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Sent: 19 September 2024 18:02
To: Local Plan
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Subject: Network Rail Consultation Response – Newham Local Plan Regulation 19 consultation
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Follow Up Flag: Follow up
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OFFICIAL

Dear Planning Policy team,

Thank you for consulting Network Rail on the draft submission of the Local Plan. Please see attached Network Rail's formal consultation response.

If you have any questions regarding Network Rail's response or wish to discuss any of the above matters further, then please do not hesitate to contact me.

Kind Regards



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(Please be advised, I am not in the office on Fridays as I work flexible hours)

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19 September 2024
NR ref: TP/ANG/2024/060

Sent by e-mail

Dear Planning Policy team,

Network Rail Consultation Response – Newham Local Plan Regulation 19 consultation

I am writing on behalf of Network Rail (NR) in respect of the Newham Local Plan Regulation 19 consultation.

Thank you for consulting NR on the draft submission of the Local Plan. Please consider this letter the formal NR response to the consultation.

NR welcomes the support and commitments detailed within the draft Local Plan and Site Allocations for improvements to railway infrastructure and public transport, particularly at Stratford Station and West Ham Station. NR looks forward to continuing to work closely with the London Borough of Newham to ensure the required railway infrastructure improvements can be successfully delivered.

Nevertheless, there are a number of outstanding matters that NR believes need to be addressed for the Local Plan to be found sound. Please refer to Appendix 1 and Appendix 2 to view NR's feedback on these matters.

Network Rails: Land to the South of Anthems Way, Stratford, E20

Please note that a separate consultation response in respect of Network Rail's Land to the South of Anthems Way, Stratford, E20 was submitted to the London Borough of Newham's Planning Policy team on 16/08/2024.

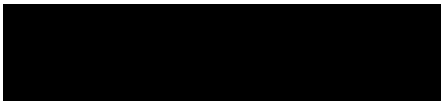
Engagement with Network Rail's Asset Protection and Optimisation team

A number of site allocations are located either adjacent to or in close proximity to NR owned land and operational railway infrastructure. As a result, potential Applicants looking to bring forward development in these locations will need to engage with NR's Asset Protection and Optimisation (ASPRO) team at an early stage of the development process to ensure that the works can be completed without any risk to the operational railway.

To start the process with our ASPRO team, the Applicant should use the Asset Protection Customer Experience (ACE) system found on NR's Rail's Asset Protection website (<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>). This website also provides more information about the Network Rail ASPRO team and the services they offer.

If you have any questions regarding the NR's response or wish to discuss any of the above matters further, then please do not hesitate to contact me.

Yours Sincerely



Elliot Stamp
Town Planning Manager (Anglia)

Appendix 1: Network Rail's feedback on N8 Stratford and Maryland and Site Allocations;
N8.SA2 Stratford Station, N8.SA5 Stratford Town Centre West, N7.SA1 Abbey Mills

N8 Stratford and Maryland: Vision

('Red' denotes proposed changes to the text i.e added / removed / changed words)

| | Current Regulation 19 Wording | Proposed Wording | Network Rail Rationale |
|--------|--|--|--|
| Vision | <p>11. improving conditions for walking, cycling and public transport by:</p> <p>a. increasing the capacity of Stratford Station and preventing development which would inhibit future station and interchange improvements;</p> <p>b. supporting the ongoing and further implementation of Low Traffic Neighbourhoods and new and improved modal filters;</p> <p>c. reducing the severance of the train tracks through new connections and bridges across the neighbourhood at N8.SA2 Stratford Station, N8.SA8 Bridgewater Road and N8.SA9 Pudding Mill;</p> <p>d. requiring and supporting new and improved connections across the River Lea at Bows Good Yard and to the A12 and supporting measures to reduce vehicular traffic;</p> <p>e. requiring and supporting new and improved walking and cycling routes to improve connections across the neighbourhood and between Stratford and Maryland and by supporting the provision of the Romford Road (Stratford to Ilford), Leyton Road (Stratford towards Leyton), Temple Mills Lane/Honour Lea Avenue (Olympic Park) and Leytonstone Road (Maryland towards Leytonstone Road) Strategic Cycling Corridors;</p> <p>f. requiring and supporting improved walking routes within, and linking to, the town centre and improved crossings, particularly on Broadway, Great Eastern Street, West Ham Lane, Romford Road, The Grove, Bridge Road, Stratford High Street and Angel Lane; and</p> <p>g. improving existing access points and creating new access points to the Greenway and supporting improvements to the Lee Navigation towpath.</p> | <p>11 c. Exploring design options for reducing the severance of the train tracks through new connections and bridges across the neighbourhood at N8.SA2 Stratford Station, N8.SA8 Bridgewater Road and N8.SA9 Pudding Mill;</p> | <p>NR is currently working with TFL, LLDC and the London Borough of Newham in relation to the Stratford Station Long term redevelopment project. The project is exploring opportunities to make improvements to Stratford Station and overcome existing and future, accessibility, congestion, capacity and wider connectivity issues.</p> <p>As part of this project, high-level design options for Stratford Station and the associated public realm are currently being explored to establish the feasibility of potential new connections and bridges across railway infrastructure. Given the early stage of this design workstream, it is felt that the proposed wording for Part 11, c. should be slightly amended to reflect the current approach.</p> |

Site Allocation: N8.SA2 Stratford Station

| | Current Regulation 19 Wording | Proposed Wording | Network Rail Rationale |
|------------------------|--|---|---|
| Development principles | Increased capacity at Stratford Station to be provided through the redevelopment of the ticket hall and new and improved station entrances from Montfichet Road and the Carpenters estate along with residential, employment uses, main town centre uses and social infrastructure including, community facilities and education facilities, and open space. | Increased capacity at Stratford Station to be explored through the redevelopment of the ticket hall and a new and improved station entrances from Montfichet Road. The development of 'Stratford Station as an area' will seek to provide residential, employment uses, main town centre uses and social infrastructure including, community facilities and education facilities, and open space. | This development principle is currently convoluted and needs more clarity. The text needs to be clear when referring to 'Stratford Station as an area' and 'Stratford Station as the railway station'. The Carpenters Estate entrance has already been provided, so this confuses the tense this is written in, and therefore NR would suggest its removal. |
| Design principles | Building heights should range between 9 – 21m (ca. 3- 7 storeys in proximity to the St John's Conservation Area and between 21 – 32m (ca. 7 – 10 storeys) in the rest of the site, with taller buildings up to 40m (ca. 13 storeys), 60m (ca. 20 storeys) and 100m (ca. 33 storeys) in defined locations, with consideration given to marking Stratford Station. | Building heights should range between 9 – 21m (ca. 3- 7 storeys in proximity to the St John's Conservation Area and between 21 – 32m (ca. 7 – 10 storeys) in the rest of the site, with taller buildings up to 40m (ca. 13 storeys), 60m (ca. 20 storeys) and 100m (ca. 33 storeys) in defined locations, with consideration given to marking Stratford Station. Building heights should vary and respond to the local context with consideration given to taller buildings in appropriate locations marking Stratford Station. | This important strategic site must balance the delivery of infrastructure alongside the provision of new homes and affordable homes. Due to existing site constraints, taller buildings will be key to achieving the vision and multiple objectives of the site allocation. It is therefore crucial that taller buildings are allowed across the site where they can be justified and/or where agreed through a detailed master-planning process. These developments will play a significant role in supporting and funding the redevelopment and improvements to Stratford Station. The current text imposes a blanket restriction on building heights and fails to consider the local context and townscape. The current approach would fail the soundness test and has the potential to impede the deliverability of development within the site. |
| Design principles | The design and layout of the site should create new and improved public realm and walking and cycling routes, including new public spaces and open spaces created through a new station square to the south of the ticket | The design and layout of the site should seek to create new and improved public realm and walking and cycling routes, including new public spaces and open spaces created through a new station square to the south of the ticket hall, a new decked | The current site allocation is too rigid and restrictive. The allocation requires greater flexibility at this early stage in order to ensure that the Stratford Station long term redevelopment project can be successfully delivered. |

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| | hall, a new decked street south of the station towards the Stratford High Street and a new bridge from the station square to Montfichet Road and a new or improved Jupp Road Bridge for walking and cycling. | street south of the station towards the Stratford High Street which improve connectivity for pedestrians and cyclists to and from the Carpenters Estate and the Queen Elizabeth Olympic Park. | Whilst NR acknowledges that the allocation should seek to create new and improved public realm, together with enhanced walking and cycle routes, it is important that unrealistic expectations are not set at this stage and that there is sufficient flexibility within the allocation to enable a range of options to be explored. The local plan should be mindful of the ongoing Stratford Station redevelopment feasibility work, and that allocation does not constrain certain plots of land within the site which may be needed to help support and fund Stratford Station's redevelopment. |
| Infrastructure Requirements | | (Additional text) The potential constraint of visible and buried rail infrastructure should be taken into account at the pre-application stage through early engagement with Transport for London Infrastructure Protection and Network Rail. | The site allocation contains a significant amount of visible and buried rail infrastructure assets. The proposed text will help to ensure rail infrastructure is considered at an early stage of the development and planning application process. |
| Site Allocation Map | | | <p>The site allocation map for N8.SA2 should be reviewed and amended.</p> <p>The proposed areas of 'Opportunities for green space' within the allocation may restrict the potential use of land as 'staging' areas required for the delivery of station improvements.</p> <p>It may also limit and restrict potential development plots coming forward that have the ability to generate revenue to fund the station improvements and/or deliver station improvement as part of the development. (As exemplified by the provision of a new station entrance as part of Unite development on Land Adjacent to Meridian Steps, Angel Lane, Stratford City (Application ref. 22/00178/FUL)).</p> <p>Instead, the site allocation map should consider the need for a flexible approach to facilitate the delivery of new development and a high-quality public realm, in line with the local masterplan.</p> <p>The 'Opportunities for green space' should be re-labelled as 'Opportunities for Public Realm/Development'.</p> |

Site Allocation: N8.SA5 Stratford Town Centre West

| | Current Regulation 19 Wording | Proposed Wording | Network Rail Rationale |
|-----------------------------|---|--|--|
| Infrastructure requirements | Development should address existing open space deficiency by providing new open space by providing a series of pocket parks and a community garden at International Quarter North as part of the an extension to Mirabelle Gardens. The open space provision should prioritise community growing opportunities. | <p>Development should review existing open space deficiencies by exploring opportunities for improvement, such as the creation of a series of pocket parks and a community garden at International Quarter North as part of the an extension to Mirabelle Gardens. The open space provision should prioritise community growing opportunities.</p> <p>The provision of pocket parks must not inhibit potential development plots coming forward that have the ability to generate revenue to fund the station improvements.</p> | <p>Part of this site allocation sits within the scope of the Stratford Station long term redevelopment project.</p> <p>The site allocation should consider a more flexible approach to the provision of open space and pocket parks to ensure it does not restrict developments plots coming forward that are required to help fund the Stratford Station infrastructure improvements that are being sought.</p> |

Site Allocation: N7.SA1 Abbey Mills

| | Current Regulation 19 Wording | Proposed Wording | Network Rail Rationale |
|-----------------------------|--|--|---|
| Development principles | | (Additional text) The layout of the site should ensure that a small area of land, running parallel to the existing railway (east to west), is retained to allow redevelopment of West Ham Station, including capacity, interchange and accessibility improvements to be delivered in the future. | Due to the space constraints at West Ham Station and on the surrounding land, further wording should be added to ensure that the potential future options for increased capacity, interchange and accessibility improvements at the station can be delivered. |
| Infrastructure requirements | <p>Development should provide an improved bridge connection to West Ham Station.</p> <p>Development should contribute to active and public transport upgrades, including access to and capacity at West Ham and/or Abbey Road Stations</p> | <p>Development should provide an improved bridge connection to West Ham Station.</p> <p>Development should contribute to active and public transport upgrades, including access to and capacity at West Ham and/or Abbey Road Stations.</p> <p>A small area of land to the north west of West Ham station should be reserved to enable additional station capacity to be provided in the future.</p> | <p>NR welcome the commitment within the allocation for the development to provide an improved bridge connection to West Ham Station and contribute to active and public transport upgrades.</p> <p>The applicant will need to engage with TFL and NR early in the development process to discuss the proposed bridge connection to West Ham Station.</p> <p>Due to the space constraints at West Ham Station and on the surrounding land, further wording should be added to ensure that the potential future options for increased</p> |

| | | | |
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| | | | capacity, interchange and accessibility improvements at the station can be delivered. |
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Appendix 2: Network Rail's feedback on matters relating to Bow Goods Yard

Bow Goods Yard

Bow Goods Yard comprises 12.3ha of brownfield industrial land, primarily used for rail freight, the storage and processing of aggregates and concrete batching. The Site is split into two areas; Bow East which covers an area of 8.9ha and Bow West which covers 3.4ha.

The whole Bow Goods Yard Site is located within the administrative authority of LLDC which was established in 2012. However, the LLDC's Town Planning powers will return to the relevant boroughs on 01 December 2024 upon which the relevant Local Planning Authorities will regain their Town Planning powers. The relevant Local Planning Authorities will become the London Borough of Newham (LBN) and the London Borough of Tower Hamlets (LBTH). Bow East (the portion of the Site located to the east of the River Lea) falls within the LBN and Bow West falls within LBTH.

An Outline Planning Application was submitted to the LLDC on 18 April 2024, following extensive pre-application discussions with the LLDC, key stakeholders (including the LBN, LBTH and GLA) and the local community. The Application is seeking permission for up to 190,000sqm (GEA) of industrial, employment and leisure uses at the site.

Under the London Plan and adopted / emerging Newham Local Plan, the Site is allocated as Strategic Industrial Land. The Site is one of the Capital's largest strategic railheads, supplying over a million tonnes of concrete and aggregate to serve the construction industry. However, the Site is inefficiently utilised and given the scarcity of brownfield land within London, it presents an excellent opportunity for industrial intensification which will significantly increase the level of employment currently generated on the Site.

Consideration of the Regulation 19 Local Plan

Outlined below are our comments pertaining to the soundness of the Council's Regulation 19 Local Plan in relation to Bow Goods Yard.

Employment

Bow Goods Yard is identified within Table 6 of Policy J1 as Strategic Industrial Land which has a priority use for safeguarded rail heads, large-scale industrial freight distribution and small-scale light industrial uses. Network Rail support the need to deliver diverse, inclusive and green economic growth to contribute to meeting the boroughs office and industrial needs.

In relation to Policy J3 (Protecting Employment Floorspace), we consider this policy to be unsound. In order for the policy to be sound, it should align with the London Plan, specifically Policy E7 (Industrial Intensification, Co-Location and Substitution). Emerging Newham Local Plan Policy J3 should outline that if it can be demonstrated that selected parts of SIL or LSIS could be intensified to provide additional industrial capacity, then part of the identified SIL or LSIS can be released to support the delivery of other uses, including non-SIL compliant employment, office and leisure uses. The Policy should be updated to allow this SIL release approach to occur as part of a plan-led process of SIL or LSIS intensification and consolidation or as part of a co-ordinated masterplanning process in relation with the GLA and LBN.

The London Plan is part of the Statutory Development Plan for London and informs decisions on planning applications across London, including LBN. Borough Local Plans must be in general conformity with the London Plan, to ensure that planning decisions reflect the overall strategy for London. Subsequently, in order for Policy J3 to be found sound, it should align with the London Plan and allow for an element of SIL release through the intensification and consolidation of SIL.

The Outline Planning Application submitted for Bow Goods Yard is supported by a Stage 2 Masterplan Framework as required by the London Plan. This Stage 2 Masterplan Framework has demonstrated that the rail freight operations on the Site have been consolidated and intensified, resulting in an increase in operational capacity and thus allowing for an element of SIL release. In line with the London Plan, the SIL release should be clearly defined in Development Plan policies map as part of a plan-led process. The status of the Outline Planning Application should continue to be monitored and if approved, then the LBN proposals map should be updated to account for the SIL release allowed for by the planning application.

Height

Emerging Policy D4 (Tall Buildings) sets that a tall building should be defined as those at or over 21m and that tall buildings will only be acceptable, subject to detailed design and masterplan considerations, in areas designated as 'Tall Building Zones'. Bow Goods Yard is located within Tall Building Zone 18 which outlines a range of maximum heights from 50m and 100m, 60m, 40m and 32m in defined areas. As identified on the emerging Proposals Map, Bow Goods Yard is identified to have a maximum height of 50m, with prevailing heights to be between 21m and 32m.

Network Rail consider this policy to be unsound given the immediate surrounding context. The Pudding Mill Masterplan, consented in September 2023, which is also located within Tall Building Zone 18 and has also been identified to have a maximum height on 50m, has consent granted for heights ranging from 25m – 95m. Network Rail therefore considers the proposed building heights in Tall Building Zone 18, to be unsound. In order for the policy to be found sound, the prevailing heights within this tall building zone should be increased in order to be more aligned with the surrounding context.

The maximum height parameters submitted for the Outline Planning Application for Bow Goods Yard range from 17m – 66m, with the majority of the buildings proposed to be 35 – 41m. The planning application submitted for Bow Goods Yard is accompanied by a far more detailed Townscape and Visual Impact Assessment (TVIA) for this Site than is provided as part of evidence base accompanying the emerging Local Plan. The tallest element proposed for Bow Goods Yard is located opposite the emerging Pudding Mill Masterplan and is subservient to the tallest building at Pudding Mill. Key sensitivities, including the River Lea corridor, the Jubilee Greenway and the London Stadium and Queen Elizabeth Olympic Park, as well as daylight / sunlight and overshadowing analysis were all considered when assessing and determining the proposed building heights that would be suitable in this location. Ultimately, it was demonstrated that the building heights proposed, which are above the maximum building heights proposed by draft Policy D4, were considered to be acceptable from a townscape perspective in this location. Subsequently, for this policy to be found sound, the prevailing building heights and maximum building heights for this location should be increased to be in line with the Bow Goods Yard maximum height parameters. The prevailing building heights should range from 35 – 41m and the maximum building height should be 66m.

Furthermore, as currently set out within emerging Policy D4, tall buildings will only be acceptably subject to detailed design and masterplan considerations and will be assessed independently by Newham Design Review Panel which Network Rail support. This will ensure that taller buildings are designed to the highest design standards and will be designed to make a positive contribution to the surrounding townscape and context and thus the emerging Policy should allow for increased maximum heights.

N8 Stratford and Maryland

As set out, Bow Goods Yard is allocated as Strategic Industrial Land, operating as one of the largest strategic railheads in London, yet is significantly underutilised. The intensification and optimisation of the rail freight and industrial activities will strengthen the sustainability of aggregate and concrete distribution across London, benefitting the wider construction industry. The importance of the Site should be recognised within emerging Policy N8 and the importance of effectively utilising brownfield land to meet identified needs, which is one of the key objectives of the National Planning Policy Framework.

The emerging Policy is currently worded so that only the optimisation and intensification of Local Industrial Locations for employment functions is supported. In order for this policy to be found sound, the policy wording should be amended to also support the intensification and optimisation of Strategic Industrial Land to support the vision of growth for Stratford and Maryland.

Concluding Remarks

For the reasons outlined above, it is our conclusion that certain policies within the draft submission Local Plan (Regulation 19) are unsound in relation to Bow Goods Yard namely due to the emerging Local Plan not aligning with the London Plan in relation to SIL release and the proposed maximum building heights. The Application submitted for Bow Goods Yard comprises a detailed evidence base, justifying the proposed SIL release and building heights, and thus should form a basis against which the draft policies relating to the Site are formulated against, particularly if the application is approved before the emerging Newham Local Plan is adopted.

For the plan to be found sound, the emerging policies should also be aligned to the London Plan to ensure that planning decisions reflect the overall strategy for London. Therefore, the Local Plan should allow for an element of SIL release through the intensification and consolidation of SIL and this should occur as part of a plan-led process or as part of a co-ordinated masterplanning process in relation with the GLA and LBN.

This should be further reflected within the Neighbourhoods section of a draft Local Plan so that the vision of growth for Stratford and Maryland is able to be realised through the optimisation and intensification of Local Industrial Locations *and* Strategic Industrial Locations.

Furthermore, the emerging Local Plan is found to be unsound in relation to the proposed maximum building heights and prevailing heights, which do not currently reflect the surrounding context of the Site. Subsequently, the prevailing heights within Tall Building Zone 18 should be increased in order to be more aligned with the surrounding context, particularly Pudding Mill, and the opportunity to include taller building elements should be increased to the upper range of 100m.