

Newham Regulation 19 Local Plan

Online Information Session, 25th July 2024

Questions and Answers

Question	Was an answer given?	Answer
Who's going to be managing the social rent tenancies? Will it be the Council or Housing Associations? Is there a minimum amount that would be council managed?	y	The planning system can't stipulate who will manage social rent tenancies, so we wouldn't be able to set a quota for the minimum amount of tenancies the Council would manage versus a housing association.
There is a 5% provision for 4-bedroom homes, is there any specific provision for 5 or 6 bedroom homes?	y	Draft Policy H4 sets a requirement for new residential developments on site allocations to provide a minimum of five per cent of the proposed residential units as four or more bed affordable family dwellinghouses (C3). While there isn't a specific requirement to deliver a minimum proportion of five- or six-bedroom homes, the delivery of these sizes of homes would be supported under the above policy requirement (along with four-bedroom homes).
Is there any right to return for secure council tenants or temporary tenants for any housing regeneration schemes?	y	This level of detail isn't something that is set out in planning policy. However, these types of requirements would instead be set out in the resident offer put forward by the Council or housing association, if a ballot was required for a regeneration scheme.
Is there any mention of demolition or embodied	y	To clarify what was said in the session, Policy CE3 considers embodied carbon and the circular economy. This includes how a building is built, how construction waste can be minimised, how a

<p>carbon? Is there any limit where it would not be worth demolishing a building?</p>		<p>building could be deconstructed in future, and how future modification/adaption/retrofitting could occur.</p> <p>Major development will be expected to meet embodied carbon limits of less than 500kg CO2/m2 - which evidence suggests can be delivered at no additional cost.</p> <p>Developers will also have to apply circular economy principles and reduce embodied carbon including by demonstrating that retaining and reusing existing buildings and structures (including incorporating the fabric of existing buildings into the new development) have been fully explored before considering substantial demolition.</p>
<p>Have you considered focus groups with a business focus?</p>	<p>y</p>	<p>In addition to what was outlined in the session, businesses are a focus for our consultation activity, as outlined in the principles guiding the Local Plan Refresh, which states that the engagement process for the Local Plan Review needs to be meaningful for residents and local businesses. At each stage of the Local Plan consultation, we have delivered consultation activities tailored to the changing statutory requirements of that consultation stage.</p> <p>The Regulation 19 Consultation Strategy was developed to reach and engage the full range of planning stakeholders including businesses. As the Regulation 19 consultation requires comments on whether the Draft Submission Local Plan is sound and legally compliant, we have made efforts to inform stakeholders on these requirements to allow them to engage. This is aimed particularly at residents, local businesses and community groups who are less likely to engage at this stage due to the requirements on comments. The in-person drop-in sessions and online informative session have provided an opportunity for businesses to be informed about the requirements of the Regulation 19 consultation and how to submit comments.</p> <p>We did have meetings with a business focus at the Issues and Options consultation, including a co-production roundtable session on Inclusive Economy and a standalone session with the Newham Chamber of Commerce (NCC), as they were unable to attend the roundtable. The meetings discussed drivers of change and proposals for economic policy. This approach was</p>

		useful at the Issues and Options stage to gauge what elements of the Economy policy were supported by local businesses and for them to suggest changes to be implemented in the Draft Local Plan.
This version of the Plan is better but by no means perfect and I would argue can be significantly further improved. The rules you set out for comment are very prescriptive.	n	We appreciate the requirements for comments are very technical. However, these are required by the regulations. The Inspector who reviews the submission on behalf of the Secretary of State will only accept comments that are reasoned using the tests of soundness or legal tests. We have some guidance on the co-create and out website that sets out more detailed guidance on how respond using these tests
So if the Council was not happy with the Plan what could it do to make further substantive changes by delaying submission. In fact would it be better to delay, pending the changes to the NPPF?	y	<p>If the Council wants to make any changes to the submitted plan, this would require a further consultation. However the Council is instead able to propose changes to the Examiner through the submission process. The Examiner would take them into consideration during the examination and could choose to include them in any modifications they consider to be necessary to make the plan sound.</p> <p>The Council will be reviewing the NPPF changes and considering their impact on the Plan, however the two main changes are likely to have limited impact on our proposed Plan.</p> <p>The main change to the NPPF relates to the reintroduction of mandatory housing targets which were made advisory in the 2023 NPPF update. This has limited impact in London, as each borough is already set a target in the London Plan, which relates to land availability rather than need.</p> <p>Further guidance has also been introduced on the Green Belt policy, to introduce the concept of the 'Grey Belt', this has limited impact in Newham as our only Green Belt is the City of London Cemetary and Wanstead Flats triangle.</p>
Can you make available a track change version of the R19D so that it is possible to	n	There is no track change version of the changes to the Plan from Regulation 18 to 19. The review went through a number of stages, and for ease of reviewing and updating such a large document by the whole policy team, it was not possible to continuously update a single document.

<p>compare directly the texts of the R18 and R19 drafts?</p>		<p>The main change summaries – available on the Council’s website and co-create provide a summary of the key changes in each section of the Plan and what prompted the changes.</p>
<p>Is it possible to make a case that elements of the London Plan are not relevant to Newham; eg tall buildings</p>	<p>y</p>	<p>We would find it very challenging to make the case to an Inspector that no tall buildings would be suitable in Newham. This is because of the housing target set out in the London Plan and tall buildings have a role to play in meeting our housing need. By meeting this need, in part through supporting tall buildings in certain locations, we are also ensuring that we can continue to protect land for other uses such as employment/industry and green space.</p> <p>In addition to the answer above and for further clarity following the event, it is also useful to explain that the London Plan requires us to identify locations which are suitable for tall buildings (7 or more storeys) and national policy also requires us to make efficient use of available development land, and makes a particular case for increased density in town centres and other highly accessible locations, which will be a particular point of scrutiny at public examination (NPPF, 2023, Para 129).</p> <p>In order to address these requirements in an appropriate way for Newham’s built environment, we have developed an evidence base consisting of the Newham Characterisation Study (2024) and its Tall Buildings Annex (2024), which are available on our website under the Design section, here: Evidence Base Documents – Newham Local Plan Review – Newham Council. This has reviewed a range of constraints and opportunities for tall buildings including the existing built form, conservation and heritage considerations and proximity to open space, transport and town centres and has identified suitable locations for tall buildings and a suitable prevailing and maximum height. While increasing density can also be achieved through building patterns which do not include tall buildings, the evidence base does not justify a blanket ban for this type of development.</p> <p>Developers are likely to continue to push for higher forms of development on some sites. Without a policy to guide the location of tall buildings in Newham, we would likely fail the test of</p>

		<p>soundness by not being in conformity with the requirements of the London Plan, and we would also be at risk of not being able to control proposals for tall buildings in a sustainable way. Indeed, records from the appeal system show that boroughs with a clear spatial strategy for tall buildings are faring better at being able to resist tall buildings which are not located in accordance with the adopted strategy.</p>
<p>On 6 why do you not accept that high density can be produced without using high rise? I accept that it might not be possible around e.g. stations.</p>	y	<p>We very much agree that high density can be achieved without tall buildings. However, ultimately, we cannot optimise our use of available land without supporting tall buildings in some locations. One of the tests of soundness is that we demonstrate how we are meeting our needs, including for housing, and without taller buildings it would not be possible to meet these needs.</p> <p>The spatial approach in the Local Plan, does however make it clear that much of the borough is unsuitable for development which would include tall buildings.</p> <p>For more information about our approach to tall buildings, please also see response above (under question: Is it possible to make a case that elements of the London Plan are not relevant to Newham; eg tall buildings).</p>
<p>What is the provision for the high street in support of businesses and cultural venues?</p>	y	<p>The Local Plan refresh maps out areas of high streets that are protected for business uses within them.</p> <p>As part of the Local Plan we've also undertaken a piece of work to map the borough and its high streets and shopping areas to make sure everyone in the borough can live within a 15min walk of at least two shopping areas. We know there are parts of the borough, particularly around the Royal Docks and Beckton, which currently aren't that well served for shopping areas, so we've made sure that development that comes forward in those areas have to deliver a range of shopping facilities, including larger supermarkets. We're also looking at making sure that when new shopping units are created, which can take some time to become occupied, developers create meanwhile strategies [now called vacancy prevention strategies, corrected from the online session] for those buildings. This is so that if they are not occupied [within 3 months, corrected from the online session] they should bring in pop ups and events to activate those units. The</p>

	<p>council is looking at ways of partnership working so that these temporary opportunities can benefit local businesses and people.</p> <p>As further detail to the answer provided in the online session, please note it is not possible to protect all frontages of historic high streets, as this would undermine the health and growth potential of the protected centres, which in turn would not meet the requirements set out in the National Planning Policy Framework (2023) and the London Plan (2021). Nevertheless, the draft Local Plan Policy HS3 makes conditional allowances for the continued presence of a number of commercial uses outside of the protected boundaries of town centres, local centres and neighbourhood parades, recognising the importance of such premises in providing easily accessible work space for local businesses and services to residents.</p> <p>Further, Policy HS2 sets several requirements for larger scale development within Newham's protected town centres and local centres that will benefit small businesses. Measures include supporting the multi-use of existing larger units so multiple businesses can occupy a building, requiring the provision of small units at affordable rent in developments over 1000 sqm, and promoting temporary activation of empty high street units as previously mentioned.</p> <p>The Local Plan policy HS5 also supports evening and night time activation of town centres through main town centre leisure and culture uses.</p> <p>In terms of culture, sport and recreation, we have, for the first time, introduced a policy specifically for these uses; stating we would like to protect them, for appropriate uses, and set out key tests so that if someone applied to get rid of a cultural, sport or recreation facility there are significant steps they would have to go through to demonstrate there is no existing need for that use.</p>
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<p>Please can you clearly explain what the R19 text says about the sequential test for community facilities?</p>	<p>y</p>	<p>The test regarding where new community facilities should come forward is in the Social Infrastructure Chapter, policy S12, page 159 onwards.</p> <p>Please note, we have re-drafted this answer from the verbal answer provided in the recording. This is to ensure we are clear about the criteria used to determine if the location of a proposed community facility is acceptable.</p> <p>We have carefully considered the approach to the location of community facilities through the development of the evidence base and through conversations with community groups and residents. We do appreciate that not every community facility wants to, or should be, located in a town centre.</p> <p>In the Draft Submission Local Plan, we have made it easier for smaller community facilities (smaller than 1,000 sqm Gross Internal Area) to locate outside of a town centre. But there are certain tests and parameters that need to be taken into consideration.</p> <p>Social infrastructure should be located in areas convenient for the communities it serves. This means that it may be acceptable for some smaller facilities and those with a local user base to be located outside of a designated Town or Local Centre. In these cases, the users of the facility should be able to easily access the facility by foot or sustainable transport methods. Applications for smaller community facilities outside of a town or local centre must demonstrate, through a Transport Assessment, that there are no unacceptable transport or highways impacts.</p> <p>Development proposals for smaller social infrastructure facilities outside of a town or local centre are likely to come forward in more residential settings. Because of this, it is important to</p>

		<p>ensure there are no negative impacts on the neighbourhood, this can include impact on outlook, privacy, sunlight/ daylight and unacceptable disruption as a result of the development such as increased parking, smells, fumes or noise disturbance.</p> <p>In terms of suitable locations, smaller community facilities can be located in any of the following locations: a town or local centre, a neighbourhood parade, next to a park or school or in an area of community facility deficiency. This is a change from the Regulation 18 Draft Local Plan as there is no longer a spatial hierarchy associated with these locations and an applicant does not need to undertake a sequential test to be located in any of these locations.</p> <p>However, if a smaller community use is proposed outside of these locations, the applicant will need to undertake a sequential test, to demonstrate there were no suitable sites available.</p> <p>For larger community facilities (1,000 sqm or greater Gross Internal Area) the same policies on transport impacts and neighbourliness apply. However, for these larger community facilities there is a preference for them to be located in a town or local centre. This is because it is recognised that some facilities naturally serve a catchment outside of a local neighbourhood or indeed the borough boundary. Social infrastructure with wider catchment areas, which can attract higher number of trips, may not be suitable in residential areas due to increased traffic, noise and large numbers of people coming and going. They also help protect the vitality of town centres through linked trips. Larger facilities and those attracting users from beyond the local neighbourhood are therefore best located in Newham's Town or Local Centres.</p> <p>Proposals for larger community facilities outside of town and local centres will need to undertake a sequential test, to demonstrate there were no suitable sites available.</p>
Any proposal to rescue protect historic buildings	Y	On protecting historic buildings, there are various protections we have in planning policy. There are conservation areas, which are historic parts of the borough that have been well preserved and are protected from further changes. There are also listed buildings that are listed by Historic England as a separate national body, and we also have locally listed buildings that we locally think

		<p>are important. There are policies in the Plan that protect those buildings and set out how development of them could take place or how development close to them needs to ensure they do not negatively impact them.</p> <p>We do have a number of buildings that are currently on the buildings at risk register and we encourage development to come forward that will enhance their status and protect them for ongoing use. There is a lot that the Council itself is doing, as a landowner, as part of the property strategy, to understand what works are necessary to restore them and keep them in a viable use.</p> <p>In addition to the answer provided in the online session, Local Plan policy D7 protects the heritage significance of conservation areas and other local areas of townscape value, while policy D9 protects against the loss of the heritage value of Newham’s nationally and locally listed buildings. These policies are aligned with the requirements of the National Planning Policy Framework, by setting out how the national procedures are to be interpreted and applied in Newham’s built environment context.</p> <p>However, the maintenance of built heritage, and enforcement of this, is guided by separate legislation to that for plan-making. The planning system cannot force existing landowners to bring development, including repairs, forward.</p>
<p>Is there any specific mention to student accommodation provision? We have seen a significant increase around Stratford town centre.</p>	<p>y</p>	<p>Yes. We have a dedicated policy on student accommodation (H8: Purpose-built student accommodation). The policy has been amended since the last consultation on the Local Plan and seeks to identify areas that have experienced an ‘oversaturation’ of purpose-built student accommodation (like Stratford), and more closely control delivery in these areas.</p> <p>To provide further clarity on what was said in the session, in these areas applications for purpose-built student accommodation would only be supported where they are located within or adjacent to an existing campus development in the neighbourhood or they are solely providing a replacement facility with no net increase in bed spaces.</p>

<p>Many of the early introduced spaces and street level that have not been occupied for long time now. The meanwhile use could potentially be helpful for keeping active streetscapes.</p>	<p>y</p>	<p>As noted before, there are parts of the borough that are seeing significant growth in retail and other high street type of businesses, particularly in areas that are currently less well served. The Local Plan policy HS2 introduces the requirement for large scale new commercial development to be supported by a Vacancy Prevention Strategy, which supports meanwhile uses when sites remain vacant for longer than 3 months. This is expected to support activation of frontages until more established business are able to take over the spaces on a permanent basis. Further, this policy also asks developers to undertake market research to demonstrate that the proposed sizes, specifications and mix of commercial units reflects a variety of business needs, which should ensure that the units are appropriate for a range of national or independent operators to occupy upon completion.</p>
<p>What about the business use in High street with uses that are affecting vulnerable people, like betting shops, fast foods barbecues industrial shops. Stopping pedestrian to walk</p>	<p>y</p>	<p>The Plan includes a Health on the High Streets policy that looks at how we can limit the number of uses which have potentially harmful impacts, including betting shops and other gambling shops, and takeaways. In the adopted plan we already have quite a stringent policy, but we have tried to push that even further by creating a buffer zone around schools where hot food takeaways will not be permitted. In addition to what was mentioned in the verbal answer, it is worth noting that the new policy goes further, by promoting take-up of healthy food standards for all food-based businesses.</p> <p>To clarify the answer provided in the session, the new policy now also includes overconcentration limits on all types of gambling premises, whereas the existing policy only considers betting shops. This responds to the growing concern that other gambling premises, such as adult arcades and casinos, are having the same kind of impact on people’s health and wellbeing and should be controlled. This change will allow us to resist units changing between the different types of controlled uses that would allow existing over-concentrations to persist.</p> <p>As noted in the session, the Local Plan can’t force existing businesses to change to a different kind of shop, so the policies can only be applied to new proposals.</p>

		<p>We also know that ventilation of food preparation can also be of concern. We worked with colleagues in the Environmental Health team to provide requirements for the types of mechanical ventilation systems required to better manage the smell or fumes generated by such businesses. This requirement is included in policy D6 Neighborliness, in the Design section of the plan.</p>
<p>What are the enforcement rules?</p>	y	<p>Please refer to Policy HS6 for the specific concentration limitations set out by the policy. As previously noted, the policy can only be applied to new development, and not to established uses. We will continue to monitor the mix of uses within our town and local centres and seek opportunities to improve this.</p> <p>If a use doesn't have planning permission, and is a recent use, we may be able to take enforcement action (if policy doesn't support a use). Best thing to do if you are concerned about a business is to use this search function to check if the site has planning permission (Simple Search (newham.gov.uk)), and if it doesn't contact our enforcement team - they can investigate further.</p> <p>For clarity, the planning enforcement team can be contacted via email at Planning.enforcement@newham.gov.uk or via the dedicated reporting form here: Report unauthorised development – Planning enforcement – Newham Council</p>
<p>is has 2 betting shops in each block minimum</p>	n	<p>We are aware that there a parts of the borough that continue to have significant over-concentrations of betting shops. However, the Local Plan can't force the change of use of established premises. For example, if a betting shop operator vacates a premises, another betting shop operator can take over the premises without needing planning permission. The policies can only be applied to new proposals that change the use. This means that the policy can protect against worsening of historic conditions when planning permission for new gambling premises (or takeaways) are being sought, but has no power to change established uses.</p>
<p>How does this plan affect religious premises?</p>	y	<p>Under the Local Plan places of worship are considered to be community facilities and a form of social infrastructure. So again, as explained in relation to community facilities, the Plan has made it easier than the current Local Plan for smaller community facilities, including places of worship, to be opened outside of town centres. So, we currently have a very strict policy and we are</p>

	<p>loosening that and relaxing some of those restrictions so that it is easier to open smaller community facilities outside of a town centres.</p> <p>For more information, please see the answer provided to the question above (Please can you clearly explain what the R19 text says about the sequential test for community facilities?).</p>
<p>Any possibility to schools open green spaces to residents on weekends?</p>	<p>One of the policies we have introduced is a standalone education policy and as part of that policy we are encouraging schools to open facilities to the community outside of school hours. Whilst the doesn't specify green space, it does talk about sport facilities and sports halls.</p> <p>We know, though undertaking some of our evidence base research, that schools do have a lot of facilities that would be of benefit to the wider community. So, in future we would put Community Use Agreements in place in new schools, so that more people can have benefit from the facilities they have outside of school hours, taking safeguarding into consideration.</p> <p>In addition to the answer provided in the session, the education policy - SI4: Education and childcare facilities is on page 172 onwards. Specifically point 8 of the policy states: Schools and higher education facilities should be designed and managed to meet a variety of community uses by:</p> <ul style="list-style-type: none"> a. providing access for community uses outside of core hours; b. ensuring that the design of new education facilities is flexible in order to allow for a variety of uses within them.