

Sara Chiong

From: Lorna Shaw <[REDACTED]>
Sent: 20 September 2024 12:59
To: Local Plan
Cc: [REDACTED]
Subject: Lugenbuhl; Campaigns
Attachments: Consultation response to Newham Draft Submission Local Plan
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To whom it may concern,

Please see attached our **Consultation response to Newham Draft Submission Local Plan**.

Sincerely,
Lorna Shaw (On behalf of PEACH, Magpie Project and Focus E15)

Lorna Shaw (she/her)
Community Organiser
PEACH: The People's Empowerment Alliance for Custom House

M: [REDACTED]
E: [REDACTED]
W: <http://peach-e16.org.uk/>

Please sign our [petition](#) for Safe & Permanent Homes!



London Borough of Newham

Sent by email only to: localplan@newham.gov.uk

Date: 19th September 2024

RE: Consultation response to Newham Draft Submission Local Plan

Dear Newham Council,

We are a collective of housing organisation and community groups in Newham. We are on the frontlines of witnessing the struggles caused by Newham's housing emergency. Therefore we believe we are in prime place to reflect our communities' needs and concerns with housing, land and planning in the borough. We have reviewed the draft local plan and detailed our comments and concerns below related to particular policies.

Financial Viability Assessments ('FVA')

It is widely known that Developers use Financial Viability Assessments as a loophole to get out of policy requirements, particularly when it comes to providing affordable housing. This has not been adequately tackled in this local plan draft, with the loophole available to Developers in all major planning areas.

We believe that if this plan is to hold weight and address the housing emergency, it is integral that Newham creates a specific policy regarding how it deals with Financial Viability Assessments to include the following:

- The council will always produce its own FVA and will employ industry specialists to do so, so it holds weight next to Developer's own FVA's created by well-resourced financial teams.
- All material related to FVA's including negotiations should be made publicly available and not redacted, prior to planning committee meetings.

- The council should not permit developments where a Developer's own FVA is materially different from the council's FVA.
- Developers should not be allowed to renegotiate the s106 terms of affordable housing/tenures/number of units after planning permission is granted on the basis that their profits may not be as high as expected.

Vacant Building Credits:

We strongly oppose any opportunity for Developers to avoid building council/social/affordable rent housing which VBC is used for. As this Lichfield blog on VBC states: "Vacant building credit can do one of two things; remove any affordable housing contribution or reduce it." Planning permission should require that council, social, and affordable rent housing levels remain unaffected by VBC.

Offsetting payments / financial contributions

As the plan recognises, at 3.254 the Climate Change Committee set out that offsetting must have a very limited and defined role if we are to achieve net zero by 2050. Yet the plan does nothing to limit the role of offsetting, as it is available to use by developers in relation to carbon emissions (although no onus for developers to offset embodied carbon, which is only 'strongly recommended'). Financial contributions are also available to off-set negative impacts on air-quality, drainage amongst other factors.

Therefore this plan makes no genuine attempt to achieve net zero by 2050 or to tackle developer's using loopholes to continue building in the same way as they have for decades. Neither is there policy which ensures that offsetting funds are being reported, administered and used by the council to assure communities they are fulfilling their purpose.

The Royal Institute of British Architects have been advocating since 2021 that demolition should be halted as every year 50,000 buildings are demolished in the UK, producing 126 million tonnes of waste, which represent two-thirds of the UK's total waste. Building and construction account for 40% of carbon emissions.

Yet there is nothing in the plan which requires that a developer must consider retrofit and refurbishment over demolition. Policy CE3 is weak and does in reality not oblige a true consideration of retrofit over demolition, let alone a policy that demolition should always be a last resort. This is absurd given that the council recognises that there is a climate emergency, and far from what is required to protect nature and our communities into the year 2038.

Housing

We support that the delivery of council/social rent housing family units should be the utmost priority. We support Newham's priority is the provision of social rent homes, however in redevelopment council rent homes should not be replaced with social rent homes (which is typically £50 per week more expensive). There should be like-for-like replacement in terms of units numbers, rent levels (including service charge) and tenancies.

In addition to the what has been set-out above about FVA's and their use in reducing housing which our communities' most need, we also want to bring the following to your attention:

H1: Meeting housing needs

- We believe a minimum guarantee of social rent housing is essential given that is the type of housing the borough needs most. It should constitute the majority of the net increase of 51,425 to 53,784 new units.

H2: Protecting and improving existing housing

- We recognise the damage which the demolition of housing does to our communities and our environment. We strongly believe there should be a policy-backed presumption in favour of retrofit and refurb of existing housing, with demolition only being considered if the buildings in question are structurally unsound.
- Housing, whether retrofitted or demolished, should be reprovided like for like at the same rent levels tenures, and same number of units.
- We are concerned about pt3, which gives reasons when family unit to HMO will be permitted. Given the need for family-sized units, we think these should only ever be permitted in exceptional circumstances. We are aware that families can end up in overcrowded HMOs due to a lack of family-sized units.

H3: Affordable housing

- We believe that there should be a minimum of 50% social rent accommodation on the site. This should not count council-rent housing if it existed on the site prior to redevelopment - this should be provided in it's own right as part of a like-for-like policy.
- We are concerned that developers can too easily evade social rent housing requirements by using financial viability assessments that prioritise their profits. The housing emergency in this borough is too severe for weak policies—social rent housing provisions must be non-negotiable. Payments in lieu are unacceptable; if developers can afford to pay in lieu, they can afford to provide social rent housing.
- Policy should provide for a minimum number of family-sized social rent units (40% of SR units on site should be family sized).

H4: Housing mix

- We believe that the minimum percentage of family-sized social rent units (5-15%) is inadequate given the need in Newham of 60 per cent family-sized homes (three beds or larger).
- We believe that secure tenancies must be provided on new developments, as they will reduce the plight of Temporary Accommodation and the instability of the private rented sector. This is in addition to like-for-like replacement of properties which housed residents in secure council tenancies.

H5: Build to Rent housing

- Build to Rent housing should be obliged to meet the minimum of 50% social rent housing not simply Affordable Rented Homes such as London Affordable Rent which is more expensive

H8: Purpose-built student accommodation

- New purpose-built student accommodation should only be built when there is a demonstratable need.

Co-designing in masterplanning

In relation to policy BFN2.

We believe it is integral for masterplanning to also be required to support and consider:

- How to ensure the existing community on a site stays intact and isn't displaced by development, including any outstanding disrepair issues.
- That existing residents should not be decanted from properties unless a) planning permission has been granted which affects their home and b) that building work is due to begin on their home in no more than 6 months.
- All phased sites, where parts of the site will remain vacant or underused for more than one year, must submit a Meanwhile Use Strategy which will outline how vacant and underused plots will be activated.
- Local housing need including for larger family council rent units of 3,4,5 bedroom.
- How to ensure that there are no restrictions on use of communal areas/facilities for any residents (e.g. social rent tenants excluded from areas available to private households). In addition that there are no 'rich door/poor doors' and that residents are mixed in each block of housing.
- We support that participants in the engagement and co-design process should include residents in the surrounding area, local community organisations, local businesses, and prospective users.
- We believe co-designing must begin prior to any presumption in favour of demolition and that retrofitting and refurbishment must be the presumed method of masterplanning unless buildings are found to be structurally unsound.

Designs should consistently align with the existing character of the area, including its socio-economic context.

Social Value and Health Impact Assessment - delivering social value, health and wellbeing

In relation to policy BFN3:

Impact on those with low incomes (London Living wage and below) must be considered in any Assessments. This is not clear in the current draft plan.

Social Value and Health Impact Assessment must be delivered at the Options Appraisals stage in order for co-design participants to understand the different social value and health impacts of each option.

Greenspaces

In relation to policy GWS1, we believe housing infill onto green spaces in Newham should not be allowed.

In relation to policy BFN1, there should be stronger policy protection of existing greenspaces, over providing or creating new green spaces post-development. This protects existing nature and environment, and means the community are not robbed of important outdoor leisure space during redevelopment.

Existing community facilities / Cultural facilities and sports and recreation facilities

Regarding policy SI1, SI2, SI3:

- We believe that free or low-cost spaces for communities are vital and should be strongly protected, with an increase, not decrease in these spaces. There are many reasons for this, including the lack of space for children to play and do homework if they live in overcrowded home environments.
- Community facilities should only be demolished as a last resort. If they are, they must be reprovided like-for-like in terms of space, availability, facilities and cost to use. In the interim any users of the space such as organisations/community groups must be offered a meanwhile space.

Markets and events/pop-up spaces

In relation to policy HS4:

We believe that development impacting on an existing market/retail sites should only be supported where existing traders/small-business owners are assisted to continue to trade and remain in the market/retail areas on a long-term basis, including with long-term reduced rents. This should be on the basis that they are accepted as material to the character of an area.

Visitor accommodation

In relation to policy HS8:

We believe the scale of development of hotels/visitor accommodation should be proportionate to the character of the existing neighbourhood.

New employment floorspace

In relation to policy J2:

We believe that office/employment floorspace should never take precedence over housing, and particularly council and social rent house building.

Neighbourhood plans

N4 Canning Town and N5 Custom House and N8 Stratford And Maryland and all other neighbourhood plans

We believe that existing residents of the area are protected and supported to securely and affordably continue to live in the area.

Signed by:

The People's Empowerment Alliance for Custom House (PEACH) Lorna Shaw [REDACTED]
[REDACTED]

The Magpie Project [REDACTED]
[REDACTED]

Focus E15

Focus E15 [REDACTED]