

**Sara Chiong**

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**From:** Gwilym Jones <[REDACTED]>  
**Sent:** 20 September 2024 13:35  
**To:** Local Plan  
**Subject:** Draft Submission Local Plan - Representations  
**Attachments:** LBN Local Plan - Reg 19 Reps - Policy HS1.docx; LBN Local Plan - Reg 19 Reps - Policy H3 (Part 1).docx; LBN Local Plan - Reg 19 Reps - Policy H3 (Part 2).docx; LBN Local Plan - Reg 19 Reps - Policy H3 (Part 3).docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

You don't often get email from [REDACTED] [Learn why this is important](#)  
Please find attached representations submitted on behalf of Muse in respect of the Draft Submission Local Plan.

- HS1
- H3 (three parts)

I look forward to receiving confirmation of receipt.

Regards

Gwilym Jones  
Longboard Consulting  
8 Percy Place  
London Road  
Bath BA1 6AR  
T: [REDACTED]  
M: [REDACTED]

**Response Form for Regulation 19 Consultation.**

 <p>Newham London</p>	<p><b>Local Plan</b> Publication Stage Response Form</p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></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

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

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First Name	<input type="text" value="Elizabeth"/>	<input type="text" value="Gwilym"/>
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Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Muse"/>	<input type="text" value="Longboard Consulting"/>
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E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="REDACTED"/>

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## Part B – Please use a separate sheet for each representation

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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="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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.

Newham's Draft Submission Local Plan (Regulation 19) June 2024 **Policy H3** states that residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should provide 50 per cent of the total residential units as social rent housing and 10 per cent of the total residential units as affordable home ownership housing.

The associated policy Justification and Implementation refer to *"the pressing need to deliver genuinely affordable homes to meet both Newham and London's wider housing needs; that "genuinely affordable housing" is to be delivered on land in public ownership and that "genuinely affordable housing should be included within the initial buildings or phases of developments."*

'Genuinely affordable' housing is used elsewhere in the Draft Submission Local Plan (Regulation 19) but is not a defined term.

London Plan (2021) Policy H6 (Affordable housing tenure) affordable products and para. 4.6.3 states:

*"The Mayor is committed to delivering genuinely affordable housing. Within the broad definition of affordable housing, the Mayor's preferred affordable housing tenures are:*

- *homes based on social rent levels, including Social Rent and London Affordable Rent\**
- *London Living Rent*
- *London Shared Ownership"*

[\* Whilst the GLA no longer publishes London Affordable Rent levels this may be restored in the future and rent levels between Social Rent and London Living Rent should form part of the affordable housing tenure offer]

The Glossary to the Draft Local Plan (Appendix 1) defines 'Affordable Housing' as *"Social rent, London affordable rent, affordable rent and intermediate housing ..."*

As drafted the Draft Submission Local Plan (Regulation 19) is internally inconsistent and not in conformity with the London Plan.

[See also further representations on Policy H3](#)

(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.

1. Amend Policy H3 to reflect housing need identified in the SHMA.

*Residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should provide 50 per cent of the total residential units as affordable homes ~~as social rent housing and 10 per cent of the total residential units as affordable home ownership housing~~ comprising 62% Social Rent, 22% London Living Rent and 16% Intermediate/Affordable Home Ownership.*

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**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.

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

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

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The SHMA (Figure 6, 48 and elsewhere) sets out affordable housing need based on different tenures.

There is an identified need for London Living Rent/Intermediate/Shared Ownership/Affordable Rent homes which together amount to approximately 38% of the total affordable housing need (SHMA Figure 6). Policy H3 specifies 10% 'affordable home ownership' and then only in addition to 50% social rent.

See also further representations on Policy H3

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Amend Policy H3 to identify the need for other affordable tenures.

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4.(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
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Policy H3 goes on to state that developments that do not meet the requirements (and the delivery of the required level of family dwellinghouses under Local Plan Policy H4.2) will be subject to viability testing.

The SHMA (Figure 19) and the BNPP London Borough of Newham: Local Plan Viability Assessment, April 2024 (Table 4.6.1 and 4.7.1) highlight the significant difference in rental levels and capital values between Social Rent and London Living Rent.

Delivering 50% social rent housing is highly unlikely to be achievable on sites not in public ownership. As a consequence almost all applications for more than 10 dwellinghouses will be subject to viability testing.

This is an additional time and cost burden on applications and will slow down decision-making and the delivery of new homes.

See also further representations on Policy H3

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Amend Policy H3 to allow for the delivery of a wider range of affordable housing tenures within an overall target of 50%.

*Residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should provide 50 per cent of the total residential units as affordable homes ~~as social rent housing~~ and ~~10 per cent of the total residential units as affordable home ownership housing~~ comprising 62% Social Rent, 22% London Living Rent and 16% Intermediate/Affordable Home Ownership.*

(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:

The representations are matters of interpretation rather than factual errors. Unless the Council makes amendments to reflect representations it is appropriate that the Policies, Justification and Implementation are discussed in a public forum.

***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 6<sup>th</sup> September 2024**

**Response Form for Regulation 19 Consultation.**

 <p>Newham London</p>	<p><b>Local Plan</b> Publication Stage Response Form</p>	<p><b>Ref:</b></p> <p><b>(For official use only)</b></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.

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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.

### **How do we protect your data**

We comply with all laws concerning the protection of personal information and have security measures in place to reduce the risk of theft, loss, destruction, misuse or inappropriate disclosure of information. Staff access to information is provided on a need-to-know basis and we have access controls in place to help with this.

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

### **Know your rights**

We process your data in accordance with the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Find out about your rights at [Your rights – Processing personal data privacy notice – Newham Council](#) or at <https://ico.org.uk/your-data-matters/> If you have any queries or concerns relating to data protection matters, please email: [dpo@newham.gov.uk](mailto:dpo@newham.gov.uk)

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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" value="Ms"/>	<input type="text" value="Mr"/>
First Name	<input type="text" value="Elizabeth"/>	<input type="text" value="Gwilym"/>
Last Name	<input type="text" value="Oliveira"/>	<input type="text" value="Jones"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Muse"/>	<input type="text" value="REDACTED"/>
Address Line 1	<input type="text"/>	<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"/>

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## Part B – Please use a separate sheet for each representation

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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="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

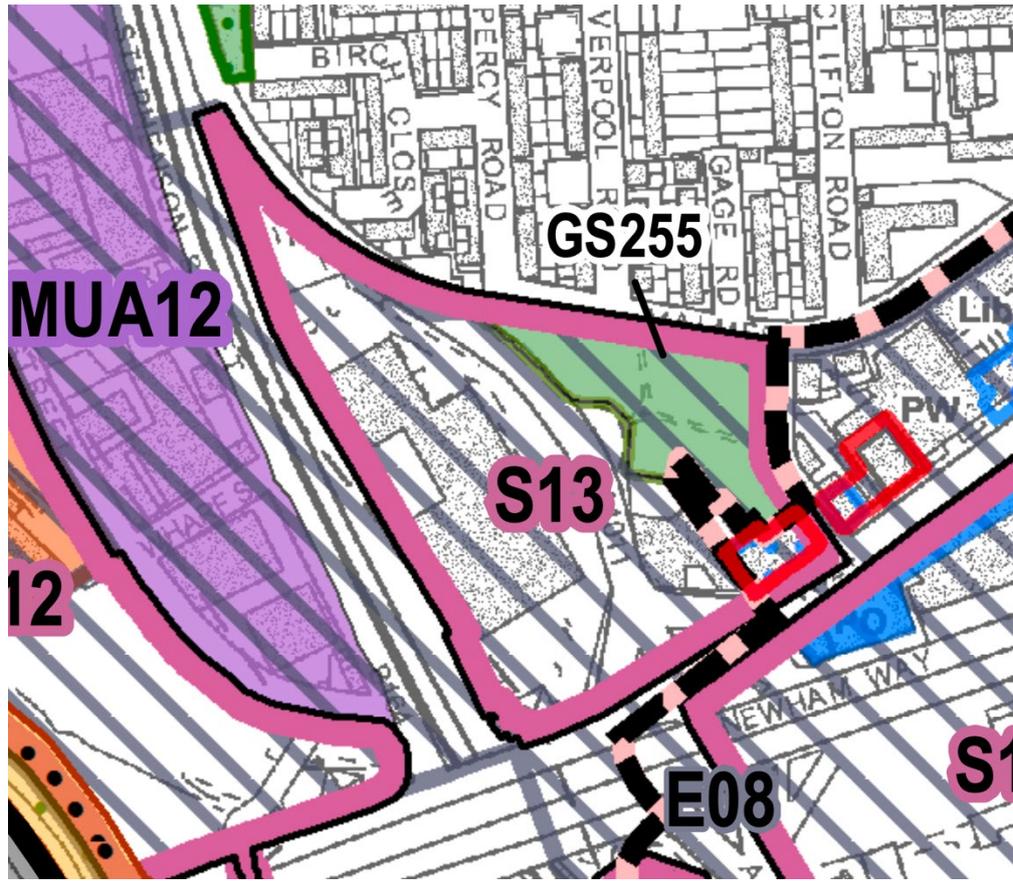
Please tick as appropriate

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.



Extract from Newham Local Plan 2018 Policies Map  
Strategic Site 13



(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.

1. Amend Policies Map to include all of former Strategic Site 13 as being within the town centre boundary.
2. Amend Map of Town Centre Networks (p.112) to include all of former Strategic Site 13 within the town centre boundary.
3. Remove reference to 'potential extension'.

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

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Yes  No

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