strategic planning application stage 1 referral (new powers)


The proposal

A hybrid planning application for part full and part outline consent for comprehensive mixed-use redevelopment comprising: - Demolition of all existing buildings excluding garage building to south of Channel Tunnel rail link vent shaft. - Outline approval (with all matters reserved except means of access) for construction of new buildings ranging in height from 4-27 storeys to provide a total of up to 94,195 sq. m comprising up to 5,812 sq m food/non-food retail and Use Classes A2/3/4/5, up to 1,894 sq. m of office/leisure/community (Use Classes B1/D1/D2), and up to 82,696 sq. m residential (Use Class C3), an energy centre, groundfloor and basement parking, servicing, landscaping, new public realm, access and associated development. - Full approval for Phase 1 comprising three buildings; Block D part 4, 6 and 7 storeys to comprise 2,583 sq. m food/non-food retail and Use Classes A2/3/4/5, 1675 sq. m of basement storage and/or community (Use Classes D1/D2) and 79 residential units (Use Class C3), Block G part 8 and 10 storeys to comprise 201 sq. m office/community (Use Classes B1/D1), 192 sq. m concierge office and 161 residential units (Use Class C3), Block H of 5 storeys to comprise 655 sq. m food/non-food retail and Use Classes A2/A3/A4/A5 and 32 residential units (Use Class C3), an energy centre, ground floor parking, servicing, highway and public realm works, hard and soft landscaping including the provision of public open space, access and associated development.

The applicant

The applicant is Obsidian FG Ltd, and the architect is Buckley Gray Yeoman, Robert Adam and Ian Simpson.

Strategic issues

The principle of this generally well designed, mixed use development, increasing the level of retail and introducing more residential use in a district centre in need of regeneration is in line with the London Plan however further discussion is needed over the approach proposed by the application, the community facilities that will be lost and the replacement facilities proposed, the lack of affordable housing, the impact of the proposal on the heritage assets (particularly the impact of the tall building), the density and the quality of the housing proposed and the level of family units proposed. An equalities impact assessment should be carried together with a noise assessment. Further information and/or commitments are also needed on climate change, child playspace, inclusive design and transport.
Recommendation

That Newham Council be advised that the application does not comply with the London Plan, for the reasons set out in paragraph 141 of this report; but that the possible remedies set out in paragraph 142 of this report could address these deficiencies.

Context

1 On 8 December 2011 the Mayor of London received documents from Newham Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 18 January 2012 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 1A, 1B, 1C and 3B of the Schedule to the Order 2008:

   Category 1A: Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats;

   Category 1B: Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or building outside Central London and with a total floorspace of more than 15,000 square metres;

3 Once Newham Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The area is bounded by Forest Gate railway station and rail line to the north, Woodgrange Road to the east, Sprowston Road to the west and the A118 Romford Road, which is part of the Strategic Road Network (SRN), to the south. The nearest section of the Transport for London Road Network (TLRN) is the A12 East Cross Route, located approximately 2.2km to the northwest. The site is served by six bus routes, with the nearest stops located within acceptable walking distance on Woodgrange Road. Wanstead Park station is located approximately 400m north of the site, offering services on the London Overground line between Gospel Oak and Barking. Forest Gate National Rail station is also located some 90m to the north, and offers services to London Liverpool Street and Shenfield. Additionally, Crossrail services will stop at Forest Gate station in the future. The PTAL of the site is currently estimated at 4 (out of a maximum of 1-6, where 6 is excellent), and while this is set to increase with the arrival of Crossrail, it not expected to be significantly higher.
Details of the proposal

6 The outline application is for a mixed use development comprising residential and town centre uses. The town centre uses will include a medium sized food store, new flexible sized retail units, food and drink units and community uses. The refurbishment of block O will also provide 2185 sq.m. of flexible affordable workspace, targeting the employment and start up needs of local businesses and the community. The outline proposal also seeks approval for up to 800 residential units. The application is accompanied by a set of parameter plans which establish development parameters in terms of height, width, depth and footprint of the proposed buildings. Detailed drawings of the vehicular accesses have also been submitted. A number of plans have also been submitted for illustrative purposes only in support of the outline application which give more detailed information as to how the parameter plans could be interpreted. The maximum quantum of development is set out below:
### Land Use Maximum Floorspace (GEA SQ.M.)

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Maximum Floorspace (GEA SQ.M.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>82,696 (up to 772 units)</td>
</tr>
<tr>
<td>Office/leisure/community</td>
<td>1,894</td>
</tr>
<tr>
<td>Retail</td>
<td>5,812</td>
</tr>
<tr>
<td>Ancillary</td>
<td>3,793</td>
</tr>
<tr>
<td>Total maximum built floorspace</td>
<td>94,195 (Excluding basement and ground floor car parking)</td>
</tr>
</tbody>
</table>

The masterplan splits down into a series of 12 development blocks which range in height from 4 storeys to 27 storeys with the highest being to the north of the site adjacent to the train station. The outline application also seeks approval for the maximum areas of each block as follows:

<table>
<thead>
<tr>
<th>Block</th>
<th>Maximum floorspace (sq.m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>6480</td>
</tr>
<tr>
<td>B</td>
<td>3854</td>
</tr>
<tr>
<td>C</td>
<td>5906</td>
</tr>
<tr>
<td>D</td>
<td>10661</td>
</tr>
<tr>
<td>E</td>
<td>3826</td>
</tr>
<tr>
<td>F</td>
<td>7049</td>
</tr>
<tr>
<td>G</td>
<td>16374</td>
</tr>
<tr>
<td>H</td>
<td>3369</td>
</tr>
<tr>
<td>L</td>
<td>12580</td>
</tr>
<tr>
<td>M</td>
<td>812</td>
</tr>
<tr>
<td>P</td>
<td>4862</td>
</tr>
<tr>
<td>T</td>
<td>18422</td>
</tr>
<tr>
<td>Total</td>
<td>94195</td>
</tr>
</tbody>
</table>
Retail uses are at ground floor focussed along Woodgrange road with some new retail space added on the east side in the base of Block H. A community hall and flexible spaces are also proposed. The existing garage will be refurbished to provide up to 2,185 sq.m. of affordable workspace. The upper floors of the majority of the buildings will be residential.
Full planning permission is sought for phase one (blocks H, D and G) which includes 272 residential units, 3,238 sq.m. of retail space, 1675 sq.m. of community space/basement storage and 201 sq.m. of office/community use.

**Case history**

The applicant held a pre-application meeting with the GLA on 2 March 2011. Subsequently the proposal was presented to the Mayor on 18 May 2011. There is no other strategic planning history for this site.

**Strategic planning issues and relevant policies and guidance**

The relevant issues and corresponding policies are as follows:

- **Mix of uses**
  - London Plan
- **Regeneration**
  - London Plan; the Mayor’s Economic Development Strategy
- **Retail/town centre uses**
  - London Plan; PPG13, PPS4
- **Equal opportunities**
  - London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM); Equalities Act 2010
- **Housing**
  - London Plan; PPS3; Housing SPG; Providing for Children and Young People’s Play and Informal Recreation SPG, Housing Strategy; draft Revised Housing Strategy; Interim Housing SPG; draft Housing SPG
- **Affordable housing**
  - London Plan; PPS3; Housing SPG, Housing Strategy; draft Revised Housing Strategy; Interim Housing SPG; Draft Housing SPG; Affordable Rent draft SPG; Assembly draft Early Minor Alteration to the London Plan
- **Density**
  - London Plan; PPS3; Housing SPG; Interim Housing SPG; draft Housing SPG
- **Tall buildings/views**
  - London Plan; RPG3A, Revised View Management Framework SPG; revised draft View Management Framework
- **Urban design**
  - London Plan; PPS1
- **Access**
  - London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Planning and Access for Disabled People: a good practice guide (ODPM)
- **Historic Environment**
  - London Plan; draft World Heritage Sites SPG; PPSS; Circular 07/09
- **Ambient noise**
  - London Plan; the Mayor’s Ambient Noise Strategy; PPG24
- **Sustainable development**
  - London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; draft PPS Planning for a Low Carbon Future in a Changing Climate; Mayor’s Climate Change Mitigation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy; Sustainable Design and Construction SPG
- **Transport**
  - London Plan; the Mayor’s Transport Strategy; PPG13
- **Crossrail**
  - London Plan; draft Mayoral Community Infrastructure Levy; Crossrail SPG
- **Parking**
  - London Plan; Assembly draft Early Minor Alteration to the London Plan; the Mayor’s Transport Strategy; PPG13
For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is the 2001 Newham Unitary Development Plan and the 2011 London Plan.

The following are also relevant material considerations:

- The Newham Core Strategy which has been through Examination in Public and for which the Inspector’s report is awaited
- The Forest Gate SPD
- The Early Minor Alteration to the London Plan

**Land-use principle**

In the English Indices of Deprivation 2010 Newham ranks as the second most deprived local authority district in England. The ward of Forest Gate South falls within the 20% most deprived Lower Layer Super Output Areas in England with parts of it falling within the lowest 10%. As such any regeneration of the area should seek to improve these deprivation levels and meet the needs of the local community.

The aspiration to regenerate Forest Gate town centre is supported at the strategic level. Designated as a district centre in the London Plan, it is identified as a centre in need of regeneration, and consequently the principle of improving the quality of the retail offer is supported. The acceptability of the scale and nature of the retail offer proposed is set out in the following retail section.

The Forest Gate SPD sets out that the following objectives will underpin Forest Gate’s future:

- create a relaxed ‘urban village’ feel away from the major centres of Stratford and Ilford;
- ensure all development will be socially inclusive and increase the quality of life for the local community;
- encourage a dynamic evening economy with cafes, bars and restaurants in an attractive, safe neighbourhood;
- increase quality, size and quantity of retail offer with a medium-sized new food store, a mix of smaller shop units, providing a balance between independent and high street retailers;
- provide a mix of uses within the town centre, and encourage high quality design and architectural style, which both enhances local distinctiveness and is well integrated with the existing Victorian heritage;
- improve housing quality and quantity; improve employment opportunities; reduce anti-social behaviour; enhance the public realm and improve community facilities;
- maximise the benefits from new public transport and embracing the opportunities offered by Crossrail; and
- ensure all development maximises opportunities for sustainable construction.
The SPD sets out general principles for development in Forest Gate including that developments should be of high quality design, fit in with the Victorian streetscape, improve the public realm, provide 35% affordable housing, provide high quality housing, create a vibrant mixed-use town centre, make provision for local businesses and community facilities to be retained through relocation, reduce crime and improve safety, improve movement and access and ensure sustainable construction.

The SPD sets out that the aspirations for the town centre are as follows: Development in the town centre should:

- comprise uses such as retail (including a high quality medium sized food store), community facilities, food and drink, entertainment, residential and businesses;
- accommodate higher densities of housing in the local area;
- respect the historic character of the town centre, particularly the Conservation Areas and retain buildings of merit;
- be improved and enhanced by the declutter of street furniture and signage in the public realm, particularly along Woodgrange Road;
- provide improved and safe access for all in the local community;
- provide active retail frontages at a ground floor level and allow flexibility for professional uses or other activity generating frontages, where these are compatible; and
- be undertaken, where possible, in a comprehensive manner, to generate wider regeneration benefits, including a ‘step change’ in the quality of the built environment, and local economy.

The SPD goes onto say that the redeveloped town centre will act as a focus for regeneration of Forest Gate. It will provide a new medium size supermarket and small shop units, allowing for a good balance of independent and high street retailers. Developers will be required to produce a business relocation strategy as part of their proposals to retain existing local businesses, where feasible. Key to creating a relaxed urban ‘village’ feel and encouraging a more dynamic evening economy will be through providing for cafes, bars and restaurants in an attractive environment.

The site is included in Area 2 of the Forest Gate SPD and extends beyond the boundaries set out in the SPD. The following key principles for Area 2 are set out in the SPD:

- Residential development to ensure adequate amenity space (shared gardens, roof terraces etc) to respond to an under provision of open space in the locality;
- Development to incorporate larger family residential units within lower floors of proposals;
- Design standards for residential accommodation should promote the use of dual aspect residential units;
- Permeability should be increased throughout the site, however the existing street pattern should be retained;
• New development to integrate with the existing character and respect the historic context and Conservation Area designation;

• Development proposals should provide arrangements to retain or replace the Community Police Facility and other key businesses and community facilities in the local area, where appropriate;

• Step heights across the site and scale down heights at the fringes to respect adjoining lower-scale historic properties;

• Servicing for retail units on Woodgrange Road should be provided from the rear but from a road which has frontage, rather than a backland area;

• Larger developments should seek to minimise the levels of car parking provision and should not exceed a provision of 0.5 spaces per residential unit, with undercroft car parking incorporated, where possible;

• Retain building lines and use historic street patterns to define perimeter blocks and linear routes;

• Development should provide animated frontages (active uses, front doors, etc) on ground floor facades;

• Development should create dual aspect flats as much as possible, and in particular should exclude any north facing single aspect flats;

• Consider community safety and take every opportunity to secure informal surveillance with development proposals; and

• The redevelopment proposals should include a relocation strategy for displaced local businesses, and community facilities as part of the S106 agreement.

21 The Core Strategy, which has been through examination in public and for which the Inspector’s report is expected shortly, sets out the following for Forest Gate:

*Forest Gate town centre will become an attractive and vibrant centre, with cafes, community and cultural facilities and independent shops together with a small to medium-sized foodstore to add to the mix and quality of offer. Alongside commercial uses, new town centre housing will extend safer, more convivial activity into the evening. The town centre environment and new development will complement, integrate with and reinforce its attractive heritage identity and popularity of local neighbourhoods, building on the opportunity presented by Crossrail and identified development sites;*

22 This site is identified as a strategic site in the core strategy and has the following designation:

*Mixed use comprising retail, residential (medium density/medium family), community and business; limited intensification to take advantage of opportunities afforded by Crossrail. North of Earlham Grove there is potential for higher residential densities closer to Forest Gate station. Development proposals should demonstrate a clear strategy for sensitively enhancing and regenerating the town centre, with the design of contemporary buildings and new public spaces responding positively to their built heritage and conservation area context. Indicative residential typology - medium density/medium family. North of Earlham Grove there is potential for higher residential densities closer to Forest Gate station.*
23 The principle of the development is broadly in line with the London Plan and Newham Council’s Forest Gate SPD and the Core Strategy for this area.

Retail

24 Forest Gate is a linear retail centre, designated as a District Centre, which sits between the two larger town centres of Stratford and Ilford. The London Plan sets out that it is a District Centre with moderate levels of demand for growth in retail which is in need of regeneration.

25 Newham Council’s March 2010 Town Centre and Retail Study set out that Forest Gate has 234 units and 35,086 sq.m. gross retail floorspace. The centre has a localised and tight catchment area with little influence further afield in the Borough. The study sets out that the main purpose for 70% of visitors is food shopping. The number of convenience units is above the national average. The multiple retailers are very small catering for everyday top up shopping trips and the independent retailers have a local catchment area with the ethnic food retailers having a wider catchment area. The mix of retail services is reasonably good with vacancy rates being below average. Around 60% of people visit twice a week.

26 The comparison goods offer, in terms of national multiples, is weak and the total number of comparison units is significantly below the national average. Newham’s retail study sets out that the objective of regeneration should be to improve this proportion relative to other uses. The study goes on to set out that there is an over concentration of fast food takeaways and a particularly low concentration of daytime and family friendly eating/drinking destinations. 76% of respondents said they disliked the physical environment. The centre suffers a significant amount of leakage for main food shopping with residents travelling out of the area. The study also sets out that the offer of evening leisure uses should be improved in the area. As such the study sets out that there is clear evidence that the centre is not meeting the needs of the local catchment area. The study sets out that the Council should continue to facilitate development opportunities in Forest Gate, particularly in respect of a new small/medium sized anchor foodstore as well as other uses as requested by local people including daytime and evening family orientated eating and drinking destinations and an enhanced comparison goods retail offer.

27 The study sets out a number of recommendations for Forest Gate:

- Build on the benefits of the currently strong role of independent food and non food retailers in the centre;
- Promote the inclusion of ethnic retailers, building on the already strong food sector and monitoring the weaker non-food sector;
- Increase cafes and daytime eating and drinking destinations;
- Promote an increase in evening entertainment destination, primarily restaurants;
- Change of use away from betting shops should be encouraged;
- Further infiltration of fast food takeaways within the retail frontages should be restricted;
- Consolidate the food shopping catchment and stem the leakage to other centres;
- There is a qualitative need for additional convenience goods floorspace;
• Consolidate the comparison goods offer, extending it where possible through redevelopment, protecting existing frontages from dilution and promoting and facilitating infill redevelopment and small scale development opportunities

28 The site comprises much of the core town centre shopping area and in its retail strategy the applicant proposes to create a new medium sized food store, create modern new and flexible sized retail units which are needed to attract new retailers; to introduce more food and beverage occupiers to encourage an evening economy; to phase the development to retain and maintain existing retailers and businesses including contributions to fit out costs; to incentivise/subsidise new retailers to kick start the retail strategy and trigger transformational change; to enhance the public realm; to implement a shop front strategy to signal a quality retail offer; to pay to remove those uses that do not contribute to Forest Gate’s retail offer.

29 A maximum of 5,812 sq.m. of retail floorspace is proposed as part of the overall masterplan, 3,124 sq.m of this space being in phase 1. Overall this is an increase of 2632 sq.m. gross internal floorspace. The phasing is such that new retail will be built on the Methodist Church Hall site and existing retailers relocated here to enable the redevelopment of 39-49 Woodgrange Road. The level of increase in retail is appropriate given that Forest Gate is a District Centre. However, there is concern that whilst the applicant sets out that its vision is to reduce fast food outlets and betting shops in the town centre that is applying for flexible uses which include such uses.

30 The applicant sets out that based on conservative assumptions its proposals have the potential to nearly double the town centre retail turnover by completion, by improving the retail and leisure offer and bringing new residents to the area. However given the focus on one and two bed units it is likely that residents will leave the area for work for much of the day and as such the spending power of new residents in the area will be reduced.

31 The strategy relies on the compulsory purchase of large sections of the site. Following site assembly the applicant sets out that the freehold for the development would be vested with the Borough, with the developer then developing under a long head lease. The development is proposed in five phases over an eight to ten year period. The applicant sets out that the costs of delivering the retail strategy could be as high as £13 million.

32 Whilst the Council’s retail study sets out that Forest Gate is in need of redevelopment and upgrading, and the applicant’s retail assessment sets out aspirations for the area to become like the nearby Wanstead and also draws parallels with Ealing Broadway and Balham, the applicant should provide further justification for the scale of compulsory purchase and why a smaller scale approach with managed letting by the Council and control over change of use would not be sufficient. It is understood that there is not, as yet, a commitment from a multiple retailer to locate in the redevelopment, and although this is not unusual given the stage of the plans, further discussion is needed on the process so far and what will happen following consent given the large scale of the subsidies proposed. Discussion will also be needed relating to the legal agreements proposed to ensure that the subsidies result in long term regeneration of Forest Gate. In addition the applicant should set out what the impact would be if phase one only goes ahead, and also provide evidence of other areas where a similar approach has been successful. Further discussion is also needed on the package for continuation of provision of independent retail units, such as relocation in the development and temporary accommodation as well as subsidised rents.

33 Whilst the principle of regeneration of Forest Gate for a mixed use redevelopment is in line with London Plan policy further discussion is needed of the approach proposed and in particular whether its benefits outweigh the lack of affordable housing together with the equalities impacts of the loss of community facilities as discussed below.
Economic development and convergence

34 The applicant sets out that the development will result in increases in house values in the area, a near doubling of retail turnover, the creation of 75 new jobs in the retail and leisure sector and 260 jobs per annum in the construction sector.

35 London Plan policy 1.1 sets out the following relating to regeneration of East London;

*The development of east London will be a particular priority to address existing need for development, regeneration and promotion of social and economic convergence with other parts of London and as the location of the largest opportunities for new homes and jobs.*

36 The ambition to achieve convergence with the London average across a range of key indicators is a key aspiration for the regeneration of East London. Whilst the applicant sets out the economic development benefits of the proposal in its economic development assessment it is felt that this matter has not been sufficiently addressed and the applicant should produce a statement or report that specifically sets out how its proposals will help achieve convergence in accordance with the London Plan.

Community facilities

37 London Plan policy 3.1 sets out that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted.

38 The site includes a Methodist Church Hall, which would be demolished in phase one, and Durning Hall (a voluntary sector resource centre) which would be demolished in phase five. It is understood from representations that have been made direct to the GLA that these buildings are in intensive use and are valued by the community. The application documentation is unclear as to the level of community space that will be provided and flexible uses are applied for in spaces which have the potential for community use. Further information should be provided on the current uses of the Methodist Church Hall and Durning Hall, of the quality of the new community provision (including details of floorspace, ceiling heights, facilities and location), discussions that have been held with the current community facilities over reprovision as well as a decant strategy and temporary provision for the groups currently using Durning Hall and the Methodist Church Hall. A minimum level of community floorspace should be committed to in the application.

Equalities

39 The 2010 Equality Act places a duty on public bodies, including the GLA, in the exercise of their functions, to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This requirement includes removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic and taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it. The Act defines protected characteristics and includes age and ethnicity. The GLA in the discharge of its planning function must engage this duty, in so far as it is applicable to a particular case.

40 The development is likely to have an impact on ethnic minorities, the elderly and young people given the potential loss of specialist retail and community facilities depending on the replacement facilities and accommodation.
The applicant should undertake an equalities impact assessment of its proposals and include mitigation measures for any negative impacts in its application, for example subsidised retail units for existing local retailers, a decant strategy and temporary facilities for the community and voluntary sector groups affected by the redevelopment.

**Housing**

The outline application is for up to 772 units. An indicative dwelling mix has been assumed for the purposes of assessing the outline application and this is set out in the table below:

<table>
<thead>
<tr>
<th>Number of bedrooms</th>
<th>Total units</th>
<th>Mix (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed</td>
<td>344</td>
<td>45</td>
</tr>
<tr>
<td>2 bed</td>
<td>331</td>
<td>43</td>
</tr>
<tr>
<td>3 bed</td>
<td>93</td>
<td>12</td>
</tr>
<tr>
<td>4 bed</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>772</strong></td>
<td></td>
</tr>
</tbody>
</table>

The detailed application comprises 272 residential units in the following bedroom mix:

<table>
<thead>
<tr>
<th>Number of bedrooms</th>
<th>Total units</th>
<th>Mix (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed</td>
<td>127</td>
<td>47</td>
</tr>
<tr>
<td>2 bed</td>
<td>104</td>
<td>37</td>
</tr>
<tr>
<td>3 bed</td>
<td>41</td>
<td>15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>272</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Affordable housing**

London Plan Policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the amount of affordable housing provision. This target should take account of the requirements of London Plan Policy 3.11, which include the strategic target that 60% of new affordable housing should be for social rent and 40% for intermediate rent or sale. The Mayor has published an early minor alteration to the London Plan to address the introduction of affordable rent, with further guidance set out in a draft Affordable Rent SPG. With regard to tenure split the Mayor’s position is that both social rent and affordable rent should be included within the 60%.

While the Mayor has set a strategic investment benchmark that across the affordable rent programme as a whole rents should average 65% of market rents, this is an average investment
output benchmark for this spending round and not a planning policy target to be applied to negotiations on individual schemes.

46 Policy 3.12 is supported by paragraph 3.71, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The ‘Three Dragons’ development control toolkit or other recognised appraisal methodology is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified. Paragraph 3.75 highlights the potential need for re-appraising the viability of schemes prior to implementation. Newham Council has set an overall borough target of 35-50% of all new homes to be affordable in its Core Strategy which has been to examination in public.

47 The applicant sets out that the scheme is not currently able to provide any affordable housing on viability grounds due to the site assembly and common infrastructure costs that are needed to bring the development forward together with some subsidy of the retail element. A viability appraisal has been submitted by the applicant and this is being assessed by the Council’s independent consultant. GLA officers will also need to interrogate this viability appraisal and it may be necessary for the GLA to appoint its own independent consultant to review the appraisal.

48 The London Plan sets out that the priorities for section 106 contributions are affordable housing and transport, although it is accepted that in certain circumstances other priorities are acceptable. Whether the lack of affordable housing in this proposal is justified by the town centre regeneration proposed requires further discussion and this decision will need to take into account the quality of all aspects of the application.

49 The applicant proposes a review mechanism whereby at the point of determining each phase of the project the viability will be revisited and an element of on-site affordable housing may be proposed if viable, capped at a maximum of 10%, and if viable an off-site affordable housing contribution made.

50 London Plan 2011 paragraph 3.74 sets out that affordable housing provision is normally required on-site. In exceptional circumstances it may be provided off-site or through a cash in lieu contribution ringfenced, and if appropriate pooled, to secure efficient delivery of new affordable housing on identified sites elsewhere. These exceptional circumstances include those where, having secured an alternative site, it would be possible to secure a higher level of provision, better address priority needs, especially for affordable family housing, secure a more balanced community or better sustain strategically important clusters of economic activity.

51 The early alteration to the London Plan which is currently out for consultation incorporates the spirit of this wording in the Policy 3.12 as a new section C: ‘Affordable housing should normally be provided on-site. In exceptional cases where it can be demonstrated that this is not appropriate in terms of the policies in this Plan, it may be provided off-site. A cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing policies in this Plan and should be ringfenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.’

52 It is accepted that providing additional affordable housing on-site as part of a review mechanism may be problematic where future design changes would be required or service charge costs are prohibitive. However, the applicant would be expected to fully consider on-site provision in the first instance.
The viability, principle of an off-site contribution and the review mechanism require further discussion before it can be said that the maximum reasonable amount of affordable housing has been provided.

**Housing choice**

London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. The London Housing Strategy sets out strategic housing requirements and Policy 1.1C of the Strategy includes a target for 42% of social rented homes to have three or more bedrooms.

This indicative mix for the masterplan area proposed 14% 3 bed plus units and phase 1 proposes 15% 3 bed units. In addition the level of 1 bed units is very high, representing almost half of the units in phase 1 and the masterplan. The applicant should consider increasing the level of three bed plus units and 2 bed units and should ensure that the level of 3 bed ground floor properties has been maximised, particularly as Newham’s SPD and Core Strategy state that family housing is a priority for this site.

**Housing quality**

London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3. The Mayor will produce a new Housing SPG (a draft of which was put before the London Plan EIP), on the implementation of Policy 3.5 for all housing tenures, drawing on his London Housing Design Guide, paragraphs 3.37-3.39 provides further guidance on indicators of quality that the proposed SPG will cover.

Following receipt of additional information from the applicant, Newham Council has advised that some of the dwelling sizes do not comply with the standards set out in the London Plan. This would not generally be acceptable to the Mayor unless there were special circumstances pertaining to the application or the location, which have not yet been demonstrated in this case. The applicant should provide a full schedule of detailed unit sizes, and outline unit sizes where available, along with additional justification if desired, to enable GLA officers to undertake a full assessment of dwelling space standards.

The indicative plans for the outline application and the plans for the detailed element demonstrate that the proposal would generally meet the guidelines as set out within the draft replacement Housing SPG, and the London Housing Design Guide. The guidelines set out within these documents are acknowledged as best practice standards and deviation would generally represent poor design. There is a reasonable provision of dual-aspect units. There is a small number of single-aspect, north-facing residential units, but these comprise a small proportion of the total and this is considered acceptable in this instance. A checklist against the guidelines would be useful.

The application generally meets the standards of the London Housing Design Guide however, all units will be required to meet the minimum space standards set out in the London Plan. The outline element should be conditioned to comply with the space standards and the Housing Design Guide.

**Children’s play space**

Policy 3.6 of the London Plan sets out that “development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.” Using the methodology within the Mayor’s supplementary planning guidance ‘Providing for Children and Young People’s Play and
Informal Recreation’ it is anticipated that there will be approximately 121 children within the masterplan site including 45 in phase 1. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 1,210 sq.m. of playspace.

61 The Landscape Design and Access Statement sets out that a range of child playspace will be provided in Orchard Park, between Block D and G in phase 1. The applicant should confirm the size of this playspace. If this is not sufficient to meet the needs of all the children and age groups on-site the applicant should submit a play strategy setting out the level of playspace in the vicinity, its quality, capacity for further use and any barriers to reaching it from this site. The applicant may be required to make a contribution to its improvement.

Density

62 London Plan Policy 3.4 seeks to optimise the potential of sites having regard to local context, design principles and public transport accessibility. The site has a public transport accessibility level of four, and its immediate setting is urban/suburban in character. The London Plan density matrix therefore suggests a residential density of between 200 and 700 habitable rooms per hectare for urban sites with a PTAL of four and of between 200 and 350 habitable rooms per hectare for suburban sites with a PTAL of four. As such the guideline residential density for this site would be around the upper end of the suburban range.

63 The applicant sets out that the density of the proposal is 798 habitable rooms per hectare. However the density of the proposal should be calculated using the net residential site area in accordance with paragraph 3.34 of the interim Housing SPG which states that any non-residential floorspace should be deducted from the total floorspace for the purposes of calculating density. As such as 87% of the total floorspace is residential the residential density should be based on 87% of the site area (in this case 2.39 hectares). GLA officers calculate that the density of the proposal would be 867 habitable rooms per hectare and that the density of phase 1 would be 1,142 habitable rooms per hectare. The applicant should calculate the density for the outline proposal and phase 1 using the above method and confirm if this is correct.

64 In either case the density of the proposal is above the density guidance within the London Plan for sites with a PTAL of four in an urban/suburban setting. While there is not an in principle objection to the development of high-density schemes, particularly in a town centre and next to a new Crossrail station, to be acceptable the development will need to provide high quality residential accommodation that is well designed and delivers an appropriate mix of units, sufficient play and amenity space in line with London Plan requirements, and be well designed and in context with its surroundings.

Tall buildings / views

65 London Plan (2011) policy 7.7, which relates to the specific design issues associated with tall and large-scale buildings, is of particular relevance to the proposed scheme. This policy sets out specific additional design requirements for tall and large-scale buildings, which are defined as buildings that are significantly taller than their surroundings and/or have a significant impact on the skyline and are larger than the threshold sizes set for the referral of planning applications to the Mayor. Policies 7.10 and 7.11, which set out the Mayor’s approach to protecting the character of strategic landmarks as well as London’s wider character, are also important considerations.

66 London Plan policy 7.7A states that tall buildings “should be part of a plan-led approach to changing or developing and area, by the identification of appropriate, sensitive and inappropriate locations.”
Newham’s Draft Core Strategy sets out that buildings over 20 storeys are inappropriate on strategic sites in Urban Newham (ie outside of the arc of opportunity). The Core Strategy also sets out that any tall buildings will be assessed against the Conservation Area Appraisal and the English Heritage/CABE tall buildings guidance. The site is not in the Arc of Opportunity.

The proposed development would not detrimentally affect any of the protected views as set out within the London View Management Framework, and as such there is no strategic impact in this regard. Nonetheless the London Plan, as set out in paragraph 66, does encourage a plan led approach to tall building location.

The development would have an impact on local (townscape) and heritage considerations. The proposed tall building would be the tallest in the vicinity, and stand alone within many of the long local views shown within the submission. There are sound urban design reasons for a tall building in this location, which are compliant with London Plan policies on regeneration, design and use of land. Specifically, policy 7.7 of the London Plan supports tall buildings being located where they can make a significant contribution to local regeneration, and can individually enhance the legibility of a point of civic or visual significance. Additionally, paragraph 7.27 of the London Plan states: “The location of a tall or large building, its alignment, spacing, height, bulk, massing, and design quality should identify with or emphasise a point of civic or visual significance over the whole area from which it would be visible. Ideally, tall buildings should form part of a cohesive building group that enhances the skyline and improves the legibility of the area, ensuring large and tall buildings are attractive city elements that contribute positively to the image and built environment of London.”

The acceptability of the tall building must also be assessed with regard to the site’s conservation area designation and the relationship of the tall building to its context, and in relation to the level of detail submitted with the application and secured in the parameter plans – particularly in relation to the quality of materials.

The removal of a further storey from the low-rise corner element would provide a better relationship with Block D opposite, and further enhance the distinctiveness of the tower element. The reduction in scale, and separation of this lower element from the tower, compared with previous iterations of the proposal, is welcomed. The illustrative material and design codes demonstrate that there would be a predominantly glazed facade, which would be appropriate to the form of the tower, and as mentioned above, will require additional assurance to the Mayor that this quality would be delivered. The full-height glazing would offer a lightness to the elevation that is not particularly common in tall residential buildings and would assist in lightening its appearance from the surrounding areas. The vertical split also helps to break down the massing, and is welcomed. The proposed stacked wintergarden column is an innovative feature that would be a landmark in its own right and is welcomed, subject to appropriate management. The double-height retail layout is also welcomed, and would be as much a signifier of the station’s proximity as the tall building above. As already discussed the new public space leading to the station is welcomed, and is more appropriate than the current form.

Based on the information that has been supplied, GLA officers are convinced that the applicant’s intentions are to provide a tall building with a high architectural quality. The nature of the planning process and the timescale proposed are such that these desires may not translate to the finished form, and as such, additional details are requested to ensure that this quality is realised. As noted, there are concerns regarding the absolute scale of the building and its impact on nearby areas, which may not necessarily be exclusively addressed through the adoption of an excellent architectural approach.
The development would have an impact on two local conservation areas. The site is within the Forest Gate Town Centre Conservation Area and is adjacent to the Woodgrange Estate Conservation Area. Within the Forest Gate Town Centre Conservation Area, several high street buildings would be demolished as part of the scheme. The development would have an impact on the views within this conservation area, which in high street views would be dominated by the new tower. Several views from within the Woodgrange Park Conservation Area, which is to the east of the high street, would be affected – notably, views from within the streets leading eastwards from the high street. The view from Osborne Road would be terminated by the new block D, which adopts a new scale but also provides elements of Victorian architecture that would enhance the character of the conservation area. The view from Hampton Road would be dominated by the tall building, and would alter the character of the westward view through the introduction of a new element that is different to the conservation area in terms of its scale and appearance, and would be arguably detrimental. The urban design aspects of this are discussed within the relevant section of this report and heritage is dealt with in more detail in the heritage section below.

Whilst an indicative scheme and design code is submitted with the application the current level of detail that is secured with the application is not sufficient to be able to conclude that the impact of the tall building in this location is acceptable. Although we recognise that the tall building element is part of the outline application we need a level of information which is closer to a full application to assess quality together with a tighter set of parameter plans and a tighter design code to ensure that the buildings does not significantly change at detailed design stage.

**Urban design**

Good design is central to all objectives of the London Plan (2011) and is specifically promoted by the policies contained within chapter seven which address both general design principles and specific design issues. London Plan Policy 7.1 sets out a series of overarching design principles for development in London. Other design polices in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and World Heritage Sites, views, the public realm and the Blue Ribbon Network. New development is also required to have regard to its context, and make a positive contribution to local character within its neighbourhood (policy 7.4).

**General principles**

The aim of regenerating the town centre, and its immediate surroundings, through high-quality design which is intended to attract high-quality uses, is strongly supported. It is recognised that the town centre requires a degree of physical and social regeneration and that the design also responds to other influences, such as the arrival of Crossrail. The proposal provides a scale – driven in part by the density of the residential development – which provides a completely new context for the town centre, and also has impacts on the conservation areas within and adjacent to the site. However, the quality of the design is good, although there are some specific concerns as set out in this section.

The scheme has been submitted in a hybrid form, with the overall masterplan in outline, and some elements (including the blocks in the centre of the high street) in detail. This form of application is appropriate, given the size of the scheme and delivery schedule however as set out above the level of detail secured for the tall building is not sufficient. The masterplan is accompanied by parameter plans and a design code, as well as individual design and access statements for each block. These offer a reasonable impression of the quality of the future phases. The design codes and parameters are integral to the character of the scheme, and as such their use
in future outline phases must be incorporated within the section 106 agreement. Together, these set the following features:

- building heights (in both storey height and the height of each individual storey)
- landscaping layout
- layout of buildings, entrances and frontages, and core locations
- the types of materials that can be used

78 The codes do not specify particular appearance details, although precedent images are provided for each block, and the general character described in the accompanying text. In the absence of particular numerical or drawn values, adherence to these descriptive details within the eventual designs could be interpreted differently, by different architects and further commitments are therefore needed.

79 The proposed phasing scheme has been designed to set the tone of the regeneration within the high street context, and to latterly deliver the highest density area to coincide with the delivery of Crossrail. These principles are supported.

Heritage

80 London Plan Policy 7.8 sets out that ‘development should preserve, refurbish and incorporate heritage assets, where appropriate. New development in the setting of heritage assets, and conservation areas, should be sympathetic to their form, scale, materials and architectural detail.’ London Plan policy 7.9 sets out the following in the planning decisions section: ‘New development should repair, refurbish and re-use heritage assets including buildings at risk. It should be demonstrated that the proposed development would give adequate status to the heritage asset in the design of the proposal’

81 PPS 5 sets out that there is a presumption in favour of the conservation of designated assets (in this instance the conservation area). It also sets out the where the application will lead to the loss of such assets local planning authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significant is necessary to deliver substantial public benefits that outweigh harm or loss; the nature of the heritage asset prevents all reasonable uses of the site and no viable use of the heritage asset can be found in the medium term that will enable its conservation; conservation through grant funding is not possible and the harm or loss is outweighed by the benefits of bringing the site back into use. PPS5 also requires local planning authorities to take into account the value and significance of all (other) heritage assets.

82 Part of the site is located in a conservation area and another conservation area adjoins the site. The area has a Victorian/Edwardian high street feel surrounded by residential streets of period properties. Some new build is interspersed in the area. Some of the high street has benefited from recent improvement grants. 39-49 Woodgrange Road are identified as buildings of heritage value in the area character appraisal. The scheme proposes their demolition. There are no listed buildings within the conservation area although the Grade II listed Emmanuel Church lies just to the south of the site opposite the Princess Alice site. The Council has also asked that 189-195 Earlham Grove outside of the conservation area also be considered as assets.

83 It is believed that 39-49 Woodgrange Road were originally semi-detached villas which subsequently had shop units built in their front gardens and they have also been altered to the rear. The applicant sets out that the degree of alterations made to the properties, together with
the fact that the Council has not locally listed the buildings, reduces the heritage value of the buildings.

84 The applicant sets out that there is little merit in retention of 189-195 Earlham Grove given that these buildings fall outside the conservation area and are sites next to buildings that have a negative impact on the conservation area. In addition the applicant puts forward the argument that there are a number of similar properties in the area.

85 The applicant sets out that it has investigated the retention of all of the Victorian buildings in the site area and has concluded that such retention would not deliver a scheme which would be a sufficient catalyst to regenerate the area. In addition the applicant sets out that the proposed buildings will be of a sufficient quality to be a positive addition to the conservation area.

86 The rationale behind the location of a tall building within the town centre is understood. The building would act as a marker of the Crossrail station and this area of the site is the most appropriate for the high density element of the proposal. However its impact on the conservation areas is a matter of concern. From within the residential area, the building would potentially alter the character from suburban to one that is more urban, or central. The scale of the building is such that it would dominate views in the relevant direction from within the area. The Council should examine whether this is the effect that it wants to achieve and whether the benefits of providing the tall building are sufficient to provide an ‘on balance’ measure of acceptability.

87 Although the proposed materials, as well as the footprint, basic layout and height of the tall building are set within the design codes and appear reasonably attractive within the visualisations, the tall building section of the application is one that has been submitted in an outline format. Although this would form the final stage of development, additional details within the design code, setting the appearance so that it would appear more or less like the appearance within the visualisations, should be provided and the design code should be secured in the section 106 agreement. This is important in this case, as changes at the detailed stage would probably alter its visual impact, and potentially the principle of its acceptability, when viewed from within the conservation areas. The applicant needs to demonstrate that the tall building would preserve or enhance the conservation area. The character of the conservation area to the east of the site is suburban, and domestic in scale. However the town centre conservation area, from which the tall building would have the highest level of visibility, is a mix of styles, building sizes and ages, from low-rise Victorian terraced buildings accommodating small retail units, to mid-rise 20th century modernist buildings providing larger-floorplate employment space. It is evident that the town centre has evolved over time in response to developments through its history, and the establishment of a tall building could be viewed as a relevant response to the next phase of the town centre’s evolution.

88 Existing buildings within the conservation area would be demolished. Retention of the higher quality Victorian facades within the town centre is supported. The detailed submission of the buildings in the affected areas is welcomed. The new buildings set a high design quality benchmark for the subsequent outline buildings, and although they are of a different scale to the buildings that they would replace, they would be appropriate in the context of the town centre. As such, their addition would be welcome, and it is likely that they would both preserve and enhance the quality of the conservation area.

89 English Heritage object to the tall building, the outline nature of the application in a conservation area, the level of detail submitted with the application and the demolition of 39a-49a Woodgrange Road, the Post Office Sorting Office and the Princess Alice public house.

90 Some of the buildings to be demolished are identified as making a positive contribution to the character of the conservation area. Their loss needs to be considered in light of the potential
regeneration benefits and the quality of the replacement buildings and their impact on the character and appearance of the conservation area. One of the principle drivers of this scheme is the provision of new retail space and residential units. It is acknowledged that it may be difficult to deliver this within the existing buildings and to do so would significantly reduce the quantum of development on the site and impact on scheme viability. The replacement building on 39-49 Woodgrange Road is considered to be of a good quality and the majority of the buildings that are identified as making a positive contribution would remain within the conservation area with some buildings that make little contribution being redeveloped. Further discussion is needed of the public benefits of the scheme, and on justification for large scale regeneration of this site, before it can be said that substantial public benefit outweighs harm to the conservation area.

Detailed comments on the indicative and detailed plans submitted

91 As expected over a large, masterplanned site, scale and massing changes across the site according to the context. The division of the development into character areas, each responding to its own contextual influences, is welcomed. The concentration of density close to the railway station is supported, as is the location of family housing away from the high street, with direct access to green space. There is a good mix of uses around the site, and the town centre uses are appropriate. Retail layouts are appropriate and offer various unit sizes to assist viability. The incorporation of residential uses on the upper floors of all the new buildings is in almost all cases integrated appropriately at ground floor level.

92 The scale of many of the buildings identified as areas of concern by GLA officers at the pre-application stage, has decreased significantly. The applicant has positively responded to these concerns. The scale is now much less at odds with existing development and more appropriate to a suburban town centre context, although there are some areas – for example, the enclosure of Earlham Grove and the tower element – where the appropriateness of the scale could still be questioned. However, on the whole the scale is appropriate.

93 The pulling back of the tower from the Woodgrange Road frontage, allowing the creation of a larger public space next to the railway station, is welcomed. Along with the other areas in the high street – such as the Methodist centre ‘breathing space’ – there is a reasonable hierarchy of spaces and opportunities to meet or rest. Away from the high street, the quieter spaces are likely to be welcomed by residents and visitors alike. The servicing of the Woodgrange Road retail frontages from the rear is a necessary constraint if the high street environment is to be improved, but the raised podiums above these spaces are welcomed. The location of family housing around the squares (many with direct access to private garden space) is welcomed, and the enclosure of these spaces is appropriate for the character that the applicant is intending to create.

94 Block D (detailed) – this is a building in a classical revival style, and would provide strong verticality to the corner element, and be highly visible on approaches from the north. It would provide a strong statement as to the aim of the Council’s regeneration of the town centre, and set a good standard of design quality to be pursued through later stages of development. The step down of the southern section, to address the existing Victorian terrace of shops is appropriate. The retail layout of this building is good, but there is poor lobby space for residential areas; these are presumably narrow to avoid disrupting the retail frontage. There would be defensible space to the rear (podium access) and outdoor space available to most flats, which is appropriate in this high street context. Materials would be related to the local context and are supported, with brickwork in a similar style to the adjoining terrace. The use of good-quality stone for shopfronts and the proposed columns is welcomed.

95 Block H (detailed) – Although this building would have a height of five storeys, its innovative front facade design would reduce the impression of its massing. The use of stone as the
main facade material is supported. The appearance of the building would provide an interesting and appropriate juxtaposition with the Victorian architecture of the high street.

Block G (detailed) – The chamfering of the upper floors reduces the impression of mass when viewed from ground level, which also assists in alleviating GLA officers’ initial concerns about the scale of this area. The height of the building on Earlham Grove announces the town centre when approaching from the west; a role which would also be undertaken by the tall building in longer views. This development is effectively a backland development, but the proposal would provide a framework of new streets and spaces from which there would be good legibility and from where residential cores and the buildings’ addresses would be based. The breaking-down of the massing would be further improved through the use of alternating brickwork detail. The design of the ground floor is also supported, and would accommodate family dwellings and defensible private space.

Block F (outline) – Although the design code identifies these buildings’ height and general character, these would replace locally listed buildings. This is also a highly sensitive location given the scale of the facing residential development. As such, the Mayor would have expected to see a greater level of detail for this site, such as scale comparisons with existing development and the western side of Sprowston Road.

Princess Alice site (outline) – The building would provide a suitable gateway to the town centre from the south, and a signifier in the context of Romford Road, anchoring the corner in conjunction with the existing tall building opposite. The design would offer a suitable gravitas to this important corner, and similarly with other new buildings on the high street, use high-quality materials. The curve of the upper floors of the building represents a historic town centre corner building form, and ensures that the building appropriately responds to existing, adjoining buildings in terms of both scale and appearance.

GLA officers are content with the proposed standard of landscaping and layout of the spaces, with the concerns expressed at the pre-application stage influencing changes during design development. The proposed hierarchy of spaces, and division into character areas, is welcomed, and there would be an excellent variety of spaces for both residents and visitors, as would be expected in a scheme of this scale. Each space is ascribed a purpose, which would be clear through its appearance and design, and there is a good split between public, semi-private and private spaces, which will restrict any potential ambiguity.

The application documentation includes a separate landscape masterplan as well as design codes, which offer a high level of detail. The masterplan shows areas of improvement to the high street which are outside the site. Although these improvements are supported, and will offer coherence between redeveloped and existing areas, ensuring that town centre regeneration is not limited only to the site, their delivery would need to be guaranteed through a legal agreement.

A number of trees are proposed to be removed as part of the application, however the applicant sets out that tree cover on the site would be increased by 20%. The applicant should set out how many trees will be lost as part of the application and how many are proposed and indicate which of these are in phase one.

General high street improvement incorporates street tree planting or enhancement in accordance with the Mayor’s urban greening strategy. The masterplan also indicates locations of bus stops, taxi ranks, drop-off areas and other important locations within the street environment, and demonstrates that these are appropriately located in relation to surrounding uses and spaces. Busier areas, such as the area around the station, would have a different character which would be reflected in the choice and placement of hard landscaping, trees and street furniture. The surface treatment along Earlham Grove would provide a suitable physical transition from the high street.
(and should work in conjunction with the scale of buildings to also achieve a mental transition). The landscape would be designed to discourage ‘opportunistic’ parking.

Orchard Square, which would be entered from Earlham Grove, would provide a new town centre amenity space. Although this would not be a traditional town centre park, it would provide a new amenity space that would be appropriate for passive recreation, providing public area and access to the public (which would be assisted by its open visibility from the street). In common with other features of the regeneration, access to the park should be accompanied by a wide-ranging wayfinding strategy as discussed within the transport section of this report.

The location of play space areas is generally supported, with the exception of the doorstep play areas located on the high street. The space in front of Block H could be appropriate, incorporating an interesting paving pattern and street furniture that could be used for supervised play. However given the likely activity around the station, the space to the front of Block G could be unsatisfactory, and would be more appropriate incorporated within the community garden at the rear of the building.

Summary

The application has taken on board a number of GLA officer’s pre-application comments and this is welcomed. However further work and detail is required in respect of the tall building element, and the impact on the proposals on the conservation area. Consideration should also be given to the detailed comments set out above.

Further discussion is needed of the public benefits of the scheme, and on justification for large scale regeneration of this site, before it can be said that substantial public benefit outweighs harm to the conservation area.

Inclusive design

Inclusive design principles if embedded into the development and design process from the outset help to ensure that all of us, including older people, disabled and Deaf people, children and young people, can use the places and spaces proposed comfortably, safely and with dignity. The aim of London Plan Policy 7.2 is to ensure that proposals achieve the highest standards of accessibility and inclusion (not just the minimum).

A full access strategy should be prepared and minimum standards should be set out in an access section of the design code. Matters that should be covered include that there will be two lifts in cores where wheelchair accessible units are located, that disabled parking spaces will be located in areas that are easily accessible from the wheelchair accessible units, that there will be convenient taxi drop-off points for the wheelchair accessible units and that all entrances will be level.

Climate change

The London Plan climate change policies set out in Chapter 5 collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.2 ‘minimising carbon dioxide emissions’ sets out an energy hierarchy for assessing applications, London Plan Policy 5.3 ‘Sustainable design and construction’ ensures future developments meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support effective adaptation to climate change. Further detailed policies on climate change mitigation and adaptation are found throughout Chapter 5 and supplementary guidance is also given in the London Plan sustainable design and construction SPG.
Climate change mitigation

Energy efficiency standards

110 A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery and energy efficient lighting. The demand for cooling will be minimised through the use of thermal mass to minimise solar gains.

111 Based on the information provided, the proposed development does not appear to achieve any carbon savings from energy efficiency alone compared to a 2010 Building Regulations compliant development.

112 The applicant should model additional energy efficiency measures and commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone.

District heating

113 The applicant should investigate if there are any existing or planned district heating networks within the vicinity of the proposed development. Where none exist, the applicant should provide a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

114 The applicant states that all dwellings and non-domestic building uses except Block H&P will be connected via an on-site the site heat network. The applicant should further investigate the potential to include Block H&P on the site heat network. Any constraints should be clearly explained and evidenced. A drawing showing the route of the heat network should also be provided.

115 The applicant should make a commitment to having a single energy centre serving the entire site.

Combined Heat and Power (CHP)

116 The applicant is proposing to install a 621kW, gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated carbon dioxide emissions of 494 tonnes per annum (28%) will be achieved through this second part of the energy hierarchy.

Renewable energy technologies

117 The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 912 sq.m. of roof mounted photovoltaic panels (PV).

118 A reduction in regulated carbon dioxide emissions of 67 tonnes per annum (4%) will be achieved through this third element of the energy hierarchy.

119 Roof drawings showing the location of the PV’s should be provided.

Overall carbon savings
120 The estimated regulated carbon emissions of the development are 1,134 tonnes of carbon dioxide per year after the cumulative effect of energy efficiency measures, CHP and renewable energy has been taken into account.

121 This equates to a reduction of 378 tonnes of carbon dioxide per year in regulated emissions compared to a 2010 Building Regulations compliant development, equivalent to an overall saving of 25%. The carbon dioxide savings meets the targets set within Policy 5.2 of the London Plan.

Summary

122 The energy strategy does not currently comply with London Policy. The applicant should model additional energy efficiency measures and commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone. The applicant should make a commitment to having a single energy centre serving the entire site. Roof drawings showing the location of the PV’s should be provided.

Climate change adaptation

123 Rainwater harvesting is proposed for irrigation and toilet flushing in the commercial uses. Grey water recycling has been discounted due to technical issues and the energy that is needed to support it.

124 Brown roofs are proposed at high level as well as green roofs at podium level. The design code should set out that the provision of brown/green roofs should be maximised.

125 The application complies with the London Plan in this regard.

Noise

126 Policy 7.15 (Reducing noise and enhancing soundscapes) of the London Plan states that development proposals should seek to reduce noise by minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals as well as separating new noise sensitive development from major noise sources wherever practicable through the use of distance, screening or internal layout in preference to sole reliance on sound insulation. The Mayor will also support new technologies and improved practices to reduce noise at source, especially in road, rail and air transport. In addition standard 5.2.1 of the Mayor’s Draft Housing SPG states that developments should avoid single aspect dwellings that are north facing, exposed to NEC C or D or contain three or more bedrooms.

127 There are a number of noise sources that may have an impact on this development and these include Woodgrange Road, Romford Road and the railway line. A full noise assessment which sets out if any parts of the site are in NEC C or D, taking into account the future running of Crossrail on the railway line, should be submitted. The application should also be conditioned such that there are no single aspect units in NEC C or D.

Transport

128 While TfL is satisfied that the proposed development is unlikely to negatively impact on the capacity of local bus services or on the operation of the SRN, the junction of Woodgrange Road with Forest Lane has not however been included in the applicant’s traffic impact assessment. Notwithstanding the awareness that Newham Council is ultimately the highway authority for this junction, TfL considers that this should be addressed by the applicant given its proximity to the development site and that all of its approaches are used by buses.
129 The A118 /A114 junction currently operates over capacity during both the AM and PM peak. As part of the site is located adjacent to the junction, TfL considers the applicant should investigate the opportunity to improve the geometry and layout of the junction in order to improve its operation. The safeguarding of land for highway purposes should therefore potentially be explored further with the local highway authority, in accordance with London Plan policy 6.2. The streetscape improvements being proposed for Woodgrange Road will also need to be agreed with TfL to ensure they are suitable for bus operations, accepting that a long raised table designed to TfL guidance is not anticipated to present a major issue for buses in this location. Works within the highway boundary to bus stops, pedestrian footways, crossings or the streetscape should be covered via a s278 agreement with the borough in consultation with TfL where necessary, particularly with regards to the impact on the A118.

130 While the proposed streetscape improvements on Woodgrange Road are supported, it should be ensured that the needs of all road users are covered. For instance, minimum footway widths should be applied alongside tactile paving and audible features at crossings. TfL would also recommend a Pedestrian Environmental Review System (PERS) audit should be carried out, in accordance with London Plan policy 6.10, to allow the assessment of key walking routes in the area. The provision of Legible London signage should also be considered as part of a wider strategy for Forest Gate.

131 The quality of local cycle routes and recommendations to overcome barriers to cycling are not considered in the transport assessment (TA). A review of the key cycling routes should therefore be undertaken as part of the PERS audit in the area, with any streetscape works also taking account of the needs of cyclists.

132 The proposed level of car parking is within the maximum London Plan standards and is therefore considered acceptable. The applicant’s commitment to provide electric vehicle charging points (EVCP) in accordance with London Plan standards is also supported, as is the proposal to designate 10% of all parking spaces for use by Blue Badge Holders, and to provide a car parking management plan. All of these requirements should be secured by condition. TfL welcomes the car free approach for both the retail and office elements of the development and would recommend that, as part of the section 106 agreement, both residents and staff of the proposed development be prevented from applying for on street parking permits. TfL also welcomes the provision of 2 car club spaces.

133 While the provision of 902 cycle parking spaces is supported as being in line with the London Plan standards, TfL would however recommend that all cycle parking should be located in areas that are accessible, secure and sheltered. The provision of CCTV is also advised, along with facilities such as showers, lockers and changing facilities for employees of the proposed development.

134 Improvements to the submitted framework travel plan are required to ensure it meets the required standards. TfL would subsequently advise that a revised travel plan is secured, managed, monitored and enforced through the s106 agreement. Similarly, TfL welcomes the applicant’s commitment to provide a servicing Management plan and framework construction and logistics plan (CLP). In accordance with London Plan Policy 6.3, both documents should be secured by condition. While swept path diagrams for access off Woodgrange Road should also be submitted for assessment by the borough, during the construction phase, the applicant should be required to minimise disruption to the local bus network.

135 As the proposed development falls within the Crossrail contribution area, a contribution of £30 per sqm for new office floorspace and £16 per sqm for new retail floorspace will be required. A requirement for a Crossrail contribution from this development will therefore relate to the net
additional impact from the new development, by deducting the theoretical charge that would be paid by the existing uses within the site from that proposed. To allow TfL to calculate the correct level of charge necessary from this proposed development, the applicant should submit a breakdown of floorspace (expressed in GEA) for both the existing and proposed land uses.

136 Nevertheless, in accordance with London Plan policy 8.3, Community Infrastructure Levy, and following consultation on both a Preliminary Draft, and then a Draft Charging Schedule, the Mayor submitted the charging schedule and supporting evidence which was considered at an Examination in Public in late November / early December 2011. Application of the CIL charge is likely to commence in April 2012 and will be paid by most new development in Greater London. The Mayor is proposing to arrange boroughs into three charging bands with rates of £50 / £35 / £20 per square metre of net increase in floorspace respectively. The proposed development is within the London Borough of Newham where the proposed Mayoral charge is £20 per square metre. Crossrail payments required via the July 2010 Supplementary Planning Guidance (SPG) will continue to run in tandem with the Mayoral CIL. However, the Mayor will treat CIL payments as a credit towards any payment sought under the section 106 policy (SPG) should the former be less than the latter, and not to seek a contribution at all should the obverse be the case.

137 Overall, while TfL has no significant objections to the principle of the proposed development, TfL considers that further work is required by the applicant, as detailed above, in order to comply with the transport policies of the London Plan.

Local planning authority’s position

138 The local planning authority’s position is not yet known.

Legal considerations

139 Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

140 There are no financial considerations at this stage.

Conclusion

141 London Plan policies on land use, retail, economic development and convergence, community facilities, equalities, housing, affordable housing, housing choice, housing quality, children’s playspace, density, tall buildings, urban design, inclusive design, heritage, climate change, noise and transport are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:
• **Land use:** The principle of the development is broadly in line with the London Plan and Newham Council’s Forest Gate SPD and the Core Strategy for this District Centre which is acknowledged to be in need of regeneration.

• **Retail:** The level of increase in retail is appropriate however there is some concern over the level of flexible uses and further discussion is needed of the large scale approach proposed.

• **Economic development and convergence:** Further work is needed before it can be said that the application complies with the London Plan.

• **Community facilities:** Further information and commitments are needed before it can be said that the application complies with the London Plan.

• **Equalities:** Equalities impact has not been adequately assessed in the application documentation.

• **Affordable housing:** the viability appraisal has yet to be assessed by the GLA and further discussion is needed of the approach proposed.

• **Housing choice:** the mix currently proposed is not in line with London Plan or Newham policy.

• **Housing quality:** there is insufficient information to assess the scheme in this regard.

• **Child playspace:** further information is needed to assess the application in this regard.

• **Density:** further information is needed to assess the application in this regard.

• **Tall buildings:** the current level of detail that is secured with the application is not sufficient to be able to conclude that that the impact of the tall building in this location, in a conservation area, is acceptable.

• **Urban Design:** the application has taken on board a number of GLA officer’s pre-application comments and this is welcomed. Given the outline nature of the application, and the level of detail secured the impact of the tower on the conservation area is not acceptable. Detailed comments on aspects of the scheme are set out above.

• **Heritage:** further discussion is needed before it can be said that the application is acceptable in this regard.

• **Inclusive design:** further information is needed to assess the application in this regard.

• **Climate change:** The energy strategy does not comply with the London Plan and further commitments are needed. The climate change adaptation measures comply with the London Plan.

• **Noise:** further information is needed to assess the application in this regard.

• **Transport:** TfL has no significant objections to the principle of the proposed development however TfL considers that further work is required by the applicant.

On balance, the application does not comply with the London Plan. The following changes might, however, remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

• **Retail:** Further discussion is needed of the approach proposed including in relation to the subsidies proposed, evidence of where this approach has worked elsewhere and a package for the continuation of provision for independent retail units.

• **Economic development and convergence:** The applicant should produce a statement or report that specifically sets out how its proposals will help achieve convergence in accordance with the London Plan.

• **Community facilities:** Further information should be provided on the current uses of the Methodist Church Hall and Durning Hall, of the quality of the new provision as well as a
decant strategy and temporary provision for users of the current community facilities. A minimum level of community floorspace should be provided.

- **Equalities:** An equalities impact assessment should be submitted.

- **Affordable housing:** the viability, the principle of an off-site contribution and the review mechanism require further discussion.

- **Housing choice:** consideration should be given to increasing the level of three bed plus units and the applicant should ensure that the level of 3 bed ground floor units has been maximised.

- **Housing quality:** the applicant should provide an assessment of both the outline and detailed scheme against the London Housing Design Guidelines and provide a schedule of unit sizes.

- **Child playspace:** the size of the playspace proposed should be provided and if this is not sufficient for the child yield of the development a play strategy setting out provision in the local area and potential contributions to the upgrade of these spaces should be provided.

- **Density:** The density of the outline application and phase 1 should be calculated using the Greenwich method. The density is above London Plan standards and further discussion is needed on housing quality before it can be said that this is acceptable.

- **Tall buildings:** a level of information which is closer to a full application should be submitted in order to assess quality together with a tighter set of parameter plans and a tighter design code to ensure that the buildings does not significantly change at detailed design stage.

- **Heritage:** Further discussion is needed of the public benefits of the scheme, and on justification for large scale regeneration of this site, before it can be said that substantial public benefit outweighs harm and loss or that the nature of the asset prevents reasonable uses of the site.

- **Inclusive design:** a full access strategy should be prepared and minimum standards should be set out in the access section of the design code.

- **Climate change:** The applicant should model additional energy efficiency measures and commit to the development exceeding 2010 Building Regulations compliance through energy efficiency alone. The applicant should make a commitment to having a single energy centre serving the entire site. The design code should set out that the provision of green/brown roofs should be maximised.

- **Noise:** A full noise assessment which sets out if any parts of the site are in NEC C or D, taking into account the future running of Crossrail on the railway line, should be submitted. The application should also be conditioned such that there are no single aspect units in NEC C or D.

- **Transport:** further traffic modelling work, investigation of junction remodelling, a PERS audit, improvements to the framework travel plan should be undertaken and a Crossrail tariff payment committed to.
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