

Sara Chiong

From: Harriet Young <[REDACTED]>
Sent: 17 September 2024 16:21
To: Local Plan
Cc: [REDACTED]
Subject: Newham Local Plan Consultation - Representation on behalf of Beckton Development Ltd
Attachments: LBN Regulation 19 Local Plan Representation_17.09.2024.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/ Madam,

RE: Newham Draft Local Plan (Regulation 19) Consultation

On behalf of Beckton Development Ltd, please find attached a representation in response to the above consultation.

Attached are 1 x PDFs:

- Representation Letter.

We would be grateful if you could keep us updated of the progress of the draft Local Plan.

Please confirm safe receipt of the attached.

We look forward to hearing from you.

Thank you

Kind regards,
Harriet

Harriet Young MRTPI
Senior Planner
Planning

Savills, 33 Margaret Street, London, W1G 0JD



Mobile : [REDACTED]

Email : [REDACTED]

Website : www.savills.co.uk





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17 September 2024



Planning Policy Team
1000 Dockside Road
Newham Dockside
London Borough of Newham
E16 2QU

Scott Hudson
E: [REDACTED]
DL: [REDACTED]

33 Margaret Street W1G 0JD
T: +44 (0) 20 7499 8644
F: +44 (0) 20 7495 3773
savills.com

Via email only: localplan@newham.gov.uk

Dear Sir/Madam,

BECKTON ARMS, 8 BECKTON ROAD, E16 1PU

NEWHAM LOCAL PLAN REGULATION 19 DRAFT SUBMISSION LOCAL PLAN FORMAL CONSULTATION.

REPRESENTATIONS SUBMITTED ON BEHALF OF BECKTON DEVELOPMENT LTD.

We are instructed by our Client, Beckton Development Ltd ("Beckton Development"), to submit representations to the Draft Submission Local Plan (Regulation 19) June 2024 document ("the draft Local Plan") in context to Beckton Development's land ownership and live pre-application submission at Beckton Arms, 8 Beckton Road, E16 1PU ("the Site"), located within the London Borough of Newham (LBN).

These representations relate to the Site which forms part of the proposed site allocation 'N4.SA1 Canning Town East' within the draft Local Plan. A Site Location Plan is provided at **Appendix 1**. These representations also relate to the relevant wider policies of the draft Local Plan.

The Site has significant redevelopment potential and we support the site allocation and the principle of development to deliver a mixed use redevelopment comprising new residential uses, including affordable housing, the provision of high quality community facilities as well as open space. We have set out our detailed comments in this letter.

Background

Beckton Development Limited

Beckton Development has considerable experience and expertise in delivering high quality housing alongside community facilities. Beckton Development is committed to developing the Site to the highest quality whilst working alongside local community organisations. Beckton Development has a strong focus on community provision varying from arts programmes, to food support, to construction skills and teaching. Beckton Developments involvement in community facilities is widespread from assisting with setting up organisations, providing funding and volunteering.

Site and Surroundings

The Site is approximately 0.17 hectares (ha) and currently accommodates a part three-storey commercial building currently in use as a public house, the Beckton Arms. Whilst the Beckton Arms is currently still in use, the building is both in need of repair and does not see frequent footfall therefore no longer a viable operation.

The Site is located on the south side of Beckton Road and is bounded by the A13 Newham Way to the south. It is accessed via Beckton Road which operates as a slip road to the A13. To the west of the Site is a subway connecting with the south side of the A13 and to the east is green space with footways to Beckton Road.

The Site has a Public Transport Accessibility Level (PTAL) score of 5 (with 1 being the lowest and 6 the highest) reflecting a very good public transport links and accessibility. The Site is served by Canning Town underground station and several near-by bus services.

The Site is located within Flood Zone 3, benefiting from flood defence including culverts, embankments and flood walls.

Planning Policy Context

The Site is subject to the following key adopted (current) planning policy designations:

- The Site is within the Royal Docks and Beckton Riverside Opportunity Area and located within S15 (Canning Town East) Strategic Site Allocation which supports the delivery of residential with supporting community uses.
- The Site is also located within the Archaeological Priority Area APA 3.4 Canning Town/Newham Way.

Current Application

In April 2024, Beckton Development submitted a request for pre-application advice and a meeting for a residential-led, mixed use redevelopment of the Site. The Pre-Application proposed the redevelopment of the Site to provide a building ranging from 12 to 25 storey's in height which would resultantly provide residential units in the upper floors and dedicated community space at ground floor level. A breakdown of the proposals is provided below:

- The delivery of 158 new residential dwellings including the delivery of 50% affordable housing (subject to grant funding);
- The scheme will provide high quality residential accommodation which will provide useable and functional spaces, together with high quality communal open space;
- The delivery of c.262 sqm of community space which would align with the Strategic Site Allocation requirements; and
- Additional hard and soft landscaping will also be provided with improvements to the public realm and existing subway.

To date, the application has undergone two pre-application meetings and received formal written pre-application advice from LBN dated 30 July 2024. The Applicant team is currently in the process of reviewing the feedback received.

National Planning Policy Context

Paragraph 35 of the NPPF (National Planning Policy Framework) states that Local Plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements and whether they are sound. Plans are ‘sound’ if they are:

- a) **Positively prepared** – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework.

These tests of soundness should also be applied to non-strategic policies in a proportionate way, taking into account the extent to which they are consistent with relevant strategic policies of the area.

Newham Draft Submission Local Plan (Regulation 19) June 2024 Document – Representations.

We note that the key principles of the adopted Site Allocation are being carried over to the draft Site Allocation as set out in the draft Local Plan. We note the Site is subject to the following key draft planning policy designations:

- Site Allocation N4.SA1: Canning Town East;
- Neighbourhood Boundary: Canning Town;
- Tall Building Zone 13 Canning Town:
 - Prevailing height: Above 21m but below 32m (7-10 storeys);
 - Maximum height: 50m; and
- Archaeological Priority Area APA 3.4 Canning Town/Newham Way.

Having regards to the national planning context in preparing Local Plans, we have commented on the draft Local Plan, as explained below. For any specific suggested amendments, this is shown via a box, with the relevant reference to the draft Local Plan accordingly, as follows:

Suggested amendments to draft Local Plan re: [reference inserted]
 Deletions shown as ~~striketthrough text in red~~; and
 Additions shown as underlined text in green.

Draft Policy N4: Canning Town

We note that paragraph 8 of draft Policy N4 (Canning Town) which relates to the wider Canning Town neighbourhood boundary states the vision for Canning Town will be achieved by “*retaining existing mature trees*”. Whilst our client advocates for the retention of trees where possible, it should be considered that in order

to make efficient use of land, this may not always be possible. As such, we request the following change to be made to paragraph 8 of Site Allocation N4:

Suggested amendments to draft Local Plan:

Policy N4 Canning Town

Retaining existing mature trees where possible and maximising the provision of new open space, green infrastructure and green links and the opportunities to increase biodiversity...

Making this change would provide flexibility for sites based upon their individual surroundings and will ensure that the draft local plan is **effective** in its delivery.

Draft Site Allocation N4.SA1: Canning Town East

Fundamentally, our Client fully supports the principle redevelopment of Canning Town East for a residential-led development with associated community facilities and open space for draft site allocation N4.SA1. However, the development principles set out for Canning Town East state that the Site should be designed and developed comprehensively in accordance with Local Plan Policy BFN2. In order for all available sites to come forward for housing, a comprehensive approach to development might not be suitable for all sites within the site allocation. To ensure flexibility, we consider the following text should be added to the development principles:

Suggested amendments to draft Local Plan:

Site Allocation N4.SA1: Canning Town East

Design principles

Where appropriate, the site should be designed and developed comprehensively in accordance with Local Plan Policy BFN2.

Making this change would provide flexibility and it will ensure that the draft Local Plan and site allocation can be **effective** in its delivery

Under the sub-heading *Design Principles* the policy notes that building heights should range between 9 – 21m (c3-7 storeys) in the eastern part of the site and between 21 – 32m (c7 – 10 storeys) in the western part of the site, with opportunities for taller buildings up to 40m (c13 storeys) to mark the east entrance to the site and up to 50m (c16 storeys) in the proximity of the A13, to the western entrance to the site and to mark open spaces.

It is considered that the Policy is overly restrictive, contradicting a number of other strategic objectives of the Plan, such as the direction of growth to sustainable locations across the Borough. It is important to emphasise that this restrictive policy position in regard to tall buildings conflicts with policy at the regional level. Policy D9 of the London Plan 2021 does not prevent tall buildings from coming forward outside of ‘appropriate locations’ chosen by the Council, but rather, it allows for Local Plans to cite what may be an ‘appropriate’ height while providing the flexibility for judgement through the Development Management process and a design-led approach in regard to what an acceptable height may be.

Part A of Policy D3 of the London Plan states that “All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations”. Part B states that “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". We consider the proposed approach to tall buildings within Site Allocation N4.SA1: Canning Town East to be inflexible and an inappropriate strategy for the Borough to be able to encourage and deliver appropriately optimised sites. Optimising sustainable brownfield sites is a strategy that is reiterated in both Policy D3 (Optimising site capacity through the design-led approach) of the London Plan and paragraph 130 (e) of the National Planning Policy Framework.

Part B (2) of Policy D9 of the London Plan states that 'Any such locations and appropriate tall building heights should be identified on maps in Development Plans' therefore, Local Plans have the ability to cite what height may be 'appropriate' in certain locations. The recommended height provisions should remain flexible, as a judgement should be made through the Development Management process and through a design-led approach in regards to what an acceptable height may be, in regards to the impact tests set out in Part C of the policy.

Ultimately, we maintain the view that it is for the Development Management process to determine the most appropriate form of design for individual sites. The Development Plan should aid the optimisation of suitable brownfield sites in Newham as opposed to setting a prescribed physical form of development.

For the reasons set out above, we consider this policy as drafted is **not justified**. The application of draft Policy N4.SA1 is likely to discourage development and unduly restrict LBN's ability to deliver the wider objectives of the DNLP. The policy as drafted is also therefore **not effective**. It is recommended that the Policy is amended to allow development proposals to use a design led approach to make the best use of land and optimise the capacity of a site.

Suggested amendments to draft Local Plan:
Site Allocation N4.SA1: Canning Town East

Building heights should range between 9-21m (c3-7 storeys) in the eastern part of the site and between 21-32m (c7-10 storeys) in the western part of the site, with opportunities for taller buildings up to 40m (c13 storeys) to mark the east entrance to the site and up to 50m (c16 storeys) in the proximity of the A13, to the western entrance to the site and to mark open spaces. Massing should step down to sensitively integrate with the low rise context to the east. However, at the forefront, development proposals should use a design-led approach to make the best use of land and optimise the capacity. Development proposals should have regard to the indicative capacity but should not be restricted by the specific parameters set.

Draft Policy BFN2: Co-designed masterplanning

We note that in relation to draft Policy BFN2 (Co-designed masterplanning), in comparison to adopted Policy S1 (Spatial Strategy and Strategic Framework) there is the introduction of delivering sustainable travel connections as well as exploring how biodiversity net gain can be delivered on site. Of particular relevance is the policy resistance towards 'piecemeal delivery' of sites, found in paragraph 1 of Policy BFN2:

*"Sites should be designed and developed comprehensively. **Piecemeal delivery** will be resisted, particularly where it would prejudice the realisation of the relevant neighbourhood vision, neighbourhood policy, site allocation development principles and/or site allocation design principles or where the timing of delivery would be unsupported by infrastructure."*

Whilst our client advocates for a collaborative redevelopment programme, it is considered that in order for the most viable and appropriate development schemes to come forward, there should be an allowance of flexibility in piecemeal delivery.

In the case of the Site at Beckton Arms a standalone application will be required. Co-designing and masterplanning Canning Town will be complex in nature owing to the different land owners/stakeholders. As part of the formal pre-application written response received from LBN dated 30th July 2024, states that the proposed scheme should include “*engagement with surrounding land owners to demonstrate a comprehensive approach to development across the Strategic Site*”.

In the context of the draft local plan, engagement with the surrounding landowners can take place without the need for ‘piecemeal delivery’ as suggested. Successful collaboration can occur through multiple standalone applications. As such, we recommend the policy is amended as follows:

Suggested amendments to draft Local Plan:

Policy BFN2: Co-designed masterplanning

Sites should be designed and developed comprehensively where possible. Piecemeal delivery will be resisted, particularly where it would prejudice the realisation of the relevant neighbourhood vision, neighbourhood policy, site allocation development principles and/or site allocation design principles or where the timing of delivery would be unsupported by infrastructure. Standalone application will be considered acceptable where engagement with surrounding land owners has taken place to demonstrate a comprehensive approach to the development within the context of the Strategic Site allocation.

We believe that greater flexibility should be awarded to the wording of this part of the policy allowing for a more flexible approach to be taken towards piecemeal delivery. This will ensure there is sufficient flexibility and that the Site is **deliverable**, and would therefore be **effective**.

Paragraph 2 of Policy BFN2 states that “*All Major Applications and applications on site allocations must undertake **co-designed** site masterplanning*”. We consider the wording of this policy would lessen the importance of individual sites design considerations based upon a proposals design merits. As such, we request the following change to be made to Policy BFN2 (the additions are show underlined):

Suggested amendments to draft Local Plan:

Policy BFN2: Co-designed masterplanning

*Where appropriate, A# Major Applications and applications on site allocations must undertake **co-designed** site masterplanning.*

Making this change would provide flexibility and it will ensure that the draft Local Plan and site allocation can be **effective** in its delivery.

Draft Policy BFN3: Social Value and Health Impact Assessment – delivering social value, health and wellbeing.

Draft Policy BFN3 states that with regard to major development and proposals, where potential health or social value issues are likely to arise, a screening assessment must be undertaken, to determine whether a Social Value - Health Impact Assessment (SV-HIA) is required. Where a screening assessment rationalises the need for a SV-HIA, the policy requires the scope to be agreed with the Council's Planning and Public Health departments before it is undertaken, and prepare a proportion SV-HIA as early as possible in the development process to allow the scheme to deliver the maximum potential social and health gains and to mitigate any potential negative impacts.

We understand that the policy seeks to optimise the health and social value of a scheme by providing a policy that combines the planning process, with that of the operational ESG requirements. In principle, we agree, and often link our HIA teams at the regulatory planning stage with that of our Social Value Team proactively working on the ESG component. By bridging the two, it is possible to engage with delivery partners to better understand local circumstance, priority and needs, and address and optimise this during planning. We do however, keep the reporting separate, as the Health Impact Assessment outputs are designed to meet regulatory planning requirements, while the ESG is governed by a separate decision making process.

It is therefore requested that Social Value and Health Impact Assessments are kept separate. This removes the requirement for one document to meet the needs of two different decision making processes which could provide further complexities. A far more effective approach would to take the Newham 50 steps, and define them as part of the HIA appraisal criteria. In so doing, Newham would be setting bespoke HIA appraisal criteria that would help inform and test bespoke health and social value priorities during the planning process, and could be further applied by Planning Officers in their deliberation of weight to be placed in the planning balance. Projects that can evidence how they have considered, addressed and supported these bespoke health and social value priorities would be afforded positive weight, while those that don't, won't.

This would still prompt the bridging between HIA and Social Value, would provide a better transition and delivery between planning and operation, but also facilitates greater consistency with the enhanced health focus in the emerging NPPF, and the efforts of IEMA in their HIA guidance and competency requirements.

Beckton Developments supports the principles of draft Policy BFN3 which seeks to ensure that all development makes consideration to maximise social value in order to positively contribute to the health and wellbeing of the surrounding community.

Draft Policy D4: Tall Buildings

As noted above, regarding draft Policy N4.SA1, we maintain the view that greater flexibility should be awarded to location of tall buildings, specifically within site allocations. While our Client is supportive of Policy D4 (Tall Buildings) in that the height of tall buildings should be proportionate to their role within the local and wider context, it is for the Development Management process and through a design-led approach to determine the most appropriate form of design for individual sites.

It is essential to consider that London Plan Policy D9 (Tall Buildings) states that tall buildings have a key role in facilitating regeneration opportunities and future growth. It is considered that in order to effectively deliver regeneration through provision of new homes within site allocations and be consistent within the regeneration objectives of tall buildings within the London Plan and particularly brownfield sites such as that found at Beckton Arms Policy D4 should afford greater flexibility to tall buildings within site allocations.

Table 1, Tall Building Zones sets out the 'Height Range Maximum' figures for each Tall Building Zone, in relation to the application site at Beckton Arms, Tall Building Zone TBZ13 (Canning Town), states the Height Range Maximum as:

50m (c16 storeys) and 40m (c13 storeys), 60m, (c20 storeys) and 100m (c33 storeys) in the defined areas.

This Height Range Maximum figure is difficult to fully understand due to the variation in suggested heights. This difficulty in understanding policy is reiterated in the Local Plan Reg 19 Policies Map (2024). Figure 1 shows the draft Policy Map in relation to the Site outlined in yellow. It is evident from the map extract at Figure 1 that the Site is bound within multiple different height allocations, making it unclear to understand which Tall Building Zone the Site is encapsulated within. This is consistent throughout multiple tall building zone designations in the policy map where the maximum height range is varied and does not provide definitive and easy-to use guidance to better understand building heights.

We suggest that both the draft Policy D4 and the draft Policy Map should be updated to clearly demonstrate defined tall building zones and height limits that do not overlap and are independent to one another.

Making this change would ensure that both the policy and policy map are **effective** and **deliverable** in terms of allowing for additional height in specified areas.

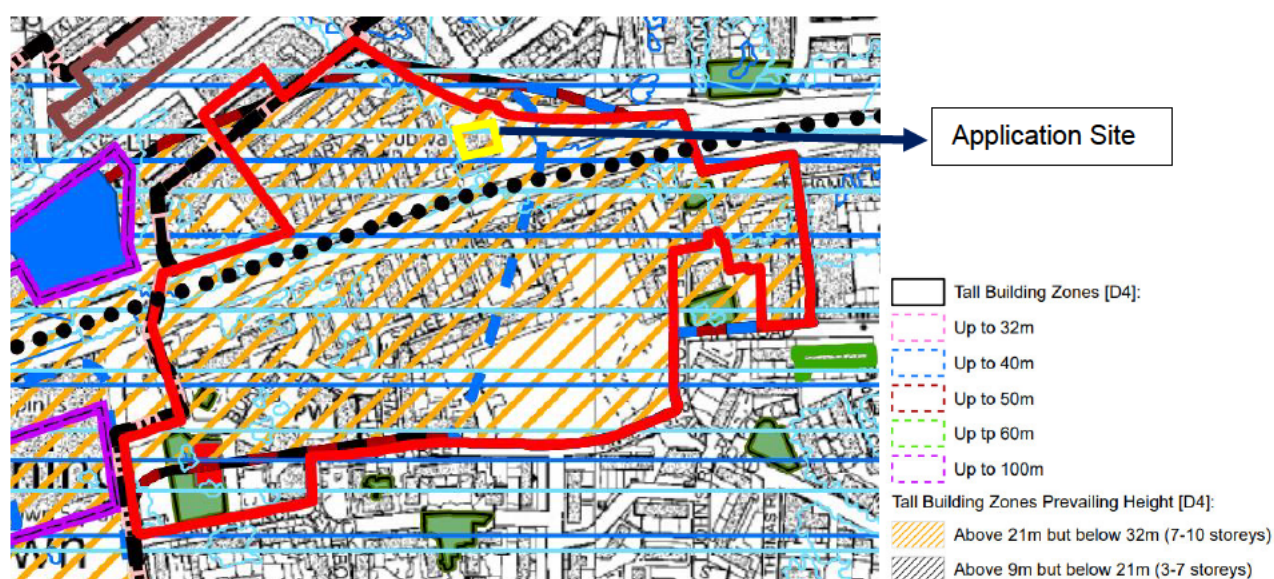


Figure 1 – Extract of Regulation 19 Draft Policy Map Section

Draft Policy S11: Existing community facilities and health facilities

We note that in relation to the re-provision of community spaces, paragraph 2 of draft Policy S11 states that if the loss of a facility can be demonstrated as being acceptable to the Council, then the preferred alternative use will be for the maximum viable amount of affordable housing (unless located in a Primary Shopping Area, Strategic Industrial Location or Local Industrial Location).

Paragraph 20 of the NPPF states that strategic policies should make sufficient provision for community facilities including health, education and cultural infrastructure. We therefore consider the requirements of the above policy are **not consistent** with national policy. This could have an effect on unnecessary constraining development and would therefore **not be effective** in its delivery. The draft policy should instead be amended to allow for the consideration of alternative community facilities as well as the provision of affordable housing, particularly if the scheme is already delivering policy compliant affordable housing. The draft policy allows for no diversification of community facilities unless in specified locations, this will ultimately lead to the loss of community facilities, which as per paragraph 97 of the NPPF, should be resisted.

Making these changes to the wording of Policy S11 would ensure that the draft Local Plan is **consistent** with national policy and **effective** in delivery.

Draft Policy H1 (Meeting Housing Needs)

Beckton Developments supports the principles of draft Policy H1 which seeks to deliver a net increase of residential units. However, the policy sets a net increase of between 51,425 and 53,784 residential units between 2023 and 2028, this is contrary to the Standard Methodology Housing Need (published in June 2022 by ORS) which outlines a housing need in Newham of 4,760 new homes per annum. This equate to the delivery of 71,400 units over the Local Plan period.

It is widely reported and evidenced that the UK is experiencing a 'housing crisis', particularly in London and the South East. There is a distinct imbalance between the demand and supply of homes/the magnitude of the crisis and the direct burdens it is placing on both local authorities and residents. Under-delivery is marked in Newham which only provided 84% of the Housing Delivery Test (2022) target for new homes in the Borough, a target itself set at a level markedly below need.

In order to be found sound, any planning strategy for the Borough must demonstrably optimise housing delivery in order to ensure that the greatest contribution can be made to housing delivery from every well located and highly accessible brownfield sites, both for the Borough and London as a whole. As drafted, the emerging Plan has the potential to limit delivery of much-needed housing in the Borough, by placing unsubstantiated capacity constraints on proposed developments.

Draft Policy H3 (Affordable Housing)

Beckton Developments supports the Borough's desire to address affordable housing needs within Newham. We note that draft Policy H3 states *"residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should provide 50 per cent of the total residential units as social rent housing and 10 per cent of the total residential units as affordable home ownership housing"*. As confirmed at paragraph 3.181, Newham seek to deliver 60 per cent of all new homes as affordable housing.

London Plan Policy H4 (Delivering Affordable Housing) states the strategic target is for 50% of all new homes delivered across London to be genuinely affordable. We consider the requirement for schemes to deliver 60% affordable housing to be an inappropriate strategy for the Borough to be able to encourage and deliver appropriately optimised site. To date, the policy is not in line with current London Plan requirements. The policy as drafted discourages viable developments to come forward, thereby making the policy not **deliverable** and not **effective**.

Draft Policy H4 (Housing Mix)

We note that draft Local Plan Policy H4 (Housing Mix) seeks to provide a mix and balance of residential types and sizes, our client is supportive of the need to deliver a range of housing types, however, we would suggest that when considering comprehensive redevelopment proposals within site allocations, more flexibility should be afforded in regard to the proposed tenure split. Currently draft Policy H4 is restrictive in its wording and does not allow for individual sites to be developed both feasibly and based upon their own design merits. Subject to the viability of a scheme, it is also considered that the requirement for 40% family sized dwellinghouse is excessive. We therefore propose the following amendments are made to provide flexibility and ensure that the draft local plan is **effective** in its delivery.

*Suggested amendments to draft Local Plan:
Policy H4 Housing Mix*

New residential developments on individual sites with the capacity to deliver ten dwellinghouses (C3) or more should aim to deliver 40 per cent of the number of new residential units as family dwellinghouses (C3) with three or more bedrooms, subject to viability.

New residential developments on site allocations should aim to provide a minimum of five per cent of the proposed residential units as four or more bed affordable family dwellinghouses (C3), subject to viability.

Conclusion

In summary, our Client supports the principle of the site allocation N4.SA1: Canning Town East for the redevelopment of the site which would provide significant public benefits including community space and new housing. With the suggested amendments we consider that the draft Local Plan would be sound.

However, as drafted, some of the policies noted above in their current form would constrain potential redevelopment options and would therefore, not be effective in their delivery and would not be consistent with national and regional policy, notably the restriction of tall building heights and affordable housing requirements. Therefore, it is considered that in its current format, the draft Local Plan is considered not sound.

Please do not hesitate to contact me or my colleague Harriet Young () to arrange a meeting and/or you have any further queries. In any event, we would be grateful if you could keep us updated of the progress with the new draft Newham Local Plan.

Yours faithfully



Scott Hudson
Director

cc Beckton Development Limited

Appendix 1: Site Location Plan

