

27 November 2025

Planning Policy Team
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The Savills logo consists of the word "savills" in a lowercase, red, sans-serif font, positioned on a bright yellow rectangular background.

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Dear Sir/Madam,

BERKELEY HOMES (SOUTH EAST LONDON) RESPONSE TO MATTER 10 - DESIGN

1. Introduction

On behalf of our client, Berkeley Homes (South East London) Limited (hereafter 'Berkeley Homes'), this written statement is submitted by Savills (UK) Limited (hereafter 'Savills') in response to Matter 10 – Design. This statement is provided for the purpose of responding to Questions 10.1 and 10.3 of Matter 10.

This letter has been drafted further to Berkeley Homes' previous Regulation 18 (dated 20th February 2023) and Regulation 19 (dated 20th September 2024) Representations, which suggested amendments regarding the Draft Submission Local Plan (DSLP). Berkeley Homes notes that a number of these proposed amendments have not been addressed in the DSLP submitted for examination.

2. Background – Berkeley Homes (South East London) Limited

Berkeley Homes is delivering TwelveTrees Park ('the Site') in partnership with the GLA in the London Borough of Newham (part of allocation N7 Three Mills in the DSLP). Berkeley Homes secured hybrid planning permission for TwelveTrees Park in August 2018 and implemented the extant permission in 2021. This consent was then amended via Section 73, approved in April 2025, to deliver approximately 4700 homes. This strategic development is transforming a previously severed and vacant piece of brownfield industrial land into a thriving new neighbourhood that will deliver a significant number of new homes (including affordable) for Newham, as well as a range of flexible non-residential floorspaces including a new school, and c.12 acres of public open space.

Construction of the first phase is well underway. Delivering the first phase of TwelveTrees Park has been a huge success for all key landowners involved - the GLA, LBN and Berkeley Group - an ambitious, award-winning and transformational partnership.

Berkeley Homes has concerns with the current wording of draft policies BFN2 and D2, which have a constraint on future development and seeks modifications to ensure it is clear, justified and robust. The principle of

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piecemeal delivery is understood; however, the intended meaning of piecemeal development in the context of this policy is unclear. Several strategic site allocations within the Local Plan are either subject to multiple land ownerships or are of a scale that would ordinarily come forward as phased development.

The following sections set out our comments on each in turn.

Suggested amendments to draft Local Plan re: [reference inserted]
 Deletions shown as ~~striketrough text in red~~; and
 Additions shown as underlined text in green.

3. Draft Policy BFN2: Co-Designed Masterplanning

Q10.1 Is policy BFN2 justified and consistent with national policy and the London Plan? In particular:

- *The requirement for a Meanwhile Use Strategy in part 4.*
- *The requirement for post occupancy surveys in part 5.*

The benefits of comprehensive masterplanning and development are acknowledged; however, Berkeley Homes has a number of concerns with the implementation of proposed draft policy BFN2, as were raised within the Regulation 18 and Regulation 19 representations. Overall, whilst the principle of piecemeal delivery is broadly understood, it is not clear what LBN mean by ‘piecemeal development’ in the context of this draft policy. A number of strategic site allocations within the Local Plan, including TwelveTrees Park and Bromley by Bow Gasworks (N7. SA2), are either subject to multiple site ownerships or by virtue of their size would typically come forward as phased developments. In light of this, it is important that flexibility is applied to draft policy BFN2 and the presumption against ‘piecemeal’ is removed whilst continuing to support a design-led, masterplan approach.

The TwelveTrees Park and Bromley by Bow Gasworks site allocation (ref: N7.SA2) is an example of a site that is in two separate land ownerships. As it stands, the allocation benefits from two masterplan consents, each bordering the other's red line boundary. These consents consist of Bromley By Bow Gasworks by St William Homes, which gained planning permission in 2025, and TwelveTrees Park by Berkeley Homes (South East London), originally gaining hybrid consent in 2018. In this instance, one part of the Site was ready to come forward for redevelopment several years before the remaining part of the Site, both being progressed on different timescales, each bound by S106 agreements and planning conditions that control the phasing and ensure collaborative design between the schemes' interfaces. As such, parts of Phase 1 at TwelveTrees Park - closest to West Ham station - have reached first occupation this year, with Phase 2 currently seeking to discharge pre-commencement conditions.

For this reason, we request clarity on the meaning of 'piecemeal' and how this term is defined in draft policy BFN2. Assuming that the term refers to phased development and land being brought forwards under multiple ownerships, we request the policy is amended to remove resistance against piecemeal development as this does not reflect the realities of implementing large complex strategic sites that have successfully come forward in phases (such as Twelvetreepark), and which are fundamental to the delivery of much needed housing and Local Plan growth objectives. As such, we recommend the policy wording be amended to support phased masterplans where they promote a design-led approach.

However, if this approach and clarity is not adopted, we suggest the following text in Part 1 be removed:

Sites should be designed and developed comprehensively. ~~Piecemeal delivery will be resisted, particularly where it would prejudice the realisation of the relevant neighbourhood vision, neighbourhood policy, site allocation development principles and/or site allocation design principles or where the timing of delivery would be unsupported by infrastructure.~~

With regard to parts 2 and 4 of this draft policy, we suggest that a design led approach can still be followed, without precluding development coming forward at different times by different landowners. Whilst it is acknowledged that there is merit in a joint up approach to masterplanning, we are concerned about the implementation of this policy and the prescriptive nature in which developers would need to engage and in turn may result in undue delays to the delivery of homes. As such, further flexibility is sought including the requirement for a Meanwhile Use Strategy. The following changes are proposed:

All major applications and applications on site allocations must undertake co-designed site masterplanning, through engagement with different stakeholders. This masterplanning ~~must~~ could consider all of the following:

- a. how the required land uses and infrastructure provision on the site ~~will~~ could be delivered;*
- b. relevant neighbourhood and/or site allocation design principles;*
- c. integration of the scheme with its wider surroundings, including any effects on the historic environment;*
- d. delivery of key walking and cycling connections within the site and to and from key local facilities;*
- e. layout of the site to ensure neighbourliness; and*
- f. how Biodiversity Net Gain will be delivered on site, natural features ~~will~~ could be incorporated and appropriate mitigation for environmental harm made.*

4. All phased sites, where parts of the site will remain vacant or underused for more than three years, must submit a Meanwhile Use Strategy which will outline how vacant and underused plots will be activated, where site specific circumstances allow.

Berkeley Homes considers this policy, as drafted, is **not justified**. The application of **draft Policy BNF2** is likely to discourage development and unduly restrict LBN's ability to deliver the wider objectives of the DSLP. The policy as drafted is also therefore **not effective**. Berkeley Homes consider that the proposed changes set out above would resolve these issues and ensure full **compliance** with national policy and ensure the policy is **effective** and **sound**.

4. Draft Policy D2 – Public realm net gain

Q10.3 Is policy D2 justified and consistent with national policy and the London Plan? In particular:

- *The requirement in part 3 for major developments referable to the Mayor to make proportionate contributions towards public realm enhancement and maintenance beyond the site.*
- *The requirement in part 5 for a Public Realm Management Plans.*

Draft Policy D2 seeks to ensure the delivery of high quality public realm, aligning with Berkeley Homes' aspiration to deliver high quality spaces within their developments.

Draft Policy D2 (2d) seeks to ensure the delivery of formal playspace requirements in the public realm. We consider that this requirement should be subject to site specific circumstances and only where there is an opportunity to do so. The assessment of play provision within major developments must be considered fairly and against the actual requirements of planning policy and balancing all other factors such as Biodiversity Net Gain, Urban Greening Factor, SuDs Strategy etc. In addition, play provision that is not within the public realm should not be discouraged. For example, podium playspace provision within higher density development should not be prohibited because of this policy aspiration. We therefore suggest the following amendment:

In areas of deficiency of access to children's play space, major developments that generate an over-5s child yield at ten or above are strongly encouraged to deliver part of their formal playspace requirements within the public realm, and/or provide additional formal or informal playspace in the public realm that is over and above the floorspace requirements set out in Local Plan Policy H11 and/or the site allocation, where feasible and taking into account site specific circumstances.

Draft Policy D2 Part 3 requires major developments to make a proportionate contribution towards public realm enhancements and maintenance beyond the site boundary, and states:

All major developments referable to the Mayor of London are required to make a proportionate contribution towards public realm enhancement and maintenance beyond the site, as informed by an Active Travel Zone Assessment (TfL), subject to viability.

This requirement should be informed by the financial viability of the Site, as developments need to weigh the balance of other required contributions and public benefits being made to ensure the delivery of a viable scheme.

Policy D2 Part 5 requires all applications providing qualitative and quantitative public realm to provide a Public Realm Management Plan. We have provided commentary against the current drafting of the policy:

Current wording	Commentary
<i>a. the timescale and phasing for completion of the public realm relative to the delivery of the overall site;</i>	<p>Proposed amendment:</p> <p><i>a. the indicative timescale and phasing for completion of the public realm relative to the delivery of the overall site;</i></p> <p>Given the complexities of delivery, we consider this policy should seek an 'indicative' timescale to ensure the delivery of the scheme is not bound by timescales that may need to shift due to the realities of delivery.</p>
<i>b. all maintenance and management requirements of the public realm</i>	<p>We suggest this is secured via condition and discharged at an appropriate time within the delivery of the scheme to ensure the relevant information is available in line with construction programmes.</p>

The application of **draft Policy D2** is likely to cause delays to the delivery of new development due the prescriptive nature and implications for scheme viability. The policy, as drafted, is also therefore **not effective**. Berkeley Homes considers that the proposed changes set out above would resolve these issues and ensure full **compliance** with national policy, and ensure the policy is **effective** and **sound**.

5. Conclusion

The overriding response is that the Local Plan should not put in place policies that fetter development opportunities from being brought forward or that mean those tasked with major development investment decisions must operate at the margins of viability. It is therefore important that policies are therefore resilient, and that underlying viability evidence supports this. For a plan that operates over several years and whose next review may not take place for some time, it is important to consider the likely impacts now to avoid unnecessary challenges in future years through flexibility.

Some of the items noted above in their current form would constrain potential redevelopment options and would therefore not be effective in their delivery, and would not be consistent with national policy.

We look forward to future opportunities to engage with the Council at the Local Plan Hearings. If you have any queries or would like to discuss anything further, please do contact me on the details above.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Savills", written in a cursive, flowing style.

Savills Planning