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Sent: 07 July 2026 16:48
To: Local Plan
Cc: [REDACTED]
Subject: Consultation on the Proposed Main Modifications to the Newham Local Plan – Representation on behalf of The Ballymore Group
Attachments: 260707 - LB Newham - Local Plan Main Mods Consultation Schedule - Ballymore-1.3.pdf; 260707 - LB Newham - Local Plan Main Mods Consultation Response - Ballymore-1.5.pdf

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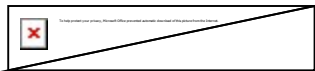
Dear Programme Officer

Please see attached representation on the Proposed Main Modifications to the Newham Local Plan on behalf of the Ballymore Group.

I trust the attached is clear but please do not hesitate to get in touch if you or LBN have any queries. We are keen to continue engaging with the Council's Policy team as the Local Plan Review progresses.

Many thanks

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Programme Officer
London Borough of Newham
Newham Dockside
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07 July 2026

Dear Sir / Madam

**Examination of the Newham Local Plan
Proposed Main Modifications Consultation – Representation on behalf of The Ballymore Group**

We write on behalf of our client, The Ballymore Group, in respect of the consultation on the Council's proposed Main Modifications (ED030) and Additional Modifications (ED034) to the emerging Newham Local Plan.

Our client has been actively engaged throughout the plan-making process, including the submission of Regulation 19 representations and Hearing Statements, and attendance at several Hearing Sessions through December 2025, January and February 2026. These representations therefore focus on whether the proposed Main Modifications have sufficiently addressed the soundness concerns previously raised.

Overall, the proposed Main Modifications represent positive and welcome progress in several areas, including:

- the introduction of a more flexible approach to tall buildings through the concept of “appropriate heights”;
- recognition of the need for flexibility within the town centre network;
- a clear shift in the affordable housing framework towards alignment with the London Plan threshold approach, including the removal of reliance on fixed borough-level percentage targets; and
- amendments to housing mix requirements, in particular the approach to family housing provision.

In respect of affordable housing, the revised approach (which seeks to align with the London Plan) is strongly supported, as it not only reflects the strategic policy framework established by the London Plan, but also provides a more flexible and deliverable basis for securing affordable housing and ensures that the Plan is capable of responding to changing policy and market conditions over time.

This is particularly important in light of the ongoing review of the London Plan and the Mayor's Support for Housebuilding London Plan Guidance, which introduces time-limited measures to affordable housing thresholds to support housing delivery. Ensuring that the Local Plan does not embed fixed percentage expectations will allow it to remain consistent with strategic policy as it evolves, while supporting the effective delivery of development across the Borough.

The proposed changes to housing mix requirements are also supported, particularly insofar as they limit the requirement for family housing (3+ bedrooms) to the social rent element of developments, where there is the most acute need and allow greater flexibility across market and intermediate tenures. This represents a pragmatic and policy-aligned approach, which reflects London Plan guidance on delivering family housing within the tenures where it is most needed, supports a more design-led approach to scheme optimisation and avoids unnecessary constraints which could otherwise impact viability and delivery.

We also welcome the amendments to Policy H8 (Purpose-Built Student Accommodation), which provide greater support for PBSA within appropriate and accessible locations across the Borough. However, further refinements are required to ensure the policy is effective and consistent with the flexible, mixed-use approach advocated through the London Plan. In particular, we remain concerned that the definition of “over-concentration” is not sufficiently justified, notably the proposed threshold of 800 student beds within a 300m radius, which appears arbitrary and unsupported by a robust evidence base. The policy should also provide greater flexibility where PBSA forms part of a wider residential-led redevelopment proposal, recognising the role that specialist housing products can play in supporting viability, accelerating delivery and contributing towards mixed and balanced communities, particularly on large strategic sites. These concerns were raised through our Hearing Statement and, in our view, have not been fully resolved through the Main Modifications.

Notwithstanding this positive direction of travel, a number of key issues remain, such that the Plan is not yet fully justified, effective or consistent with national and strategic policy.

In particular:

- The tall buildings strategy continues to rely on effectively prescriptive height parameters, which risk undermining the design-led approach required by London Plan Policy D9.
- Elements of the policy framework remain overly prescriptive, with insufficient flexibility to respond to site-specific constraints, including land ownership, viability and delivery considerations.
- The interaction between borough-wide policy requirements for infrastructure delivery (as set out in BFN4 Part 3) and site-specific infrastructure needs is not clearly resolved, creating potential internal inconsistencies (particularly in relation to key allocations such as Limmo Peninsula).
- Whilst the affordable housing framework has improved significantly, further clarification is required to ensure full and consistent alignment across all policies, including supporting text and specialist housing policies (e.g. PBSA and co-living), and to avoid the reintroduction of implicit percentage expectations.
- Concerns previously raised regarding the extension of the Greenway SINC designation onto the Bridgewater Triangle allocation remain unresolved, with no Main Modification proposed to address this matter despite the site's allocation for development and commitment to deliver substantial green infrastructure as part of a comprehensive redevelopment scheme.

The attached schedule sets out our detailed representations on specific Main and Additional Modifications, including recommended amendments where necessary to ensure the Plan is positively prepared, justified, effective and consistent with national and strategic policy.

We would welcome the opportunity to engage further with the Council and the Inspector in respect of these matters.

Yours sincerely

A black rectangular box with a white 'X' drawn across it, indicating a redacted signature.

For and on behalf of
Rolfe Judd Planning Limited

LBN MAIN MOD REFERENCE	DRAFT POLICY NUMBER	BALLYMORE REPRESENTATION
TALL BUILDINGS STRATEGY (DRAFT POLICY D4)		
MM17	Policy D4 (Tall Buildings)	The modification is supported insofar as it moves away from rigid maximum height limits and introduces the concept of “appropriate heights”, consistent with a more design-led approach. We also support the removal of the word “only” in relation to when tall buildings will be considered acceptable. However, the amended policy does not yet fully reflect the flexibility inherent in London Plan Policy D9. As drafted, the policy risks operating as a de facto development management tool which constrains site optimisation, rather than enabling a genuinely design-led approach. Recommended modification – amend wording to clarify that: <i>“The height ranges set out in Table 1 are indicative and should not be treated as fixed limits. Proposals which exceed these parameters may be acceptable where it can be demonstrated, through a design-led approach, that the resulting scheme optimises site capacity and responds positively to its context.”</i>
MM18	Table 1 (Tall Building Zones)	Notwithstanding the introduction of “appropriate heights”, Table 1 continues to establish specific and detailed height parameters for each Tall Building Zone, which are likely to be applied as maximum thresholds in practice, undermine the intended flexibility of Policy D4; and are not fully justified in the context of Opportunity Areas and areas of high accessibility. Recommended modification: Remove references to maximum heights or clearly state that these are guiding parameters only, not ceilings.
MM19	Policy D4 (Tall Buildings)	Tall Buildings Outside TBZs The introduction of criteria-based support for tall buildings outside TBZs is welcomed and represents a necessary degree of flexibility.
MASTERPLANNING AND DELIVERY (DRAFT POLICY BFN2)		
MM6 – MM13	Policy BFN2 (Co-designed Masterplanning)	The strengthened emphasis on comprehensive and coordinated development is acknowledged. However, the policy as modified risks over-constraining phased or incremental delivery, does not adequately recognise land ownership fragmentation and as a result, could delay delivery on complex sites. Recommended modification – include additional flexibility: <i>“Where comprehensive development cannot reasonably be achieved, phased or coordinated delivery will be supported where it can be demonstrated that this would not prejudice the wider objectives of the allocation.”</i>

STRATEGIC SITES		
MM18	TBZ10 – North Woolwich Road Policy N2.SA3 (Connaught Riverside)	The continued indication of heights up to c.50m is not considered to fully reflect the site's capacity for optimisation, its role within the wider Opportunity Area and emerging or consented development context. The majority of the N2.SA3 Connaught Riverside has recently secured a resolution to grant planning permission for a development which provides buildings of up to 18 storeys in height. Recommended modification: Increase appropriate heights to align with the recently consented scheme and allow for greater flexibility in height, subject to design-led justification.
MM18 & MM110	TBZ11 – Lyle Park West Policy N2.SA2 (Lyle Park West)	The increase to 60m (20 storeys) is noted and welcomed. However, this remains overly restrictive given the site's location within an Opportunity Area, its riverside context and emerging development patterns in the wider Royal Docks. Recommended modification – introduce additional flexibility: <i>"Heights above this range may be appropriate where justified through a design-led approach..."</i>
MM18 & MM132	TBZ13 – Canning Town Policy N4.SA4 (Limmo)	The Main Modifications relating to Limmo Peninsula are welcomed in part, particularly the introduction of taller building elements (up to c.100m in defined areas), which responds positively to concerns raised in our earlier representations under Matters 3 and 4 regarding the need to optimise this highly accessible Opportunity Area site. However, as set out in our Hearing Statements the site requires flexibility across the allocation as a whole, rather than within tightly defined height zones and development capacity and configuration should be determined through a comprehensive, design-led masterplanning process, informed by site constraints and delivery considerations. In this respect, the current approach, where taller elements are confined to discrete areas and subject to a defined step-down hierarchy, continues to risk constraining the optimisation of the site, and therefore only partially addresses the concerns previously raised.
	Policy N4.SA4 (Limmo)	Infrastructure and viability – there is a clear policy tension between Policy BFN4 (as amended by MM15), which introduces a borough-wide prioritisation framework placing infrastructure below other planning obligations and the site-specific requirements of the Limmo allocation, which include the delivery of a new bridge connection identified by the Council as essential to unlocking the site. As highlighted in our Hearing Statement under Matter 3, the delivery of key enabling infrastructure is fundamental to achieving comprehensive development of the site and realising the allocation's strategic objectives. This aligns with pre-application feedback we have received from both LB Newham Development Management Officers and the GLA who have advised that the delivery of a bridge over the railway (toward the Brunel Street Works site) is critical to the delivery of the Limmo site.

		In this context the bridge constitutes critical enabling infrastructure, without which the delivery of the allocation would be significantly constrained. The application of a fixed borough-wide prioritisation hierarchy therefore risks creating conflict with the requirements of the site allocation and there is insufficient clarity within the Draft Plan as to how such conflicts should be resolved. This gives rise to concerns that the Plan is not yet consistent, nor is it effective in securing delivery of strategically important sites. Required clarification – to address this issue, the Plan should explicitly recognise within the Limmo allocation that the bridge (and any other identified infrastructure) constitutes essential enabling infrastructure and clarify that, where such requirements are identified, they may need to be prioritised within viability considerations (such as affordable housing) notwithstanding the general approach set out in Policy BFN4. Recommended modification – amend the supporting text to N4.SA4 (Limmo Peninsula) to include: <i>“The delivery of key enabling infrastructure, including the proposed bridge connection, is essential to unlocking the development of the site. In applying borough-wide viability and planning obligation priorities, regard should be had to the need to secure this infrastructure to ensure the effective and comprehensive delivery of the allocation.”</i>
AM17	Policy BFN1 (Spatial Strategy) Policy N4.SA4 (Limmo)	The continued requirement for a minimum 2ha Local Park at Limmo Peninsula is not justified or deliverable given multiple landownerships, competing policy requirements and viability constraints. Recommended modification – amend to: <i>“Provision of publicly accessible open space will be secured proportionately across the allocation having regard to site constraints and viability.”</i>
	Policy N8.SA8 (Bridgewater Road)	Whilst no Main Modification is proposed in respect of the Bridgewater Road Site Allocation, we wish to reiterate concerns previously raised through our Regulation 19 representations and Examination hearing sessions regarding the proposed extension of the Greenway SINC designation onto the site under Policy GWS3.6. The site is a strategically important development allocation which already benefits from planning permissions, is allocated for comprehensive redevelopment and will deliver substantial green infrastructure and biodiversity enhancements as part of meeting the requirements of the site allocation. In this context, the proposed extension of the SINC designation onto the allocation is not considered necessary or justified and risks creating unnecessary tension between the site allocation and environmental designations. The absence of any Main Modification addressing this issue means that our previous concerns remain outstanding. Site Allocation Height Parameters We support the flexibility introduced through the wider amendments to the tall buildings strategy. To provide additional clarity

		and align the allocation with the amended approach to building heights elsewhere in the Plan, we recommend that the site allocation wording is amended as follows: <i>"Building heights should generally range between 21-32m (approximately 7-10 storeys), with taller buildings of approximately up to 50m (approximately 16 storeys) in the east and south-east of the site and approximately 60m in the west of the site (approximately 20 storeys) to aid wayfinding."</i> This amendment would provide greater clarity regarding the intended distribution of height across the site and align the allocation with the development framework being progressed for the site.
VIABILITY, AFFORDABLE HOUSING AND DELIVERY		
MM15	Policy BFN4 (Developer Contributions and Infrastructure Delivery)	The modification is noted insofar as it seeks to clarify the prioritisation of policy objectives where viability constraints arise. However, as currently drafted, the policy introduces a fixed prioritisation hierarchy, which places infrastructure delivery below affordable housing and employment, without sufficient flexibility to respond to site-specific requirements. As set out in our Hearing Statements under Matter 3 and Matter 6, viability and delivery considerations must be site-specific, and informed by the particular constraints and requirements of individual allocations. This issue is particularly evident in the case of the Limmo Peninsula allocation (N4.SA4), where (as set out above) the delivery of a new bridge connection has been identified by the Council as a key piece of enabling infrastructure and the bridge is understood to be essential to unlocking the site and securing comprehensive development. In this context, the application of a borough-wide prioritisation hierarchy, which places infrastructure below other obligations, creates a clear tension between Policy BFN4 and the requirements of specific site allocations, including Limmo. As drafted, this risks creating policy conflict within the Plan, undermining the deliverability of strategically important site and reducing clarity for decision-makers and applicants. To be effective and justified, the Plan should ensure that site-specific infrastructure requirements are clearly recognised and policy is applied with sufficient flexibility to prioritise critical infrastructure where necessary to enable delivery. Recommended modification – insert additional wording within Policy BFN4 (or supporting text) to state: <i>"The prioritisation of policy requirements will be applied flexibly, having regard to site-specific circumstances. Where site allocations identify critical infrastructure necessary to enable development, this may need to be prioritised to ensure the effective delivery of the scheme."</i> In addition, site allocations (including Limmo) should clearly identify where specific infrastructure requirements are essential to site delivery, to ensure alignment with the borough-wide viability framework.

MM52	Policy H3 (Affordable Housing)	The modification is strongly supported in principle, insofar as it moves the Plan away from reliance on fixed borough-level percentage targets and aligns more closely with the London Plan threshold approach. This represents a clear and positive response to the concerns raised in our Hearing Statement under Matter 6, where it was emphasised that the Plan should avoid the application of rigid percentage requirements and instead provide a flexible, policy-compliant framework. However, it is important that this approach is applied consistently and unambiguously. In particular the policy should not reintroduce specific percentage expectations, either explicitly or through supporting text and the framework should clearly defer to the London Plan threshold approach and any up-to-date Mayoral guidance, including the Support for Housebuilding London Plan Guidance (LPG). This is necessary to ensure that the Plan remains effective over time and capable of responding to future changes in strategic policy, including the ongoing London Plan review.
AM19 / AM22	Affordable Housing Supporting Text	The removal of fixed percentage requirements is supported. However, the continued reference within supporting text to c.50% affordable housing delivery risks creating a residual perception of a borough-wide target and undermining the clarity of the threshold-based approach. This may result in inconsistency in decision-making and by association, reduced effectiveness of the policy framework. Recommended modification – replace with wording confirming: <i>“Affordable housing delivery will be secured in accordance with the London Plan threshold approach, with provision determined through a design-led approach and, where applicable, viability assessment. Regard will be had to the London Plan and up-to-date Mayoral guidance, including any time-limited measures introduced to support housing delivery.”</i>
MM53	Policy H4 (Housing Mix)	The proposed modifications to Policy H4 are strongly supported, particularly insofar as they limit the requirement for family housing (3+ bedrooms) to the social rent element of development and introduce a more flexible and deliverable approach to housing mix across market and intermediate tenures. This represents a clear and positive response to concerns raised in our Hearing Statement under Matter 6, where it was highlighted that applying rigid unit mix requirements across all tenures can constrain scheme design, impact scheme viability and deliverability, and reduce the ability of a scheme to respond to identified housing need and demand.
MM57 & MM59	Policy H8 (Purpose built student accommodation) Policy H9 (Houses in multiple occupation and large scale purpose built shared living)	The principles set out above in relation to affordable housing should be applied consistently across the Plan, including within policies relating to Purpose-Built Student Accommodation (PBSA) and co-living / Large-scale Purpose-Built Shared Living (LSPBSL). As currently drafted, there is a risk that these policies introduce fixed or implicit contribution expectations or are interpreted in a way which departs from the flexible, threshold-based approach established at strategic level. To ensure internal consistency and effectiveness, these policies should align clearly with the London Plan approach to contributions and viability and avoid embedding fixed or assumed quantum of provision which may not reflect viability, site-specific constraints or evolving (strategic or national) policy requirements.

		This is particularly important in light of the Support for Housebuilding LPG, which introduces time-limited flexibility and the anticipated review of the London Plan, which may further evolve the strategic approach.
MM57 & MM58	Policy H8 (Purpose built student accommodation)	The modifications to Policy H8 are welcomed insofar as they provide a clearer framework for the delivery of Purpose Built Student Accommodation (PBSA) and recognise the role that student housing can play in meeting identified need across London. However, a number of concerns raised in our Hearing Statement under Matter 6 remain unresolved. As previously submitted, the policy should provide greater flexibility for PBSA proposed as part of a wider residential-led redevelopment scheme. The current policy continues to assess PBSA largely in isolation and does not adequately recognise the benefits that specialist housing products can provide in supporting the delivery of larger strategic sites, increasing housing choice and contributing towards mixed and balanced communities. We therefore continue to support the inclusion of explicit policy support for PBSA where it forms part of a wider redevelopment proposal and contributes positively to the overall planning balance. This reflects the amendments previously sought through our Hearing Statement. <u>Over-concentration definition</u> The proposed definition of over-concentration is not supported. The supporting text defines over-concentration as: • <i>over 25% of net residential approvals and completions over the plan period being delivered as PBSA in a neighbourhood; and/or</i> • <i>a proposal leading to more than 800 student beds being located within a 300m radius of an existing or approved PBSA development.</i> Whilst the inclusion of a neighbourhood-wide assessment is understood, the proposed threshold of 800 beds within a 300m radius appears arbitrary and is not supported by a clear evidence base. This concern was expressly raised through our Hearing Statement, which noted that the threshold lacked appropriate justification and could lead to unreasonable outcomes in areas undergoing substantial growth and regeneration. The Council's own approach creates situations where a relatively modest increase in student bedspaces may trigger a policy conflict despite the overall proportion of PBSA remaining well below the wider neighbourhood threshold. In our view, over-concentration should be assessed principally by reference to the wider neighbourhood context and the balance of residential uses rather than through reliance on a fixed numerical threshold which does not adequately reflect local circumstances or site-specific considerations. The drafting of the over-concentration definition should also be clarified. The current wording uses the phrase "<i>and/or</i>", creating uncertainty as to whether one or both tests must be met before over-concentration is deemed to arise. For clarity and consistent application in decision-making, the policy should utilise a single and unambiguous test – we suggest "or" would be

		most appropriate to support PBSA developments when they form part of a wider residential-led redevelopment proposal, or are coming forward in an area which has been subject to significant conventional residential redevelopment (such as Canning Town). Recommended modification – amend the supporting text accompanying Policy H8 to: <i>"Over-concentration may occur where either:</i> <i>• over 25 per cent of net residential approvals and completions over the plan period are delivered as purpose-built student accommodation within a neighbourhood; or</i> <i>• a proposal would lead to a concentration of student accommodation that demonstrably undermines the delivery of a mixed and balanced community, having regard to the scale of existing and planned residential development in the surrounding area."</i> Consistent with the representations submitted at Examination, Policy H8 should also explicitly support PBSA where it forms part of a wider mixed-use or residential-led redevelopment proposal. This is particularly important on large strategic sites where PBSA can contribute towards housing delivery, support scheme viability by providing early occupation or forward funding for a single block, diversify housing choice and assist in creating mixed and balanced communities, and help unlock broader regeneration objectives. The policy should therefore recognise that the acceptability of PBSA should be considered in the context of the development proposal as a whole rather than solely by reference to the PBSA component in isolation. Recommended modification – insert an additional criterion within Policy H8 stating: <i>"Purpose-built student accommodation will also be supported where it forms part of a wider mixed-use or residential-led redevelopment proposal and contributes positively to the delivery of a mixed and balanced community, the optimisation of a strategic site, and the overall regeneration objectives of the Borough."</i> This amendment would directly address concerns raised through the Examination process and would improve the effectiveness and flexibility of the policy.
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