of factors may be involved in new noisy or noise-sensitive development such that no fixed standard of acceptable noise can be universally applied. Acceptable noise limits will be related to the source of noise and land uses it affects at specific times. Proposals to reduce the transmission of noise and vibration could be included in, for example, the design and layout of development and should include adequate sound insulation measures, coupled with physical barriers and screens.

**POLICY EQ47:** WHERE A PROPOSED DEVELOPMENT IS LIKELY TO PRODUCE A CONSIDERABLE INCREASE IN NOISE RELATING TO ITS USE, THE COUNCIL WILL REQUIRE AN ASSESSMENT OF NOISE IMPACT TO BE CARRIED OUT BY A DEVELOPER FOR SUBMISSION WITH THE PLANNING APPLICATION.

**POLICY EQ48:** IN CONSIDERING PLANNING APPLICATIONS FOR NEW NOISE-SENSITIVE DEVELOPMENT, THE COUNCIL WILL APPLY THE CONCEPT OF 'NOISE EXPOSURE CATEGORIES' (NECS) TO ASSIST IT IN ASSESSING THE ACCEPTABILITY OF THE PROPOSAL. WHERE NOISE-SENSITIVE DEVELOPMENT IS PROPOSED CLOSE TO A PERMANENT SOURCE OF NOISE GENERATION OR VIBRATION, THE COUNCIL MAY REQUIRE THE APPLICANT TO DEMONSTRATE THROUGH THE SUBMISSION OF AN ACOUSTIC ASSESSMENT OR AN ASSESSMENT OF THE TRANSMISSION OF VIBRATIONS THAT:

- A) THE SITE IS SUITABLE FOR THE DEVELOPMENT PROPOSED; OR
- B) THE DEVELOPMENT WILL INCORPORATE APPROPRIATE ACOUSTIC AND VIBRATION ATTENUATION MEASURES TO ACHIEVE A SATISFACTORY ENVIRONMENT.

WHERE IT IS NOT POSSIBLE TO INCORPORATE ATTENUATION MEASURES, PLANNING PERMISSION FOR NOISE-SENSITIVE DEVELOPMENT ON A CATEGORY D SITE WILL NORMALLY BE REFUSED.

### **Construction Projects**

- 3.130 A number of major new transport projects are underway, or will take place, over the period of this Plan, including the Channel Tunnel Rail Link. The Council wishes to ensure that their construction does not cause undue nuisance to residents, workers, and visitors to the Borough. Building works can also be a major cause of nuisance to surrounding occupiers due to noise, dust and grit, and works traffic. Such activity can be particularly disruptive when the works continue over a long period of time. The Council wishes to minimise the adverse effects of construction activity on local people, particularly in connection with major redevelopment in Docklands and in the Lea Valley. The Council will

enter into agreements with developers to minimise the impact of new developments. The considerate contractor scheme allows voluntary agreements between developers and the Council. The hours that work takes place, screening of the site and traffic movements can all be agreed to limit the disturbance.

### **Contaminated Land: Assessment, Remediation and Monitoring**

- 3.131 The principle of sustainable development means that, where practicable, brownfield sites, including those affected by contamination, should be recycled into new uses and the pressures therefore reduced for greenfield sites to be converted to residential, industrial or commercial uses. Such recycling can also provide an opportunity to deal with the threats posed by contamination to health or the environment. Newham has a legacy of such sites resulting from polluting industries and uncontrolled tipping.
- 3.132 The nature and extent of any assessment considered appropriate to be carried out by a applicant prior to development will depend upon the level and type of contamination of which the Council is aware or reasonably suspects exists on the site. Primary responsibility for providing definitive information on whether a site is contaminated therefore rests with the developer. The Council will determine planning applications in accordance with the principles, tests and considerations contained in PPG23, with particular reference to section 4 and Annexe 10.
- 3.133 Investigative works on a contaminated site should be carried out with care, and in consultation with the relevant pollution control authority, to avoid causing contamination (e.g. drilling investigation boreholes which could result in ground water being contaminated). The findings of the investigation should enable appropriate treatment and the selection of the most suitable use; the development should then be designed to minimise the risks. The specific precautions needed will depend upon the degree of risk and the circumstances of the case.
- 3.134 The Council will require developers to prove that any development satisfies the 'suitability of use' criteria of the Environment Act 1995. As developers are liable for the integrity of any remedial scheme required for the lifetime of the development, the Council will, as appropriate, require the developer to undertake monitoring during and after development to prove the remediation scheme's effectiveness, by attaching conditions to planning permissions. Developers will also be required to make arrangements for the protection of water mains, drains, sewers and any other services and supplies laid in contaminated land.

**POLICY EQ49:** PLANNING APPLICATIONS FOR DEVELOPMENT OF A SITE KNOWN OR REASONABLY SUSPECTED OF BEING CONTAMINATED OR CONTAINING LANDFILL GAS WILL BE REQUIRED TO BE ACCOMPANIED BY AN ASSESSMENT OF THE TYPE AND EXTENT OF CONTAMINATION, AS WELL AS PROPOSALS FOR ANY NECESSARY REMEDIAL MEASURES REQUIRED TO DEAL WITH THE HAZARDS, BEFORE THE APPLICATION CAN BE DETERMINED BY THE COUNCIL.

IN OTHER CASES, WHERE THE COUNCIL SUSPECTS THAT THERE MAY ONLY BE SLIGHT CONTAMINATION, PLANNING PERMISSION MAY BE GRANTED BUT CONDITIONS WILL BE ATTACHED TO MAKE IT CLEAR THAT DEVELOPMENT WILL NOT BE PERMITTED TO START UNTIL A SITE INVESTIGATION AND ASSESSMENT HAS BEEN CARRIED OUT AND THAT THE DEVELOPMENT ITSELF WILL NEED TO INCORPORATE ALL THE MEASURES SHOWN IN THE ASSESSMENT TO BE NECESSARY.

AS DEVELOPERS ARE LIABLE FOR THE INTEGRITY OF ANY REMEDIATION SCHEME REQUIRED FOR THE LIFETIME OF THE DEVELOPMENT, THE COUNCIL WILL, WHERE DEEMED APPROPRIATE REQUIRE THE DEVELOPER TO UNDERTAKE A MONITORING STRATEGY TO PROVE THE EFFECTIVENESS OF THE REMEDIATION SCHEME.

### **OVERHEAD POWER LINES**

- 3.135 The 400kV Hackney to Barking overhead power line runs through Docklands to West Ham. In addition, there are also two 275kV powerlines which cross the north eastern corner of the Borough and follow the Lower Lea Valley from West Ham to Temple Mills.

#### **Development Adjacent to Overhead Power Lines**

- 3.136 The Council will have regard to the advice of the National Radiological Protection Board concerning the electromagnetic effects of high voltage overhead lines (132 kV and above) in determining applications for planning

permission on adjacent sites for housing, education, employment and other forms of land use in which people spend a large proportion of their lives. Regard will also be had to the effect of such lines on visual amenity. Developers will be expected to contact the National Grid Company Plc where proposed development is in the vicinity of high voltage power lines.

**POLICY EQ50:** IN CLOSE PROXIMITY TO HIGH VOLTAGE OVERHEAD POWER LINES THE COUNCIL WILL PROMOTE DESIGN AND LAYOUT OF DEVELOPMENT THAT SECURES SEPARATION OF BUILDINGS PROPOSED FOR RESIDENTIAL, LEISURE, COMMUNITY OR WORKPLACE USES FROM THE POWER LINES, WITH SPACES BETWEEN BUILDINGS USED FOR ANCILLARY PURPOSES, SUCH AS CAR PARKS, LANDSCAPED AREAS, AND ACCESS ROADS.

### **Removal of Overhead Power Lines and Safeguarding of Underground Route**

3.137 Electricity pylons and overhead conductors are considered visually and environmentally obtrusive. Development adjacent to the line is governed by guidance notes ES1/43/8, which set standards for clearance in the context of voltage and local geographical factors. The Council considers that this visual intrusion, when combined with development constraints, acts as a major disincentive to the high quality development they are seeking in the majority of the areas in which the pylons and conductors are presently located. It is essential for the regeneration of the Royal Docks and the Lower Lea Valley that the Hackney to Barking 400 kV overhead powerline be placed underground or re-routed. The Council will take all practicable steps including working with all interested parties to secure this objective to the earliest possible timetable.

**POLICY EQ51:** THE COUNCIL WILL SAFEGUARD AN UNDERGROUND ROUTE FOR THE HACKNEY TO BARKING 400 KV LINES.

### **Underground Routes for Existing Overhead Lines and Resistance to Further Proposals**

3.138 Because a number of the Borough's Major Opportunity Zones are transgressed by the Hackney to Barking 400 kV line, the Council initiated action to have the line removed or put underground. So far this action has not been entirely successful, because the Secretary of State for the Environment granted 'necessary way leaves' in 1993 to the 400 kV powerline for a further 15 years, which by implication also extends deemed planning consent. The Secretary of State indicated that this consent may be reviewed. In the light of this, the Council will continue to pursue the earliest practicable undergrounding and re-routing of the two 275 kV and other high voltage power lines in the Borough, including the 132 kV overhead powerline which crosses the A13 at Canning Town. Detailed routes for the underground lines will be considered in the context of future development proposals and, once agreed, will be safeguarded.

**POLICY EQ52:** WHERE PRACTICABLE, THE COUNCIL WILL WORK IN CONJUNCTION WITH INTERESTED PARTIES TO IDENTIFY AND SAFEGUARD UNDERGROUND ROUTES FOR EXISTING OVERHEAD POWER LINES.

**POLICY EQ53:** ANY FURTHER PROPOSALS FOR OVERHEAD POWER LINES WILL BE RESISTED.

## **WASTE MANAGEMENT**

### **Promoting Sustainable Waste Management**

3.139 The prudent use of natural and semi-natural resources, the minimisation of waste and effective protection of the environment are key objectives of sustainable development. In order to promote these objectives, the Government has stated its commitment to the waste hierarchy in PPG10 and the National Waste Strategy for England and Wales (May 2000). The waste hierarchy is a conceptual framework for assessing waste management when considering the Best Practicable Environment Option (BPEO). The BPEO procedure establishes, for a given set of objectives, the option that provides the most benefits at least damage the environment as a whole, at acceptable cost, in the short and longer terms. The waste hierarchy adopts the following prioritisation:

- 1) the most effective environmental solution may be to reduce the generation of waste i.e. reduction/minimisation;
- 2) when further reduction is not practicable, products and materials can be used again i.e. reuse;

- 3) failing that, value should be recovered from waste, through recycling, composting and energy recovery, including anaerobic digestion;
  - 4) only if none of the above offer an appropriate solution should waste be disposed of i.e. disposal without energy recovery treatment and landfill.
- 3.140 Most of Newham's waste is currently disposed at landfill in Essex, and is therefore at the bottom of the hierarchy. This is not sustainable in the long term. In accordance with Government policy, the Local Waste Management Strategy produced by the East London Waste Authority (ELWA) in 1996 places a major emphasis in moving waste management options up the hierarchy and the landuse planning process can support this by considering proposals for waste disposal/management that help to promote sustainability objectives as reflected in the waste hierarchy prioritisation.
- 3.141 The proximity principle stipulates that all waste generated locally should be disposed of, or otherwise managed as closely as possible to its point of origin in order to minimise the transport and other environmental impacts resulting from the movement of waste. The Council has been advised by ELWA that one of its current operational sites in Jenkins Lane, Beckton, is large enough to continue to accommodate appropriate integrated waste facilities necessary to sustainably manage and process all inert, commercial/industrial and household waste generated in Newham, for the foreseeable future. Accordingly, this site is safeguarded for integrated waste activities, until such time as it becomes redundant for this purpose. However, this should not be construed as inviting proposals for development such as incinerators on this site. In addition, further development on this site is unlikely to be approved without prior improvements to the A13/A406 junction, which offers limited capacity at present. Consideration will be given to the site's redevelopment in accordance with Policy UR26 in the Urban Regeneration Chapter, if it becomes redundant. The safeguarding of Jenkins Lane Waste Transfer Station does not preclude other appropriate sites in the Borough being given equal consideration for waste management proposals, and suitable replacement sites coming forward and being safeguarded if they offer environmental benefits and help promote the Council's regeneration objectives. In all cases, waste proposals will be judged on their merits in accordance with Policies EQ54 and EQ56 below.
- 3.142 In general terms, therefore, the Council will, subject to environmental assessment, encourage the provision of waste management facilities which accord with the priorities set out in the Government's hierarchy for waste and which enable waste to be disposed of, or otherwise managed according to the BPEO and as close as practicable to the point at which it is generated.
- 3.143 The Council's Urban Regeneration Strategy (1997) establishes a basic framework for achieving the Borough's future regeneration and the delivery of sustainable development. All development proposals will be assessed in terms of how they raise the profile of the Borough in a positive way by contributing towards the Council's regeneration and environmental objectives (Please refer to Part 1 policies S3, S4 and S13, and relevant site specific policies in the Urban Regeneration Chapter).

**POLICY EQ54:** THE COUNCIL WILL CONSIDER PROPOSALS FOR INTEGRATED WASTE MANAGEMENT FACILITIES THAT:

- A) DO NOT UNDERMINE THE COUNCIL'S REGENERATION OBJECTIVES, PARTICULARLY TO ENHANCE ENVIRONMENTAL QUALITY AND PROMOTE A HIGH QUALITY OF DESIGN (PLEASE REFER TO POLICIES S3, S4 AND S13);
- B) CONTRIBUTE TOWARDS THE DEVELOPMENT OF A LONG-TERM SUSTAINABLE WASTE MANAGEMENT STRATEGY FOR NEWHAM; AND
- C) ACCORD WITH POLICY EQ56 OF THE PLAN.

**POLICY EQ55:** THE COUNCIL HAS IDENTIFIED AND SAFEGUARDED THE EAST LONDON WASTE AUTHORITY'S SITE AT JENKINS LANE, BECKTON, FOR WASTE MANAGEMENT USES. IN THE EVENT THAT THE SITE BECOMES REDUNDANT, CONSIDERATION WILL BE GIVEN TO ITS REDEVELOPMENT IN ACCORDANCE WITH POLICY UR26. SUBJECT TO POLICY EQ56, CRITERIA A) AND B), ADDITIONAL WASTE MANAGEMENT SITES MAY BE IDENTIFIED AND SAFEGUARDED AS SUITABLE PROPOSALS COME FORWARD.

### Criteria for Assessing Waste Management Facilities

- 3.144 The Council has a specific responsibility for safeguarding the environment and public health and promoting sustainable urban regeneration. To preserve and enhance the Borough's environmental quality, the Council will carefully assess all proposals for the location and operation of facilities dealing with the management of waste. Such proposals must avoid unacceptable impacts on the areas in which they are promoted and on the Council's strategic regeneration objectives for these areas (Please refer to relevant area – specific policies in the Urban Regeneration Chapter). These include the protection of residential and neighbouring business amenity in relation to potential noise, visual intrusion, air, water and ground pollution and possible odour problems. Traffic impact, particularly motor vehicle movement, is a further material consideration that will be taken into account.

**POLICY EQ56:** PLANNING APPLICATIONS FOR WASTE MANAGEMENT FACILITIES WILL NORMALLY BE REQUIRED TO BE ACCOMPANIED BY AN ASSESSMENT OF THEIR IMPACT. FACILITIES WILL NOT NORMALLY BE APPROVED UNLESS THEY MEET THE FOLLOWING CRITERIA:

- A) THERE IS SEPARATION FROM EXISTING AND PROPOSED SCHOOLS, HOSPITALS, HOUSING AND OTHER SENSITIVE LAND USES, INCLUDING FOR EXAMPLE THOSE SITES WHERE A LARGE NUMBER OF PEOPLE WORK OR WHICH ATTRACT A LARGE NUMBER OF VISITORS OR WHERE SENSITIVE OPERATIONS ARE CARRIED OUT;
- B) THERE IS GOOD ACCESS TO THE STRATEGIC ROAD NETWORK OR RAIL OR RIVER DEPOT TRANSHIPMENT FACILITIES (PLEASE REFER TO POLICIES T10 AND T26), AND ACCESS ARRANGEMENTS ARE SATISFACTORY IN ENVIRONMENTAL AND HIGHWAY TERMS;
- C) THE FACILITY MUST HAVE APPROPRIATE LANDSCAPING AND BE SCREENED FROM VIEW WHERE NECESSARY. WASTE STORAGE AND OTHER PROCESSES SHALL BE WHOLLY CONTAINED WITHIN ENCLOSED BUILDINGS AND BE OPERATIONAL BETWEEN DEFINED HOURS; AND
- D) NO SIGNIFICANT LAND CONTAMINATION OR AIRBORNE, WATER OR NOISE POLLUTION SHOULD RESULT FROM THE OPERATION OF THE FACILITY.

THE EFFECTS OF SUCH DEVELOPMENT ON THE COUNCIL'S REGENERATION OBJECTIVES FOR THE AREA WILL BE A MATERIAL PLANNING CONSIDERATION IN ASSESSING DEVELOPMENT PROPOSALS.

### Special, Hazardous, Chemical and Radioactive Works and Prescribed Processes

- 3.145 Such materials and processes require careful monitoring, particularly in terms of transfer, treatment, storage and disposal due to the potential damage to the environment and public health and safety.
- 3.146 Wastes arising from industrial activities identified in Schedule 1(Part A) of the Environmental Protection (Prescribed Processes and Substances) Regulations 1991 are controlled by the Environment Agency. Certain other Part B processes are controlled by Local Authority Air Pollution Control (LAAPC) and developers should apply to the Council's Environmental Health Service for authorisation. In considering planning applications involving these or similar materials, the Council will liaise with the relevant authorities and, as appropriate, exercise powers conferred by the Environmental Protection Act 1995, and the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988.

**POLICY EQ57:** IN DEALING WITH PLANNING APPLICATIONS THE COUNCIL WILL, BY IMPOSING PLANNING CONDITIONS, SEEK TO ENSURE THAT RIGOROUS CONTROLS ARE PLACED UPON THE TRANSFER, TREATMENT, STORAGE OR DISPOSAL OF SPECIAL, HAZARDOUS, CHEMICAL AND RADIOACTIVE WASTES OR MATERIALS AND ON ANY LAND USE THAT INVOLVES MATTERS COVERED BY SCHEDULE 1 (PART A) OF THE ENVIRONMENTAL PROTECTION (PRESCRIBED PROCESSES AND SUBSTANCES) REGULATIONS 1991.

### Waste and Waste Disposal: Reclamation of Land

- 3.147 The Council recognises that waste (including sewage sludge) must be dealt with efficiently to minimise the environmental impact associated with its transfer, processing storage and disposal. In addition, effective waste management can help reduce the amount of land needed for landfill and promote recycling.

3.148 The Council must be satisfied that access to a facility is adequate, bearing in mind the size and contents of vehicles associated with it. The Council will also normally require that facilities are enclosed within a building and are well screened and landscaped in order to control pollution and preserve visual amenity. Also, the Council will limit the hours of operation of such facilities, where this is necessary, to protect the public from noise and other disturbances, such as the transport of waste during antisocial hours. The Council will liaise with adjoining boroughs and the Environment Agency in such matters.

3.149 Newham does not have any sites for dealing with the tipping of wastes, other than inert waste. Other forms of waste have to be transferred to other boroughs and the Council is committed to working with other local authorities on waste management issues.

**POLICY EQ58: THE USE OF LAND FOR THE TIPPING OF WASTE AND LAND FILLING WILL NORMALLY BE PERMITTED WHERE IT CONSTITUTES THE CONTROLLED TIPPING OF INERT WASTE MATERIALS AND WHERE IT IS:**

- A) PART OF AN AGREED SCHEME FOR THE RECLAMATION OF IDENTIFIED DERELICT OR CONTAMINATED SITES; OR
- B) A TEMPORARY OPERATION OR USE OF LAND.

3.150 While waste management and disposal sites are in operation they can cause disturbance to nearby occupiers. The Council will, through attaching conditions to planning permissions and legal agreements, seek to safeguard the public and the environment when these uses are operating and ensure that when the use has ceased, the land is left in a condition to allow alternative uses.

### **Aggregates Extraction**

3.151 In Newham the main demand for minerals is for aggregates in the form of sand and gravel. Expectations of better housing, transport infrastructure and community facilities are likely to lead to increased demand for aggregates, as does continuing maintenance and improvement of that which already exists. A desire to reduce road traffic, and consequently congestion and pollution, favours aggregate extraction being as close as is environmentally acceptable to the point where aggregates are needed. At the same time, residents seek a better overall environment, leading to increasing public concern and sometimes strong objections to aggregates and waste-related applications. The Council has a statutory duty as a Minerals and Local Planning Authority to reconcile these conflicting pressures in a way which enables the Borough's needs to be satisfied in the least damaging manner overall.

3.152 Local supplies of aggregates in London are dwindling and there is already heavy reliance on imports. Although London supplies less than 10% of its aggregates requirements, local supplies help to ease demand elsewhere and the consequential environmental and other costs of transport and distribution. Provision should therefore be made for the extraction of potential workable resources in the foreseeable future. RPG3 advises that Boroughs should identify mineral resources for extraction as a means of contributing to the London land bank of permitted reserves of sand and gravel. Information from the British Geological Survey suggests that gravel deposits are generally found in the central area of the Borough between the A13 and Romford Road. Of the seven major possible extraction sites identified, all but one were either severely contaminated sites or were established public open spaces or green space where extraction would be unlikely to receive support. Therefore, in view of existing landuse patterns and major environmental constraints in Newham, it is unlikely that extraction of potential deposits on these sites is feasible and practical. Aggregates deposits in the Stratford Rail Lands may be a workable resource if they are extracted as part of the redevelopment of the site for the proposed Channel Tunnel Rail International Link and Passenger Station. Proposals for aggregates extraction will be considered in the context of Policy EQ59 in order to minimise the adverse impacts associated with this form of development and to restore the site to a satisfactory standard. The policy should not be taken as implying that permission will be given for working of the area.

### **Aggregates Extraction: Environmental Protection Criteria**

3.153 While the Council appreciates the need for a local aggregates supply in the Borough, ground extraction of these resources can be highly visible and severely intrusive, and can have widespread effects on public amenity and safety. Although extraction is a temporary use of land, its effects on individuals and the environment can be long term, frequently extending over several years. Delay or uncertainty over future operations can extensively blight an area or property. Due to the considerable disturbance costs potentially incurred when a decision to exploit aggregates

reserves is taken, the Council will seek to ensure that these costs are minimised by using the criteria outlined below when assessing proposals for aggregates extraction. Developers are reminded of the need for early consultation with the Environment Agency regarding the possible impact of extraction on the flood plain and water quality objectives for the Borough's rivers. Proposals to extract aggregates and other minerals from a site should include a statement by the applicant regarding the significance of the impact of the proposal on the environment.

**POLICY EQ59:** WHEN CONSIDERING PROPOSALS FOR THE EXPLORATION, EXPLOITATION AND STORAGE OF AGGREGATES, THE COUNCIL WILL SAFEGUARD THE ENVIRONMENT, PUBLIC AMENITY AND PUBLIC SAFETY BY ENSURING THE FOLLOWING CRITERIA ARE MET:

- A) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON THE ENVIRONMENT AND AMENITY OF THOSE PEOPLE LIVING, WORKING OR TRAVELLING THROUGH THE BOROUGH;
- B) CONSIDERATION IS GIVEN TO THE ROLE OF RAIL AND RIVER TRANSPORT AS PREFERRED MODES OF TRANSPORTING MATERIALS TO AND FROM THE SITE;
- C) THERE IS NO SIGNIFICANT ADVERSE EFFECT ARISING FROM VEHICULAR TRAFFIC, INCREASED TRAFFIC FLOWS AND ACCESS/EGRESS TO AND FROM THE SITE;
- D) THERE IS NO SIGNIFICANT ADVERSE EFFECT ON AREAS OR FEATURES OF ECOLOGICAL/ ARCHAEOLOGICAL INTEREST OR RECREATIONAL AMENITY (PLEASE REFER TO POLICIES EQ9, EQ10, EQ43 AND OS7);
- E) THERE IS NO SIGNIFICANT INCREASE IN THE RISK FROM FLOODING, ADVERSE EFFECT ON GROUND AND SURFACE WATERS, OR UNACCEPTABLE RISK TO PUBLIC SAFETY (PLEASE REFER TO POLICIES EQ45 AND EQ62 – EQ64);
- F) THERE ARE FIRM AND SATISFACTORY RESTORATION, AND WHERE APPROPRIATE, AFTER-USE PROPOSALS; AND
- G) THERE IS APPROPRIATE CONTROL OVER THE EXTENT AND PHASING OF ANY MINERAL WORKING IN ORDER TO MINIMISE ENVIRONMENTAL DISTURBANCE.

THE UDP IDENTIFIES ONE 'AREA OF SEARCH', THE STRATFORD RAIL LANDS (PLEASE REFER TO MAP EQ7) AS A GUIDE TO WHERE THE CRITERIA SPECIFIED ABOVE ARE MOST LIKELY TO BE MET. IN THE EVENT OF PERMISSION BEING GRANTED THE REQUIREMENT OF SCHEDULE 5 OF THE TOWN AND COUNTRY PLANNING ACT 1990 SHOULD BE FULLY COMPLIED WITH.

## Recycling

- 3.154 Draft revised RPG9 advocates a more sustainable approach to the supply and use of secondary aggregates. Within the context of increasing demand in the south east and dwindling supply from primary sources, there is a growing need to promote the reuse and recycling of aggregates for new construction to ensure continuity of supply. The Council will therefore seek to minimise demand for primary aggregates for new construction. Demand can be reduced in a number of ways, which are set out in LPAC's Advice on Strategic Planning for Minerals/Aggregates. These include achieving greater flexibility in new building design to encourage the greater reuse of construction material; making more use of secondary aggregates, and reducing the impacts of extraction and final disposal by maximising the recycling of construction and demolition waste.
- 3.155 In determining applications for redevelopment which involve significant demolition, the Council will seek to enter into planning agreements with developers to ensure that secondary aggregates are recycled either on site in mobile crushing plants or offsite at permanent plants.

**POLICY EQ60:** THE COUNCIL WILL ENCOURAGE THE RECYCLING AND REUSE OF SECONDARY AGGREGATES.

- 3.156 The Environmental Protection Act 1990 required Councils to develop waste management policies to recycle 25% of total current household waste by the year 2000. The Council has produced a Recycling Plan which sets the framework for extending recycling. In the short term, school collections and more on-street bottle, can and paper banks will help capture more recyclable materials. New private developments may also provide opportunities for waste collection. In

the longer term, door to door collection services could supplement general rubbish collections and draw in the majority of recyclable waste. Further recycling facilities will reduce the need for more waste disposal sites as well as helping to preserve valuable natural resources.

**POLICY EQ61:** THE COUNCIL WILL PROVIDE AND NEGOTIATE TO SECURE LOCAL RECYCLING POINTS INCLUDING COLLECTION AND STORAGE AT MAJOR NEW RESIDENTIAL, RETAIL AND OTHER COMMERCIAL BUILDINGS THROUGHOUT THE BOROUGH.

- 3.157 Under Policy SH23 in the Shopping and Town Centres Chapter, there is a requirement for recycling facilities to be included within major new retail developments.

## FLOOD AND TIDAL PROTECTION

### Protection of the Flood Plain and Urban Washlands

- 3.158 A flood plain is an area of low-lying land adjacent to a watercourse which is liable to flood under adverse conditions, or would flood but for the presence of defences. Flood plains perform the essential function of storing water during floods. Development within the flood plain is not only itself at risk from flooding, but by reducing the amount of land available for flood water storage, and by impeding flood flows, can increase the risk of flooding off-site and sometimes at remote locations. Many of the areas have, in recent years, had housing built on them. If there are over-riding reasons for further development to take place despite the risk of flooding, appropriate flood protection and compensatory flood storage measures should be carried out. Such works must be funded and built by the developer.
- 3.159 Newham's flood plains are defined by the Environment Agency and are shown on Map EQ8. In areas where flood information is unavailable, but where the Environment Agency suspects there is a risk of flooding, developers will be expected to evaluate the flood risk and identify measures to mitigate such risk on site and elsewhere.

**POLICY EQ62:** IN CONSULTATION WITH THE ENVIRONMENT AGENCY, THE COUNCIL WILL REQUIRE APPROPRIATE FLOOD PROTECTION AND ATTENUATION MEASURES ON SITE OR ELSEWHERE BEFORE:

- A) THE REDEVELOPMENT OF LAND IS PERMITTED IN AREAS AT RISK FROM FLOODING; AND
- B) DEVELOPMENT IS PERMITTED WHICH IS LIKELY TO INCREASE THE RISK OF FLOODING.

### Surface Water Disposal

- 3.160 Development of open land usually results in an increase in the amount of impermeable surface area. This can alter the natural water cycle as rates and volumes of surface water reaching a watercourse generally increase. Surface water from impermeable areas is generally conveyed by drains and sewers directly, or via a sewerage system, to a watercourse. Such arrangements not only reduce the natural recharge of groundwater, which wastes a valuable resource and increases pollution risk (e.g. from contaminated urban run-off and combined sewage outflows) but can also increase river flows. Increased river flows can cause physical damage to the banks of a watercourse and increase the risk of flooding.
- 3.161 Whenever possible surface water should be disposed of as close to the source as possible. Where risks are identified, appropriate flow attenuation facilities or mitigation measures may be a pre-requisite for development. Consideration should be given to the use of softer engineering structures such as swales, detention ponds, infiltration basins and porous surfaces as alternatives to conventional drainage systems, where appropriate. Further information is provided in 'A Guide to Sustainable Urban Drainage' (Scottish Environmental Protection Agency 1997) and the SPG Note: 'Lower Lea Valley Framework Plan'.

**POLICY EQ63:** WHERE RISKS FROM FLOODING, POLLUTION, OR PHYSICAL DAMAGE TO BANKS OF THE WATERCOURSE ARE IDENTIFIED, APPROPRIATE SURFACE WATER FLOW ATTENUATION FACILITIES OR MITIGATION MEASURES WILL BE A PRE-REQUISITE FOR DEVELOPMENT.

### Tidal Defences

- 3.162 A breach in the tidal defences of the River Thames or its tributaries could lead to serious flooding over a wide area. The successful operation of tidal defences often requires access for emergency and maintenance purposes. As a

result, uses in rivers or on the banks of rivers which pose a threat to the stability and continuity of tidal defences, will not normally be permitted, unless the Council, in consultation with the Environment Agency, is satisfied that adequate precautions are undertaken to maintain the flood defences and appropriate alteration measures are carried out.

**POLICY EQ64:** THE COUNCIL WILL OPPOSE DEVELOPMENT WHICH WOULD ADVERSELY AFFECT THE STABILITY AND CONTINUITY OF TIDAL DEFENCES (INCLUDING THE ROYAL GROUP OF DOCKS) OR IMPINGE ON ACCESS TO TIDAL DEFENCES.

### **Major Notifiable Hazards**

- 3.163 Under Health and Safety legislation certain sites and pipelines are designated as 'notifiable installations' by virtue of the quantities of hazardous substances stored or used. The siting of such installations is subject to planning controls aimed at keeping them separated from housing and other land uses with which they might be incompatible from a safety viewpoint. To this end, in the event that proposals are received to develop such sites within the area of the Plan, the Council will seek and take account of advice from the Health and Safety Executive on the suitability of the development in relation to the risks that it may pose to the surrounding population.
- 3.164 Newham already contains a number of notifiable installations. Whilst they are subject to stringent controls under Health and Safety legislation, it is considered prudent to control the kinds of development permitted in their vicinity. For this reason, the Council has been advised by the Health and Safety Executive of consultation distances around each of these installations (Please refer to Appendix EQ3). In determining whether or not to grant consent for a proposed development on land within these consultation distances the Council will seek and take account of advice from the Health and Safety Executive about risks to the proposed development from the installation.

## SCHEDULE OF PROPOSALS: ENVIRONMENTAL QUALITY

Proposal No.	Location	Policy No.	Proposal	Comment
eq1	Websters Land to the north of Little Ilford Park, E12	EQ9; EQ17	Creation of woodland and designation of site of nature conservation importance (Appendix EQ1)	Ongoing. Significant planting carried out in 1998
eq2	Reynolds Avenue South E12	EQ17	Creation of woodland	Commencement/completion dates not programmed
eq3	Folkestone Road, E6	EQ17	Creation of woodland	Ongoing. Limited planting carried out in 1998
eq4	Stratford Rail Lands, or adjoining land, E15	EQ17	Creation of demonstration urban forest of up to 1 hectare as part of the open space to be provided	Not site specific at present. The proposal was identified in a Round 4 Single Regeneration Bid (SRB) document titled 'Stratford, Tomorrow's City'
eq5	Stratford Marsh (area adjoining Knobs Hill Road and on the northern banks of City Mill river), E15	EQ10; EQ20	Designation as a site of nature conservation importance (Appendix EQ2) and creation of mixed woodland/grassland area	This will be implemented through the development control function of the Council, with inputs from community groups. Any development or expansion of the adjoining employment use will be required to have regard to the nature conservation value of the site as part of any application
eq6	Ashburton Annexe, Canning Town, E16	EQ9; EQ11; EQ17	Designation as a site of nature conservation importance (Appendix EQ1) and managed as community woodland	This is one of a few examples of naturally established woodland in the Borough. It provides a unique ecological and play facility in a high density residential area. It is now afforded a higher level of protection from development
eq7	Land between Royal Docks Road and the Greenway, Beckton, E6	EQ17; EQ16	Creation of woodland as part of the green corridor strategy for the A406	This will be implemented as a part of the Council's emerging green corridor strategy and the Thames Gateway Urban Forestry Strategy
eq8	Land adjoining the footpath between Flanders Road and Folkestone Road, E6, next to the Oaken-trough Sewer	EQ10; EQ11; EQ16; EQ17	Designation as a site of nature conservation importance (Appendix EQ2) and creation of mixed woodland/ wildflower meadow	This will be implemented as part of the Council's emerging green corridor strategy and the Thames Gateway Urban Forestry Strategy. Developers of adjacent sites will be expected to make contributions towards the implementation of this proposal
eq9	Land between Langdon School and the A406, E6	EQ9; EQ11; EQ17	Designation as a site of nature conservation importance (Appendix EQ1) and creation of woodland	Implementation dependent on a successful Council bid for external funding for site clearance and planting of site
eq10	East London Waste Authority waste transfer station, Jenkins Lane, E6	EQ54; EQ55; UR24	Safeguarding of site facilities	In the event that the site is no longer required by East London Waste Authority (ELWA) in association with the contract for the disposal of Newham's waste, consideration will be given to its redevelopment as part of the Beckton Gateway MOZ

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<b>Proposal No.</b>	<b>Location</b>	<b>Policy No.</b>	<b>Proposal</b>	<b>Comment</b>
eq11	Cuckold's Haven, Jenkins Lane IG11	EQ9, EQ11, UR24.	Mixed woodland and meadow habitat to be upgraded and enhanced.	Works to be carried out in financial year 2001-2002.

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## APPENDIX EQ1

### PROTECTED SITES OF NATURE CONSERVATION IMPORTANCE WHERE DEVELOPMENT WILL NOT BE PERMITTED (PLEASE REFER TO POLICY EQ9 AND SUPPORTING TEXT)

All Saints Churchyard, West Ham  
Ashburton Annexe, Canning Town  
Barking Creek (land adjoining River Roding)  
Beckton District Park and Newham City Farm  
Beckton Sewage Treatment Works non-operational land at Northern Lagoon  
Bromley-by-Bow Gas Works site and Memorial Gardens  
Bully Point Nature Reserve  
Central Park  
Channelsea Island Nature Reserve  
City of London Cemetery and Aldersbrook  
Cuckold's Haven Nature Reserve  
East Ham Nature Reserve  
East London Cemetery  
Forest Lane Park  
Greenway  
Land between Langdon School and the A406  
Langdon School Orchard Site  
Lea Junction Railway Triangle  
Land adjoining Longwall Path, Mill Meads  
Bow Creek Ecology Park, Limmo Peninsula  
Manor Park Cemetery  
Old Ford Island (London Wildlife Trust nature reserve)  
Plashet Park  
Priory Park  
Reynold's Avenue South  
Wanstead Flats  
Websters Land  
West Ham Cemetery  
West Ham Park

## APPENDIX EQ2

### OTHER SITES OF NATURE CONSERVATION IMPORTANCE (PLEASE REFER TO POLICY EQ10 AND SUPPORTING TEXT)

Beckton Alps  
 Channelsea River, Stratford  
 Claps Gate Lane (land south of), Beckton Lands  
 Eastway Cycle Track and adjoining areas at Temple Mills  
 Land adjoining the footpath between Flanders Road and Folkestone Road  
 Jenkins Lane North, Beckton Lands  
 Lady Trower Trust Playing Fields  
 Lea River System  
 Newham General Hospital Rough  
 Land adjoining the Oakentrough Sewer  
 Royal Docks (including 10 metres around the water's edge)  
 Stratford Marsh (area adjoining Knobs Hill Road and on the northern banks of City Mill River)  
 Thames River and tidal creeks (excluding Barking Creek)  
 Thames Wharf  
 Woodgrange Park Cemetery  
 Woodland adjoining the junction between Royal Albert Way and Connaught Bridge, Beckton

**Railside Land** (Station areas, in particular the sections of land surfaces where there is inadequate space for development of vegetation, are of negligible nature conservation importance and are therefore excluded from the provisions of Policy EQ10. Reference to stations below relates to the trackside areas immediately adjoining the stations concerned).

#### District Line

- a) River Lea to Crows Road Former Junction
- b) West Ham Station to Plaistow Station
- c) Plaistow Station to Upton Park Station
- d) Upton Park Station to East Ham Station
- e) East Ham Station to the A406

#### Railtrack

- a) Fenchurch Street, Tilbury and Southend Lines
- b) Liverpool Street, Brentwood and Southend Lines
- c) Junction of Gospel Oak Line and Liverpool Street Line to Woodgrange Park Station.
- d) Woodgrange Park Station to the A406

#### Liverpool Street Line:

- a) River Lea to Lett Road plus freight branch line from Lett Road westwards for 350 metres
- b) Angel Lane to The Grove
- c) Water Lane to Forest Gate Station
- d) Woodgrange Road to Manor Park Station
- e) Manor Park Station to eastern borough boundary.

## APPENDIX EQ3 NOTIFIABLE HAZARDS

### Notifiable Installations

HSE REF.	OCCUPIER	CD (m)
HL1100	Thames Water Authority, Barking	60
HL1750	British Transco, East Ham Holder Station	60
HL1751	British Gas Transco, Manor Park Holder Station	60
HL1752	British Gas, Stratford Holder Station	60
HL595	British Gas, Bromley Holder Station	60
HL594	British Gas, Beckton Holder Station	60
HL3071	A W Phillips, Cody Business Centre	100

### British Gas High Pressure Transmission Pipelines

HSE REF.	TITLE	BDP (m)	CD (m)
HC/14/936-1	Beckton/Tate & Lyle	12.5	27
HC/14/973-1	Luxborough Lane/Beckton	3	6
HC/14/974-1	Roding Lane/Beckton	3	6
HC/14/974-2	British Gas Transco reference: 2461	3	6
HC/14/976-1	Redbridge/Bromley-by-Bow	7.5	15

Source: The Health and Safety Executive