

## Planning Committee Report

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### London Thames Gateway Development Corporation

#### Newham Development Control Policy Manual: Issues and Options consultation

##### Report of the Director of Planning

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#### 1. Purpose of this report

- 1.1 This report provides an overview of and suggested consultation response to the Newham Development Control Policy Manual Issues and Options document.
- 1.2 As the LTGDC does not have policy or plan making powers, it is essential that the interests of the corporation are reflected wherever possible in emerging planning policy of constituent boroughs to assist in the delivery of the Development Corporation's objectives.
- 1.3 The LTGDC Planning Committee has responsibility for considering policy documents and agreeing LTGDC's formal response. The public consultation ran until 19<sup>th</sup> December 2008, but because of the LTGDC committee cycle, Newham have agreed that the LTGDC response can be received following the committee meeting.

#### 2. Background

- 2.1 The Development Control Policy Manual will be a Development Plan Document and will carry considerable weight when determining planning applications.
- 2.2 However the document is at the initial 'Issues and Options' stage, where no firm decisions on wording of policies have been made. Therefore the current consultation provides an opportunity to comment on the emerging policy document and ensure it supports LTGDC projects in the area.
- 2.3 The Manual can be viewed at:  
<http://www.newham.gov.uk/Services/LocalDevelopmentFramework/DevelopmentControlPolicyManual.htm>
- 2.4 It should be noted at this stage that the Newham Core Strategy is also still at Issues and Options stage. A report on this was considered by the

Planning Committee on the 8<sup>th</sup> May 2008. Newham are still updating their evidence base and analysing responses to consultation before proceeding to the next stage in the plan preparation process. Some major issues such as the balance of retention of employment land and new housing development have therefore not yet been formally resolved. The Core Strategy is not likely to be formally adopted until 2011. An extract from the London Borough of Newham Local Development Scheme which shows the timeline for production of the LDF documents is attached at Appendix 1 for information. However, officers understand that Newham are liaising with the Government Office for London to amend this.

- 2.5 Newham have released 3 documents as part of this consultation exercise. These are the Development Control Policy Manual Issues and Options document, a Summary document, and a questionnaire. The questionnaire has been designed for individuals within Newham, so officers have not considered it appropriate to answer all of the questions, and the suggested response does not therefore follow the questionnaire format. The suggested response follows the format of the Development Control Policy Manual Document, and the policy objectives and policy options that are presented within it. Page numbers for relevant sections referred to from the Document are provided for the planning committee's reference. A suggested response to the Development Control Policy Objectives and Policy Options as set out in the document is provided in the section below.

### **3. Summary of Issues raised and suggested response**

#### **3.1 Development Control Policy Objectives**

- 3.1.1 The Document sets out a number of policy objectives for Development Control in Newham for comment. (Page 23)
- 3.1.2 Suggested response: LTGDC consider that these objectives are sensible and comprehensive. However, there could be more explicit emphasis on the new infrastructure that will be necessary to support anticipated new development in the borough, especially within the Lower Lea Valley. At present the objectives do not reflect the scale of change and new development that is likely to come forward.

- 3.2 The document then asks for views on policy options under the following topics.

#### **3.3 Sustainable Design and Construction (page 27)**

- 3.3.1 **Suggested response:** LTGDC consider that sustainable design and construction is very important, and there is a need for policies in the plan to be clear, consistent, and achieve high standards of sustainable design and construction. However, adopting higher standards than those applied nationally could mean that development in Newham becomes less attractive and more

expensive, and this will need to be balanced against the gain from higher standards.

- 3.3.2 In principle LTGDC support the most efficient use of land, by encouraging higher densities in accessible locations, on the assumption that residential amenity is still acceptable.
- 3.3.3 LTGDC consider that it is fair to ask developers of schemes with poor accessibility to contribute to improving local transport facilities. The LTGDC's adopted planning obligations community benefit strategy (see comments on Implementation below) incorporates contributions towards transport into its 'Standard Charge' arrangement, and we would suggest that this is an appropriate approach to follow.
- 3.3.4 The means by which the planning system in Newham can encourage an increase in renewable energy use is limited. However, clear guidance and policies on what will be taken into account when considering applications for renewable energy, or on what level of renewable energy which will be required as part of developments is probably the best way that an increase can be encouraged by the planning system.

### **3.4 Land Use (page 33)**

- 3.4.1 **Suggested response:** LTGDC consider there are some very limited circumstances where loss of residential should be allowed, for example for new or expansion of key social or community facilities, or for road or infrastructure improvements that are important.
- 3.4.2 There could be some limited circumstances where loss of open space is allowed, for example where new uses are introduced to a park which add to the facilities available such as a small café. Play spaces and playgrounds should be protected.
- 3.4.3 LTGDC consider shops should be retained where they serve a community need or contribute to the vitality and viability of major, district and local centres. Banks, take-aways and local services also contribute to the vitality and viability of centres, and so within centres, these should also be protected or only allowed to change to uses which contribute to the centre.
- 3.4.4 Mixed uses should be encouraged, provided that they are well designed, and residential amenity is not compromised by the other uses, and the other uses economic viability is not compromised by being in close proximity to residential accommodation. E.g. new residential adjacent to existing heavy industry can lead to conflicts.
- 3.4.5 The LTGDC support the principle of live-work schemes, but as the issues and options documents notes in practice they are difficult to enforce. Such live work schemes should therefore not be

encouraged in areas which are reserved for employment land. Any policy allowing such uses would also need to be carefully worded to ensure that they remain live work rather than residential.

- 3.4.6 Community buildings should be protected where they serve an important community need or could be adapted for other community uses which are in need of accommodation.
- 3.4.7 Other wider land use issues including cultural quarters and designation of new centres should be addressed through the core strategy and AAPs, and it would be inappropriate for LTGDC to comment in detail in its response to this document on suggestions for a new town centre at Plaistow or West Ham. LTGDC have already commented in its response to the Lower Lea Valley and Stratford Area Action Plan Issues and Options consultation on options for West Ham, supporting the land uses already set out in the Lower Lea Valley Opportunity Area Planning Framework. The Planning Committee considered a report on the Area Action Plan at its meeting on 9<sup>th</sup> October 2008.
- 3.4.8 The LTGDC supports aspirations for Gallion's Reach shopping park to be developed for a wider range of uses including residential, subject to the odour issues from Beckton Sewage Treatment Works being addressed.

### **3.5 Urban Design, Conservation and Environmental Quality (Page 36)**

- 3.5.1 **Suggested response:** Compared to other boroughs within London, Newham has few listed buildings or conservation areas. There are also areas with the opportunity for change, and where redevelopment is likely to come forward over the lifetime of the LDF. It is therefore very important that Newham has strong urban design policies, that are suited to its context, and makes the most of assets such as the Royal Docks and the Thames. Urban design policies should also promote and secure high quality modern development, that is appropriate to the needs of the borough and adaptable over the development's lifetime.
- 3.5.2 The Council should raise standards everywhere but also encourage key sites to become showcases of good design.
- 3.5.3 LTGDC does not have a fixed view on where new conservation areas should be declared, but would like to be involved in any heritage review of the borough that is carried out with the aim of identifying new conservation areas.
- 3.5.4 LTGDC consider that Newham should have tall buildings policies that are most suited to its context. This may mean only allowing tall buildings in certain locations, but also having criteria to apply to all buildings. i.e. design considerations are still very important, and

may justify refusal of planning permission even if a tall building is acceptable in principle in a specific location, or may help justify approval in other areas in very special circumstances.

- 3.5.5 LTGDC agree with the objectives of integrating Newham's existing communities and ensuring new Thameside developments relate well to each other and to the river, but does not have specific suggestions at this stage as to what the detail of policies to secure these objectives should contain. LTGDC would welcome the opportunity to work closely with Newham on the detail of these emerging policies.
- 3.5.6 Different densities will be suitable in different locations depending on site and area circumstances. Policies should reflect this.
- 3.5.7 LTGDC support the design criteria set out in the document as a basis for planning policies in the future.

### **3.6 Open Space and the Natural Environment (Page 41)**

- 3.6.1 **Suggested response:** LTGDC is generally concerned with development in the Lower Lea Valley so has confined its response to this area, and has not commented in response to all the policy options listed.
- 3.6.2 The LTGDC is working with its partners to bring forward a major new park, the Lea River Park, in the Lower Lea Valley. Policies in the Development Control Policy Manual should support the creation of this new park by:
  - 3.6.3 Requiring new development adjacent to the new park to respond to the park proposals in terms of landscaping and orientation;
  - 3.6.4 Potentially requiring maintenance contributions from residential developments for the park's upkeep (this is being considered by the LTGDC in its review of its Planning Obligations Community Benefit Strategy);
  - 3.6.5 Having a policy that encourages and requires land to be reserved for the Fatwalk as part of development proposals alongside the River Lea;
  - 3.6.6 The relevant sites should also allocated as open space in other LDF documents.
  - 3.6.7 The Lea River Park Design Framework contains more information on the proposals for the park.

### **3.7 Housing (Page 47)**

- 3.7.1 **Suggested response:** The affordable housing policies in Newham should reflect the objective of creating mixed and balanced communities. As there are areas which already have large concentrations of affordable housing, it could be that with the above objective in mind, larger proportions (than that sought by London Plan policy for example) of private housing in new developments could be acceptable. With this in mind, the LTGDC consider that the approach could vary from area to area.
- 3.7.2 Amenity space should be provided as part of new developments, and larger family units should be required as part of all new developments, except where specific site constraints exist which clearly demonstrate that family housing would be inappropriate.
- 3.7.3 LTGDC does not have a view on conversion and extension of existing dwellings.
- 3.7.4 A mix of unit sizes and types should be required, to help meet the wide range of housing needs of Newham residents.
- 3.7.5 LTGDC agree that new dwellings in Newham should be built to lifetime homes standards and that 10% of new housing should be designed and fitted out for wheelchair users where appropriate.

### **3.8 Movement and Access (Page 52)**

- 3.8.1 Suggested response: Development Control policies can contribute to the aim of giving priority to pedestrians, public transport users and cyclists and people with disabilities, by, in appropriate locations, restricting levels of on site parking provided as part of developments.
- 3.8.2 LTGDC agree that housing schemes and neighbourhoods should be designed to:
- Have excellent accessibility within and to the development
  - Improve connectivity to other areas and reduce barriers to movement.
- 3.8.3 Development control policies should also require green travel plans to be prepared. However, these travel plans should be proactively monitored and enforced to ensure that they are being effectively implemented and meeting the objective of encouraging more walking, cycling and public transport use.
- 3.8.4 Business and commercial schemes should be required to only provide for essential parking needs.

- 3.8.5 Appropriate levels of parking should be provided in town centres to help ensure the vitality and viability of the town centre. Care should be taken to ensure that any parking is restricted through charging or other measures to provide for the needs of shoppers, rather than, for example, commuters.
- 3.8.6 Parking standards should vary depending on the type of development proposed and the public transport accessibility of the area.
- 3.8.7 LTGDC agree that car reduced housing schemes in accessible locations such as Stratford should be encouraged.

### **3.9 Liveability (Page 55)**

- 3.9.1 LTGDC does not wish to comment in detail on all of the options for discussion in this section.
- 3.9.2 Generally, LTGDC consider that it is important to have standards to ensure, for example, that residential properties have acceptable levels of internal natural light and noise insulation. It is likely that many of the standards that are set out in the UDP are still necessary and relevant. However, there would be merit in the Council incorporating a number of new and emerging standards into their emerging policies. Of particular relevance are the Cobe 'Building for Life' standards, which focus on ensuring well designed development, through consideration of 10 key criteria. Space standards for residential units would also be worth investigating.
- 3.9.3 Schemes which do not achieve a high quality residential environment should be refused planning permission.
- 3.9.4 LTGDC consider that providing high quality public realm, including public art where appropriate, is particularly important, and that new developments should ensure that new public realm is high quality. However, improvements to the existing public realm may well be better brought forward through initiatives by bodies such as the Development Corporation and the Council, rather than depending on improvements being made as part of new development. The LTGDC is working with its partners to make improvements to the public realm already, such as in Stratford High Street. Please also see our proposed response on the Implementation section of this document, in relation to the options around use of section 106 agreements.

### **3.10 Community Services (Page 60)**

- 3.10.1 **Suggested response:** Some of the options for discussion are already discussed in the section on land use above.

- 3.10.2 LTGDC considers that the planning system should aim for exemplary standards for all new health and education buildings within the borough. However, the ability of new buildings to meet these standards will depend to a large extent on the funding that is available for building new health and education buildings.
- 3.10.3 LTGDC considers that entertainment and leisure uses should be encouraged where they support regeneration, such as in the Thames and Dockside locations, as well as in existing centres. However, accessibility by public transport, walking and cycling will also need to be important factors in considering whether specific facilities in such locations are acceptable.
- 3.10.4 LTGDC does not have a fixed view on whether community facilities should be located in clusters, or on nuisance in residential areas from community facilities although clearly the potential for such nuisance would be a material planning consideration. LTGDC supports community buildings being designed so they can be used by a wide range of users. It is also important that the need for community facilities and sites for such facilities is identified as far as possible in the LDF, so that they can be brought forward in parallel with new housing.
- 3.10.5 LTGDC supports the principle of 'healthy urban planning', and is bringing projects forward such as the Lea River Park. This will provide new and improved open spaces, a Fatwalk alongside the River Lea and recreational opportunities to support the new residential development that is coming forward in the Lower Lea Valley. The planning system should make provision for new facilities such as this, which, with other measures, help people live a healthy and active life.

### **3.11 Implementation (Page 65)**

- 3.11.1 The main implementation method will be the determination of planning applications and associated section 106 agreements. The document asks for views on spending of s106 monies, and references the LTGDC Planning Obligations Community Benefit Strategy. The forthcoming Community Infrastructure Levy may be capable of implementation before adoption of the final Development Control Policy Manual.
- 3.11.2 **Suggested response:** LTGDC consider that the principles of the LTGDC Planning Obligations Community Benefit Strategy should be incorporated as far as possible into the Development Control Manual, and that a process for spending of section 106 monies should allow decisions to be made on spending once it is known the development is being implemented, rather than when planning applications are determined.

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### **3.12 Policy Monitoring (Page 67)**

3.12.1 **Suggested response:** LTGDC does not wish to provide any views on monitoring options.

## **4. Recommendation**

- 4.1 That the Committee consider and agree the suggested responses set out above, and make any additional comments as necessary
- 4.2 That the Committee give the Director of Planning delegated authority to prepare a letter as a response to the consultation incorporating the suggested responses set out above, and any additional comments made by the Committee

**Appendix 1: Extract from London Borough of Newham Local Development Scheme 2007 which shows timelines for production of LDF documents.**