APPENDIX 1
RESPONSE TO QUESTION 6.2 AND 6.3

Draft Local Plan Policy H1 (Building Sustainable Mixed Communities), sets out how Newham will exceed the target of 43,000 quality new homes during the plan period. The policy specifies that, “the majority of new housing will come forward on strategic sites allocated by the spatial policies”.

Newham’s housing numbers are therefore heavily reliant on the availability and deliverability of large strategic sites, which are notoriously difficult in terms of land assembly and thus their immediate availability and deliverability within the plan period.

A report titled ‘Capital Gains: A Better Land Assembly Model for London’, was commissioned by the Mayor and the Greater London Authority (GLA) and investigates how land, which is often part of a complex group of different ownerships, is promoted for development. The report states that “Delivery rates for housing have fallen far behind demand for decades, with common criticisms including restrictive planning policies, limited resources for planning larger schemes, a shortage of developers willing to take complex schemes forward, and an acute shortage of experienced staff in the boroughs. For London the assembly of land in multiple ownership is now seen as one of the main obstacles to doubling house-building rates”

In our previous submission, we have explained why we do not consider that the housing numbers will accommodate for the increasing demand for homes in the Borough, and these representations have been attached at Appendix 3. We have also highlighted that Newham has already experienced fluctuating completion rates, and therefore has unreliable projections.

Furthermore, the Draft London Plan Policy H1 places emphasis on the need for “delivery-focused” Development Plans. At present, the Plan is contrary to this because there is no evidence provided by Newham to indicate that all of these strategic sites can be assembled and delivered within the Plan period, particularly in the short term.

A number of the strategic sites listed within the draft Local Plan have identified that they have more than one partner in the delivery, without any indication of the strategy for this. Therefore, the Plan is not justified because the housing numbers set out in the strategic sites do not provide any specific details of their land assembly and therefore are unlikely to be met within the plan period.

The Options Appraisal sets out the specific constraints associated with each of the strategic sites. These constraints include existing SIL allocations (e.g. Silvertown Landing), flood risk and mitigation (e.g. Coolfin North) and ecology (e.g. Lyle Park West). It is therefore evident that the identified sites all have associated issues with development, and therefore their delivery cannot be guaranteed in a timely manner.

Newham has not provided specific details about the phasing or proposed delivery of the identified sites, and therefore cannot be monitored or assessed in detail. Within the Options Appraisal, Newham acknowledged that “the majority of housing delivery is planned from large scale strategic sites, there are sites within the borough that will become available over the plan period but are either currently not deliverable or are too small for allocation. In spite of this, their role in housing delivery is not to be underestimated and the option to include a policy reference to such windfall sites, to maximise delivery from all land sources, is being taken forward.”

1 https://www.london.gov.uk/sites/default/files/gla_capital_gains_report_.pdf
It is evident, therefore, that Newham has identified the shortfalls of their draft Local Plan and has sought to address them. However, Newham has not gone far enough to ensure that additional windfall sites are brought forward. Policy H1(2g) limits the windfall sites to those outside SIL, LIL and MOL. Given that a number of the allocated strategic sites were released from SIL in order to achieve the wider Plan objectives, the same approach should have been applied to MOL and LIL sites.

This would have ensured that the Plan is in line with the Adopted NPPF (Paragraph 47) and Draft NPPF (Paragraph 16(b)), which both explain the need for plans to be ‘deliverable’ which, for reasons set out above, the Plan is currently contrary to NPPF principles.

Looking in more detail at the housing targets in the Local Plan against the London Plan targets, the following table demonstrates that the Local Plan is already behind in its housing numbers.

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<tr>
<td>Newham</td>
<td>2867$^3$</td>
<td>1994</td>
<td>3850</td>
<td>7587</td>
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<tr>
<td>Barking and Dagenham</td>
<td>1236</td>
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<td>Havering</td>
<td>1170</td>
<td>5523</td>
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<td>Redbridge</td>
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The proposed annual provision of 2867 homes per year would have exceeded the 2016 London Plan targets. However, they would fall significantly short of the annual Draft London Plan targets, with a shortfall of 983 homes.

Furthermore, the SHMA, which forms part of the evidence base to the Local Plan, would not meet the targets across the four London boroughs in the emerging London Plan. Given that the London Plan is explicit in the fact that London should be treated as a single housing market, it is clear that the numbers in the Local Plan should be increased to reflect the emerging London Plan. At present, when the SMHA numbers are compared to the emerging London Plan targets, there would be a shortfall of 2,381 homes.

Conclusion

In summary, the Plan is not consistent with national policy, namely Paragraph 47 of the NPPF. This policy makes it clear that local planning authorities should identify deliverable sites over a 5 year period, which Newham has not. The Plan should therefore be updated to accommodate for additional deliverable

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$^2$ Outer North East London SHMA (2016), as submitted as the evidence base for the Local Plan  
$^3$ The Local Plan identifies 43,000 between 2018 and 2033, which averages out at 2867 per annum
sites, to boost the shorter term housing figures in the Borough. We do not consider that the London Plan targets are likely to be met without additional short term housing site allocations.

The Plan and its evidence base is also not consistent with emerging national policy. The emerging NPPF states at Paragraph 68 that “specific, deliverable sites for years one to five of the plan” should be identified by the local planning authority; Newham has not achieved this as no timescales or specific housing numbers have been set out. The emerging NPPF also acknowledges at Paragraph 69 that small sites can make an important contribution to meeting the housing requirement of an area, and therefore more of these sites should have been investigated and included in the Local Plan.

In response to your specific question at 6.2, we do not consider that Newham has provided sufficient evidence to demonstrate that the 43,000 homes total can be implemented over the plan period and therefore the Plan is not realistic and has not been positively prepared. There has been no evidence or explanation to demonstrate that land assembly for the strategic sites is achievable, or that the specific site constraints can be addressed and therefore there is an undependable reliance on these sites being delivered.

Furthermore, a detailed MOL review should have been undertaken to secure additional housing sites in the short term, and to contribute towards the open space deficit in Newham.

As such, to make the plan sound, it needs to include additional sites that are readily available and could contribute towards the housing numbers during the Plan period, particularly in the short term. The Plan should be amended to include additional deliverable site allocations, including 'Lady Trower Trust', which is capable of providing approximately 200 new homes, ecological enhancements and approximately 3ha of public open space.
APPENDIX 3
LOCAL PLAN REPRESENTATIONS 16/01/2108
Dear Sir/Madam,

REPRESENTATION TO NEWHAM LOCAL PLAN (REGULATION 19 PUBLICATION VERSION)  
ON BEHALF OF ASTON MANSFIELD

Introduction
Thank you for the opportunity to comment on the consultation to the Regulation 19 Publication of the Newham Local Plan (“Local Plan”) that runs until Tuesday 16 January 2018. I write on behalf of Bidwells’ client, Aston Mansfield (as trustee of the Lady Trower Trust) (the landowner) in response to the consultation. Aston Mansfield is working as a joint partner with Swan Housing Association Limited (“Swan”) to bring this site forward for development.

I enclose with this response a Location Plan showing our client’s land ownership (the “Site”). The Land Registry record refers to Burges Road East Ham London E6 2BH title number EGL478280.

This representation to the Local Plan should be read in conjunction with Swan’s original representation to the Issues and Options consultation, which are attached at Appendix 2. In summary, we consider that the Site should be included within the emerging Local Plan as a site for residential development. It is readily available and would be brought forward by Swan, who has an excellent reputation and track record in Newham. Details of this are included within Swan’s letter, which is attached at Appendix 3.

In the context of the Options Appraisal supporting the Local Plan identifies that the Site “could be dealt with as a departure to the plan where an acceptable way to overcome the issues above”; these issues relate to MOL, SINC and flood risk. This letter sets out our reasons why we consider that the Local Plan, as drafted, is not sound under the ‘test of soundness’ in the NPPF. The plan has not been positively prepared, it is not justified or effective and it is not consistent with the NPPF. Where relevant, suggestions for changes to the plan to address the concerns in respect of soundness are identified in these representations.

For the avoidance of repetition to the previous representations, this letter only addresses the tests of soundness, as set out in the National Planning Policy Framework (“NPPF”).

The Site
The Site is not publicly accessible and mainly comprises overgrown scrubland and grazing land. It has a total area of 6.08ha. There are also some shrubs/trees across the Site with electricity pylons traversing the eastern section (north-south). Despite being fenced off, the site is susceptible to periodic fly tipping. It
currently provides no public benefit and is visible from few points along Watson Avenue to the north and Burges Road to the west.

The Site is located approximately 900m east of East Ham, bounded by Watson Avenue (a residential road) to the north, the Northern Circular road to the east, Barking Road (A124) to the south and Burges Road (a residential road) to the west.

**Housing Context and Provision**

This site could provide circa 200 units of which circa 70 could be affordable housing; the provision of which may potentially exceed current policy targets. This quantum of development represents around 50% utilisation of the site area with a largely low density flatted scheme. The remainder of the site would be retained for publicly accessible open space and ecological enhancements. The open space areas would be located on the most accessible and environmentally beneficial areas of the site.

As set out in Swan’s letter ( Appendix 3 ), they have a track record of delivering development in a timely manner as a result of, in part, the modular housing techniques that are used. Swan opened a modular factory in February 2017 in Basildon, Essex to accelerate the supply of homes by enabling the production of high quality homes in 50% of the traditional construction time. It is intended that this factory will supply an increasing number of Swan’s projects as more typologies are introduced and production speeds up. There are also significant sustainable benefits derived from the modular approach that Swan has adopted and these are detailed in the letter attached at Appendix 3.

The site is available immediately and as such could be realised as soon as planning permission was granted and given the availability of modular construction, could be delivered quickly. Historically, the Site has been used for the grazing of horses. Therefore the risk of contamination is very low and site remediation would be minimal. It could come forward promptly, efficiently and sustainably. All aspects of the detailed design of the proposed development would normally be dealt with through the planning application process, although we would welcome a meeting to discuss the options for the site prior to this.

As set out in Swan’s previous representations ( Appendix 2 ), the Authority Monitoring Report (August 2016) sets out the borough’s five year land supply summary that showed a deficit of 1,210 new homes when the full extent of the ‘backlog’ is taken into account. These numbers saw an increase again in the 2016/17 financial year as a result of delayed completions from the previous year, but this highlights the uncertainty caused by these large scale developments. The reliance in Newham on larger developments results in fluctuating completion rates and unreliable projections. We consider that these complex development sites should be supported by more reliable small scale development that are readily developable and can boost the figures in less productive years.

As recognised by Newham’s Housing Monitoring Bulletin 2016/17, Newham rely on the Strategic Sites to meet their 5 year housing targets. The Bulletin states:

“Although national guidance prefers that the shortfall is dealt with in the first 5 years, the approach of spreading this over subsequent plan years (known as the Liverpool Method) is consistent with the London Plan approach. It is also more appropriate in the Newham context where many of the sites are complex, comprising large, tall developments which take time to deliver, but in many cases come forward all at once.”

It is clear, therefore, that the Council acknowledge this reliance on the Strategic Sites is contrary to the requirements set out in Paragraph 47 of the NPPF because it does not provide the short term housing
needs and therefore the 5 year housing target is unlikely to be met consistently. By allocating a greater mix of housing sites (to include sites that can be developed in the short term without any phasing), this is more likely to boost the shorter terms housing supply figures.

In addition, given that the housing numbers in Newham are likely to increase to 38,500 over a period of 10 years in response to the latest Strategic Housing Market Assessment and Strategic Housing Land Availability Assessment (both 2017) completed for the emerging London Plan, the Local Plan does not future proof the Borough effectively. The Local Plan only allows for 43,000 over 15 years and therefore already falls short. When considering this in terms of annual provision, the London Plan will require 3,850 homes per annum but the Local Plan only provides for 2,867 homes per annum; an annual shortfall of 983 homes.

This shortfall of new homes indicates that the Plan has not been positively prepared to accommodate for the likely increase in housing demand; it therefore does not meet the tests of soundness set out in the NPPF.

Irrespective of the Newham housing numbers, both the adopted London Plan (Para. 3.15) and the emerging London Plan (Para 4.1.2) make it clear that London should be treated as a single housing market area. Therefore, any sites that are appropriate and available for development should be included within the site allocations, as it will boost the housing supply in the Capital.

Based on the above, the Local Plan will not meet the housing requirements for London, especially when considered in the short term. As such, the Plan has not been positively prepared to accommodate for the housing demand, and the strategy of not including adequate short term sites in the allocation has not been justified. We consider that it does not meet the tests of soundness as set out in the NPPF and the benefits of these additional housing units on the proposed site allocation have not been considered thoroughly.

Open Space Delivery
Policy INF7 of the Local Plan identifies that “Parks, allotment and playing pitch deficiencies (refer to SP9 and the IDP) will be reduced, with major developments incorporating provision that meets their own needs and where appropriate, contributes to wider need. Key priorities include District and Local Parks and provision within the Arc of Opportunity." The supporting text to this policy adds that “As population levels increase so will pressures on existing spaces, particularly true of the Arc of Opportunity given the relative scarcity of park space in this historically industrial area, and in Urban Newham where there is more limited opportunity to provide new open space.”

Given the high numbers of residential units that are proposed in Newham, this will inevitably increase the pressures on the, already limited, publicly open space in the Borough.

As mentioned previously, the Site is currently not accessible and therefore provides no public benefit. If included as a site allocation for housing, this Site could also incorporate elements of public open space, which would clearly have wider public benefit. Equally, this could provide ecological enhancements to the SINC and therefore providing environmental benefits as well as public open space.

Although the Local Plan has identified that there is an intention to reduce the open space deficiencies, it is not clear how this will be achieved as there are no concrete proposals set out in the Plan. As such, this Plan has not been positively prepared because it does not include a strategy to explain how the open space will be increased, and therefore will not be effective in its targets.

This Site could be allocated for housing and public open space. The masterplan principles set out above would leave around 50% of the site as public open space with some or all of it being accessible to the local community. Additionally, biodiversity and ecological enhancements would be made to these
spaces. This would not only increase the quantum of open space in the Borough that is open to the public, but it would also improve the quality of the space that exists. The allocation of this site would help to support the soundness of the Plan.

**Local Plan Options Appraisal**

Following the Issues and Options representations, the revised version of the Local Plan is supported by an Options Appraisal, which specifically refers to our client’s site at Page 52:

“While a site known as Lady Trower Trust was proposed for green space release / housing development, the land is MOL / SINC and in a high risk flood zone. In the absence of design proposals the change will not be taken forward at this time, the proposal could be dealt with as a departure to the plan were an acceptable way to overcome the issues above identified.”

The above assessment therefore acknowledges that the Site could be brought forward for a housing development if the issues of MOL, SINC and Flooding are dealt with. Normally the issues of SINC and Flooding would be addressed through a planning application and therefore should not be an impediment for the site being allocated for development. In terms of MOL, for reasons set out below, we consider this Site should be removed from the designation. The following sections therefore address how these issues can be overcome, and how wider public benefits will outweigh any harm caused.

**Metropolitan Open Land (MOL)**

Whilst this Site is located in the MOL, it is privately owned and is not accessible to the general public. The Council has not undertaken a stand-alone MOL Review as part of their evidence base to the Local Plan and therefore there is no analysis of the site. As such, we would argue that the Plan has not been positively prepared because a full review should support the Plan.

According to Paragraph 84 of the NPPF, “When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.” This is reiterated in the first bullet point of paragraph 85 about defining boundaries which stresses the need to ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development.

As explained previously, the proposed allocation on this site would result in a highly sustainable proposals which would not only increase the housing numbers, but also improve the environmental conditions of the Site. The MOL boundary is therefore inconsistent with other Local Plan strategies in Newham (namely public open space deficiencies and housing need), and contrary to the first bullet point of NPPF Paragraph 85.

In addition, the second bullet point of Paragraph 85 states that “local planning authorities should… not include land which it is unnecessary to keep permanently open”. At present, the Site provides no public benefits and therefore could be vastly improved if removed from the restrictive MOL designation, and instead allocated for housing and public open space.

Referring to the adopted London Plan Policy 7.17, the criteria for MOL designation is as follows:

(a) it contributes to the physical structure of London by being clearly distinguishable from the built up area

(b) it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London

(c) it contains features or landscapes (historic, recreational, biodiversity) of either national or metropolitan value
(d) it forms part of a Green Chain or a link in the network of green infrastructure and meets one of the above criteria.

Dealing with each of the above points in turn, the Site does not possess any of the features that warrants its allocation within the MOL and therefore should be removed from the MOL designation.

(a) The site is not clearly distinguishable from the development that surrounds it on all sides; residential to the north, south and west, and the North Circular to the east. The Site is not visually attractive, with electricity pylons across the site, and it can only be seen from very few locations on the surrounding residential streets. It is surrounded by residential development, and therefore is not clearly distinguishable from the built up area.

(b) The Site is not accessible to the public and therefore provides no benefits in this regard.

(c) The Site provides no historical or recreational features. Whilst the Site is identified as a SINC, we are able to demonstrate through additional studies, that appropriate development could result in net ecological enhancements. As set out in Swan’s previous representations, the Site was not allocated for its rich and diverse biodiversity. Instead, it was recognised that:

“Though not botanically diverse, the seeds of teasel (Dipsacus fullonum) and thistles (Cirsium spp.) attract large flocks of finches, and kestrels frequently hunt overhead, indicating the presence of small mammals or reptiles.”

As such, this particular SINC allocation would not preclude development. Instead, with appropriate landscaping and ecological enhancements, the SINC could be improved further.

(d) The Site does not provide part of a Green Chain or link of green infrastructure. The Site is bound by residential development and gas holders beyond to the north and an access road to south and redevelopment site further south. As such, there is no continuous green route.

Considering the above, this Site should be removed from the MOL designation along with the three other sites within the Policies Map Changes document that propose the removal of some MOL. The MOL currently represents a fragmented series of inaccessible green spaces; our site would be better served by a comprehensive housing and open space masterplan. A thorough review should have been undertaken as part of the Local Plan process to ensure that the function of the MOL was being met for all potential development sites. This Site is not currently performing the function of MOL, and therefore it should have also been included within this document of proposed changes. The benefits of a housing development on this site, would outweigh any loss of MOL and we do not consider that the Local Plan has been positively prepared because this balance has not been considered.

Flooding
The Options Appraisal identifies flooding as being an ‘issue’ in the consideration of the Site for allocation. Whilst this Site is located within Flood Zone 3, this does not automatically preclude development. The Sequential Test that supports the submission Local Plan includes a number of sites that are also located within Flood Zone 3:

- S5 Stratford Canal
- S8 Thames Wharf
- S13 Manor Road
- S14 Canning Town Central
- S15 Canning Town East
Considering the above, the Local Plan has not been positively prepared because many other sites have overcome the issue of being within Flood Zone 3. A Flood Risk Assessment can demonstrate that this issue can be addressed in a planning application through appropriate mitigation and design. This would not preclude development coming forward.

SINC
Along with flooding and MOL, which have been dealt with above, the Options Appraisal identified the SINC as being a reason why the site could not be allocated. As set out in Swan’s original representations, the Site provides little benefit in terms of nature. These details will not be repeated in this letter of representation, but it should be noted that ordinarily such matters of ecology would be dealt with at planning application stage. We are able to prepare a report to demonstrate that the development of this site would not only provide no harm, would indeed provide ecological enhancements.

Summary and Proposed Amendments to the Local Plan
To summarise the above, the following bullet points set out our reasons why we consider the Local Plan does not meet the tests of soundness, in line with the NPPF:

- There is an ever-increasing housing need in London and the allocation of this Site would seek to provide approximately 200no. new homes, including affordable.
- The existing site allocations are heavily reliant on large scale developments, which are more complex and unreliable in their delivery. This Site is available for development immediately and would not require any further land acquisitions to develop. The allocation of this Site would boost Newham’s housing figures in light of the latest evidence of housing need and land availability in the 2017 SHMA and SHLAA.
- Swan has a good track record in Newham and is able to deliver the site efficiently and to a high standard.
● The Site is currently not open to the public, but with an allocation could also include an element of public open space. This would ensure that Policy INF7 is deliverable, which it currently does not appear to be.

● The Options Appraisal already identifies that this Site has development potential if it addresses issues of MOL, flooding and SINC. Both the flooding and ecology/nature would normally be dealt with at planning application stage and details of these can be provided if required.

● This Site should be removed from the MOL as it does not currently meet its required functions. Its allocation as MOL is inconsistent with wider Local Plan policies in terms of sustainable development and open space deficiency.

● We therefore consider that in order for the Local Plan to meet the NPPF tests of soundness, this site should be removed from the MOL and allocated for housing and public open space.

Our client would be very keen to work with you to bring this Site forward, and to ensure that the Newham Local Plan meets the tests of soundness. We are intending to undertake a masterplan, ecological survey and flood risk assessment to demonstrate that this Site is deliverable and could support the Council in their housing and open space needs. We would be grateful for a meeting with the Policy team to discuss these proposals in more detail and show that the previously identified issues can be overcome. We would also welcome the opportunity to put this forward to the Planning Inspector at the Examination in Public with your support.

We trust that you have enough information to meet with us, but if you require anything further then please do not hesitate to get in touch.

Yours faithfully

Principal Planner

Appendix 1: Site Location Plan

Appendix 2: Issues and Options Representation (Swan, April 2017)

Appendix 3: Swan Housing Provision Letter
Appendix 1: Site Location Plan
Thursday 6th April 2017

Planning Department
London Borough of Newham
Newham Dockside
1000 Dockside Road
London
E16 2QU

Dear Sirs,

Local Plan Review - Issues and Options Consultation (April 2017)
Reallocation of Land at Burges Road, E6 for Non-Strategic Housing

Swan Housing Association Limited (Swan) and Aston Mansfield (the Land Owner) hereby submit this representation to the London Borough of Newham (LBN) to consider allocating the Site known as Lady Trower Trust Playing Fields at Burges Road, East Ham, E6 (‘the Site’) in part for housing as part of the Local Plan Review: Issues and Options April 2017 Consultation.

As joint venture partners, we can confirm that the Site is deliverable and we can commit to delivering the Site for housing should it be reallocated. It should be noted that future proposals would include the provision of affordable housing that is in critical shortage in Newham and the Capital. A large part of the Site would also be retained as open space that would be accessible to the public, as such improving the open space offer available to the wider community. We strongly believe that this is a suitable site for housing given its location, surrounding uses and condition, and we believe that the delivery of this site would provide significant benefits, both social and environmental.

This representation sets out the context of the Site, along with our justification for why we believe that LBN should consider allocating this site for housing.

**The Site**

The Site is 6.08 hectares and is located approximately 900m east of East Ham, bounded by Watson Avenue (a residential road) to the north, the Northern Circular road to the east, Barking Road (A124) to the south and Burges Road (a residential road) to the west. The northern and western boundaries, Watson Avenue and Burges Road, comprise terraced housing predominantly up to 2 storeys in height which is the common housing typology in the area.
The Site can be accessed via Watson Avenue and Burges Road, however the Site is not publicly accessible and is not currently in beneficial use despite the name of the Site referencing ‘playing fields’. The Site comprises wasteland with some shrubs/trees with electricity pylons traversing the eastern section of the Site (north-south).

**Metropolitan Open Land (MOL)**

The Site is currently allocated as Metropolitan Open Land (MOL). The London Plan (March 2016) sets out the following specific criteria that should be considered when a Local Authority designates land as MOL:

“To designate land as MOL boroughs need to establish that the land meets at least one of the following criteria:

- a) it contributes to the physical structure of London by being clearly distinguishable from the built up area
- b) it includes open air facilities, especially for leisure, recreation, sport, the arts and cultural activities, which serve either the whole or significant parts of London
- c) it contains features or landscapes (historic, recreational, biodiversity) of either national or metropolitan value
- d) it forms part of a Green Chain or a link in the network of green infrastructure and meets one of the above criteria.”

In terms of whether the Site meets the above criteria, although the Site has been allocated as MOL, it is not clearly distinguishable from the built up area due to the existing housing and road networks that establish the boundary of the Site, along with the electricity pylons that travers the Site. This is obvious as the boundary is piecemeal and unclear and merges into the adjacent neighbourhood.

Additionally, the Site does not provide any facilities to the surrounding communities for leisure recreation or sport. It currently serves no useful / community purpose and nor does the current land owner have the funds to consider these uses as viable and deliverable options.

Further, the Site does not contain any features of interest; either landscape, historic, or biodiversity. The ecological value of the Site is assessed in more detail below.

Lastly, the Site does not form a green chain or network given that the Site to the north is a gas holder station which incorporates a sizeable structure and the land to the south incorporates a school which is potentially to be intensified as part of the Issues and Options process (known as Langdon Academy and former Lansbury School).

It is therefore not considered that the Site meets any of the above criteria to be retained as MOL.

The reallocation of the Site for housing in part could see proposals come forward that deliver new outdoor facilities such as a multi-use games area, and an appropriate landscaping plan would enhance the existing flora and fauna that would allow the Site to contribute more to society and nature. It should also be noted that a portion of the Site would remain as open space that would be of enhanced quality and publicly accessible for the new and existing community’s enjoyment. This is considered to be a significant benefit to the borough given that the Site is not publicly accessible and of low quality.

**Site of Importance for Nature Conservation (SINC)**

The Site is designated as a ‘Site of Borough Importance Grade II’ within the Newham Biodiversity Study (2010) with the Sites main habitat comprising “hedge and semi-improved neutral grassland”.

Swan Housing Association Limited is registered as an exempt charity under the Industrial and Provident Societies Act 1965 (Registered number: 28496R) and with the Homes and communities Agency (Registered Number: L4145) Registered office: Pilgrim House, High Street, Billericay, Essex CM12 9XY
The Site has been identified as a “List 1” site in which the LBN has identified this site as having potential to be enhanced to Borough Importance and thus reduce areas of deficiency in access to nature, with the Mayor having stated that “access” should be improved to achieve this. It should be noted that this site is not publicly accessible, and unless brought forward for development, will remain inaccessible to the public. Bringing this site forward for development will open up the Site, with future proposals aiming to deliver policy compliant open space / play space provision, benefitting the new and existing community. It should also be noted that a portion of the Site will remain as open space, achieving the Mayor’s objective to establish access to this site.

The Site’s habitat has been classed as “Wasteland (Brownfield)” and has been recognised for the following:

“Though not botanically diverse, the seeds of teasel (Dipsacus fullonum) and thistles (Cirsium spp.) attract large flocks of finches, and kestrels frequently hunt overhead, indicating the presence of small mammals or reptiles.”

It should therefore be noted that the Site is not allocated for its rich and diverse biodiversity, and if the Site was to be reallocated, any future landscaping proposals could include the re-planting of existing flora that forms part of the justification of the current SINC allocation. Any future landscaping proposals could also enhance the Site’s biodiversity with such proposals being subject to the approval of the LBN.

A small section to the south of the Site has been recently designated as SINC (called Miers Close), however the evidence base states that “no designated species have been recorded on the site.” Swan would endeavour to hold discussions with the Greater London Authority (GLA) who own this newly designated SINC, with the intention of integrating this site into future landscape proposals. This presents a rare opportunity to significantly enhance the neighbouring SINC and ensure that any future proposals would enhance the areas biodiversity.

In summary, we strongly feel that the SINC designation does not contribute to the ecological diversity of the borough’s natural environment and no protected species habitats are onsite that would be adversely impacted by partial redevelopment of the Site for residential use. Therefore we believe that the benefits of reallocating this site for housing would be significantly beneficial and presents a rare opportunity to the LBN to significantly enhance the borough’s biodiversity offerings.

**Other Designations relevant to a Residential Allocation**

The Site is within Flood Zone 3, however this should not prohibit the Site being allocated for housing as future proposals can implement appropriate mitigation and risk management responses, as stated in Paragraph 2.29 of the DPD (October 2016). Any development would ensure that appropriate mitigation measures are integrated into the design of the proposals that could include features such as permeable surfaces and sustainable urban drainage systems (SUDS).

It is common for residential uses to be located within flood zones as appropriate mitigation measures are effective in preventing adverse impacts arising from flood events. It is considered that the partial redevelopment of the Site may benefit the existing surrounding residential uses that are also within the food zone by increasing the Sites water retention rates through the implementation of appropriate mitigation measures. This may also have a beneficial impact on other sites in the locality, particularly the school situated to the south of the Site.

As previously stated the Site is not publicly accessible and will remain inaccessible unless the Site is reallocated for housing and brought forward for residential development. The allocation of this
Site would increase the quantity and enhance the quality of accessible parks as future residential proposals would seek to retain a proportion of the Site for the provision of open space. This would be an opportunity to provide accessible open space and in turn reduce the number of communities within the borough that currently have a deficit of such space.

The reallocation of this site for housing would be compliant with the DPD (October 2016) that states “areas of Parks Deficiency proposals will ensure that access to open space is maintained and where possible, will address deficiencies in quantity, quality and access to open space” [emphasis added], as the allocation of this site would result in future proposals delivering appropriate and accessible open space.

The reallocation of this site would also be compliant with Policy S1 Spatial Strategy in the adopted Core Strategy (January 2012) that states that the LBN will support proposals that “provide new or enhanced social and green infrastructure where these are required to support new housing and address existing deficits” [emphasis added].

If the LBN consider reallocating this site for housing then future proposals would retain a section of the open space that would present an opportunity to significantly enhance the quality of the retained land in terms of biodiversity measures alongside making it publicly accessible.

This would be compliant with policy, as the DPD (October 2016) states that “within Areas of Deficiency in Access to Nature proposals will ensure that access to SINCs is maintained and where possible, will seek to improve access to existing, or create new, SINCs” [emphasis added].

If the LBN were to reallocate the Site for housing, it is considered that the reduction in the quantum of poor quality and inaccessible SINC would be significantly outweighed by the provision of high quality and accessible open space. This could have significant benefits to future and existing communities and the reallocation would reduce the areas within the borough that have an existing deficit of such space, which is also compliant with current planning policy (Core Strategy: Policy S1 Spatial Strategy).

The Greater London Historic Environment Record (GLHER) holds evidence indicating the potential for heritage assets of archaeological interest may be onsite. The definition of Tier 3 Archaeological Priority Areas involves using the GLHER to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

This designation should not be considered as a constraint to the development of the Site, as it is common practice to implement appropriate mitigation to prevent adverse impacts on any archaeological assets. Appropriate mitigation measures would be agreed in consultation with the LBN and any future permission could be subject to reasonable conditions.

The DPD (October 2016) states that “within the Health and Safety Executive Consultation Zones, proposals are required to account for the cumulative risk of developments and ensure that risk from potential hazards to residents/users is not increased.”

Given the surrounding context of the Site and the predominance of existing residential uses, it is considered that the LBN would not be increasing the risk to residents / users from potential hazards, and that this site constraint should not prohibit the Site from being allocated for housing.

Further, we would work with HSE to make sure a technical solution to alleviate any concerns they may have with new residential development in this location. It is not an uncommon juxtaposition to have housing and holder stations in reasonable proximity.
Housing Targets

The Authority Monitoring Report (August 2016) sets out the borough’s five year land supply summary that shows a deficit of 1,210 new homes when the full extent of the ‘backlog’ is taken into account. We believe that the Site is suitable for housing, and that by reallocating this site, the LBN would be able to reduce the current deficit.

The London Plan (March 2016) sets out a minimum annual target of 1,994 new residential homes between 2015/16 – 2024/25, a total of 19,940 new homes within the 10 year period; this figure is due to be reviewed by the GLA in 2019/20. The LBN have also set a housing delivery target of 37,500 new homes within the local plan period up to 2027 that they will aim to achieve through the delivery of allocated Strategic and Non-strategic Sites.

It is understood that the Arc of Opportunity will be LBN’s key focus for major regeneration, and that there is a different focus on ‘Urban Newham’ (where the Site is situated), stating that “Urban Newham will see more incremental and smaller scale change focused on Town and Local Centres.” It is therefore considered that the reallocation of the Site for housing is in line with the LBN’s objective to bring forward more incremental and smaller scale change within proximity to the centre of East Ham.

Allocated Strategic Sites (Core Strategy)

The Core Strategy allocates Strategic Sites across the borough that are to be delivered in the medium (2016 – 2020) to long (2021 – 2027) term. Although these sites have the potential to deliver a high volume of new homes, it must be recognised that they are large and complex developments that span large geographic areas with delivery of some sites being dependent on land assembly (compulsory purchase order) and development partnerships that can take many years to negotiate. It is therefore unlikely that a number of these sites will be able to contribute to the medium term housing need, in particular the ‘backlog’ housing need that has not yet been met. It should also be noted that the delivery of a number of allocated Strategic Sites may be delivered beyond the current local plan period (2027).

Of particular relevance to the Site, it is noted that East Ham Market and Town Hall Campus have been allocated as Strategic Sites with the objective to deliver mixed use retail and residential development that incorporate other non-residential floorspaces. These Strategic Sites are 880m west of the Site and we believe that the reallocation of the Site for housing would contribute to the LBN’s objective and bring regeneration and renewal to the centre of East Ham.

Small Non-Strategic Sites (DPD)

In addition to the above, there are 34 Small Non-strategic Sites that have been allocated in the adopted ‘Local Plan: Detailed Sites and Policies DPD (October 2016)’ with a combined capacity of approximately 2,145 new homes. It is understood that the Site is not allocated within the DPD, however Paragraph 4.8 states: “The Council accepts that there will be other, unallocated sites that come forward for residential development. Subject to their addressing all relevant policies in the plan, the Council supports residential development on such ‘windfall’ sites.” We believe that if the Site were to be reallocated for housing, future proposals would be able to address all relevant policies following appropriate pre-application discussions with LBN and the implementation of any necessary and reasonable mitigation.

Further to the above and as previously noted, it is understood that LBN does not have a five year land supply to accommodate both the ‘backlog’ and the current assessed need. As a result, we believe that it is necessary for the LBN to consider windfall sites in order to meet the current assessed housing need and we are of the opinion that the Site is appropriate for housing and would contribute towards meeting the borough’s housing need.
Affordable Housing Delivery Onsite

The LBN should take into account the added benefit of allocating the Site for housing with regard to the provision of affordable housing. Swan and the land owner are willing to explore development opportunities that would seek to maximise the provision of affordable housing taking into consideration current planning policy requirements. Pre-application discussions will also be held with the LBN to ensure that future proposals are considered appropriate and satisfy and potentially exceed current policy requirements.

Summary

The Site is currently allocated as MOL and SINC, however, due to the poor quality and 'wasteland' nature of the inaccessible site, and given that appropriate mitigation measures can be implemented to prevent any adverse environmental impacts, we are of the opinion that the Site should be reallocated for housing to unlock its true potential.

It is evident that the Site would contribute more to the local and wider community and the borough’s biodiversity if it were to be reallocated in part for housing and in part for improved open space and biodiversity. The reallocation of the Site could also see improvements to neighbouring SINCs that would significantly enhance the areas biodiversity that would not otherwise be achieved, presenting a rare opportunity to LBN to enhance the borough’s biodiversity offering.

We consider this to be a rare opportunity for LBN to unlock a site that can make a significant contribution to the existing community and deliver enhanced quality and accessible open space. Moreover, the Site would also deliver much needed affordable housing in an area that the LBN are focusing on regeneration and renewal given the Site’s proximity to the centre of East Ham, as well as delivering new homes that would reduce the borough’s housing delivery deficit.

Overall, we believe the benefits that could be realised if the Site were to be reallocated for housing would overwhelmingly outweigh the loss of poor quality and inaccessible MOL and SINC, and that the LBN should take this site forward during the Issues and Options consultation with the intention of reallocating the Site for housing.

We will be monitoring the Issues and Options consultation closely and we look forward to any future opportunity to submit further representation to LBN for this site if necessary.

Yours sincerely

New Business Officer

Cc. (Executive Director of Regeneration and Development)
(Head of Land and Planning)
(Aston Mansfield)
Appendix 3: Swan Housing Provision Letter
Dear Sirs,

Issues and Options Consultation (January 2018)
Allocation of Land at Burges Road for Non-Strategic Housing

As you are aware, Swan Housing Association Limited (Swan) and Aston Mansfield have submitted a representation to the London Borough of Newham (LBN) to consider allocating the site known as Lady Trower Trust Playing Fields at Burges Road, East Ham for housing as part of the Issues and Options consultation.

As part of the Regulation 19 Public Version, we are submitting a further representation in support of this suggested policy change. As set out in our representation prepared on our behalf by Bidwells, Swan and Aston Mansfield can confirm that this site is deliverable, and Swan would commit to delivering this site for housing should it be allocated, which would include the provision of new affordable homes. Part of the site would also be retained as MOL and SINC that would be accessible to the public if this site were to be reallocated in part for housing.

In our representation, we mentioned that Swan has set up its own modular factory in Basildon, Essex for the purposes of accelerating the supply of homes by enabling production of high quality sustainable homes in 50% of the traditional construction time. Swan has invested substantial resource into this factory and is whole heartedly committed to delivering a large proportion of its pipeline schemes (currently estimated at circa 400 a year) as modular construction to help deliver schemes quickly and efficiently. The factory will use modern methods of construction in a high-tech manufacturing environment to build modules made of sustainable cross laminated timber (CLT) which will be constructed and fitted out in the factory before delivery to site. This process standardises the high quality design and finish and reduces cost by condensing the build programme.

The factory delivered its first modules to the Craylands Estate regeneration project in Basildon in October 2017. The first modules were all houses and it is intended that around 250 new homes on this site will be built from modular construction. The Swan modular factory is lined up to deliver flatted units at Swans Laindon regeneration project which will be 6 storeys in height, and also to deliver units at Watts Grove and Blackwall Reach Phase 3 in Tower Hamlets which are both high density taller flatted schemes in urban areas. As such, our modular product can be a versatile and adaptable method of construction. This is one of the reasons why Swan won the Best Approach to Modular Construction at Inside Housing Development Awards in November 2017. Swan was commended for its innovative and sustainable approach to construction and commitment to delivering new quality homes.

Swan HOUSING ASSOCIATION

Direct Line: ++
Email: ww.swan.org.uk

Swan Housing Association Limited is registered as an exempt charity under the Industrial and Provident Societies Act 1965 (Registered number: 28496R) and with the Homes and communities Agency (Registered Number: L4145) Registered office Pilgrim House, High Street, Billericay, Essex CM12 8YV
In terms of Swans other capabilities and track record, we are well versed in unlocking complicated housing sites and driving them forward. This is self-evident with the delivery of a number of projects that have either recently been completed or are in the process of being delivered. Namely;

Bow Cross, Tower Hamlets
The Bow Cross estate was a complicated estate regeneration project of circa 700 new and refurbished homes. The redevelopment completely transformed the failing housing estate and replaced it with good quality new homes that retained a high proportion of affordable housing. The redevelopment involved substantial infrastructure improvements to better connect the estate to the wider area making it a desirable and attractive place to live. This was a multi-phased development that completed last year.

Blackwall Reach, Tower Hamlets
Blackwall Reach is a complicated and high profile estate regeneration project involving the redevelopment of 1,500 new homes in a multi-phased redevelopment. Swan took the outline planning permission obtained by the council and reworked it to create an improved high quality masterplan that increased the open space and public realm environment and better connected the development to its surrounds. The first phase is complete and second phase is on site. The third phase has planning permission waiting to commence and fourth phase is currently being worked up for a reserved matters planning application. The scheme will deliver circa 50% affordable housing in an exemplar regeneration scheme.

Paragon Heights, Redbridge
This is a high density scheme comprising of circa 140 new homes in three towers in Ilford town centre. It is 100% affordable housing with supporting commercial uses to activate the street frontage. It is currently on site and is expected to complete in 2019.

Laindon Town Centre, Basildon
This project involves the regeneration of the failing Laindon shopping centre and its wholesale redevelopment which will deliver a new high street with shops and health facility, landscaped space and Swan Head Office along with circa 220 new homes. The project is expected to start on site towards the end of this year and complete in 2022.

Cambridge Road, Barking & Dagenham
This scheme transforms a long vacant site in Barking Town Centre into a high quality and high density residential development of four interlinked residential towers with circa 270 new homes. The scheme is on site at present and is expected to be completed in two years.

Beechwood Village (Craylands) Basildon
The first two phases of the regeneration of the Craylands estate in Basildon is complete and delivered circa 200 new homes. Swan are currently on site with phase two which will deliver circa 350 new homes over a three year period.

In terms of recent work within the London Borough of Newham, Swan currently manages 1,400 homes in Forest Gate on behalf of Newham as part of a pfi contract with the council. The stock comprises a mix of typologies and tenures and Swan has been commended on its customer focused and local approach.

Swan has a number of other completed and pipeline sites and is fundamentally committed to deliver high quality new homes across all tenures which create sustainable and attractive places to live. We hope the above information has been a helpful background to Swans commitment to quality design, affordable housing provision, regeneration and place making and above all being able to deliver on commitments made.

We believe that this is a suitable site for housing given its location, surrounding uses and condition, and we believe that the delivery of this site would provide significance benefits, both social and environmental.

Yours sincerely

Head of Land & Planning
APPENDIX 5
PTE ILLUSTRATIVE MASTERPLAN AND WIDER CONTEXT
Wider Context
APPENDIX 6
PTE SCHEDULE OF ACCOMMODATION
### Schedule of Accommodation

**Project Number:** 18-035  
**Project Name:** Burges Road  
**Date:** 30/05/2018  
**Revision:** 3

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### Social Rent
- Apartments: 23 units
- Houses: 14 units

### Shared Ownership
- Apartments: 24 units
- Houses: 13 units

### Private Sale
- Apartments: 14 units
- Houses: 14 units

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**Notes:**
- Affordability split by unit: 25.3%
- Affordability split by hab room: 25.3%
- Total Units: 200
- Total Social Rent Homes: 59
- Total Shared Ownership Homes: 43
- Total Private Sale Homes: 98