

Sara Chiong

From: Chris Brown [REDACTED]
Sent: 20 September 2024 12:59
To: Local Plan
Cc: [REDACTED]
Subject: RE: Newham Reg 19 Draft Local Plan Consultation Response - 970 Romford Road Representations
Attachments: 6632-DOC-01-Local Plan Reps-LRLR.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Madam,

As detailed in my email below, please find our design brochure prepared by Rolfe Judd Architecture which presents the opportunities for height and alternative uses on the site and demonstrates the impracticality of re-providing industrial on the site.

Kind Regards,

Chris

CHRIS BROWN / BA(HONS) MSC MRTPI
ASSOCIATE
DD [REDACTED]

ROLFE JU
DD [REDACTED]

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From: Chris Brown
Sent: Friday, September 20, 2024 12:58 PM
To: 'localplan@newham.gov.uk' <localplan@newham.gov.uk>
Cc: [REDACTED]

Subject: Newham Reg 19 Draft Local Plan Consultation Response - 970 Romford Road Representations

Dear Sir or Madam,

We write on behalf of our client, AIM Land Ltd, to make representations on the London Borough of Newham's Draft Local Plan Review (Reg 19 version) which is currently out for consultation. These representations are written with specific reference to our client's site - 970 Romford Road, Ilford, E12 5LP.

We attach a copy of your response form and equalities assessment, alongside comprehensive letter from us outlining the site history and policy position.

We will also be sending an email immediately after this one which will contain a design brochure from our architects which demonstrates the impracticality of re-providing industrial on the site. The document also presents the opportunities for height and alternative uses on the site. If you do not receive this document today then please let us know as the file size may have led to email being blocked because of its size (12MB~)

Please let us know if you have any questions or if you require anything further from us at this stage. We hope that our recommendations are acknowledged and implemented as they are vital to securing the long-term viability of the site.

Kind Regards,

Chris

CHRIS BROWN / BA(HONS) MSC MRTPI
ASSOCIATE
DD [REDACTED]


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Response Form for Regulation 19 Consultation.

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

Newham Draft Submission
Local Plan

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

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" value="Yousuf"/>	<input type="text" value="Chris"/>
Last Name	<input type="text" value="Bux"/>	<input type="text" value="Brown"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate"/>
Organisation (where relevant)	<input type="text" value="AIM Land Ltd"/>	<input type="text" value="Rolfe Judd Planning"/>
Address Line 1	<input type="text"/>	<input type="text" value="REDACTED"/>
Line 2	<input type="text"/>	<input type="text" value="REDACTED"/>
Line 3	<input type="text"/>	<input type="text" value="REDACTED"/>

Line 4

Post Code

Telephone Number

E-mail Address
(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Policy

Implementation Text

Paragraph

Policies Map

4. Do you consider the Local Plan is :

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

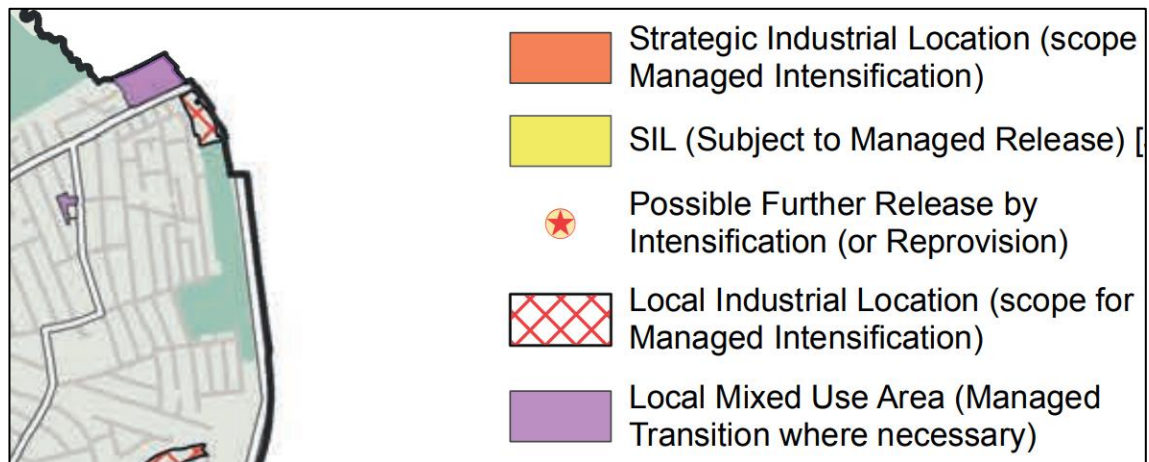
Please tick as appropriate

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

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

Grantham Road Local Industrial Location (LIL) Designation

The site was designated as a Local Industrial Location (LIL) in the 2018 Local Plan, despite it having no recognised industrial floorspace on site. It had no such designation in previous iterations of the Development Plan. The designation also highlights that the site has scope for ‘*managed intensification*’.



Extract from Newham Local Plan Proposals Map (2018)

Policy J2 (Providing for Efficient Use of Employment Land) of the current Newham Local Plan outlines the strategic aims and policies for designated employment sites – it states:

‘5. Strategic Industrial Locations (SIL) and Local Industrial Locations (LIL) as listed in Table 7 are designated for protection, Managed Intensification, (as per criteria in J2.3b) and suitable in principle for Use Classes B1(b) B1(c) B2, B8 and appropriate Sui Generis employment uses including waste, utilities and transport depots, with other supporting facilities including B1a uses, where ancillary in scale and function’.

Following the site’s designation as a LIL, the site was subject to an outline planning consent which addressed the southern third of the site:

[19/03343/OUT](#)

Outline planning application for the erection of a self-storage warehouse (Class B8) and associated car parking, with all matters reserved except for layout, scale and access

Approved 19/02/2024

This portion of the site was a 4,500sqm sui generis car park use which did not directly contribute toward the function of the LIL. The proposed Class B8 storage use more than triples the amount of floorspace on site to 13,674sqm, but importantly, the use brings a recognised industrial use onto LIL land. The reserved matters for this outline permission are partially completed and the remaining application will be finalised and approved over the coming months.

The remainder of the site to the north comprises a gym (Class E use) and a car hire centre (sui generis). None of these uses are sought after or protected within the LIL designation.

Managed Intensification of Industrial Space under current and draft policy

Policy J2 of the current Local Plan goes states that one of its strategic principles is to:

5. *'Achieve [more] efficient use of employment land to support economic growth sectors and wider growth needs through the retention of suitable locations and capacity, intensification with no net loss of functionality, and limited, plan-led managed release of land as set out spatially in the J2 Employment Land Map (Figure 4.2 below); and*

b. Manage the positive and negative impacts of employment-generating uses to ensure a managed transition to successful mixed use places at the large and small scale, helping to secure a balanced mix of jobs and homes'.

Further to this, Policy E7 (Industrial intensification, co-location and substitution) of the London Plan acknowledges the importance of the intensification of business uses occupying all categories of industrial land through the following methods:

*'1) introduction of small units
2) development of multi-storey schemes
3) addition of basements
4) more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary'.*

Part B of the policy also recognises that SIL, and LSIS (aka LIL) can also be intensified through the consolidation of an existing designation to support the delivery of residential and other uses:

'B Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal'

However, it is understood that the GLA would seek this consolidation via a plan-led process rather than via individual planning applications:

'This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications'.

The site's formal designation is currently an *'LIL which has scope for managed intensification'* so this has been formally recognised in the previous Plan-led process.

There is also acknowledgement that LILs do hold potential for co-location of industrial uses with residential uses and others, again under a plan-led or masterplanning process:

'In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or masterplanning process'

Further to this Policy J2, Part 3, clause b) addresses the Design and Technical Criteria for sites highlighted for managed intensification:

b. Require proposals on sites covered by Managed Intensification specifications to demonstrate:

5. genuine intensification that maintains or increases capacity of the relevant SIL or LIL land use and achieves a reduced spatial footprint or spatial impacts; and

ii. no net loss of functionality, including ability to meet evidenced local and appropriate strategic industrial and warehousing qualitative and quantitative demand.

Despite these very clear steers from the London Plan the current Newham Local Plan, the Draft Local Plan Policy J1 has stated that:

‘no residential floorspace is permitted in these designations’.

And the supporting text states:

‘both SILs and LILs have to take the form of intensification to deliver further industrial floorspace and not to release land for the delivery of, or co-location with, residential’.

This position is completely at odds with the London Plan’s Policy Position and should be amended to reflect the previous policy position.

Draft Policy J2 conveys that new employment in LILs:

‘must intensify site use to deliver a net increase in industrial floorspace through the most appropriate intensification format’.

Draft Policy N16 (Manor Park and Little Ilford) clause 5 states the vision for the neighbourhood will be achieved by:

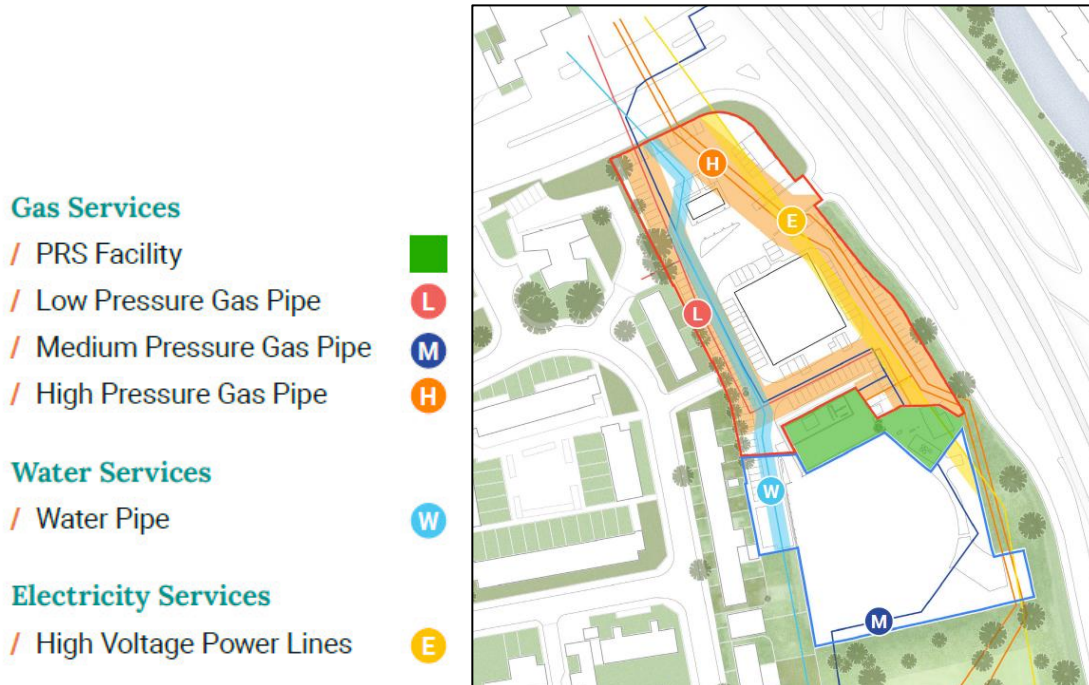
‘5. supporting the creation of new employment uses and intensifying existing uses at Kudhail Industrial Estate Local Industrial Location, Aldersbrook Local Mixed Use Area and Grantham Road Local Industrial Location;’

The site currently comprises a gym (Class E use) and a car hire centre (sui generis) which are not recognised industrial uses therefore any uplift would technically result in an intensified industrial use, but what has not been accounted for is that the wider designation has already seen an uplift/intensification in industrial floorspace of 13,674sqm via the outline permission which is currently being implemented. When the site is taken as a whole, both the current and proposed policy wording has been successfully met.

Our client is now left with the northern half of the site and the Employment Land Review (2022) evidence base used by the Council to inform their Draft Local Plan states that:

“Given units are occupied by good covenants, there is inherent value, which means site intensification in the short-term is unviable”.

Furthermore, the northern half of the site also has a significantly restricted developable area. Figure 49 of the accompanying document from Rolfe Judd Architecture demonstrates that the site has a complex network of important utilities that run through various parts of the site. The utilities include High, Medium and Low Pressure Gas Pipes, a High Pressure Water Pipe below ground and High Voltage Electricity Pylons which run above the site adjacent to the Motorway. All utilities have easements which restrict the developable area to the area shown in white on the top half of the image below.



Plan Showing Utilities running through the site

Alterations to a limited number of the existing services would increase developable area. However, it is a very costly exercise only enabled through efficient redevelopment of the site, thereby requiring the resulting development to offer appropriate viability. The Employment Land Review 2022 fails to acknowledge any of these factors when assessing the suitability of the site as a LIL which is a fundamentally flawed approach and emphasises the “hope value” that has been assigned to the site redevelopment as an industrial use.

The map above and in the attached document clearly outlines that the application has a very limited developable footprint due to these constraints which do not allow for the development of viable industrial buildings and servicing roads. The only way to viably increase the density on site is the increase the height of the proposed buildings and provide a non-industrial use on these upper floors such as residential, student or co-living. The current policy position would allow the removal of the current non-industrial uses on site and their replacement with a residential alternative due to the managed intensification that has already occurred on site, whereas the draft wording of the Policy J2 completely removes the ability for residential development or co-location on this site which is completely contrary to London Plan Policy E7.

Please refer to the appended representations for full details.

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.

The application site has a very limited developable footprint due to these constraints which do not allow for the development of viable industrial buildings and servicing roads. The only way to viably increase the density on site is the increase the height of the proposed buildings and provide a non-industrial use on these upper floors such as residential, student or co-living. The current policy position would allow the removal of the current non-industrial uses on site and their replacement with a residential alternative due to the managed intensification that has already occurred on site, whereas the draft wording of the Policy J2 completely removes the ability for residential development or co-location on this site which is completely contrary to London Plan Policy E7.

The draft policy should therefore be amended to reflect the London Plan policy position as a minimum but preferably the Council should release the norther section of the site from its LIL designation and recognise that the LIL as a whole has been intensified significantly and that the remainder of the site has no prospect of coming back into industrial use in the short term (as stated by the Council's Employment Land Review 2022) or the long-term due to the very limited developable footprint. We therefore implore the Council to remove the site from the LIL designation so that a more suitable and beneficial use like co-living or residential development come forward.

Please refer to the appended representations for full details.

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Policy

Implementation Text

Paragraph

Policies Map

4. Do you consider the Local Plan is :

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Yes

No

4.(2) Sound

Yes

No

4 (3) Complies with the
Duty to co-operate

Yes

No

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.

Draft Policy D4 Tall Buildings

Draft Policy D4 (Tall Buildings) defines a tall building as *‘those at or over 21m, measured from the ground to the top of the highest storey of the building’*. This definition is in line with the definition of the London Plan 2021.

Clause 2 of Draft Policy D4 states that:

‘2. 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’

The wording of the draft policy is clear that tall buildings will not be acceptable outside of the areas identified in Table 1. Our client’s site is heavily restricted in terms of its developable footprint due to the number of utilises running across the site and therefore the fact that it is not allocated in a “*Tall Building Zone*” inhibits the ability to bring forward any meaningful development.

It is considered that the policy is unduly restrictive and should not restrict building heights where it can be demonstrated they meet the requirements of clauses 3 and 4 of the same policy or Policy D9 of the London Plan.

We refer to the High Court Judgement of London Plan Policy D9 (*Mayor of London vs London Borough of Hillingdon, 15 Dec 21*), which questioned how the policy is to be interpreted. Policy D9 (Tall Buildings) requires London Boroughs to define all buildings within their local plans (Part A), requires London Boroughs to identify within their local plans suitable locations for tall buildings (Part B), identifies criteria against which the impacts of tall buildings should be assessed (Part C) and makes provision for public access (Part D).

The High Court decision establishes that Policy D9 should be interpreted with flexibility and sites which are not designated in locations identified as suitable for tall buildings (Part B(3)) should not automatically be considered inappropriate.

The judgement ruled that in considering whether to grant planning permission for a tall building which did not comply with Part B because it was not identified in the development plan, it would surely be sensible, and in accordance with the objectives of Policy D9, for the proposal to be assessed by reference to the potential impacts which are listed in Part C.

We therefore strongly recommend that LB Newham amend Policy D4 to ensure it is consistent with the London Plan and reflect the High Court judgement and the GLA’s interpretation of Policy D9. It is considered that the Council should incorporate wording into the draft Policy to confirm that each site should be assessed on its own merits without the constraint of the policy automatically ruling out tall buildings or restricting the maximum heights of tall buildings.

Inclusion of the site in a ‘Tall Building Zone’

Notwithstanding the case made above for more flexibility in the wording of the Draft Policy D4, our client’s site is considered to be suitable as a ‘Tall Building Zone’ - The

supporting text in Paragraph 3.52 of the Draft Local Plan provides justification for why certain areas have been targeted:

‘The location, scale and suggested height of each Tall Building Zone reflects the findings of the Newham Characterisation Study (2024) and the Tall Building Annex (2024) across the different parts of the borough and considers the importance of Town and Local Centres as hearts of their neighbourhoods. Tall Building Zones reflect an assessment exercise undertaken to identify suitable locations for tall buildings. This was informed by a townscape sensitivity screening assessment and suitability scoping exercise. The majority of the site allocations are included in the Tall Building Zones reflecting their status as ‘transform’ areas of the borough’.

The Methodology for ‘Tall Building Zones’ on page 167 of the Characterisation Study (2024) outlines that these zones have been identified with consideration to the following factors:

- a) *‘Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth.*
- b) *Opportunities of large sites part of the Royal Docks OA or the Olympic Legacy OA.*
- c) *Existing or planned town centres and local centres that have opportunities for densification.*
- d) *Areas that can formulate an adequate transition with sensitive context, for instance Conservation Areas, because of their scale and location within the context.*
- e) *Strategic sites locations with the ability to deliver significant uplift in density taking into consideration the existing character and context.*
- f) *Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.*
- g) *Strategic Industrial Locations that can support industrial intensification’.*

A tall building zone does not need to comply with every single one of these clauses but the factors considered to be most relevant to the site in question have been assessed individual below using both the Characterisation Study, Tall Building Annex and the accompanying document prepared by Rolfe Judd Architecture.

‘a) Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth’.

Page 146 of the Characterisation Study allocated as a location that is ‘Not sensitive to change’.



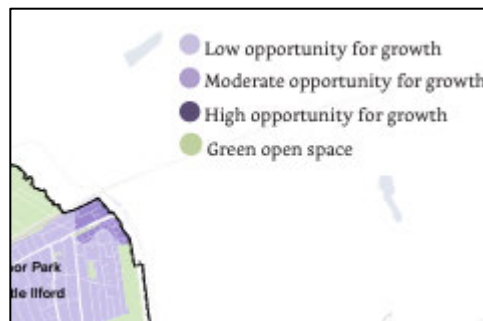
Extract Page 146 Newham Characterisation Study

Page 144 of the Characterisation Study identifies the site and its surrounding area as being of 'less successful quality'



Extract Page 144 Newham Characterisation Study

Page 148 of the Characterisation Study notes that the site has a 'Moderate Opportunity for growth'.



Extract Page 148 Newham Characterisation Study

The characterisation study's evidence is clear that the site has a low sensitivity to change, unsuccessful built form and opportunity for growth which cumulatively mean that it meets the criteria of clause a) and should therefore be considered a suitable location for tall buildings.

'c) Existing or planned town centres and local centres that have opportunities for densification'.

Whilst the site is not within a Town Centre or Local Centre Boundary it is on the edge of Ilford Town Centre which is outside of the Borough and therefore outside of the Characterisation Study's scope. Ilford Town Centre contains a high number of Tall Buildings which should be taken account of when assessing suitable height on neighbouring sites like 970 Romford Road.

f) Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling’.

These criteria are fully met as the site is situated along Romford Road and just outside Ilford Metropolitan Town Centre.

The site has excellent access to public transport services with PTAL rating of 6a. Ilford Station is located within 0.5 kilometres with regular service to Liverpool Street and in addition, a number of bus services run along Romford Road.

The site benefits from easy links with local facilities and shops, which provide a wide range of retail opportunities for the site to incorporate as part of the development. Of particular note, is the Sainsbury’s superstore situated approximately 400m walking distance to the east.

In summary, the Characterisation Study provides several maps which demonstrate that the 970 Romford Road site would be a prime candidate for inclusion as one of the Council’s ‘Tall Building Zones’ as it meets the following criteria in the Characterisation Study’s Methodology:

a) ‘Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth.

c) Existing or planned town centres and local centres that have opportunities for densification.

f) Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling’.

Despite the site meeting these criteria, the site has not been included within the Tall Building Zone and we strongly encourage the Council to rectify this in their forthcoming modifications to Draft Policy D4.

It should also be noted that the study is not supported by massing studies or townscape visual impact assessments which could further inform the Council’s decision-making process when allocating their ‘Tall Building Zones’ and recommended heights associated with each.

Tall Buildings on sites outside of designated ‘Tall Building Zones’

Whilst we strongly consider the site to be a suitable candidate for allocation as a ‘Tall Building Zone’, the following section addresses sites that fall outside of these designations which would be heavily restricted under the Draft Policy D4 wording.

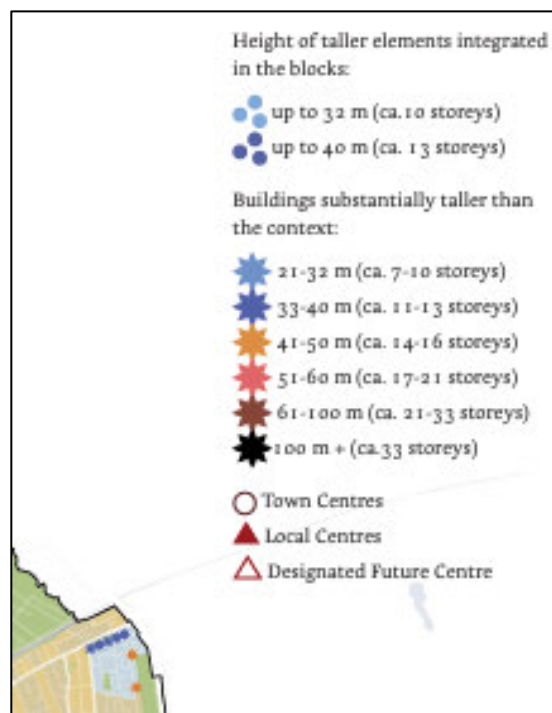
Notwithstanding the points made earlier in this document relating to the High Court Judgement of London Plan Policy D9 (*Mayor of London vs London Borough of Hillingdon, 15 Dec 21*), the Characterisation Study has been examined further to understand its recommendations on the matter.

Page 163 The Newham Characterisation Study addresses the subject of Tall Buildings Outside of Tall Building Zones:

'In all cases, though particularly conserve and enhance areas, intensification should seek the optimisation of sites through a design-led process, with appropriate density, rather than height, as the starting point. Proposals should always be context-led, with any increase in scale beyond the prevailing height the product of a thorough analytical and design process. The scale and massing of any proposal must always be underpinned by a compelling design case that illustrates how increased scale will contribute towards an enhanced character'.

The Study's recommendation to promote greater density on sites before consideration of increased height is referred to as a "*Starting point*". The policy then makes clear that the context will be key in the determining the suitability of any increase in scale beyond the prevailing heights in the vicinity. Importantly, the recommendations do not categorically rule out tall buildings in certain areas which Draft Policy D4 has done. The blanket allocations for these zones do not consider the nature or appearance of certain unallocated areas within the Borough that already have tall buildings, neither does it address the gradual change in the character and appearance of the area surrounding tall buildings zones.

Page 166 of the Characterisation Study contains a map (shown below) which identifies the 5 neighbouring residential buildings fronting Romford Road which are all 33-40m in height. The map also identified two residential buildings to the south which measure 51-60m in height.



Extract Page 166 Newham Characterisation Study

The map shows that Romford Road and the surrounding area has a very varied context but a clear coalescence of tall buildings toward Ilford Town Centre and fronting Romford Road.

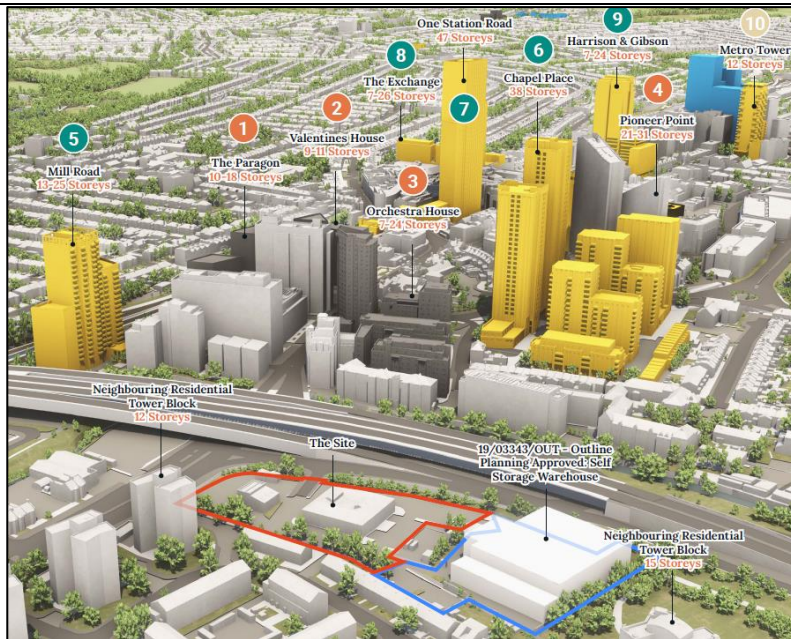
Within Ilford Town Centre itself there are nine examples of tall buildings ranging between 7 and 47 storeys all of which are within 500m of the application site. Consideration of these buildings appear to be absent from the Characterisation Study

(2024), perhaps because they fall outside of Newham's Borough boundary. Despite them lying outside of the Borough's boundary, these examples do have a clear role in the setting and context of 970 Romford Road and are therefore crucial considerations when determining the appropriate heights for the site.

Completed		Storeys
1	Paragon Heights	10-18
2	Valentine's House	9-11
3	Orchestra House	7-24
4	Pioneer Point	29-35
Consented		
5	Mill Road	13-25
6	Chapel Place	38
7	One Station Road	47
8	The Exchange	7-26
9	Harrison & Gibson	7-24



Application Site (Red Boundary) and Completed and Consented Schemes in Ilford Town Centre



3D model showing Consented and Approved schemes in Ilford Town Centre

These points aside, the “starting point” of increasing the density (as recommended by the Characterisation Study) of the 970 Romford Road site has been fully assessed by Rolfe Judd Architecture in the attached document.

As discussed in the sections above, Figure 49 of the document demonstrates that the site has a complex network of important utilities that run through various parts of the site. The utilities include High, Medium and Low Pressure Gas Pipes, a High Pressure Water Pipe below ground and High Voltage Electricity Pylons which run above the site adjacent to the Motorway. All utilities have easements which restrict the developable area to the area shown in white on the image below.

Gas Services

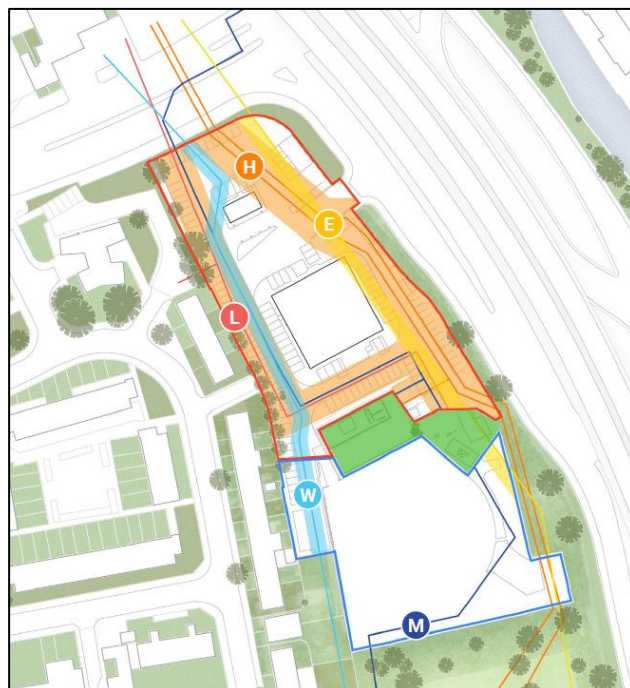
- / PRS Facility
- / Low Pressure Gas Pipe
- / Medium Pressure Gas Pipe
- / High Pressure Gas Pipe

Water Services

- / Water Pipe

Electricity Services

- / High Voltage Power Lines



Plan Showing Utilities running through the site

Alterations to a limited number of the existing services would increase developable area, however, it is a very costly exercise only enabled through efficient

redevelopment of the site, thereby requiring the resulting development to offer appropriate viability.

The map above and the attached document clearly outlines that the application site has a very limited developable footprint due to these constraints, therefore the only way to viably increase the density on site is the increase the height of the proposed buildings.

Under the wording of Draft Policy D4, the site would not be able to achieve a height which matched the clear pattern of neighbouring 11-13 storey residential buildings fronting 970 Romford Road as the site is not within a '*Tall Building Zone*'. This restriction effectively stymies the site, leaving it undevelopable and locked in its gym and car rental use for the foreseeable future, thereby not fulfilling the aims of the LIL designation or offering an alternative use (residential/student/co-living) which could contribute toward the Council Housing targets.

Please refer to the appended representations for full details.

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.

Wording of Policy D4

We refer to the High Court Judgement of London Plan Policy D9 (*Mayor of London vs London Borough of Hillingdon, 15 Dec 21*), which questioned how the policy is to be interpreted. Policy D9 (Tall Buildings) requires London Boroughs to define all buildings within their local plans (Part A), requires London Boroughs to identify within their local plans suitable locations for tall buildings (Part B), identifies criteria against which the impacts of tall buildings should be assessed (Part C) and makes provision for public access (Part D).

The High Court decision establishes that Policy D9 should be interpreted with flexibility and sites which are not designated in locations identified as suitable for tall buildings (Part B(3)) should not automatically be considered inappropriate.

The judgement ruled that in considering whether to grant planning permission for a tall building which did not comply with Part B because it was not identified in the development plan, it would surely be sensible, and in accordance with the objectives of Policy D9, for the proposal to be assessed by reference to the potential impacts which are listed in Part C.

We therefore strongly recommend that LB Newham amend Policy D4 to ensure it is consistent with the London Plan and reflect the High Court judgement and the GLA's interpretation of Policy D9. It is considered that the Council should incorporate wording into the draft Policy to confirm that each site should be assessed on its own merits without the constraint of the policy automatically ruling out tall buildings or restricting the maximum heights of tall buildings.

Inclusion of the site in a Tall Building Zone

The Characterisation Study provides several maps which demonstrate that the 970 Romford Road site would be a prime candidate for inclusion as one of the Council's 'Tall Building Zones' as it meets the following criteria in the Characterisation Study's Methodology:

- a) 'Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth.'*
- c) Existing or planned town centres and local centres that have opportunities for densification.*
- f) Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling'.*

Despite the site meeting these criteria, the site has not been included within the Tall Building Zone and we strongly encourage the Council to rectify this in their forthcoming modifications to Draft Policy D4.

It should also be noted that the study is not supported by massing studies or townscape visual impact assessments which could further inform the Council's decision-making process when allocating their '*Tall Building Zones*' and recommended heights associated with each

Tall Buildings on sites outside of designated '*Tall Building Zones*'

Under the wording of Draft Policy D4, the site would not be able to achieve a height which matched the clear pattern of neighbouring 11-13 storey residential buildings fronting 970 Romford Road as the site is not within a '*Tall Building Zone*'. This restriction effectively stymies the site, leaving it undevelopable and locked in its gym and car rental use for the foreseeable future, thereby not fulfilling the aims of the LIL designation or offering an alternative use (residential/student/co-living) which could contribute toward the Council Housing targets.

Please refer to the appended representations for full details.

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:

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

9. Do you wish to be notified about:

a. the submission of the local plan for independent examination

Yes ☒ No ☐

b. the publication of the Inspector's report

Yes ☒ No ☐

c. the adoption of the Local Plan

Yes ☒ No ☐

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

Yes ☒ No ☐

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

Regeneration & Development Control,
Newham Dockside,
1st Floor West Wing,
Dockside Road,
London,
E16 2QU

20th September 2024

Dear Sir or Madam,

P09239 - 970 Romford Road, Ilford, E12 5LP
Representations to London Borough of Newham's Draft Local Plan Review; Submission Version
(Regulation 19) Consultation (September 2024)

We write on behalf of our client, AIM Land Ltd, to make representations on the London Borough of Newham's Draft Local Plan Review (Reg 19 version) which is currently out for consultation. These representations are written with specific reference to the following site:

- 970 Romford Road, Ilford, E12 5LP

Our client acknowledges that their site falls within the proposed Grantham Road Local Industrial Location (LIL) and proposed Neighbourhood N16 (Manor Park and Little Ilford). We also note that Draft Local Plan Policy D4 has identified several areas in which are suitable for tall buildings, and this does not include our applicant's site. We therefore seek to amend the designation to ensure its inclusion in a '*Tall Buildings Zone*', amendments to the wording of Draft Policy D4, de-designation of the site as an LIL and amendments to the wording of Policy J1 and J2.

We have made individual comments on the specific policies using the Council's online response form, however, given the scope of the comments we also set out our principal representations below.

The Site

The site is situated along Romford Road and just outside Ilford Metropolitan Town Centre. The application site currently accommodates a The Gym Group London (Class E), hard standing surface level car parking, and Enterprise car hire agency (sui generis). The site was designated as a Local Industrial Location (LIL) in the 2018 Local Plan.

A portion of the application site contains a Gas Pressure Reduction System (PRS) on land in the ownership of National Grid alongside multiple other utilities below the site and above-ground electricity pylons along the

site's eastern boundary.

There is an Adjoining site to the rear (also within our client's ownership) of Approx. 0.48 ha which is currently used as a Storage Facility. This Adjoining site has Outline Planning Consent (LP Ref. 19/03343/OUT) for a 13,674sqm Storage Warehouse. To the west of the site is a 3-12 storey post-war housing development, and to the east is Ilford Town Centre, which includes several tall residential towers in excess of 35m in height.

The site has excellent access to public transport services with PTAL rating of 6a. Ilford Station is located within 0.5 kilometres with regular service to Liverpool Street and in addition, a number of bus services run along Romford Road.

The site benefits from easy links with local facilities and shops, which provide a wide range of retail opportunities for the site to incorporate as part of the development. Of particular note is the Sainsbury's superstore situated approximately 400m walking distance to the east.

The site is not located within or adjacent to a Conservation Area or Nature Conservation Area, however the southern end of the site is located adjacent to Metropolitan Open Land (MOL). The site does not contain any listed buildings and is not located in a Flood Zone.



Aerial Photograph – Site Boundary and Adjoining site

Proposed Areas for Review

A number of key changes are sought to the Draft Local Plan Review which impact our client's site at 970 Romford Road, Ilford. These changes are summarised below:

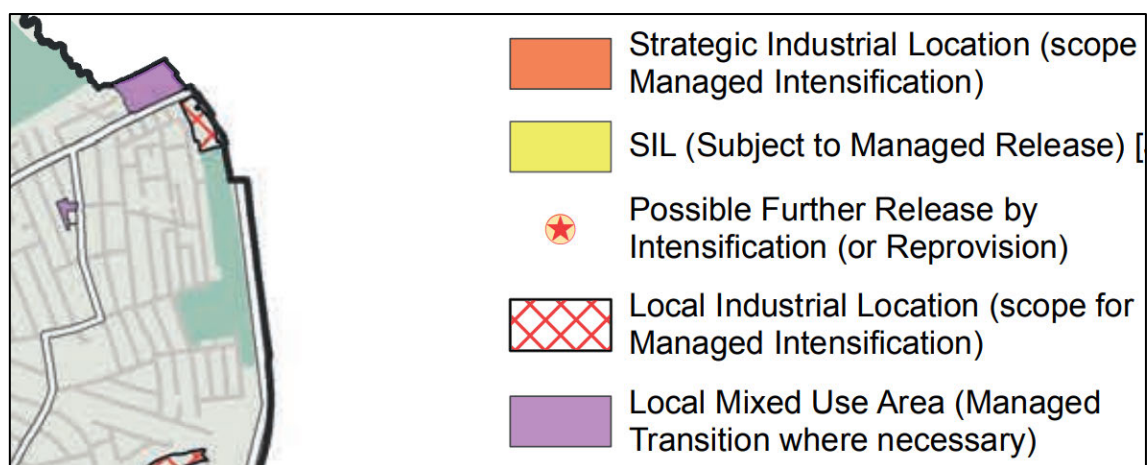
- Local Industrial Location (LIL) Designation (Draft Policy J1 and J2)
- Tall Buildings (Draft Policy D4);

Each of these matters are addressed in more detail in the following sections.

Representations on the Draft Local Plan Document

Grantham Road Local Industrial Location (LIL) Designation

The site was designated as a Local Industrial Location (LIL) in the 2018 Local Plan, despite it having no recognised industrial floorspace on site. It had no such designation in previous iterations of the Development Plan. The designation also highlights that the site has scope for '*managed intensification*'.



Extract from Newham Local Plan Proposals Map (2018)

Policy J2 (Providing for Efficient Use of Employment Land) of the current Newham Local Plan outlines the strategic aims and policies for designated employment sites – it states:

'5. Strategic Industrial Locations (SIL) and Local Industrial Locations (LIL) as listed in Table 7 are designated for protection, Managed Intensification, (as per criteria in J2.3b) and suitable in principle for Use Classes B1(b) B1(c) B2, B8 and appropriate Sui Generis employment uses including waste, utilities and transport depots, with other supporting facilities including B1a uses, where ancillary in scale and function'.

Following the site's designation as a LIL, the site was subject to an outline planning consent which addressed the southern third of the site:

[19/03343/OUT](#)

Outline planning application for the erection of a self-storage warehouse (Class B8) and associated car parking, with all matters reserved except for layout, scale and access

Approved 19/02/2024

This portion of the site was a 4,500sqm sui generis car park use which did not directly contribute toward the function of the LIL. The proposed Class B8 storage use more than triples the amount of floorspace on site to 13,674sqm, but importantly, the use brings a recognised industrial use onto LIL land. The reserved matters for this outline permission are partially completed and the remaining application will be finalised and approved over the coming months.

The remainder of the site to the north comprises a gym (Class E use) and a car hire centre (sui generis). None of these uses are sought after or protected within the LIL designation.

Managed Intensification of Industrial Space under current and draft policy

Policy J2 of the current Local Plan goes states that one of its strategic principles is to:

5. *'Achieve [more] efficient use of employment land to support economic growth sectors and wider growth needs through the retention of suitable locations and capacity, intensification with no net loss of functionality, and limited, plan-led managed release of land as set out spatially in the J2 Employment Land Map (Figure 4.2 below); and*
 - b. Manage the positive and negative impacts of employment-generating uses to ensure a managed transition to successful mixed use places at the large and small scale, helping to secure a balanced mix of jobs and homes'.*

Further to this, Policy E7 (Industrial intensification, co-location and substitution) of the London Plan acknowledges the importance of the intensification of business uses occupying all categories of industrial land through the following methods:

- '1) introduction of small units*
- 2) development of multi-storey schemes*
- 3) addition of basements*
- 4) more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary'.*

Part B of the policy also recognises that SIL, and LSIS (aka LIL) can also be intensified through the consolidation of an existing designation to support the delivery of residential and other uses:

'B Intensification can also be used to facilitate the consolidation of an identified SIL or LSIS to support the delivery of residential and other uses, such as social infrastructure, or to contribute to town centre renewal'

However, it is understood that the GLA would seek this consolidation via a plan-led process rather than via individual planning applications:

'This approach should only be considered as part of a plan-led process of SIL or LSIS intensification and consolidation (and the areas affected clearly defined in Development Plan policies maps) or as part of a co-ordinated masterplanning process in collaboration with the GLA and relevant borough, and not through ad hoc planning applications'.

The site's formal designation is currently an 'LIL which has scope for managed intensification' so this has been formally recognised in the previous Plan-led process.

There is also acknowledgement that LILs do hold potential for co-location of industrial uses with residential uses and others, again under a plan-led or masterplanning process:

'In LSIS (but not in SIL) the scope for co-locating industrial uses with residential and other uses may be considered. This should also be part of a plan-led or masterplanning process'

Further to this Policy J2, Part 3, clause b) addresses the Design and Technical Criteria for sites highlighted for managed intensification:

b. Require proposals on sites covered by Managed Intensification specifications to demonstrate:

5. genuine intensification that maintains or increases capacity of the relevant SIL or LIL land use and achieves a reduced spatial footprint or spatial impacts; and

ii. no net loss of functionality, including ability to meet evidenced local and appropriate strategic industrial and warehousing qualitative and quantitative demand.

Despite these very clear steers from the London Plan the current Newham Local Plan, the Draft Local Plan Policy J1 has stated that:

'no residential floorspace is permitted in these designations'.

And the supporting text states:

'both SILs and LILs have to take the form of intensification to deliver further industrial floorspace and not to release land for the delivery of, or co-location with, residential'.

This position is completely at odds with the London Plan's Policy Position and should be amended to reflect the previous policy position.

Draft Policy J2 conveys that new employment in LILs:

'must intensify site use to deliver a net increase in industrial floorspace through the most appropriate intensification format'.

Draft Policy N16 (Manor Park and Little Ilford) clause 5 states the vision for the neighbourhood will be achieved by:

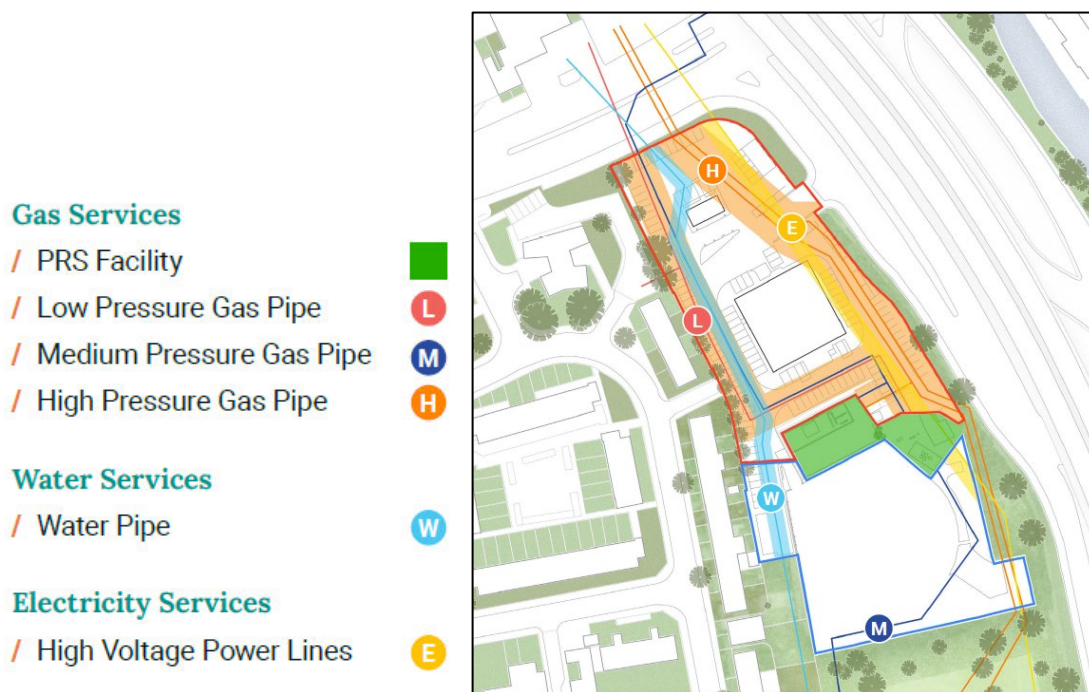
'5. supporting the creation of new employment uses and intensifying existing uses at Kudhail Industrial Estate Local Industrial Location, Aldersbrook Local Mixed Use Area and Grantham Road Local Industrial Location;'

The site currently comprises a gym (Class E use) and a car hire centre (sui generis) which are not recognised industrial uses therefore any uplift would technically result in an intensified industrial use, but what has not been accounted for is that the wider designation has already seen an uplift/intensification in industrial floorspace of 13,674sqm via the outline permission which is currently being implemented. When the site is taken as a whole, both the current and proposed policy wording has been successfully met.

Our client is now left with the northern half of the site and the Employment Land Review (2022) evidence base used by the Council to inform their Draft Local Plan states that:

"Given units are occupied by good covenants, there is inherent value, which means site intensification in the short-term is unviable".

Furthermore, the northern half of the site also has a significantly restricted developable area. Figure 49 of the accompanying document from Rolfe Judd Architecture demonstrates that the site has a complex network of important utilities that run through various parts of the site. The utilities include High, Medium and Low Pressure Gas Pipes, a High Pressure Water Pipe below ground and High Voltage Electricity Pylons which run above the site adjacent to the Motorway. All utilities have easements which restrict the developable area to the area shown in white on the top half of the image below.



Plan Showing Utilities running through the site

Alterations to a limited number of the existing services would increase developable area. However, it is a very costly exercise only enabled through efficient redevelopment of the site, thereby requiring the resulting development to offer appropriate viability. The Employment Land Review 2022 fails to acknowledge any of these factors when assessing the suitability of the site as a LIL which is a fundamentally flawed approach and emphasises the "hope value" that has been assigned to the site redevelopment as an industrial use.

The map above and in the attached document clearly outlines that the application site has a very limited developable footprint due to these constraints which do not allow for the development of viable industrial buildings and servicing roads. The only way to viably increase the density on site is the increase the height of the proposed buildings and provide a non-industrial use on these upper floors such as residential, student or co-living. The current policy position would allow the removal of the current non-industrial uses on site and their replacement with a residential alternative due to the managed intensification that has already occurred on site, whereas the draft wording of the Policy J2 completely removes the ability for residential development or co-location on this site which is completely contrary to London Plan Policy E7.

The draft policy should therefore be amended to reflect the London Plan policy position as a minimum but preferably the Council should release the norther section of the site from its LIL designation and recognise that the LIL as a whole has been intensified significantly and that the remainder of the site has no prospect of

coming back into industrial use in the short term (as stated by the Council's Employment Land Review 2022) or the long-term due to the very limited developable footprint. We therefore implore the Council to remove the site from the LIL designation so that a more suitable and beneficial use like co-living or residential development come forward.

Draft Policy D4 Tall Buildings

Draft Policy D4 (Tall Buildings) defines a tall building as *'those at or over 21m, measured from the ground to the top of the highest storey of the building'*. This definition is in line with the definition of the London Plan 2021.

Clause 2 of Draft Policy D4 states that:

'2. 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'

The wording of the draft policy is clear that tall buildings will not be acceptable outside of the areas identified in Table 1. Our client's site is heavily restricted in terms of its developable footprint due to the number of utilises running across the site and therefore the fact that it is not allocated in a *"Tall Building Zone"* inhibits the ability to bring forward any meaningful development.

It is considered that the policy is unduly restrictive and should not restrict building heights where it can be demonstrated they meet the requirements of clauses 3 and 4 of the same policy or Policy D9 of the London Plan.

We refer to the High Court Judgement of London Plan Policy D9 (*Mayor of London vs London Borough of Hillingdon, 15 Dec 21*), which questioned how the policy is to be interpreted. Policy D9 (Tall Buildings) requires London Boroughs to define all buildings within their local plans (Part A), requires London Boroughs to identify within their local plans suitable locations for tall buildings (Part B), identifies criteria against which the impacts of tall buildings should be assessed (Part C) and makes provision for public access (Part D).

The High Court decision establishes that Policy D9 should be interpreted with flexibility and sites which are not designated in locations identified as suitable for tall buildings (Part B(3)) should not automatically be considered inappropriate.

The judgement ruled that in considering whether to grant planning permission for a tall building which did not comply with Part B because it was not identified in the development plan, it would surely be sensible, and in accordance with the objectives of Policy D9, for the proposal to be assessed by reference to the potential impacts which are listed in Part C.

We therefore strongly recommend that LB Newham amend Policy D4 to ensure it is consistent with the London Plan and reflect the High Court judgement and the GLA's interpretation of Policy D9. It is considered that the Council should incorporate wording into the draft Policy to confirm that each site should be assessed on its own merits without the constraint of the policy automatically ruling out tall buildings or restricting the maximum heights of tall buildings.

Inclusion of the site in a 'Tall Building Zone'

Notwithstanding the case made above for more flexibility in the wording of the Draft Policy D4, our client's site

is considered to be suitable as a 'Tall Building Zone' - The supporting text in Paragraph 3.52 of the Draft Local Plan provides justification for why certain areas have been targeted:

'The location, scale and suggested height of each Tall Building Zone reflects the findings of the Newham Characterisation Study (2024) and the Tall Building Annex (2024) across the different parts of the borough and considers the importance of Town and Local Centres as hearts of their neighbourhoods. Tall Building Zones reflect an assessment exercise undertaken to identify suitable locations for tall buildings. This was informed by a townscape sensitivity screening assessment and suitability scoping exercise. The majority of the site allocations are included in the Tall Building Zones reflecting their status as 'transform' areas of the borough'.

The Methodology for 'Tall Building Zones' on page 167 of the Characterisation Study (2024) outlines that these zones have been identified with consideration to the following factors:

- a) *'Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth.*
- b) *Opportunities of large sites part of the Royal Docks OA or the Olympic Legacy OA.*
- c) *Existing or planned town centres and local centres that have opportunities for densification.*
- d) *Areas that can formulate an adequate transition with sensitive context, for instance Conservation Areas, because of their scale and location within the context.*
- e) *Strategic sites locations with the ability to deliver significant uplift in density taking into consideration the existing character and context.*
- f) *Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.*
- g) *Strategic Industrial Locations that can support industrial intensification'.*

A tall building zone does not need to comply with every single one of these clauses but the factors considered to be most relevant to the site in question have been assessed individual below using both the Characterisation Study, Tall Building Annex and the accompanying document prepared by Rolfe Judd Architecture.

'a) Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth'.

Page 146 of the Characterisation Study allocated as a location that is 'Not sensitive to change'.



Extract Page 146 Newham Characterisation Study

Page 144 of the Characterisation Study identifies the site and its surrounding area as being of 'less successful quality'



Extract Page 144 Newham Characterisation Study

Page 148 of the Characterisation Study notes that the site has a 'Moderate Opportunity for growth'.



Extract Page 148 Newham Characterisation Study

The characterisation study's evidence is clear that the site has a low sensitivity to change, unsuccessful built form and opportunity for growth which cumulatively mean that it meets the criteria of clause a) and should therefore be considered a suitable location for tall buildings.

'c) Existing or planned town centres and local centres that have opportunities for densification'.

Whilst the site is not within a Town Centre or Local Centre Boundary it is on the edge of Ilford Town Centre which is outside of the Borough and therefore outside of the Characterisation Study's scope. Ilford Town Centre contains a high number of Tall Buildings which should be taken account of when assessing suitable height on neighbouring sites like 970 Romford Road.

'f) Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling'.

These criteria are fully met as the site is situated along Romford Road and just outside Ilford Metropolitan Town Centre.

The site has excellent access to public transport services with PTAL rating of 6a. Ilford Station is located within 0.5 kilometres with regular service to Liverpool Street and in addition, a number of bus services run along Romford Road.

The site benefits from easy links with local facilities and shops, which provide a wide range of retail opportunities for the site to incorporate as part of the development. Of particular note, is the Sainsbury's

superstore situated approximately 400m walking distance to the east.

In summary, the Characterisation Study provides several maps which demonstrate that the 970 Romford Road site would be a prime candidate for inclusion as one of the Council's 'Tall Building Zones' as it meets the following criteria in the Characterisation Study's Methodology:

- a) *'Areas to be transformed that have the opportunity to establish a new character due to their low sensitivity to change, unsuccessful built form and opportunity for growth.'*
- c) *Existing or planned town centres and local centres that have opportunities for densification.*
- f) *Locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling'.*

Despite the site meeting these criteria, the site has not been included within the Tall Building Zone and we strongly encourage the Council to rectify this in their forthcoming modifications to Draft Policy D4.

It should also be noted that the study is not supported by massing studies or townscape visual impact assessments which could further inform the Council's decision-making process when allocating their 'Tall Building Zones' and recommended heights associated with each.

Tall Buildings on sites outside of designated 'Tall Building Zones'

Whilst we strongly consider the site to be a suitable candidate for allocation as a 'Tall Building Zone', the following section addresses sites that fall outside of these designations which would be heavily restricted under the Draft Policy D4 wording.

Notwithstanding the points made earlier in this document relating to the High Court Judgement of London Plan Policy D9 (*Mayor of London vs London Borough of Hillingdon, 15 Dec 21*), the Characterisation Study has been examined further to understand its recommendations on the matter.

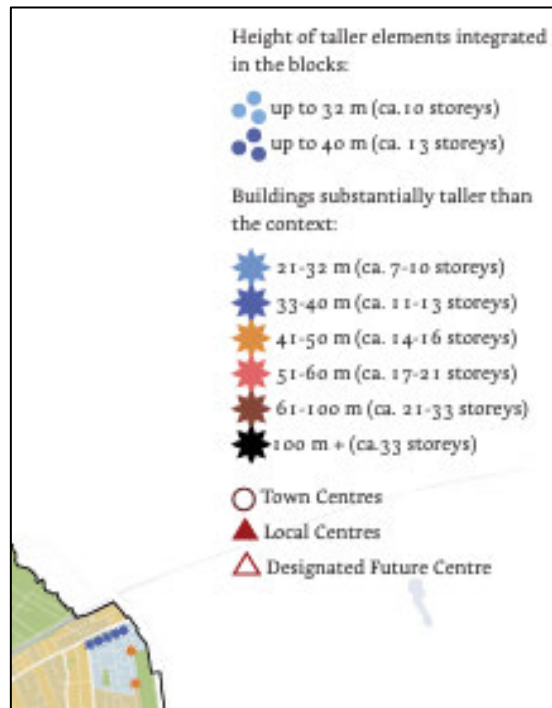
Page 163 The Newham Characterisation Study addresses the subject of Tall Buildings Outside of Tall Building Zones:

'In all cases, though particularly conserve and enhance areas, intensification should seek the optimisation of sites through a design-led process, with appropriate density, rather than height, as the starting point. Proposals should always be context-led, with any increase in scale beyond the prevailing height the product of a thorough analytical and design process. The scale and massing of any proposal must always be underpinned by a compelling design case that illustrates how increased scale will contribute towards an enhanced character'.

The Study's recommendation to promote greater density on sites before consideration of increased height is referred to as a "Starting point". The policy then makes clear that the context will be key in the determining the suitability of any increase in scale beyond the prevailing heights in the vicinity. Importantly, the recommendations do not categorically rule out tall buildings in certain areas which Draft Policy D4 has done. The blanket allocations for these zones do not consider the nature or appearance of certain unallocated areas within the Borough that already have tall buildings, neither does it address the gradual change in the character and appearance of the area surrounding tall buildings zones.

Page 166 of the Characterisation Study contains a map (shown below) which identifies the 5 neighbouring residential buildings fronting Romford Road which are all 33-40m in height. The map also identified two

residential buildings to the south which measure 51-60m in height.



Extract Page 166 Newham Characterisation Study

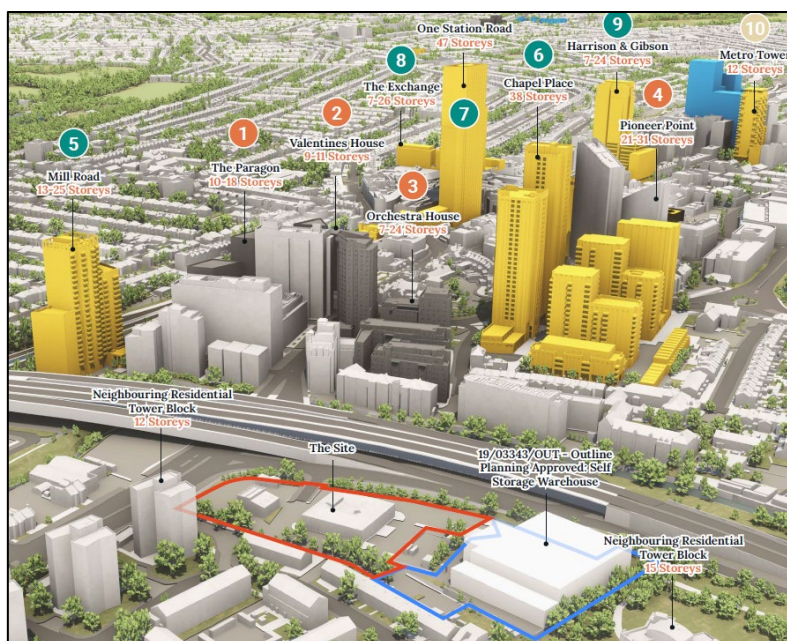
The map shows that Romford Road and the surrounding area has a very varied context but a clear coalescence of tall buildings toward Ilford Town Centre and fronting Romford Road.

Within Ilford Town Centre itself there are nine examples of tall buildings ranging between 7 and 47 storeys all of which are within 500m of the application site. Consideration of these buildings appear to be absent from the Characterisation Study (2024), perhaps because they fall outside of Newham's Borough boundary. Despite them lying outside of the Borough's boundary, these examples do have a clear role in the setting and context of 970 Romford Road and are therefore crucial considerations when determining the appropriate heights for the site.

Completed		Storeys
1	Paragon Heights	10-18
2	Valentine's House	9-11
3	Orchestra House	7-24
4	Pioneer Point	29-35
Consented		
5	Mill Road	13-25
6	Chapel Place	38
7	One Station Road	47
8	The Exchange	7-26
9	Harrison & Gibson	7-24



Application Site (Red Boundary) and Completed and Consented Schemes in Ilford Town Centre



3D model showing Consented and Approved schemes in Ilford Town Centre

These points aside, the “starting point” of increasing the density (as recommended by the Characterisation Study) of the 970 Romford Road site has been fully assessed by Rolfe Judd Architecture in the attached document.

As discussed in the sections above, Figure 49 of the document demonstrates that the site has a complex network of important utilities that run through various parts of the site. The utilities include High, Medium and Low Pressure Gas Pipes, a High Pressure Water Pipe below ground and High Voltage Electricity Pylons which run above the site adjacent to the Motorway. All utilities have easements which restrict the developable area to

the area shown in white on the image below.

Gas Services

- / PRS Facility
- / Low Pressure Gas Pipe
- / Medium Pressure Gas Pipe
- / High Pressure Gas Pipe

Water Services

- / Water Pipe

Electricity Services

- / High Voltage Power Lines



Plan Showing Utilities running through the site

Alterations to a limited number of the existing services would increase developable area, however, it is a very costly exercise only enabled through efficient redevelopment of the site, thereby requiring the resulting development to offer appropriate viability.

The map above and the attached document clearly outlines that the application site has a very limited developable footprint due to these constraints, therefore the only way to viably increase the density on site is the increase the height of the proposed buildings.

Under the wording of Draft Policy D4, the site would not be able to achieve a height which matched the clear pattern of neighbouring 11-13 storey residential buildings fronting 970 Romford Road as the site is not within a 'Tall Building Zone'. This restriction effectively stymies the site, leaving it undevelopable and locked in its gym and car rental use for the foreseeable future, thereby not fulfilling the aims of the LIL designation or offering an alternative use (residential/student/co-living) which could contribute toward the Council Housing targets.

Summary and Recommendations

In conclusion, much greater consideration needs to be given to the site's ability to provide additional tall and mid-rise buildings in this location. The site's designation as a LIL is also questionable given there is no existing industrial floorspace on site and the introduction of an industrial unit on site is unviable due to the limited developable footprint of the site.

We make the following recommendations for the next iteration of the Draft Local Plan:

- De-allocate the 970 Romford Road site from the LIL designation due to it having no existing industrial floorspace on site and no realistic or viable prospect of the site being redeveloped for industrial use.
- Amend the wording of Draft Policies J1 and J2 to allow for co-location in LILs;

- Recognise the site as being an appropriate location for Tall buildings through allocation within a '*Tall Building Zone*' under Policy D4;
- Incorporate flexibility within policy D4 to allow for tall buildings outside of '*Tall Building Zones*' to reflect the wording of the new London Plan and the clarifications following its implementation;

We would welcome the opportunity to meet with the Newham Policy Team to review the matters raised above and collectively work towards the formulation of a positive planning policy framework. We plan to arrange a pre-application meeting to discuss opportunities for the site to provide a viable alternative use on site.

We trust the above will be taken into consideration during the Consultations. Should you have any questions, please do not hesitate to contact the undersigned.

Yours faithfully



For and on behalf of
Rolfe Judd Planning Limited