

Sara Chiong

From: Ben Kershaw [REDACTED]
Sent: 19 September 2024 15:21
To: Local Plan
Cc: [REDACTED]
Subject: Reg 19 Representations
Attachments: Response Form Final.pdf; Barbers Road LBN Reps.pdf

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Dear Sir/Madam,

Please find attached Savills' Reg 19 Reps on behalf of Bellway Homes (Thames Gateway) Limited.

Thank you,

Ben Kershaw

Ben Kershaw
Assistant Planner
Planning Residential and Business Space



Savills, 33 Margaret Street, London, W1G 0JD

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Response Form for Regulation 19 Consultation.

	<p>Local Plan Publication Stage Response Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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**Name of the Local Plan to which this representation
relates:**

Newham Draft Submission
Local Plan

Privacy Notice

Who we are

London Borough of Newham (LBN) is registered with the Information Commissioner's Office (ICO) as a 'Data Controller' This privacy notice applies to you ('the service user') and LBN ('the Council'). The Council takes the privacy of your information very seriously.

This privacy notice relates to our functions relating to the Newham Local Plan Review Consultation (Regulation 19). It also provides additional information that specifically relates to this particular consultation, and should be read together with our [general privacy notice](#), which provides further detail.

What data do we collect and process

We collect your name, contact details, email address, job title and organisation if applicable and demographic equalities data if you choose to share it.

Why we collect your data

The consultation is a requirement of the Town and Country Planning (Local Planning) (England) Regulations 2012. We collect your data so that we can get your views on the legal compliance or soundness of the Local Plan, as well as its compliance with the duty to co-operate.

The lawful basis for processing your data

The lawful basis we use to process your data as set out in UK data protection legislation is:

Article 6 (a) Consent: the individual has given clear consent for us to process their personal data for a specific purpose.

Article 9 (a) Explicit Consent: the data subject has given explicit consent to the processing of those personal data for one or more specified purposes.

We will only process personal data where we have consent to do so, and you can withdraw your consent at any time. By submitting your personal data in the response form you are consenting for us to process your data and/or consenting to be added to the database. If added to the database, they can be removed upon request.

You can withdraw your consent at any time.

How we use your data

This data is collected, collated and then submitted to the Secretary of State, who will appoint an Inspector to conduct an independent examination of the Local Plan. Demographic data will be processed anonymously to assess the effectiveness of our consultation.

Where you have consented, your contact details will be added to our consultation database for future consultations and updates on the Examination in Public.

At submission representations will be made public on the council's website, including name of person and organisation if applicable making representation. Other personal information will remain confidential.

Representations, in full, submitted along with the Local Plan, evidence base and documents Submission Draft Newham required by legislation to the Planning Inspectorate and to the person the Secretary of State appoints as the Planning Inspector. Contact details will be made available to the Inspector and Programme Officer so they can contact individuals to participate in the Examination.

Consultation database is stored on Mailchimp and accessed by planning policy team only. Mailchimp stores names and email addresses of those on the consultation database in line with Mailchimp policies, particularly its [data processing addendum](#). Please be aware they may store personal data external to the UK specifically in the USA and/or EU.

Who we will share your data with

We will only share your data with the Planning Inspector appointed by the Secretary of State, the Programme Officer appointed by Newham, and within the planning policy team. Your name and organisation (if applicable) will be published on our website along with representations upon submission. Demographic data is not shared with the Planning Inspector or the Programme Officer.

We will not share your personal information with any other third parties unless you have specifically asked us to, or if we have a legal obligation to do so.

How long we will keep your data

We will keep your data safe and secure for a period of 15 year(s) in line with our retention Schedule. After this time, it will be securely destroyed.

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See the [Planning Inspectorate Customer Privacy Notice](#) for details on how they keep your data safe and secure.

Know your rights

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Response Form

For guidance on how to complete this representation form please view the Regulation 19 Consultation Guidance <https://www.newham.gov.uk/planning-development-conservation/newham-local-plan-refresh>.

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Diana"/>
Last Name	<input type="text"/>	<input type="text" value="Thomson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Bellway Homes (Thames Gateway)"/>	<input type="text" value="Savills"/>
Address Line 1	<input type="text" value="C/O Agent"/>	<input type="text" value="REDACTED"/>
Line 2	<input type="text"/>	<input type="text" value="REDACTED"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="REDACTED"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="REDACTED"/>

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate? (Please be as specific as possible)

Policy

Implementation Text

Paragraph

Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details overleaf of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please refer to supporting letter of representation.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to supporting letter of representation.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☒

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

Bellway has extensive land interests at Barbers Road.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Do you wish to be notified about:

a. the submission of the local plan for independent examination

Yes ☒ No ☐

b. the publication of the Inspector's report

Yes ☒ No ☐

c. the adoption of the Local Plan

Yes ☒ No ☐

10. Would you like to be added to our consultation database to be notified about future planning policy consultations?

Yes ☒ No ☐

Please return to London Borough of Newham by 5pm 6th September 2024

19 September 2024



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

Via: localplan@newham.gov.uk

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Dear Sir / Madam

**LONDON BOROUGH OF NEWHAM DRAFT LOCAL PLAN – REGULATION 19
REPRESENTATIONS SUBMITTED ON BEHALF OF BELLWAY HOMES (THAMES GATEWAY) LIMITED**

These representations to the London Borough of Newham (LBN) consultation on the draft Local Plan Regulation 19 are submitted on behalf of our client, Bellway Homes (Thames Gateway) Limited.

This consultation is on the draft submission version of the new Local Plan for Newham. The draft Local Plan has been informed by the responses the Council received throughout the previous Regulation 18 consultation in early 2023. It has also been informed by evidence base documents which include research on specific topics and emerging borough-wide and regional strategies.

These representations focus on the site specific allocation for Bellway's sites, including our observations and suggested amendments to the draft policies to which our client deems relevant for consideration. Throughout this representation we propose text amendments (in red text).

1. Bellway's Sites

Our client owns sites at Pudding Mill Island (known as "Legacy Wharf Phase 1", "Legacy Wharf Phase 2" and "Legacy Wharf Phase 3" amounting collectively to c.2.41 ha of land. Legacy Wharf Phase 1 is now built out and occupied, and construction is underway at Legacy Wharf Phase 2. The London Legacy Development Corporation (LLDC) resolved to grant hybrid planning permission at the Legacy Wharf Phase 3 site in June 2024, and the drafting of the S106 Agreement is ongoing.

The sites are all located in the Pudding Mill Lane area of the London Borough of Newham, but are currently within the administrative boundary of the LLDC as the planning authority.

The LLDC will cease its planning functions on midnight of 30 November 2024, and the sites will return to being covered by the planning powers of LBN. The sites are located at the junction of Barbers Road and Cooks Road, extending south towards the Bow Back River.

The wider Pudding Mill Lane area is an island site bounded on the three sides by the waterways and to the north by the railway line / Crossrail land. The site also adjoins the Legacy Community Scheme PDZ 8 land to the north east, which is currently occupied by the temporary ABBA Arena, and the Vulcan Wharf development site to the south west.

Current Policy Position

As set out above, our client's sites fall within the planning jurisdiction of the LLDC, formally the Olympic Delivery Authority (ODA). The ODA was formed in April 2012 as part of the London 2012 Olympic Games bid. The aim of the ODA was to transform one of the most challenged areas in the UK into a sustainable,

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thriving neighbourhood. Once the Games concluded, the authority was renamed the LLDC and in 2020 the Legacy's Corporation Board agreed that LLDC's town planning powers and functions would return to the four neighbouring boroughs of Newham, Hackney, Tower Hamlets and Waltham Forest by the end of 2024.

The sites are allocated in the LLDC's Local Plan (2020). The adopted Local Plan identifies Pudding Mill as a development site (Site Allocation SA4.3: Pudding Mill) which is envisioned as:

"A new medium-density, mixed-use area, including a significant and diverse element of new and replacement business floorspace, including spaces suitable for small- and medium-sized businesses; a new Local Centre adjacent to Pudding Mill Lane DLR Station and Pudding Mill Lane; new homes including a significant element of family housing; new Local Open Space, playspace and public realm. Cumulatively across the Pudding Mill Site Allocation, 25 per cent non-residential floorspace should be achieved, with a predominantly industrial floorspace use mix in the area to the west of Cooks Road and around the Crossrail portal."

The allocation sets out key guidance as follows:

- non-residential uses should be focused along a new central east-west street (which City Mill Passage will form part of);
- development should allow for improved east-west connections through the site;
- provision should be made for key connections, including a new bus/cycle/ pedestrian connection from Stratford High Street to Marshgate Lane and a new pedestrian/cycle connection from Wrexham Road over the A12 and River Lea;
- land should be safeguarded for DLR North Route Double Tracking phase 2; and
- regard will need to be had to not prejudicing the operation of the safeguarded rail freight site to the west.

In the interest of consistency and clarity for developers (many of whom already own or have contractual positions on the site), the emerging policy within the Newham Local Plan should align with the key aspirations of the existing policy. However there are opportunities to update the vision to make it less prescriptive to allow design innovation and the delivery of development which meets need in successfully designed places.

The LLDC prepared an SPD for the Pudding Mill area, which was adopted in March 2017. As this is part of the LLDC's development plan, we assume that this will be revoked upon the adoption of the Newham Local Plan and planning powers returning to Newham. We would welcome confirmation of this.

2. Draft Allocation – N8.SA9 (Page 501-504)

It is acknowledged that Bellway's sites are located within the Stratford and Maryland 'neighbourhood' (N8) and covered by Site Allocation N8.SA9 – Pudding Mill within the draft Local Plan. The boundary of the proposed Site Allocation N8.SA9 is understood to align with the existing Site Allocation SA4.3: Pudding Mill within the LLDC Local Plan (2020).

The updated draft allocation no longer outlines the planning history as described in the previous draft document, for the site shown below. However, the planning history within that document did not provide an accurate reflection of the current position, and should have been updated. It is suggested that the site address for each application be included within the descriptions below in the interest of clarity. The following amendments and additions were proposed by Savills in response to the Regulation 18 consultation last year, and we have updated accordingly where relevant:

"21/00395/FUL: Demolition of existing buildings and structures and redevelopment of the site to provide buildings ranging from six to nine storeys in height, comprising of 196 residential units including affordable housing (Use Class C3), 2,258 sqm GIA floorspace to accommodate commercial, business and service (Use Class E), together with associated car parking, open space, hard and soft landscaping and infrastructure work.
~~Pending consideration~~ – **Permission Granted - 28 November 2022.**

21/00455/FUL: Planning application for demolition of existing buildings, and the erection of eight buildings ranging from 3 to 12 storeys in height, comprising a total of 254 residential dwellings and 4,257 sqm GIA of B1 (business) floorspace, together with basement, access, servicing, car parking, cycle parking, cycle storage, plant, open space and landscaping. *Permission Granted – 3 November 2022.*

21/00460/FUL: Application for outline permission (all matters reserved) for the erection of 6- buildings ranging between six (6) to fourteen (14) storeys in height to provide: 238 residential homes, including affordable housing (Use Class C3), and flexible commercial floorspace (Use Class E), together with associated blue badge car and cycle parking, public open spaces, landscaping and infrastructure works; and Detailed application for full planning permission for the demolition of the existing buildings and the erection of one building, extending to eight (8) and nine (9) storeys in height, to provide 105 residential homes (Use Class C3) and flexible commercial floorspace (Use Class E), together with associated car and cycle parking, public open space, landscaping, public realm improvements and infrastructure works. Resolution to grant planning permission secured 4 June 2024.

22/00384/FUL: Application for full planning permission for the redevelopment of the site to provide 496 residential units (Use Class C3), 8,752 sqm (GIA) OF storage and distribution/light industrial (Use Classes B8 and E(g)(iii)) and 184 sqm (GIA) OF retail floorspace (Use Class E (a-c)), with car and cycle parking and associated hard and soft landscaping. This application is accompanied by an Environmental Statement (ES) submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations (2017). Withdrawn – 9 February 2024.

Development Principles

The proposed development principles are broadly welcomed, and it is noted that Bellway's Legacy Wharf schemes align with these.

The text on p.503 makes reference to providing evidence that the maximum throughput of the Barbers Road waste site has been re-provided elsewhere in London before the redevelopment of the site can take place. This evidence has been provided as part of Bellway's Legacy Wharf Phase 3 proposals, which secured a resolution to grant planning permission at Planning Committee in June 2024. It is expected that the S106 negotiations will be concluded and planning permission granted prior to adoption of LBN's draft Local Plan, so would recommend that this commentary is updated accordingly.

Design Principles

The draft allocation still states that the site should be designed and developed in accordance with Local Plan Policy BFN2. Policy BFN2 requires all applications on site allocations to undertake co-designed site masterplanning. This is an onerous requirement and should not be a prerequisite that could stifle development coming forward in a timely manner. We previously commented on this in our Regulation 18 consultation representations.

Building Heights

The draft submission allocation notes that "building heights should range between 21-32m (ca. 7-10 storeys) with taller buildings up to 50m (ca. 16 storeys). Looking at the immediate context of the site, there is significant variance in heights in the surrounding area. Of particular note is Sky View Tower which reaches 35 storeys.

The Pudding Mill island site is a largely vacant, post-industrial island which benefits greatly from strategic connections and access to riverside amenity. The site is also allocated as falling within Tall Building Zone TBZ18 Stratford High Street under Policy D4 which allocates the site as being capable of accommodating taller buildings.

The emerging context across the wider island includes permissions ranging from 8 to 23 storeys, including land at PDZ8 to the east (up to 25 storeys) and the neighbouring Vulcan Wharf site (up to 14 storeys). The site

allocation acknowledges the range of potential PTAL ratings across the wider island being up to 6 (the highest possible rating). The policy therefore feels like a missed opportunity to maximise the development potential of sites where no harm which cannot be mitigated for can be demonstrated.

There are no listed or locally listed buildings within the vicinity of the Pudding Mill island site (as indicated by the map provided on p.502 of the draft Local Plan). Furthermore, in accordance with paragraph 124 of the NPPF, the use of brownfield land should be optimised to make an effective use of land in meeting the needs for homes. This is a key brownfield area, which is largely uncompromised and offers a significant opportunity for much needed housing, therefore height should not be capped at 16 storeys.

Bellway believes that the site has the capacity to accommodate greater height, along primary vehicular routes in particular, where there would be no negative impact on residential amenity or the surrounding land, for example over the railway line. This will allow the site to assimilate with the existing nearby context to the south on Stratford High Street. The following amendment (put forwards within our Regulation 18 consultation representations) is still proposed:

“Building heights could extend up to 20 storeys.”

The original proposal for Phase 3 (21/00460/FUL) included up to 411 residential units in buildings ranging between eight (8) to 23-storeys, but was reduced to 343 units due to comments from LLDC officers expressing concern with the proposed heights. Therefore, an amendment to building height restrictions for Site Allocation N8.SA9 could tangibly increase the delivery of homes and affordable homes in this location.

3. Other Key Policies

Tall Buildings

Policy D4 of the draft Local Plan provides details of the tall building zones across the borough. Site Allocation N8.SA9 falls under Tall Building Zone TBZ18: Stratford High Street which has a maximum height range of ‘50m and 100m, 60m, 40m and 32m in the defined areas.’

The site allocation is within a defined area of heights between 21-32m and up to 50m. Bellway supports the principle of setting out height zones, however, for reasons set out earlier, believes that their Phase 3 site is capable of delivering up to 60 metres (20 storeys).

Affordable Housing

Policy H3 of the draft Local Plan notes that new residential development with the capacity for 10 or more homes should provide the percentage of affordable housing required through the threshold approach as set out within Policy H5 of the London Plan (2021). It is further noted that locally the tenure split should be 65% social rent housing and 35% intermediate homes. Bellway accepts this policy position, subject to viability testing to ensure delivery of housing is not unduly stifled.

Housing Mix

Policy H4 still requires all new residential development to deliver a mix and balance of housing types, sizes and tenures. On sites of 10 units or more, the policy states that developments should deliver 40% of the number of new homes as family housing with three or more bedrooms. However, it is noted that a financial viability assessment can be submitted should this not be capable of being met.

This is a very high proportion of family homes, and strict adherence to this policy could negatively impact scheme viability. We would recommend that LBN should consider the suitability of individual sites for this level of family housing, as some areas of the borough, and some sites will be more suitable than others for family housing. A ‘one-size-fits-all’ approach isn’t always appropriate and there will need to be a degree of flexibility incorporated into the policy to reflect this.

It is further noted that the draft policy seeks for residential developments on site allocations to provide a minimum of 5% of proposed homes as four or more bedroom affordable homes. In terms of one bedroom, two person units, no more than 15% of units can be provided. Bellway still requests further clarification regarding this, particularly as the policy remains silent on two bedroom homes, only stating in the policy justification that two bedroom homes form a smaller proportion of the local housing need. These requirements are prescriptive and onerous and should be removed from the policy, especially in light of reducing demand for affordable homes secured via S106 Agreements by Registered Providers and Housing Associations across London.

4. Summary

Bellway requests that consideration is given to the comments within this letter as we believe they would help to address the identified issues and make the draft Local Plan justified, positively prepared, effective and consistent with national policy. We request that our representations are considered and would be pleased to discuss the comments raised further with officers. At this stage we would like to reserve the right to appear at the Examination in Public at the appropriate time.

Should you require any further information, please contact either myself or George Daniel [REDACTED] of these offices.

Yours faithfully

[REDACTED]

Diana Thomson
Director

Enc. Site Location Plan

Cc.

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]