

## James Scantlebury

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**From:** John Ferguson <[REDACTED]>  
**Sent:** 20 August 2024 09:46  
**To:** Local Plan  
**Subject:** RE: Representations  
**Attachments:** Representations to LB Newham Local Plan.pdf

Dear James

Thanks for the email. Apologies please see attached updated document with draft removed.

Kind Regards

**John Ferguson** BSc (Hons), PG Dip TP, MRTPI  
Director  
[Collective Planning](#)



**T:** [REDACTED]  
**E:** [REDACTED]  
**W:** [www.collectiveplanning.co.uk](http://www.collectiveplanning.co.uk)



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**From:** Local Plan <LocalPlan@newham.gov.uk>  
**Sent:** Tuesday, August 20, 2024 9:35 AM  
**To:** John Ferguson <[REDACTED]>  
**Subject:** RE: Representations

Good morning John – I'm just checking the documents you have sent.  
Just to check, the representations PDF is watermarked as draft, do you wish to amend this?

Thanks,

**James Scantlebury** | he/him  
**Senior Planner | Planning Policy**  
**London Borough of Newham**  
Newham Dockside | 1000 Dockside Road | London E16 2QU

**WE ARE NEWHAM.**

Read more about our Building a Fairer Newham plan [here](#) and watch [here](#).

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**From:** John Ferguson <[REDACTED]>  
**Sent:** 20 August 2024 09:30  
**To:** Local Plan <[LocalPlan@newham.gov.uk](mailto:LocalPlan@newham.gov.uk)>  
**Subject:** Representations

Dear Planning

Please find attached representations submitted on behalf of Hagley Ltd.

Please acknowledge receipt

Kind Regards

John Ferguson BSc (Hons), PG Dip TP, MRTPI

Director

Collective Planning

[REDACTED]

T: [REDACTED]  
E: [REDACTED]  
W: [www.collectiveplanning.co.uk](http://www.collectiveplanning.co.uk)



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Privacy Notice can be found on our website Data Protection <https://onesource.co.uk/privacy-and-policies>, which outlines your rights and how we collect, use, store, delete and protect your personal data.

**Response Form for Regulation 19 Consultation.**

	<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="Mr"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text"/>
Last Name	<input type="text"/>	<input type="text" value="Ferguson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Hagley Ltd"/>	<input type="text" value="Collective Planning"/>
Address Line 1	<input type="text"/>	<input type="text"/>
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text"/>
Telephone Number	<input type="text"/>	<input type="text" value=""/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value=""/>

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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 checked="" 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.

See cover letter

(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.

See cover letter

(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:

We consider elements of the site allocation are unjustified and therefore unsound and would like to participate in discussing this at a Hearing

***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**

Planning Policy Team  
LB Newham

Localplan@newham.gov.uk

19<sup>th</sup> August 2023

Ref. JF/0229

Dear Sir/Madam,

## REPRESENTATIONS TO LB NEWHAM DRAFT LOCAL PLAN (REGULATION 19)

I write on behalf of my client, Hagley Ltd, to make representations to LB Newham's Draft Local Plan (Regulation 19), which is currently out for consultation. Our client is the freeholder owner of land adjacent to 1 Knights Road, a major site in Lyle Park West and over the past 3 years has been in the process of bringing forward a mixed use development scheme for the site. My client's site is edged in red below.



Figure 1 Site Plan

## Representations

### N2.SA2 Lyle Park West

The draft plan and site allocation allocates the wider site for mixed use redevelopment, which is consistent with the existing Local Plan. The draft site allocation includes an indicative map that allocates my client's site (Land west of 1 Knights Road) as an '*opportunity for neighbourhood parade*'. My client welcomes the revisions to the masterplan following the Regulation 18 consultation that allocated their site to be within '*opportunity for open space*'. Our client made representations to the previous consultation, and it is welcomed that these have

been considered.

However, my client still has concerns around the soundness of some of the detail within the site allocation as set out below.

### ***Building Heights***

The draft site allocation and draft Policy D4 states building heights should range between 21m-32m (7-10 storeys) with taller buildings up to 40m (13 storeys) towards the south of the site fronting the river and around the station as part of the Lyle Park Neighbourhood Parade.

Whilst it is welcomed the site falls within a Tall Building Zone, my client objects to a restriction on building heights at this height, that are lower than the existing Local Plan and prevailing character of the area.

It is considered this restriction and reduction in building heights is unsound and unjustified for the following reasons:

#### ***Lack of Justification for Change to Existing Local Plan position on Building Heights***

The existing Local Plan sets indicative heights for the same site allocation of 10-12 storeys and up to 18 storeys at key locations. There is no justification for a downward move on prescribed heights set out in this draft plan.

The evidence base for the Local Plan, relevant to tall buildings includes the Tall Building Assessment and Characterisation Study. These inform the tall building policy. For this site allocation it considers the site is 'not sensitive to change', in a 'high opportunity for growth area' and a designated area for 'transform'. The site is in a very sustainable location next to West Silvertown DLR Station. There is nothing within the supporting evidence base that justifies imposing a cap on building heights that is lower than the existing Local Plan position.

#### ***Existing Local Plan Inspector's Comments on Building Heights***

The Inspector's report into the Newham Local Plan Review (2018) (para 40), assessed the proposed building heights for the Strategic Sites, including Lyle Park West at paras 45-49. The Inspector found it unjustified for previously proposed building heights to be restricted and ultimately required taller building heights for Lyle Park West to make the allocation and plan sound. Relevant extract below.

*"However, within the Strategic Sites at Thames Wharf (S08), Silvertown Landing (S09), Lyle Park West (S20) and Minoco Wharf (S22), the PTAL scores are higher than those further east or closer to the Docks, with the prospect of further improvements through new stations and overall better access arrangements due to station proximity and connections to other stations/services. Consequently, within these areas, there is scope and justification to increase*

*the indicative heights of tall buildings on these sites, but not those elsewhere in the area where heritage considerations are also more significant.*

*As it stands, the restriction of building heights in these Strategic Sites is unjustified, as it fails to reflect their role and function as key regeneration sites in accessible locations, contrary to both the Framework's core planning principles outlined in paragraph 17 (especially supporting sustainable economic development; encouraging the effective use of land; promoting mixed use developments; and making the fullest possible use of public transport) and the need to respond effectively to the demographic and economic needs of London. 50. To this end MM 36, 37, 42 & 55 increase the indicative building heights to 10-12 storeys and up to 18 storeys at key locations within these four Strategic Sites. The provision for even higher buildings generally reflects their very accessible locations in relation to public transport provision.*

Whilst there have been changes to the NPPF since 2018, these changes have not resulted in a requirement for lower buildings. Indeed, the current NPPF places a greater emphasis on making effective use of land and building at higher densities. Paragraph 129 requires plans to,

*“contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate.”*

Paragraph 130 continues to explain where this would not be appropriate and clarifies this to be where the resulting built form would be wholly out of character with the existing area. The surrounding character of Knights Road is tall buildings of 10-12+ storeys. Lyle Park West development immediately adjacent to our client's site and part of the site allocation includes building heights from 12-20 storeys. Deanston Wharf to the east of this site comprises buildings of 10-17 storeys and the recently developed scheme on the opposite side of Knights Road comprises 12 storeys. The surrounding context is therefore high density, tall buildings. Given the NPPF's requirement to increase density and height in areas well served by public transport such as at Lyle Park West, there is no scope or justification for reducing the prescribed height of buildings.

It is therefore considered the proposed restrictive cap on indicative building heights for this Strategic Site Location is unjustified and unsound, and should revert to the current Local Plan range of heights at a minimum of 10-12 storeys and 18 at key locations. These should be indicative and minimum to allow flexibility and sites to be optimised in accordance with the NPPF.

### **Comprehensive Development**

The allocation requires the site to be designed and developed comprehensively. Whilst a



coordinated approach is sensible, the reality is there are a number of different landowners that represent various sites within the site allocation. The landowners have different aspirations for bringing forward development on their sites. Therefore, it is unrealistic to require the development to come forward comprehensively together. The main site to the southwest of my client's site has an extant planning permission that we understand has been implemented. Therefore, this cannot be redesigned and is now a fixed parameter for development especially for sites bordering it such as my client's site to the north. In addition, my client's previous efforts to engage with L&Q regarding a comprehensive masterplan were met with a complete unwillingness to engage.

To ensure successful delivery of development within the Site Allocation it is therefore suggested the wording of comprehensive development requirement is changed to be more flexible and realistic is supporting land parcels coming forward, recognizing fixed parameters such as extant planning permissions and different land ownership. Suggested changed wording is below:

*Design principles*

~~The site should be designed and developed comprehensively in accordance with Local Plan Policy BFN2~~

*New text inserted*

*"the site should be designed and developed to consider existing uses, extant permissions and the principles set out in Site Allocation N2.SA2. Proposed development should not jeopardise development coming forward on adjacent sites".*

**Conclusion**

I trust these representations can be considered to ensure the Local Plan is sound and justified.

Please keep me informed of progress and details of the Local Plan and examination process.

Yours faithfully,



John Ferguson BSc (Hons), PG Dip TP, MRTPI  
Director

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