

Sara Chiong

From: Becky Hartley <[REDACTED]>
Sent: 20 September 2024 15:03
To: Local Plan
Subject: Local Plan Reg 19 Representations
Attachments: GLP Representations to LB Newham Reg 19 Local Plan Sept 2024.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear Madam/Sir,

On behalf of GLP, please find attached representations to the Regulation 19 London Borough of Newham Local Plan Consultation.

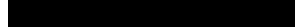
We trust these are helpful and would be happy to discuss any of the points in further detail, should that be of benefit.

Please note, we would like to reserve our right to participate in future hearing sessions with an appointed Inspector. I would be grateful if you could ensure I am added to the mailing list for future updates about the status of the Local Plan too.

Thank you
Becky



Becky Hartley
Senior Planner



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Our ref: Q240582
Your ref: LBN Local Plan Reg 19 consultation
Email: [REDACTED]
Date: 20 September 2024



London Borough of Newham Planning Policy Team
London Borough of Newham
First Floor, West Wing
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By Email

To whom it may concern,

London Borough of Newham Regulation 19 Consultation

1 Introduction and Summary of Regulation 18 Representations

We are writing on behalf of our client GLP Limited ('GLP') in response to the consultation on the London Borough of Newham Regulation 19 Draft Local Plan. We write in relation to the GLP-owned, International Business Park, Rick Roberts Way, Stratford, E15 2NF ('the Site'). The Site extends within the red and blue boundary on **Figure 1** below. The wider context of the Site is shown on **Figure 2**.

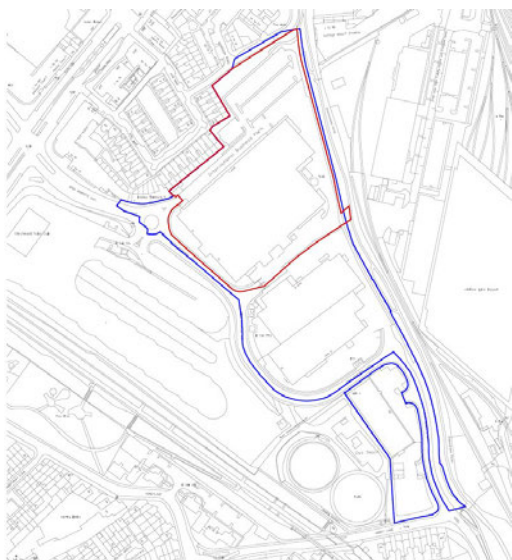


Figure 1 The Site



Unit 1, former Kesslers International LTD:
B1, B2 and B8
(Currently vacant)

Unit 2, Travis Perkins:
Sui generis
(Vacant June, 2027)

Unit 3, former St Clements Press: B1, B2 and B8
(Currently vacant)

Unit 4, Mercedes-Benz dealership:
B1, B2, B8 and Sui generis
(Vacant 2031)

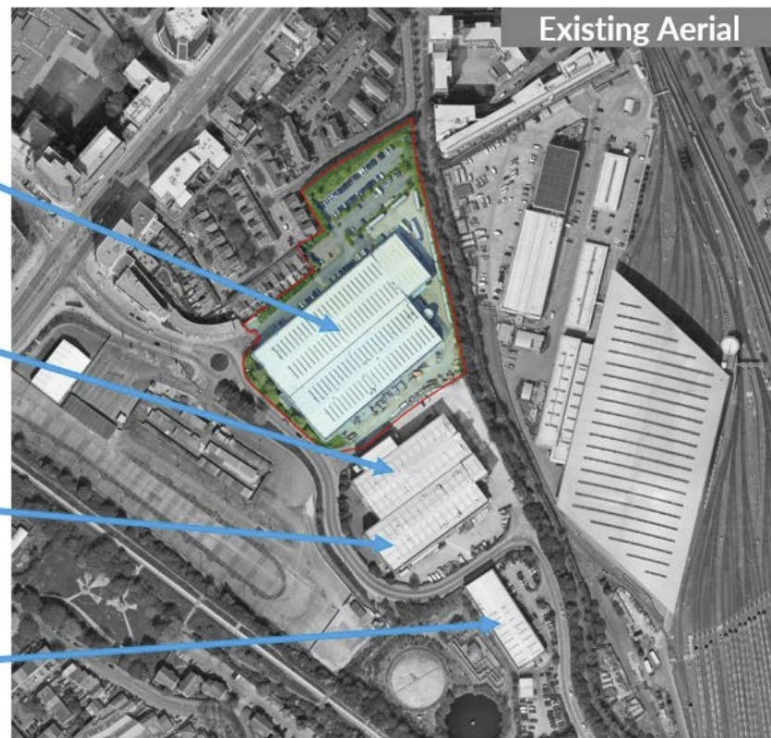


Figure 2 Wider Site Context

These representations to the Newham Regulation 19 Draft Local Plan include input from Icení's specialist Built Heritage and Townscape team. Icení's full representations can be found in **Appendix 1** and should be read in conjunction with these representations.

In February 2023, Quod submitted representations on behalf of GLP in response to the consultation on the London Borough of Newham Regulation 18 Draft Local Plan. A summary of the representations and the extent to which they have been addressed in this Regulation 19 Draft Local Plan is set out in **Appendix 2**.

2 Background Context

The Site

The GLP land ownership extends to the land edged in blue on **Figure 1** and comprises the four buildings identified in **Figure 2**.



In August 2023, GLP submitted a planning application (application ref: 23/00299/FUL) for the redevelopment of Unit 1 of the International Business Park. This is shown within the red boundary on **Figure 1**. The planning application sought permission for the demolition of the existing building and construction of three industrial, distribution and storage buildings. GLP intend to redevelop the entirety of the Site on Rick Roberts Way in a phased manner to provide an intensification of employment uses. The application submitted in August 2023 effectively forms the first part of that phase.

On 26th March 2024, the London Legacy Development Corporation Planning Decisions Committee resolved to approve the application and the S106 is currently in the latter stages of agreement.

The draft Local Plan allocates the Site as a Local Industrial Location (LIL4) for the following uses:

- General industrial, warehousing and office units with dedicated yard space.
- Blue-chip occupiers and other industrial occupiers servicing the CAZ.

It is also designated within Tall Building Zone Policy D4 as being with Tall Building Zone 18, where prevailing heights are above 9m but below 21m and the maximum height range for this part of the TBZ18 is 32m. It is also within Flood Zone 2.

Surrounding Site Context

The land on the opposite side of Rick Roberts Way is the subject to a site allocation in the existing Local Plan for up to 750 new homes and school. This allocation is carried forward in the emerging Local Plan in draft allocation N8.SA7. The draft allocation states that this site is suitable for residential, employment uses, sports and recreation uses, education and open space with buildings heights predominantly between 21-32m and taller elements up to 50m. This draft allocation is shown below at **Figure 3**.

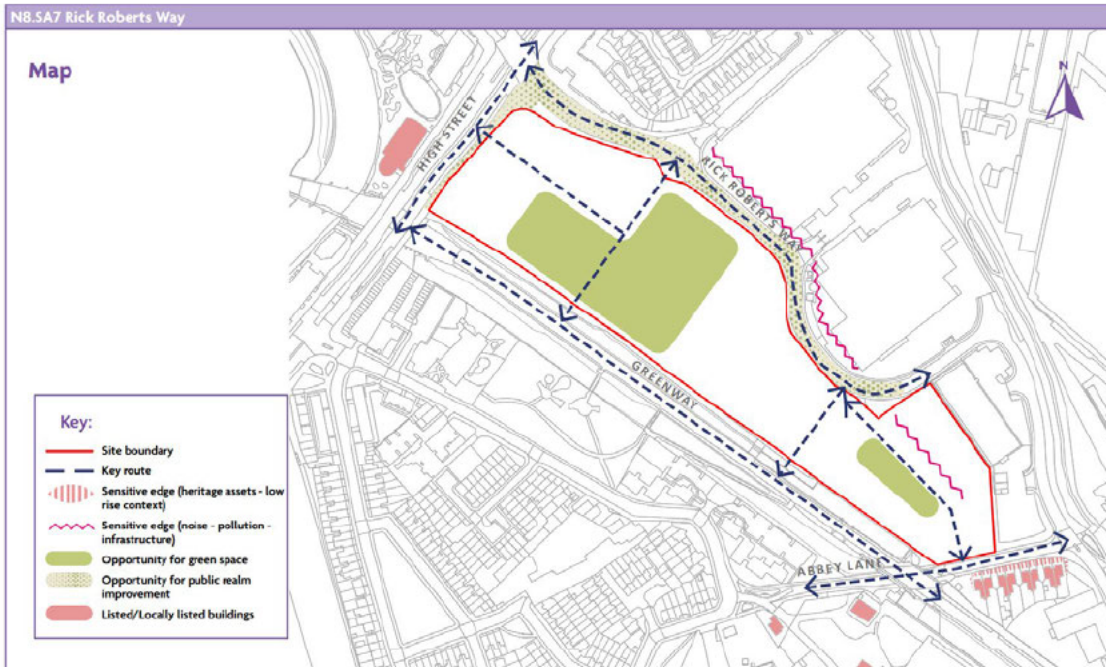


Figure 3 Draft Site Allocation N8.SA7

In January 2024, St William submitted a full planning application for the redevelopment of the former gasworks site to the south of Rick Roberts Way to deliver 235 dwellings (ref. 23/00457/FUL). Whilst the application has not been determined at the time of writing, the scheme has been subject to a number of pre-application meetings and consultation comments, including from LLDC design officers, following submission. A site location plan for the St William scheme is shown below at Figure 4.



Figure 4 St William Site Location Plan



As shown in **Figure 5**, the proposed redevelopment of the former gasworks site incorporates buildings of a significant scale and height, with the tallest building proposed to stand at 61.705m. To note, the height of the tallest building proposed has been increased as part of the ongoing determination of the application from 13 storeys to 17 storeys following comments from LLDC design officers. This demonstrates that this part of the site, on the corner of Rick Roberts Way adjacent to the Mercedes Garage, is not considered sensitive to tall buildings of in excess of 50m.



Figure 5: Extract from the Design and Access Statement submitted with application ref. 23/00457/FUL

At **Appendix 3**, we have included a summary of the surrounding planning context. This clearly demonstrates that developments of substantial scale and height have been approved in the local vicinity and reflects the evolving nature of the local context which comprises a number of tall buildings. This is also reflected in the Tall Building Annex (2024) which supports the Regulation 19 Local Plan, with page 11 stating that *'Highly significant is the presence of tall buildings which have emerged in the Stratford and Maryland neighbourhood, with the tallest building - Manhattan Loft Gardens - 143m (43 storeys) tall, marking Stratford International Station and a series of scattered tall buildings along Stratford High Street.'* The Tall Building Annex considers the emerging context and notes that the new



buildings coming forward would not be isolated or 'substantially taller than the context', thus recognising that the prevailing context supports taller buildings.

It is also pertinent to consider the implications of the Master Brewer case [London, R (London Borough of Hillingdon) v Mayor of London 2021] which is in regards to the interpretation of London Plan Policy D9. The case found tall building proposals do not necessarily have to be located within defined tall building zones. Rather, they can be acceptable where they are in accordance with the development plan as a whole and result in public benefit. However, any such tall buildings should have full regards to Policy D9 of the London Plan. By this measure, tall buildings can come forward on Rick Roberts Way and in the surrounding vicinity, even if not in an allocated tall building zone, provided they meet the tests of Policy D9. Therefore, there is scope for further development of substantial development in the nearby area, further altering the context.

3 Representations on the LB Newham Regulation 19 Consultation

GLP support the Regulation 19 draft Local Plan designation of the Site as a Local Industrial Location and the associated continued protection of industrial uses at the Site. As noted in our previous representations, this protection recognises the key role the Site has in local employment provision in Stratford. It further recognises the Site's potential for redevelopment and intensification of employment uses to contribute towards meeting LB Newham's policy requirements.

GLP also welcomes the continued designation of the site for industrial use through Policy J1 LIL4 and that Policy J1, part 2f provides flexibility for future development to respond to market trends and new economic sectors.

Notwithstanding this, we recommend that the following amends are made to Policy J1, part 2a (shown in red) to provide further flexibility for the site to accommodate a number of industrial uses to respond to market demand:

"The development of industrial floorspace for research and development (E(g)(ii)), light industrial (E(g) (iii)), general industrial (B2), storage or distribution (B8) (including dark kitchen/ shop and micro fulfilment) and industrial related sui generis (SG) uses (including waste, utilities including digital/data centres and parking/transport depots) should be located in Strategic Industrial Locations (SILs) and Local Industrial Locations (LILs)."

However, we consider there are some shortcomings of the proposed approach to tall buildings and specifically on the impact this may have on achieving the aims of industrial intensification and comprehensive development. This section of the representations will cover the following matters:

- Response to inclusion of maximum buildings heights and request for a design-led approach
- Inconsistencies with the boundary of Tall Building Zone 18



A flexible approach to height

Rather than the approach in the current draft Plan of defining maximum building heights within the identified Tall Building Zones, we consider it would be more appropriate to adopt a more flexible approach to determining acceptable building heights by following a design-led approach.

The height parameters imposed by Policy D4 are not sufficiently supported by the level of analysis possible in the evidence base documents. This is because the purpose of the evidence base is to provide an overarching review on a borough-wide scale, rather than to provide site-specific studies to understand a site's context and capacity, as is advocated by London Plan Policy D3 '*optimising site capacity through the design-led approach*'.

To build the level of understanding of a site's context required to facilitate discussions regarding a site's capacity and height parameters, extensive in-depth site analysis is required. This level of analysis would only occur through the development of a formal planning application and holding pre-application engagement. The Regulation 19 Draft Local Plan evidence base studies should be regarded as a high-level indication of development potential and should not be used as a basis to set definitive height thresholds without being underpinned by this detailed site-based analysis.

Policy D3 of the Regulation 19 Draft Local Plan outlines that development should integrate with the wider neighbourhood grain, scale and massing. It further notes that density and height increases may be appropriate where it would respect local character, in line with Local Plan Policy D4. In conflict with this, the supporting Tall Building Annex (2024) does not promote higher density necessarily according to whether a site is well connected, with page 19 clearly stating that '*existing tall buildings are not considered to be justification*'.

This is contrary to the principles and ethos of the London Plan which places significant emphasis on the need to increase density in well-connected areas through existing higher density development. There are a number of areas identified in the Characterisation Study as well-connected local centres with existing taller buildings which includes West Ham and Plaistow. These are areas not considered to be suitable for taller buildings in the Tall Building Annex, despite meeting the relevant criteria. As such, the criteria for 'suitability' seems to be applied inconsistently and it is unclear why existing tall buildings are not considered to be a justification for height and density, when this would both conflict with London Plan Policy D3 and would presumably curtail retrofit of these existing tall buildings.

With specific reference to the GLP landholding, part of this is included within Tall Building Zone 18 which sets building heights up to 32m. As per our previous representations at Regulation 18 stage, we consider this is overly restrictive and appropriate heights at the site should be determined following a design-led approach as part of a planning application process.

On review of the evidence base, we are unable to find any justification for the 32m height restriction in TBZ 18. While we note the Tall Building definitions broadly follow the London Plan, it is unclear how the maximum storey heights have been set. The Tall Building annex provides insufficient detail as to



how and why thresholds are set at (for example 32 Storeys or 50 Storeys). This does not pass the soundness test in the NPPF as the approach is not justified.

We recommend that the assessment of suitability of locations for tall buildings is revisited. It should be applied consistently and in the context of increasing density in well-connected areas. Specifically for the GLP landholding, the site is extremely well connected to a local centre and existing tall buildings are in the very nearby vicinity. The draft policy should be amended therefore to allow for flexibility in regards to tall buildings.

Setting prescriptive heights also impacts the potential of the site to achieve industrial intensification. Draft Policy J2.1 expects all industrial development to actively pursue stacked industrial scenarios. Imposing a maximum height is therefore at odds with the industrial intensification objectives of the draft Plan and London Plan. Both stacked logistics schemes and data centre developments (which are acceptable uses on industrial sites) have greater floor to ceiling height requirements and therefore are likely to exceed the height limits specified. Indeed, there are a number of examples of stacked logistics and data centre schemes in London with heights in exceed of 32m:

- Land at Former Paint Factory, Silvertown (23/01697/OUT LB Newham) where an application for a data centre campus has resolution to grant with heights of up to 65m. A previous withdrawn application on the site for stacked logistics had a height of 42m AOD and was considered acceptable in principle by Council officers and the Design Review Panel.
- Land at Former EMR Site, Canning Town (24/00088/FUL LB Newham) where a planning application for a data centre has been submitted with heights of up to 72.3m.
- Colt Hayes Digital Park (LB Hillingdon) where an [EIA screening opinion](#) for a data centre has been requested which includes heights of up to 58m.
- Segro V Park, Grand Union (18/0321 and 19/2732, LB Brent) is a multi-storey logistics scheme which has been completed with maximum heights of 35m.

As such, there should be greater flexibility in prescribing height restrictions in designated Tall Building Zones so as not to curtail the possibility for industrial intensification in the form of stacked logistics schemes and data centres and to ensure LB Newham can realise the associated economic benefits.

Recommendation: The policy as drafted is overly prescriptive and based on limited townscape analysis and technical assessments at this stage. GLP therefore propose that in order to make the policy effective, and therefore sound, an alternative approach which requires building heights to be guided by a design-led approach should be pursued. Flexibility can be secured via the following suggested policy wording to bring the policy in accordance with the Master Brewer case.



“Permission will be granted for tall buildings outside of tall building zones providing they meet the impact criteria set out in Part C of the London Plan Policy D9”.

This will ensure that the surrounding context can be taken into account in decision making as the context evolves and grows.

Inconsistencies with the boundary of Tall Building Zone 18

Policy D4 outlines the designated Tall Building Zones within the borough where tall buildings will be acceptable. Whilst the majority of the GLP landholding falls within TBZ 18, but the Mercedes garage (Unit 4) is excluded. This is despite the Mercedes unit falling within the same Local Industrial Location as the remainder of the International Business Park. As the Mercedes unit is within GLP’s ownership, it has formed part of the masterplanning approach to the site as a whole to date.



Figure 6 Extract of Tall Building Zone 18

In excluding the Mercedes unit, the extent of TBZ 18 (as shown in **Figure 6**) prejudices the ability to consider the redevelopment of the site comprehensively and puts the land at risk of becoming an outlier plot in townscape terms, particularly if Rick Roberts Way is re-routed in the future as a potential option. Greater flexibility in design parameters, specifically those regarding height, would prevent this and allow the garage’s redevelopment to come forward as part of a broader scheme of the area’s regeneration, as is expected as part of draft Local Plan Policy BNF.2.

As drafted, the TBZ18 policy does not pass the soundness test of the NPPF as there is no clear justification for the exclusion of the Mercedes garage from the TBZ18.

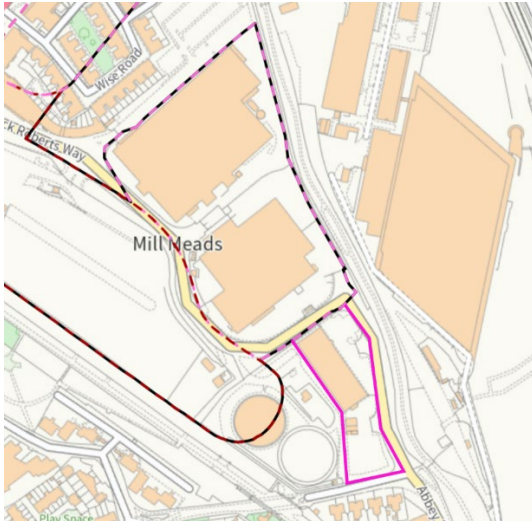


Figure 7 Recommended extension to TBZ 18 (shown in solid pink)

Recommendation: In line with our previous representations to the Regulation 18 Draft Local Plan, we recommend that the boundary of TBZ 18 should be extended to include the Mercedes garage, as shown above in **Figure 7** (solid pink line reflects proposed extension to TBZ 18). This will encourage the intensification of the Site in its entirety, in line the LIL17: Rick Roberts Way designation and Policy J2.

Recommendation: A key must be provided to all plans included in the Tall Building Annex which are used to justify policies. The categorisation of the Mercedes Garage should be updated to reflect its similarity in sensitivity to the rest of Rick Roberts Way.

Recommendation: The plan shown at **Figure 7** (page 93 of part 3 of the Tall Building Annex, no title given) should be updated such that it reflects that the Mercedes garage is part of the existing industrial area, along with the rest of Rick Roberts Way. It is not just 'brownfield land' as the plan suggests currently.

4 Conclusion

Whilst GLP remain supportive of the continued employment designation for their landholding on Rick Roberts Way, these representations have raised concerns about the overall soundness of the approach to tall buildings, particularly given the conflict with the overarching aims for industrial intensification. These representations advocate a flexible, design-led approach to employment development in Newham. Throughout the representations, suggested amendments to wording and approaches have been recommended in order to ensure that the draft Local Plan can pass the soundness tests set out in Paragraph 35 of the NPPF.

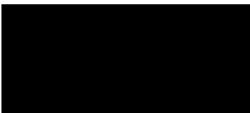


In summary, GLP does not support the policies that impose restrictive maximum building heights in areas that are not sensitive to tall building development. This does not make for positive plan making and there is no justification for such a restriction. Maximum building heights should be established through a design led approach at the time of an application. It is only at this time that a sufficient assessment of the context of a site can be robustly undertaken.

In the context of the Site, the Draft Local Plan's Tall Building Zone 18 should extend to include the Mercedes garage east of the International Business Park which also falls in GLP's ownership. As drafted, the extent of TBZ18 would not pass the soundness test of the NPPF as there is no justification for the current boundary.

To conclude, we are grateful for the opportunity to comment on the draft Local Plan and we hope that our recommendations on behalf of GLP are of assistance and will be taken into account by the Council. We would be happy to discuss our comments directly, in order for us to better inform the preparation of the next iteration of the Plan ahead of Examination.

Yours sincerely



Becky Hartley
Senior Planner



Appendix 1



To: GLP Europe
From: Icen Projects, Built Heritage and Townscape team
Date: August 2024
Title: **Heritage and Townscape - Representations to LB Newham Reg.19 Local Plan Consultation**

Introduction

1. This note is prepared as part of the representations to the Regulation 19 Draft Newham Local Plan Consultation (draft NLP) submitted on behalf of GLP. It considers heritage, townscape and design matters, with a particular focus on tall building policy for the area surrounding The International Business Park, Rick Roberts Way, Stratford, E15 2NF.
2. This note first considers The Regulation 19 Draft New Local Plan, followed by the following evidence base documents to support the NLP (2024);
 - Newham Characterisation Study (2024)
 - Tall Building Annex (2024)
3. In summary of the below, we believe there is capacity for height at the Mercedes Garage Site, in line with that identified for nearby sites along Rick Roberts Way, given an more consistent application of the suitability criteria set out in the evidence base documents, specifically the Tall Building Annex (2024).

Tall Building Policy

4. Whilst we welcome the London Borough of Newham (LBN) taking a positive and evidence-based approach to identifying tall building areas, our concern is that the Draft NLP identifies overly restrictive height parameters, which are not sufficiently supported by the level of analysis possible in the evidence base documents. This is because the purpose of the evidence base is to provide an overarching review on a borough-wide scale. The purpose is not, therefore, to provide site-specific studies to understand context and capacity, as is advocated in London Plan Policy D3 '*optimising site capacity through the design-led approach*'. This level of detailed site analysis would arise during a formal application and through pre-application engagement. This offers significantly more detail in development management terms and therefore being the place where site capacity and height parameters should be discussed. The evidence base studies as a whole should be regarded as a high-level indication of development potential. They should not be used as a basis to create definitive height thresholds without detailed, site-based analysis underpinning them.
5. The issues that we have identified indicate that the Borough is at risk of unnecessarily stymying the future development potential of our client's site and the wider borough more generally.

6. Although Draft NLP Policy D3 states it is consistent with London Plan Policy D3. The London Plan Policy D3 states;

B. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling... Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered by Boroughs where appropriate. This could also include expanding Opportunity Area boundaries where appropriate

C. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way
7. NLP Policy D3 says: *'All new development and extensions should integrate with the wider neighbourhood grain, scale and massing. Density and height increases may be appropriate where it would respect local character and in line with Local Plan Policy D4'*
8. However, the Tall Building Annex (2024) does not promote higher density necessarily according to whether it is well connected and clearly states on p.19 that *'existing tall buildings not considered to be justification'*. This is contrary to the principles and ethos of London Plan Policy which places much emphasis on an increasing in density in well-connected areas with existing higher density development. There are a number of areas identified in the Characterisation Study as well-connected local centres with existing taller buildings, for example in West Ham and Plaistow, which are not considered to be suitable for taller buildings in the Tall Building Annex, despite meeting the relevant criteria. As such, the criteria for 'suitability' seems to be applied inconsistently and it is unclear why existing tall buildings are not considered to be a justification for height and density, when this would both conflict with London Plan Policy D3 and would presumably curtail retrofit of these existing tall buildings.
9. Furthermore, Policy D4 states: *Tall buildings will only be acceptable, subject to detailed design and masterplanning considerations, in areas designated as 'Tall Building Zones'. The height of tall buildings in any 'Tall Building Zone' should be proportionate to their role within the local and wider context and should not exceed the respective limits set in Table 1 below Implementation D4.2: 'Development of tall buildings outside of the Tall Building Zones will be considered a departure from the plan'*
10. However, this policy wording is not consistent with the 'Master Brewer case' [*London, R (London Borough of Hillingdon) v Mayor of London*] on the interpretation of London Plan Policy D9 which found that tall buildings can come forward outside of explicitly allocated areas, providing they meet the impact criteria set out in Part C of Tall Building Policy D9. By this measure, a tall building located within the Mercedes Garage Site (at heights similar to that dictated by Tall Building Zone 18) warrants a greater degree of flexibility as with regards to the case law above it may satisfy London Plan D9 Part C but would fail draft Newham Policy D4 by virtue of being located outside the allocated zone.
11. The above is particularly relevant as we have found the application of the 'sensitivity' criteria to be inconsistent between the Characterisation Study (Pages 165-168) and the Tall Building Annex (Page 30).
12. Finally, we would highlight a contradiction within the Characterisation Study whereby it identifies a cluster of buildings along Stratford High Street which are all *'Buildings Substantially Taller Than Their Context'* p.165. The tightness of this cluster suggests that the context of prevailing heights is therefore understated and should be held at a higher threshold. This is of relevance due to firstly the inaccuracies in defining the prevailing heights of an area and in defining the character of tall building areas. Moreover, demonstrates a strong precedent for height in the surrounding area which although acknowledged as TBZ 18, does not appear to have carried over into establishing the suitability of height.
13. This introduces a salient point on height parameters which we can find no justification for within the evidence base documents, while we note the Tall Building definitions broadly follow the

London Plan, but it is unclear how the maximum storey heights have been set. The Tall Building annex providing insufficient details why thresholds are set at (for example 32 Storeys or 50 Storeys).

14. In summary, despite the approach of the draft NLP being broadly positive towards height and density which we believe is crucial for the growth of the borough, we do not believe that the draft policies are consistent with the interpretation of London Plan Policy D9 in established case law or with the emphasis of London Plan Policy D3. This is largely due to the use of the evidence base to set arbitrary height parameters, despite the analysis not being sufficiently detailed to do so.

Accessibility

15. With regards to accessibility and good housekeeping, the evidence base documents can be accessed online. However these are split into multitude of different parts which makes reviewing these documents both confusing and frustrating. The 11 Chapters of the Characterisation Study are split across 13 documents and Tall Building Annex 2024 sections A-C over 5 separate PDF's.
16. There is also a palpable difficulty in reading the maps within Tall Building Annex, both for their poor resolution and formatting but also due to the lack of key which results in an inability to properly understand the factors being assessed, particularly in regard to sensitivity and suitability mapping.
17. Policy D3 references '*transform, enhance, conserve areas*' we note the definitions provided on Page 152, but it is unclear how these are defined specifically in relation to the policy.

Site Specific Context

18. We consider that the draft NLP Tall Building Zone 18 designation should extend to eastwards to include the whole of the International Business Park, to include the Mercedes garage located to the east of the International Business Park which is also in GLP's ownership. This Site is in the same ownership and has formed part of GLP's masterplanning thus far. The hard yet arbitrary boundary of Tall Building Zone 18 therefore prejudices a design led approach to the area's regeneration. It also limits the ability to provide a cohesive and integrated scheme and emerging townscape moving forwards. Greater flexibility in design parameters particularly those regarding height would prevent the Mercedes site from becoming an outlier plot in townscape terms and allow its redevelopment to come forward as part of a broader scheme of the area's regeneration, as is expected as part of NLP Policy BN.2.
19. The northern part of GLP's ownership (Former Kesslers Site and Travis Perkins) is identified as within TBZ18: Stratford High Street Tall Building Zone. This policy describes acceptable heights up to 32m shown in Figure 42 (Tall Building Zones Map). The Mercedes garage is excluded from this which appears unsupported by the evidence base, it should be included for the following reasons:
 - The surrounding area has a strong precedent for height. The Tall Building Annex (2024) states; '*Highly significant is the presence of tall buildings which have emerged in the Stratford and Maryland neighbourhood, with the tallest building - Manhattan Loft Gardens - 143m (43 storeys) tall, marking Stratford International Station and a series of scattered tall buildings along Stratford High Street.*' This emphasises the importance of tall buildings to local character along Stratford High Street.
 - Throughout the study and exemplified in Figures 1 and 2 below, The Site of the Mercedes Garage has been incorrectly shaded. On the map in Figure 24 (Evaluation: built form quality and character) the garage is shown as 'Unbuilt or under construction'. Further other northern portions of the Site (The Travis Perkins and Former Kesslers International) are shown as within an area of 'Less Successful Quality'. Both of these citations are incorrect. Figure 2 below is extracted from Figure 26 of the Tall Building Annex and shows the 'Combined sensitivity map'. The Mercedes Garage is identified as within an area of no sensitivity.



Figure 1 - Fig 24 Evaluation: built form quality and character map Tall Building Annex 2024, Mercedes Garage Site circled in blue.

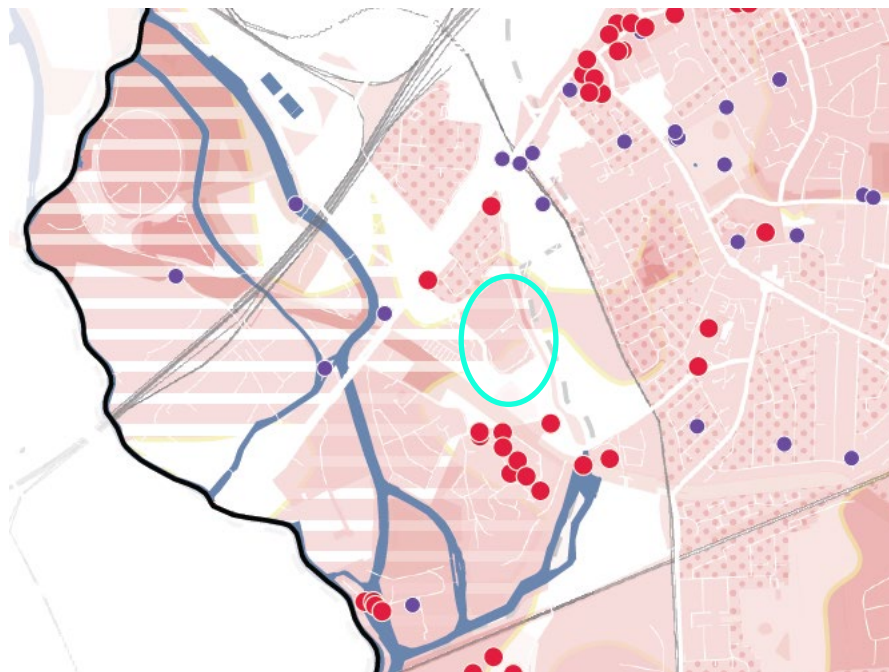


Figure 2 Extract from Fig 26 Combined sensitivity map Tall Building Annex 2024, Mercedes Garage Site Mercedes Garage Site circled in blue.

Townscape Sensitivity

20. While there is a consist inaccuracy of the status of the Mercedes Garage throughout the Tall Building Annex (Shown on the Map in Figure 3 as brownfield Land) We broad agreement with the conclusions of the assessment on wider townscape quality and sensitivity identified below in Figure 4.

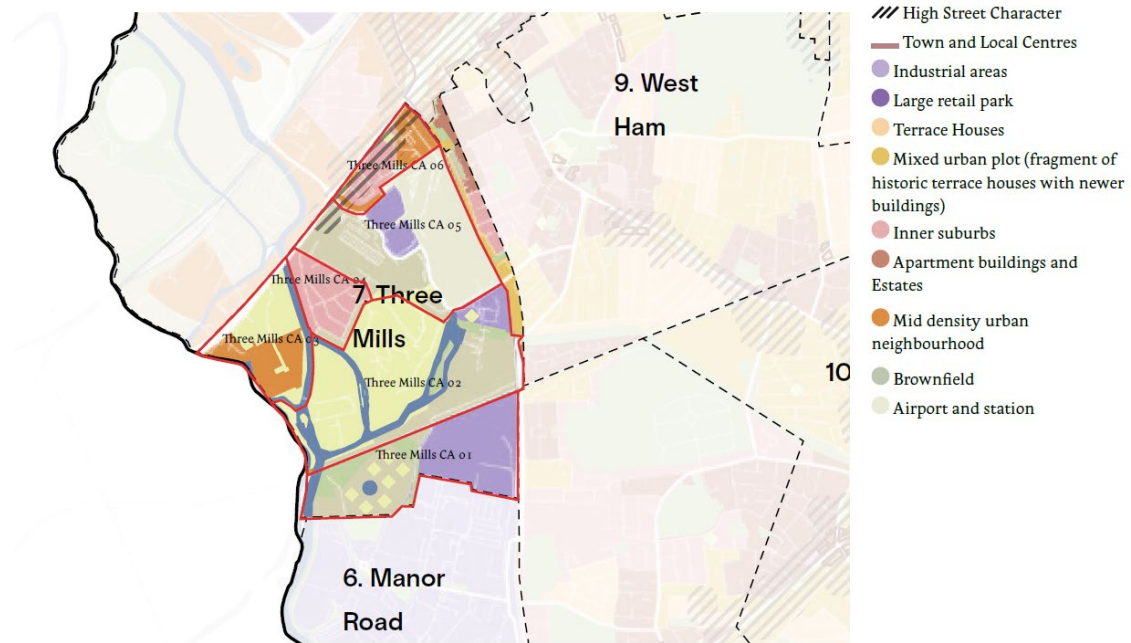


Figure 3 – Extract from Three Mills Character Area Map (Page 93 Tall Building Annex)

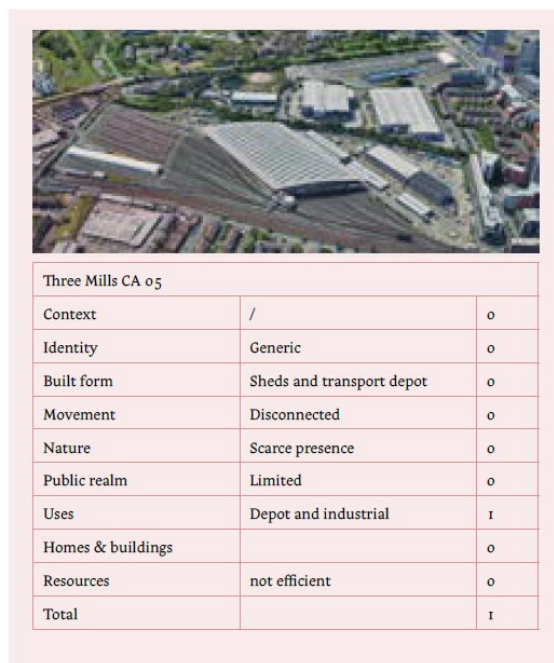


Figure 4 – Extract from the Three Mills Character Area Sub Area (CA05) assessment (Page 95 Tall Building Annex)

21. The above identifies a ‘sub character area’ (Three Mills CA05) of low sensitivity and with similar PTAL outputs for individual Sites, including the Former Kesslers, Mercedes Garage and Travis Perkins sites. However, when areas such Tall Building Zone 18 are defined in later maps, they are articulated using existing plot boundaries which is thereby not reflective of the earlier nuance demonstrated when assessing this area. The Mercedes garage site to the south of Rick Roberts Way is omitted despite being in the same ownership, within the same character area and with near identical output in terms of townscape metrics used to the judge the appropriateness of height.

22. The Tall Building Annex (Page 32) acknowledges a 'high level' assessment of the suitability for tall building development criteria, which have been assessed in the Characterisation Study base analysis. These are:
- Areas of consistently tall buildings (21m or more)
 - Low sensitivity to change areas
 - Transform areas
 - Site allocations
 - Opportunity Areas (OAs)
 - Areas identified for tall buildings in the adopted Local Plan
 - High Public Transport Accessibility Level (PTAL 4-6b)
 - Town and local centres
23. In comparing the portions of the site within GLP Ownership, they show identical outcomes to the above. The Mercedes Garage is located within a 'Low Sensitivity to Change' area, an 'Opportunity Areas' (OAs), and a 'High Public Transport Accessibility' Level (PTAL 4-6b).
24. These outcomes are combined in the Map on Figure 43 which identifies Spatial Hierarchy and identifies the Tall Building Zone up to 40 m which covers Former Kesslers and Travis Perkins areas of the Site, excluding the Mercedes Garage. The above makes clear that the Mercedes Site should be treated in the same manner as the rest of International Business Park which sit within TBZ 18.
25. We believe there is capacity for height at the Mercedes Garage Site, given the correct application of the suitability criteria set out in the Tall Building Annex. The surrounding precedent for height and emerging context of height in this is established by the 'Existing tall buildings assessment' p. 11. Figure 18 of the Tall Building Annex demonstrates there are no tall buildings considered to be isolated, however Figure 3 demonstrates there are a selection of Buildings substantially taller than the context nearby. Figure 12 assesses the emerging context and demonstrates that while new buildings are coming forward in this area, none of which would be considered to be either isolated or 'substantially taller than the context'.
26. There is a strong precedent for height along Stratford High Street as exemplified by the designation Tall Building Zone 18. The adjacent site to the east of Rick Roberts Way (LLDC SA.3.6 LBN N8.SA7 Rick Roberts Way) is designated as a 'Transform' area which establishes the desire for a new urban context and strategic sites which is considered for tall building developments and with height thresholds upto 50m. The Characterisation Study identifies the N8.SA7, the Former Kesslers Site, and the Travis Perkins Site and Mercedes Garage all within the same area marked 'Not sensitive to change' (p.146). It is unclear as to why there is a different height threshold than that of the International Business Park despite being closer to a number of more sensitive townscape elements including the Three Mills Conservation Area and the associated listed Victorian sewage infrastructure buildings within its bounds.
27. This Section has set out how an inconsistent approach has been applied to the designation of Tall Building Zone 18 particularly in the consideration of the Mercedes Garage. Our analysis above details how the Site has near identical suitability outputs to those sites adjacent and within the same GLP ownership and have found insufficient justification for its exclusion.

Conclusion

28. It is acknowledged that local plan policies need to be evidenced based and we welcome the detailed analysis that has underpinned the development of the NLP. We have found insufficient evidence with regard to the townscape analysis of the area, which has the potential to undermine the delivery of new development supported by Draft Local Plan Policies.
29. However, due to the nature of the evidence base taking a borough-wide view, we do not believe the draft NLP can be sufficiently detailed to define specific heights due to the lack of site-based analysis which would be expected as part of master planning exercises or site proposals, rather

than in the broader characterisation studies. As a result of the issues identified, we would suggest the following changes to the Regulation 18 Draft Local Plan:

- Reconsider the boundary of the Stratford High Street 18 Tall Building Area to include the Mercedes Garage on Rick Roberts Way.
- Height parameters to either be reframed as 'guidelines' to guide the urban hierarchy of the borough or to be removed entirely. In the absence of a more detailed study to inform the Local Plan and justify the sites proposed, the responsibility would be placed on any potential applicant to provide the detailed design justification of what sites and quantum of development may be appropriate. This can then be assessed by the borough during the application process.
- We would recommend the draft Newham Local Plan revisit Policy D4 to be consistent with Master Brewer case.



Appendix 2

The representations submitted in 2023 on behalf of GLP offered broad support of the Regulation 18 Draft Local Plan and its policy aims. The policy aims recognised the need for making the most efficient use of land. For the Site, this was via the means of intensification through redevelopment to deliver net increases in new economic and employment floorspace. The representations offered specific support for paragraph J2.1 which required industrial intensification to explore the scope for multi-deck development as a priority.

However, the Regulation 18 representations highlighted that LB Newham's pipeline of supply was not sufficient to meet the borough's office and industrial needs. Further, the sites with industrial potential were not subject to a planning application at the time of the Regulation 18 Consultation.

The representations noted that the Regulation 18 Draft Local Plan acknowledged the benefits of comprehensive masterplanning and development. However, Policy BFN2: *Co-designed masterplanning* overlooked the fact that a number of strategic site allocations and designated sites within the Local Plan were either subject to multiple site ownerships, leaseholders or, by virtue of their size, would more typically come forward as phased developments. We recommended a more proportionate approach should be taken, requiring development to not prejudice surrounding sites, and that the resistance to piecemeal development in the policy wording removed.

The representations outlined how Policy D4: *Tall buildings* of the Regulation 18 Draft Local Plan places ineffective restrictions on the Site that limit prevailing heights to between 9m – 21m and maximum building heights to 32m. In response to this, the representations advocated a flexible attitude to development that is guided by a design-led approach.

Tall Building Zone

In the context of the Site, the representations stated that the Regulation 18 Draft Local Plan's Tall Building Zone 18 ('TBZ 18') should be amended to omit the specified maximum height of 32m and rather provide the ability for appropriate heights to be established by detailed townscape analysis and technical assessments as part of a planning application. Moreover, the representations asserted that the extent of the Tall Building Zone should extend further to include the Mercedes garage to encourage the intensification of the Site in its entirety, in line the LIL17: Rick Roberts Way designation and Policy J2.

In response to our representations to the Regulation 18 Draft Local Plan, the Council stated they did not consider this change to TBZ 18 *"to be appropriate as, based on the methodology used to identify suitable locations and heights for tall buildings, and due to its proximity to the Three Mills conservation area, it is not considered appropriate to extend the TBZ 18: Stratford High Street designation across the whole of the International Business Park."*

The Council's response also states that, *"with regards to the requirements in J1 and J2 to intensify industrial land, this would still be in the context of delivering good, context specific, design that protects*



the local townscape. Greater levels of intensification could be delivered on the part of the site covered by the 32m tall building designation. More details on the methodology used to identify suitable locations for tall buildings can be found in the Tall Building Annex (2024).”

GLP do not agree with the response provided and consider it factually inaccurate. The reasons for this are set out below.

Inaccuracies of the Tall Building Annex

There are numerous inaccuracies within the Tall Building Annex which means that it cannot be relied upon for forming policies. In particular, this relates to the Three Mills Character Area, the Built Form Quality and Character map and the Combined Sensitivity map.

Three Mills Character Area

Figure 8 is taken from the Tall Building Annex, Part 3. For ease, **Figure 9** shows the area of which CA05 relates. CA05 identifies a ‘sub character area’ (Three Mills CA05) which includes the Former Kesslers, the Mercedes garage and Travis Perkins. However, when areas such as TBZ18 are defined in later maps, they are articulated using existing plot boundaries which is thereby not reflective of the nuance demonstrated when assessing this character area. The Mercedes Garage is omitted despite being in the same ownership, within the same character area and with near identical output in terms of townscape metrics used to the judge the appropriateness of height.

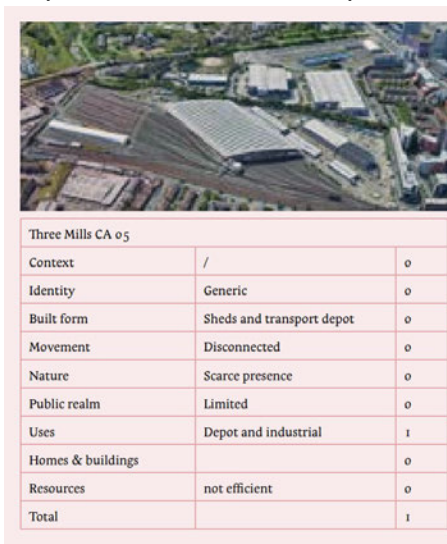


Figure 8 Three Mills CA05



Figure 9 Three Mills CA05 Plan

Built Form Quality and Character

Figure 24: 'Evaluation: built form quality and character' of the Tall Building Annex (2024), shown below in **Figure 10** wrongly categorises the garage as 'Unbuilt or under construction.' This is incorrect. The Mercedes garage is a fully constructed building and is in use.



Figure 10 Evaluation: built form quality and character map



Combined Sensitivity Map

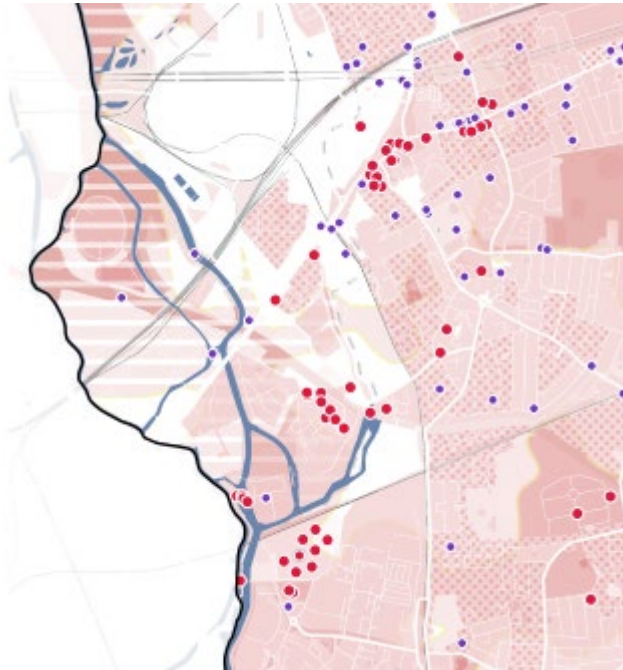


Figure 11 Combined sensitivity map

The Combined Sensitivity Map within the Tall Building Annex (2024) has no key. Irrespective of what the colours of shading relate to, GLP do not agree that the categorisation of sensitivity should be any different for the Mercedes garage than that of the rest of the Site.

Without knowing what the shading relates to, it is not clear how this accords with the Council's response to the Regulation 19 representations made by GLP, nor how the Council have reached any conclusion about sensitivity. This provides further justification that the evidence base has been used inconsistently and is therefore not sound.



Appendix 3 Surrounding Planning History

Ref	Site	Development	Status
PA/24/00501/NC	68-70 Stratford High Street,, Stratford,, E15 2NE	Formal Request for an Environmental Impact Assessment (EIA) Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2017 (as amended) in relation to the redevelopment proposals at 68-70 Stratford High Street comprise of buildings up to 95m AOD, consisting of approximately 350 residential dwellings (class C3) (with a significant proportion of affordable housing provision); 405m of commercial floorspace and associated landscaping, including high quality public space and play space with will be	No Objection – 10/04/2024
22/00098/FUL	304, High Street, Stratford, LONDON, E15 1AJ	Demolition of existing buildings and redevelopment of the site to provide a part 12, part 25 storey building (plus 2 basement levels) for a mixed-use development comprising 465 student accommodation rooms (Sui Generis), 786sqm workspace (Class E), a new public house consisting of 141sqm (Sui Generis) with hard and soft landscaping, public realm improvements including enhancements to the Channelsea River, a new vehicular access, parking and associated works. This application is accompanied by an Environmental Statement (ES) (dated February 2022) submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations (2017), as amended	Approved – 22/05/2023
21/00543/FUL	James Riley Point, Carpenters Road, Stratford, E15 2HZ	Full planning application for the refurbishment of the existing 23 storey James Riley Point tower block to provide 136 residential units (Class C3) through refurbishment and alteration of internal arrangements of existing units and new façade including the addition of new balconies and roof parapet walls. Extension of the ground floor to provide new	Approved – 13/04/2023



		access arrangements and new two-storey buildings to provide a 2,486 sqm relocated community facility (Use Class E), public realm and landscaping improvements including alteration to parking arrangements, new tree planting, environmental improvements and associated infrastructure.	
22/00216/VAR	Land Within The Olympic Park And Land At Pudding Mill Lane, Land At Bridgewater Road And Land At Rick Roberts Way.	Application made under Section 73 of the Town and Country Planning Act 1990 (as amended) to vary the Legacy Communities Scheme Outline Planning Permission (11/90621/OUTODA, as varied by 18/00471/VAR and 20/00197/NMA by removing ('slotting out') all of Planning Development Parcels 8.2 and 8.3 (the Pudding Mill Lane Site) from Planning Delivery Zone 8 of the Legacy Communities Scheme, and to remove or vary conditions relating to Development Parcels 8.2 and 8.3, in order to allow for an alternative redevelopment of the site (as proposed by application ref: 21/00574/OUT), and an update of the description of development to reflect the updated Use Classes as per the amended Use Class Order (2020). As a result of this application the Legacy Communities Scheme will reduce the scale of development permitted by 125,860 sqm by reducing Use Class C3 (Residential) by 86,256 sqm including Sheltered Accommodation; Use Class B1(a) (reduced by 23,681 sqm); Use Class B1 (b) and (c) (reduced by 12,158 sqm); Use Classes A1-A5 (reduced by 2114 sqm); Use Class D1 (reduced by 1,482 sqm); and Use Class D2 (reduced by 169 sqm), and other supporting infrastructure works and facilities in so far as it relates to the Pudding Lane Site.	Validated – 25/05/2022
14/00422/FUL	Land at Marshgate Lane,	Planning application for demolition of existing buildings, and the erection of 8 buildings ranging from 3 to 12 storeys in height,	Approved - 05/05/2017



	Pudding Mill, Stratford, London E15 2NH	comprising a total of 254 residential dwellings and 4,257m ² Gross Internal Area (GIA) of B1 (business) floorspace, together with basement, access, servicing, car parking, cycle parking, cycle storage, plant, open space and landscaping.	
16/00412/REM	Land to the south of High Street Stratford, east of Sugar House Lane and north and west of Three Mills Wall River, Stratford, E15	Application for the Approval of Reserved Matters for the construction of two blocks comprising 156 residential units (Use Class C3), basement car park, and the provision of hard and soft landscaping for Development Plot R3 submitted pursuant to Conditions A3 (Time Limits) and C1 (Reserved Matters - Layout, Scale, Appearance and Landscaping), and the partial submission of details pursuant to Conditions C8 (Housing Standards), C11 (Daylight, Sunlight and Overshadowing), C15 (Parking Management Plan) and C36 (Waste Management Strategy) of Hybrid Planning Permission reference 12/00336/LTGOUT/LBNM dated 27th September 2012 (as amended).	Approved – 06/02/2017
14/00036/VAR	Land within the Queen Elizabeth Olympic Park, Land at Pudding Mill Lane, Land at Bridgewater Road and Land at Rick Roberts Way	The comprehensive, phased, mixed use development within the Queen Elizabeth Olympic Park, as set out in the Revised Development Specification and Framework (document LCS-GLB-APP-DSF-0045 dated February 2014). The development comprises up to 641,817 sq m of residential (C3) uses, including up to 4,000 sq m of Sheltered Accommodation (C3); up to 14,500 sq m of hotel (C1) accommodation; up to 30,369 sq m (B1a) and up to 15,770 sq m (B1b/B1c) business and employment uses; up to 25,987 sq m (A1-A5) shopping, food and drink and financial and professional services; up to 3,606 sq m (D2) leisure space and up to 31,451sq m (D1) community, health, cultural, assembly and educational facilities, including two primary schools and one secondary school; new streets and other means of	Granted – 11/08/2014



		access and circulation, construction of open and covered car parking; landscaping including laying out of open space with provision for natural habitats and play space; new and replacement bridge crossings, re-profiling of site levels, demolition and breaking out of roads and hardstanding, utilities diversions and connections; and other supporting infrastructure works and facilities as permitted by permission reference 11/90621/OUTODA	
11/90621/OUTODA	Land Within The Olympic Park And Land At Pudding Mill Lane, Land At Bridgewater Road And Land At Rick Roberts Way.	Comprehensive, phased, mixed use development within the future Queen Elizabeth Olympic Park, as set out in the Revised Development Specification & Framework (LCS-GLB-APP-DSF-002). The development comprises up to 641,817 sqm of residential (C3) uses, including up to 4,000 sqm of Sheltered Accommodation (C3); up to 14,500sqm of hotel (C1) accommodation; up to 30,369 sqm (B1a) and up to 15,770 sqm (B1b/B1c) business and employment uses; up to 25,987 sqm (A1-A5) shopping, food and drink and financial and professional services; up to 3,606 sqm (D2) leisure space and up to 31,451sqm (D1) community, health, cultural, assembly and education facilities, including two primary schools and one secondary school; new streets and other means of access and circulation, construction of open and covered car parking; landscaping including laying out of open space with provision for natural habitats and play space; new and replacement bridge crossings, re-profiling of site levels, demolition and breaking out of roads and hardstanding, utilities diversions and connections; and other supporting infrastructure works and facilities.	Approved – 28/09/2012