

Addendum to Statement of Common Ground between London Legacy Development Corporation and London Borough of Newham (July 2019)

This table supplements and is attached to the statement of Common Ground dated 5th November 2018. It summarises the individual representations made by the Council at Regulation 19 of the Local Plan Review Process, to the draft Revised Legacy Corporation Local Plan. If subsequently considered necessary, this will be further supplemented by issue specific statements of common ground as the Examination progresses. The tables below set out representations and responses made for each section of the draft Revised Local Plan. Section 5 includes a highlighted clarification note added to the original table for this July 2019 document.

Section 4

Representation reference number	Change Reference Number	Section of the Revised LP	(new) Paragraph and policy /other	Organisation/ Company/ Representing on behalf of	Summary	Response
R19.0267		Section 4	Policy B1	LB Newham	A core objective is to increase east London's prosperity through business and jobs growth with emphasis on cultural and creative sectors. LBN are unconvinced that the strategy will be effective to this end. London's economy should not be de-prioritised in the competition of land uses and employment and industrial spaces that allow business uses to grow and evolve continue to be provided. The draft Plan has a rose-tinted view of future needs and the role of employment land, seemingly prioritising lighter/high tech/cultural/creative uses over	The approach set out within the policy does give specific protection to B2 and B8 uses (see B.1 (5a) and paragraph 4.16) and this strategic approach of the policy has not changed considerably since the adopted version. This approach is also in general conformity with the draft New London Plan.

				<p>valuable heavier space extensive industries. Although need for such use is not challenged, Newham's evidence base identifies significant demand for warehousing and logistics.</p> <p>Provision for heavier industrial uses is key to sustainable economic growth noting that B.1 promotes locations for and maintenance of employment land it is critical that the plan ensures sufficient protection and creates environments that meet a range of business needs and not just those associated with cultural and creative sectors.</p> <p>It is unclear how heavier and space extensive uses of known demand will be accommodated in context of industrial land regeneration. B.1 sets out broad parameters for directing economic growth with proportion of B class uses on SIL the policy needs to ensure heavier uses can be managed and operate in suitable locations including at night without operational threats relating to noise or fumes. Challenge for Newham and London is displacement of industrial and residential hope values have placed pressure on industrial land.</p>	
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				<p>Without protection of the LLDC's industrial land there will be knock on effects of businesses moving on. There is presumably the assumption that these uses will be accommodated on SIL elsewhere in /Newham or disappear but the impacts have not been explored and therefore policy is unjustified. LLDC evidence base highlights increasing rents and demand as a key challenge but B.1 incorporates a no net loss principle but does not take it further by addressing operational capacity of floorspace as opposed to quantum only. B.1 (5) allows for re-provision of B2/B8 capacity including yardspace or intensification of employment density across other B class uses. It is inevitably the latter option that is likely to be favourable to developers meaning that the policy could result in increased densities of lighter industrial uses without securing protection for B2 uses that may exist on a site such as erosion of viable floorspace for such uses.</p> <p>This fails to plan positive for objectively assessed needs will be exacerbated by commitment to longer term SIL release at SA4.5. The plan's approach relies heavily on idea</p>	
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					of replacement B class floorspace (unspecified by offer) rather than measures to retain businesses within the area. Paragraph 4.10 confirms that the loss of B2/B8 may be acceptable given the evidenced need and LBN query this approach.	
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Section 5

Representation reference number	Change Reference Number	Section of the Revised LP	(new) Paragraph and policy /other	Organisation/ Company/ Representing on behalf of	Summary	Response
R19.0270		Section 5		LB Newham	The following are the London Borough of Newham’s principal concerns with regard to housing policies. Objective 2 sets out target of 22,000 new homes between 2020-2036. SP.2 highlights importance of providing full range of identified size, accommodation and tenure requirements including family housing in all tenures, specialist housing products and mix. This is also highlighted in policy H1 in terms of securing a mix of accommodation types. However despite the extensive Housing Requirements Study (HRS) evidence on housing need is taken from the	<p>The borough Strategic Housing Market Assessments were considered within the Housing Requirements Study (2018). It is considered that the policy approach strikes an appropriate balance between local and strategic requirements.</p> <p>Alike the New London Plan the glossary defines family housing as units of 3 or more bedrooms. The principle of mixed and inclusive communities is a key consideration of the Revised Local Plan as a whole and a number of the site allocations specify where family housing is considered a priority (e.g. SA4.3, SA2.1, SA2,2 and SA2.3). The four boroughs have been engaged throughout the</p>

				<p>GLA SHMA and does not reconcile this with the Outer North-East London SHMA and that of neighbouring boroughs.</p> <p>Failure to sufficiently account for this wider evidence has delivery implications for full range of identified size, accommodation and tenure requirements. This ties in with need to create mixed and inclusive communities alongside sufficient infrastructure as outlined within section 5.</p> <p>The Housing Background Paper states a balanced mix approach of the Revised Local Plan has been informed by size requirements of HRS and SHMA and that of the boroughs identifying a greater need for 3 bed homes (Newham and Hackney). At para 5.11 it is stated that 2 bed plus properties should exceed 1 beds and should show how family accommodation is maximised. Whilst this satisfies the GLA's SHMA need and the HRS it does not go far enough for the Outer North East London's SHMA for 3 beds at 64%, so more emphasis on 3 beds is encouraged together with target for all proposals as is detailed on low cost</p>	<p>process of evidence-base preparation from commencement in 2017 and London Borough of Newham have signed a Statement of Common Ground which includes matters related to housing. [July 2019 additional note: the statement of common ground does not specifically imply that LB Newham considers the approach taken to balance local and regional need to be one that accords with the Councils own approach and evidence. This rather represents an acknowledgment of a difference in approach and position based on the relevant context and evidence applied by each Local Planning Authority].</p> <p>The approach to affordable housing and the requirement to calculate on a habitable rooms basis is in conformity with the approach set out within the draft New London Plan. In practice by unit and habitable room calculations are often made on applications. Policy H.7 deals with shared living proposals and this does direct such proposals to particular locations, i.e. the Metropolitan Centre and the policy also states that schemes will need to relate positively to mixed and inclusive neighbourhoods.</p> <p>As above the Legacy Corporation is willing to accept the proposed minor</p>
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				<p>rents.</p> <p>There is no explicit definition of family housing questioning how this will be implemented with no guidance on acceptability of studios in meeting housing mix requirements. Not expressed how family housing requirements are to be balanced against infrastructure and affordable housing provision in viability terms. This has implications on achieving sustainable development objectives across Newham and LLDC area generally with regard to mixed and balanced communities and infrastructure support. Additional engagement on local authority needs would help address this which questions how the Revised Local Plan has been positively prepared informed by agreement with other authorities and its likely effectiveness. Clear tests have not been satisfied in engaging with existing evidence of the boroughs to ensure a joined-up approach in delivering national policy objectives relating to sustainable development.</p> <p>SP.2 seeks a minimum target of 35%</p>	<p>amendment to add clarity that 50% is the Mayor's strategic target for London and when the 35% and 50% threshold approach apply.</p> <p>Please see proposed minor modification MM18: The draft New London Plan (2017) sets out a strategic target of 50% affordable housing across London. The Legacy Corporation will apply the Mayor's an affordable housing threshold of 35 per cent affordable homes across London, including 50 per cent on public sector land, and industrial land where there is a net loss in industrial floorspace capacity</p>
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				<p>across the area applying the Mayor's threshold levels of 35 and 50% on habitable room basis. It also sets out a 60/40 low cost rented/intermediate split as commitment to applying Mayor's fast track and viability tested routes and thresholds. This is not accompanied by any analysis of whether these would have most local benefit relying only on the draft New London Plan approach. The Newham Options Appraisals modelled these alternative approaches and how they would play out in practice, and the results demonstrated that on a unit basis yielded higher levels of affordable housing. Such modelling would provide a more robust justification of targets used and the approach is justified in terms of maximising affordable housing delivery.</p> <p>There is also over-reliance on public landowners to deliver affordable housing as set out within paragraph 5.5. The requirement of 50% on publicly owned land is discussed in Background Paper and dependence on these to compensate for under-delivery across the area disregards the mixed and balanced</p>	
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					<p>communities objectives promoted in plan. Whilst LBN recognise Mayoral objectives to deliver affordable housing on their sites there is a need for higher ambition elsewhere.</p> <p>Concerns also are raised with respect to the Private Rented Sector (PRS) specifically houses in multiple occupation. Policy H.6 recognises rise in popularity of large scale HMOs but does not seek to protect it by any measure such as limiting it to particular locations with suitable access to infrastructure. This means that the limited role of HMOs which cater for single households has potential to displace capacity for development that meets more mainstream need. This affects the mixed and balanced communities objectives and is contrary to sustainable development policy objectives. Therefore LBN questions the Revised Local Plan's soundness in relation to housing and other points of concern impede the delivery of the NPPF objectives.</p>	
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Section 11

Representation reference number	Change Reference Number	Section of the Revised LP	(new) Paragraph and policy /other	Organisation/ Company/ Representing on behalf of	Summary	Response
R19.0269	C277	Sub Area 2	SA2.4	LB Newham	<p>The site allocation is very broad in its specification of uses and does not appear to align with / pick up on other policies within the Revised Local Plan. It mentions family homes though as per our other representations the Revised Local Plan does not define family housing or establish a threshold offering. The allocation is for ‘mixed use’ though no reference to what the uses should be other than ‘family housing’ are made. While existing uses are noted (D1 / B1 / B8), the allocation makes no reference to the protection of these uses as per other parts of the Revised Local Plan. The allocation also refers to sensitivities to the west and north (under Supporting Development Principles) but inexplicably ignores existing communities to the east.</p>	<p>Comments noted. Policy H.1 (Providing for and diversifying the housing mix) sets out detailed definition of the family housing and how this is expected to be delivered within the Legacy Corporation area and would apply here along with the added emphasis on family housing.</p> <p>The site allocation is located on a non-designated industrial site. The intention of the Policy B.1 is to maintain or reprovide employment uses on sites outside the employment clusters and it provides a set of criteria how this should be achieved. The Legacy Corporation is willing to make an amendment, for clarity purposes, to SA2.4 to include reference to Policy B.1.</p> <p>A minor modification is proposed as follows:</p> <p>MM41: Additional Development Principle – “<u>The amount and type of</u></p>

						<p><u>non-residential use should be determined by applying Policy B.1.</u></p> <p>A further minor modification is proposed to the first Development Principle to incorporate reference to taking account of communities to the east when developing development proposals:</p> <p>MM43: "Minimise impacts on residential amenity from railway line to the west and adjoining community building to the north, and on existing residential communities to the east."</p>
R19.0273	C269	Sub Area 2	Policy 2.3	LB Newham	<p>The following change is proposed: Non-residential uses, including A1-A5 and B1a, within Sub Area 2 should be small-scale, serve localised need and be concentrated within the designated Local Centre. Outside of the Local Centre, proposals for these uses <u>will only be supported where there is a demonstrated local lack of access to similar provision within a designated town or local centre</u>, and should be located along key routes and/or in relation to public spaces, and should be of a scale that will serve the needs of the immediate surroundings or be ancillary to a main use with which it is associated <u>while being mindful of</u></p>	<p>The proposed change is noted. However, it does not relate to a change proposed to the Adopted Local Plan as identified in the 'Revised Local Plan Schedule of Changes (Regulation 19 Publication Draft) (November 2018). The suggested change is, therefore, not considered to be necessary in order to make the Revised Local Plan sound or compliant with national planning policy or achieve general conformity with the London Plan. The Draft Night Time Economy SPD will provide further relevant guidance, particularly in terms of approaches to avoiding ground floor voids.</p>

					<u>the need to avoid unlettable ground floor voids.</u>	
R19.0274	C271	Sub Area 2	Paragraph 11.10	LB Newham	<p>The following amendments are proposed:</p> <p>Any planning applications for new non-residential uses within the Sub Area should be located within the Local Centre boundary or, where there is a demonstrable lack of <u>access to similar provision within 400m (e.g. physical barriers) and</u> they are of a small enough scale, be located along key routes, particularly where these are active frontages as identified in Figure 32. <u>Applications of non-residential uses outside of the Local Centre will be supported by evidence of market testing and a marketing and meanwhile use strategy to avoid creation of unlettable ground floor voids.</u></p>	<p>The proposed change is noted. However, it does not relate to a change proposed to the Adopted Local Plan as identified in the 'Revised Local Plan Schedule of Changes (Regulation 19 Publication Draft) (November 2018). The suggested change is, therefore, not considered to be necessary in order to make the Revised Local Plan sound or compliant with national planning policy or achieve general conformity with the London Plan. Further guidance will be provided within the Night Time Economy SPD.</p>

Section 12

Representation reference number	Change Reference Number	Section of the Revised LP	(new) Paragraph and policy /other	Organisation/ Company/ Representing on behalf of	Summary	Response
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R19.0271		Sub Area 3	SA3.2	LB Newham	<p>East Bank area is identified within the Revised Plan as a priority project providing new homes for Sadler’s Wells, BBC Music and the V&A with the Smithsonian as well as UCL and University of the Arts London’s London College of Fashion. Objective 1 of the Revised Local Plan in promoting growth in business, jobs and emphasis on cultural and creative sectors with higher education makes reference to East Bank as providing cultural and sporting excellence. SP.1’s justification outlines how East Bank will become a new cultural focus to the area providing 5000 jobs by 2036 in academic institution and commercial research space, student accommodation and retail, cultural and education institutions sectors. The Housing Background Paper forming the evidence base outline that the LCS has been subject to amendments taking into account East Bank proposals would result in net loss of residential floorspace projected originally to be 1400-1500 units. Deed of Variation to the LCS 106 makes a commitment to making up much of this capacity by increasing density in PDZ8 and 12 and LLDC’s ownership gives greater delivery certainty. The Revised Local Plan’s evidence base should clarify what is</p>	<p>It is expected that the East Bank and related planning applications will be required to demonstrate and acceptable outcome in terms of density and acceptable residential environment based on the relevant Local Plan policies at the time. The Revised Local Plan has been developed based on evidence from the SHLAA and assessment of housing need. The Housing Explanatory Note will provide further detail in relation to housing delivery and the potential implications of amendments at East Bank. The Revised Local Plan’s design policies and the character baseline set by the Characterisation study will also be material to the acceptability of specific proposals.</p>
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					possible and acceptable in light of other policies so it is clear in terms of housing numbers to meet OAN. LBN raise concerns over assumption underlying this that it is possible to deliver higher density through development on all plots. Whilst this may be a possible resolution to housing shortfall it is not justified in planning terms in relation to character and local context to ensure strategic approach to delivery of tall buildings which are not harmful to surroundings. Lack of proportionate evidence and analysis of approach questions soundness of position on these sites, in particular need to justify the Revised Local Plan, effectiveness of deliverability and need for meeting OAN and sustainable development objectives of NPPF.	
R19.0275	C282	Sub Area 3	Paragraph 12.3	LB Newham	Should include reference to supporting the Metropolitan Centre as a whole including that within the LB Newham planning area and public realm that drives convergence between both parts of the Metropolitan centre.	It is considered that the adopted Local Plan and proposed modification MM44 to support the Metropolitan Centre as a whole effectively deals with the coordination and functionality of the centre.
R19.0276	C286	Sub Area 3	Policy 3.1	LB Newham	Additional bullet should be added to make policy justified and effective and in line with NPPF and London Plan: "7. Ensure development contributes to cross boundary convergence of old and new Stratford through new connections and consideration of impacts on the	It is considered that the Revised Local Plan and specifically SA3.1 and Policy 3.3 currently support the connections and functionality of the Metropolitan Centre as a whole. However the Legacy Corporation is willing to accept the proposed minor amendment (with

					balance and functionality of the whole town centre."	some minor alterations) to the proposed change. Please see proposed minor modification MM45: <u>7. Ensure development contributes to the development of new connections to the eastern part of the centre (within the London Borough of Newham planning area) and the functionality of the Metropolitan Centre as a whole.</u>
R19.0277	C288	Sub Area 3	Paragraph 12.7	LB Newham	Should insert reference to focussing large-scale town centre uses within the boundary, including that within the planning area of the London Borough of Newham. Correction should be made to the Stratford High Street Policy number and amend reference from diversification to complementing the centre.	The Legacy Corporation is willing to accept the first proposed minor amendment (with some minor alterations) to the proposed change. Please see proposed minor modification MM46: <u>Any proposals for large-scale town centre uses should be focussed within the existing town centre boundary (including within London Borough of Newham's planning area), or where identified as a potential location for expansion.</u> The policy numbering will also be corrected. It is not considered that the second proposed amendment is necessary to make the Revised Local Plan sound, compliant with national planning policy or achieve general conformity with the London Plan.
R19.0278	C289	Sub Area 3	Policy 3.2	LB Newham	Should make amendments to the wording to state that mixed use proposals along Stratford High Street should complement the existing and planned provision within Stratford	It is considered that design policies plus the introductory wording to Policy 3.2 which supports only proposals which "demonstrate that it will enhance the character, townscape and function as a

					Metropolitan Centre as a whole. Remove reference to innovative mixed-use products including shared living where residential and non-residential components are provided as an integrated product focussing on culture and the night time economy at the northern end to Stratford High Street. Wording should be inserted to include appropriate innovative mixed use products including shared living will secure high quality accommodation and ensure ground floor street activation during day and evening.	lively main street" is sufficient to ensure high quality development and activation in day and night.
R19.0279	C295	Sub Area 3	Site Allocation SA3.1	LB Newham	Should include reference to integration between both parts of Stratford and improved connectivity to eastern side of Stratford via Angel Lane.	It is considered that the Revised Local Plan plus proposed minor amendment MM45 to Policy 3.1 (<u>Ensure development contributes to the development of new connections to the eastern part of the centre (within the London Borough of Newham planning area) and the functionality of the Metropolitan Centre as a whole</u>) will help facilitate connections and integration of both parts of the centre.