



# Report to the London Borough of Barking and Dagenham

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**PLANNING AND COMPULSORY PURCHASE ACT 2004**

**SECTION 20**

**REPORT ON THE EXAMINATION INTO THE LONDON BOROUGH OF  
BARKING AND DAGENHAM CORE STRATEGY DEVELOPMENT PLAN  
DOCUMENT**

**Document submitted for examination on 11 June 2009**

**Examination hearings held between 24 November & 4 December 2009**

**File Ref: LDF000957**

**ABBREVIATIONS USED IN THE REPORT**

AHEVA	Council's Affordable Housing Economic Viability Assessment
AMR	Annual Monitoring Report
CS	Core Strategy
DLR	Docklands Light Railway
DPD	Development Plan Document
EA	Environment Agency
FPC	Further Proposed Changes (arising from the Issues and Questions Paper)
GLA	Greater London Authority
GOL	Government Office for London
HIS	Housing Implementation Strategy
HT	Housing Trajectory
KRA	Key Regeneration Areas (Barking Riverside, Barking Town Centre & South Dagenham)
LBBD	London Borough of Barking & Dagenham
LDF	Local Development Framework
LDS	Local Development Scheme
LP	The London Plan: Spatial Development Strategy for Greater London: Consolidated with Alterations since 2004 (2008)
LSIS	Locally Significant Industrial Sites
LTGDC	London Thames Gateway Development Corporation
MofJ	Ministry of Justice
NDELB	Non-Designated Employment Land and Buildings
PC	Proposed Changes
PHM	Pre-Hearing Meeting
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RAHEVA	Review of the Council's AHEVA
SCI	Statement of Community Involvement
SDKRA	South Dagenham Key Regeneration Area
SFRA	Strategic Flood Risk Assessment
SIL	Strategic Industrial Locations
SIP	Sustainable Industries Park
SPD	Supplementary Planning Document
W1C/W2C	Additional Proposed Changes (arising from the hearings)

## **1 Introduction and Summary of Overall Conclusion**

- 1.1 Under the terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004, the purpose of the independent examination of a DPD is to determine:
  - (a) whether it satisfies the requirements of s19 and s24(1) of the 2004 Act, the regulations under s17(7), and any regulations under s36 relating to the preparation of the document
  - (b) whether it is sound.
- 1.2 This report contains my assessment of the London Borough of Barking and Dagenham Core Strategy DPD in terms of the above matters, along with my recommendations and the reasons for them, as required by s20(7) of the 2004 Act.
- 1.3 I am satisfied that the CS meets the requirements of the Act and Regulations, subject to the one change recommended below. My role is also to consider the soundness of the submitted CS against the advice set out in paragraphs 4.51- 4.52 of Planning Policy Statement 12 (PPS12), namely that it is justified, effective and consistent with national policy. In line with national policy, the starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound CS.
- 1.4 The CS was submitted to the Secretary of State for examination on Thursday, 11 June 2009. The submission version of the CS was identical to the pre-submission version. In order to address issues raised by representors at the pre-submission stage, including those made by the GOL, GLA, EA, various landowners and other interested parties, the Council produced a schedule of Proposed Changes to the submitted CS in July 2009.
- 1.5 At the PHM held on 8 October 2009 I advised the Council to advertise these changes as I believed some of them to be significant and involved soundness issues. These Proposed Changes were advertised between 17 October 2009 and 14 November 2009 and the representations received taken into account during the examination. In my report these changes are referenced PC. The Council also prepared a sustainability appraisal of the proposed changes it considered to be significant.
- 1.6 As a result of my Issues and Questions paper that I had prepared to guide discussion at the hearings the Council produced a schedule of Further Proposed Changes in November 2009 prior to the hearings. These changes are referenced FPC. Arising from the discussions at the hearings two schedules of Additional Proposed Changes were also produced relating to week 1 and week 2 of the hearings. These changes are referenced W1C or W2C. The FPCs and Additional Proposed Changes have not been advertised as they involve variations to previous advertised changes to the submitted CS and/or concern matters that do not prejudice interested parties. All the Council's proposed changes to the CS are found in a single Council

document - Consolidated Schedule of Proposed Changes to the Submission Core Strategy (December 2009).

- 1.7 The changes I have specified in the boxes in the main body of this binding report, and set out in **Schedule 1 (Essential Changes)** attached to this report, are made only where there is an essential need to amend the document in the light of the legal requirements and/or to make the document sound in accordance with PPS12. There are three **Annexes to Schedule 1**. These are **Annex 1: List of saved UDP policies superseded by CS policies; Annex 2: Revised Monitoring and Implementation Framework; and Annex 3: Housing Implementation Strategy**.
- 1.8 The Council's proposed changes set out in **Schedule 2 (Endorsed Changes)** attached to this report are designed to improve clarity, reflect recent developments, add flexibility, improve focus or correct typographical errors. As the endorsed changes are not required to address soundness issues I have not dealt with them in detail in my report. Notwithstanding this I believe their inclusion is required to ensure that the CS is clear, up-to-date, coherent and easily understood.
- 1.9 My overall conclusion is that the London Borough of Barking and Dagenham Core Strategy is sound, provided it is changed in the ways specified. The essential changes required are set out in detail in Schedule 1 (Essential Changes). In summary they are:
- a) ***Legal compliance. Incorporate list of superseded saved policies.***
  - b) ***General. Timescale – extend plan period to 2025.***
  - c) ***Chapter 1: Introduction and Background. Explain alternatives considered and sustainability appraisal undertaken.***
  - d) ***Chapter 2: Spatial Vision and Objectives. Revise LDF Vision and Strategic Objectives.***
  - e) ***Chapter 4: Managing Growth. Refer to Sequential and /or Exception Tests; recognise that some employment generating uses within the mixed urban community at South Dagenham West may be appropriate; include Housing Implementation Strategy within Chapter 10; emphasize in Policy CM4 the critical importance of transport infrastructure improvements to the delivery of the CS; delete the proposed new station at Renwick Road from Policy CM4; refer to a high quality bus route connecting Marks Gate to Dagenham Dock Station in Policy CM4; and amend supporting text to Policy CM5 & delete Appendix 1: District and Neighbourhood Centres.***
  - f) ***Chapter 5: Sustainable Resources and the Environment. Change supporting text to Policy CR4: Flood Management.***

- g) Chapter 6: Creating a Sense of Community. Delete Policy CC1: Affordable Housing and supporting text; Delete phrase from Policy CC3: Social Infrastructure to Meet Community Needs; Amend Policy CC4: Achieving Community Benefits Through Developer Contributions;***
- h) Chapter 7: Ensuring a Vibrant Economy and Attractive Town Centres. Recognise in Policy CE1 that the Abbey Road Retail Park is edge of centre; and that the definition of primary and secondary shopping frontages is to be dealt with in the Site Specific Allocations DPD and Barking Town Centre Area Action Plan DPD.***
- i) Chapter 9: Monitoring and Implementation Framework. Substitute new text and revise framework.***
- j) Chapter 10: Housing Trajectory. Include Housing Implementation Strategy.***

1.10 My report firstly considers the legal requirements, and then deals with the relevant matters and issues considered during the examination in terms of justification, effectiveness and consistency with national policy.

## **2 Legal Compliance**

- 2.1 In my judgement the CS meets the legal requirements set out under s20(5)(a) of the Planning and Compulsory Purchase Act 2004 (as amended). The key considerations that have led me to this finding are set out below.

### ***Consistency with Local Development Scheme***

- 2.2 The CS is referred to in the Council's LDS, the latest version being approved in March 2008. The listing and description of the CS in the LDS matches that of the submitted document. At present the CS does not meet the timescale for preparation set out in the LDS (section 19(1) of the 2004 Act). There, it is shown as having a submission date to the Secretary of State of June 2008. A shortage of resources and DPD legislative changes meant that the production of the CS was delayed by a year and was not submitted until June 2009. The Council confirm that the LDS is to be revised to take account of this timescale. This will mean that the CS timetable is not in conflict with the future revised LDS. Consequently this legal requirement has been met.

### ***Regard to Community Strategy***

- 2.3 The CS has had regard to 'Building Communities Transforming Lives: A Community Strategy for Barking and Dagenham' prepared by the Barking and Dagenham Partnership (section 19(2) of the 2004 Act) and as a result this legal requirement has been satisfied. In particular the CS Spatial Strategy is built around 5 themes which incorporate the 7 priorities of the Community Strategy. CS policies are grouped under each of these 5 themes.

### ***Compliance with Statement of Community Involvement***

- 2.4 The Council's SCI has been found sound by the Secretary of State and was formally adopted by the Council in August 2007. It is evident from the documents submitted by the Council, including the Regulation 30(1)(d) and 30(1)(e) Statements and its Soundness Self Assessment Statement, that the Council has sought to meet the requirements for engagement in the preparation of the CS as set out in Section 19(3) of the 2004 Act.
- 2.5 I am aware that the process did not identify and engage one significant local landowner (Estates & Agency Properties Ltd, the owner of the Abbey Road Retail Park) in the early stages of the preparation of the CS. However Estates and Agency Properties Ltd did become aware of the CS prior to the examination and made representations on the Pre-Submission CS and the advertised PC's, and was represented at the hearings. Consequently I consider the company's views have been taken into account in shaping the CS and its position has not been prejudiced.

- 2.6 I believe, given the number of different land ownerships in a developed urban area, that on rare occasions certain landowners will remain unaware of the preparation of a DPD, particularly if they are not locally based. I consider, however, that the Council took reasonable steps to involve local businesses and developers in line with the SCI through a number of means, including advertisements, exhibitions, use of its web-site and by contacting representative bodies. In overall terms, therefore, I believe that the legal requirement requiring compliance with the consultation arrangements in the SCI has been met.

### ***Sustainability Appraisal***

- 2.7 The CS has been subject to sustainability appraisal. This has taken place at three key stages:
- initial sustainability appraisal of the policy options (stakeholder consultation July to August 2006)
  - sustainability appraisal of the preferred options (public and statutory consultation March to May 2007)
  - refinement of the sustainability appraisal to reflect changes made to the policies between the preferred options and pre-submission stages
- 2.8 At each of these stages policy options were appraised against the Sustainability Appraisal Framework. This helped to inform the process of both eliminating and refining policy options.
- 2.9 In accordance with Section 19(5) of the 2004 Act a final sustainability appraisal report is available (i.e. 'Sustainability Appraisal of the Core Strategy Policies' – November 2008) that documents the sustainability appraisal process including the recommendations that influenced the CS policies. In addition the PCs identified by the Council as significant were also subject to sustainability appraisal in the document 'Sustainability Appraisal of the Proposed Changes to the Submission CS' – October 2009. This forms an additional appendix (Appendix 16) to the final sustainability report. Consequently when all these matters are taken into account the legal requirements relating to sustainability appraisal have been satisfied.

### ***Compliance with the European Habitats Directive***

- 2.10 With regard to the European Habitats Directive a screening exercise was set up to identify a list of possible impacts of the CS on European protected sites. This revealed that the potential impacts were not likely to be significant. Furthermore Natural England deemed that a full Appropriate Assessment was not required for the CS.

**Conformity with the London Plan**

2.11 By letter of 18 December 2008 the GLA confirmed that the Pre-Submission CS was in general conformity with the LP with the exception of policies relating to town centres and strategic industrial locations. This letter also stated that the housing target figure is in conformity with the LP subject to further discussions. The Council and the GLA have subsequently discussed matters of conformity in the light of the PCs and resolved these remaining issues. As a result the GLA confirmed by letter of 6 November 2009 that the CS, taking account of the PCs, is now in general conformity with the LP. This constitutes the confirmation that is required to satisfy section 24(2) of the 2004 Act. I am aware that a consultation draft replacement plan of the LP was published during the CS examination in October 2009. Although I note its contents this draft plan can only be accorded limited weight at this early stage. As a result my report is based on the policies, proposals and guidance in the adopted LP – The London Plan Spatial Development Strategy for Greater London Consolidated with Alterations since 2004 (February 2008).

**CS submission documents, publicity & notification**

2.12 The Pre-submission stage took place for a 7 week period between 3 November and 19 December 2008. During this time, all of the proposed submission documents were available in the Borough's 11 libraries and 2 principal offices (the Civic Centre in Dagenham and the Town Hall in Barking). The documents were also available on the Council's website. In addition to this, the consultation was advertised in the local press (the Barking and Dagenham Post) and all consultees on the LDF database were notified by letter (27 specific consultation bodies and 928 general consultation bodies). The PCs were also advertised and consulted upon. Consequently the CS complies with the 2004 regulations (as amended) in these regards.

**Superseded saved policies**

2.13 Although a list of superseded saved policies was submitted alongside the CS it was not included in the CS. This is contrary to Regulation 13(5) of the 2004 (Local Development) Regulations. However **PC22** (as amended by **FPC111** and **W2C16**) rectifies this and proposes that a list of saved UDP policies superseded by CS policies be included in the CS as Appendix 1. This change ensures compliance with the regulations.

<b>Legal compliance.</b>	
<b>The following change is required to make the CS sound:</b>	
<b>Incorporation of list of superseded saved UDP policies (to be included as new Appendix 1).</b>	
<b>Change required:</b>	<b>PC22 (as amended by FPC111 and W2C16)</b>

### 3 An Overview of the Soundness of the Core Strategy

***Whether the Core Strategy covers an appropriate timescale?***

- 3.1 The CS, including the housing targets set out in the Housing Trajectory, only covers the period to 2020. Paragraph 4.13 of the government's PPS12 states that the time horizon of a CS should be at least 15 years from the date of adoption. Consequently the timescale of the CS is not consistent with national guidance and currently unsound.
- 3.2 The Council's **PC21** extends the plan period to 2025. In my view the CS, with the essential changes recommended for inclusion, contains the necessary guidance for the period beyond 2020. In particular over the extended plan period the direction of the strategy remains unchanged, whilst sufficient land is identified to meet anticipated needs. The housing figures for the period beyond 2020 are obtained by rolling forward the current London Plan housing target for LBBD of 1190 dwellings per annum. This approach has been agreed with the Greater London Authority and the Government Office for London. The Housing Implementation Strategy, which incorporates an updated Housing Trajectory, details where and when the additional homes required will be accommodated. The focus for new employment development will continue to be the Sustainable Industries Park at Dagenham Dock and the other safeguarded employment sites.
- 3.3 The incorporation of **PC21** would bring the CS into line with national guidance as regard the time horizon for a CS and satisfy the test of soundness in this regard.

<b>General.</b>	
<b>The following change is required to make the CS sound: Timescale – extend plan period to 2025.</b>	
<b>Change required:</b>	<b>PC21</b>

***Does the Core Strategy present a clear spatial vision and strategy for the Borough that is in accordance with national guidance and the London Plan?***

- 3.4 The strategic framework for the CS is long-established and clear by virtue of the Borough's location within the heart of the Thames Gateway area. The Thames Gateway is a key priority for national government in meeting the pressing need for new homes and jobs in London and the South-East. In 1996 the Thames Gateway was identified in the government's Regional Planning Guidance Note 9a: The Thames Gateway Planning Framework as presenting the main opportunity for growth within London and the South East. One of the zones of change identified in RPG9a, London Riverside, covers the riverside areas of LBBD and the adjoining borough of Havering.

- 3.5 The government's Sustainable Communities: Building for the Future document produced in 2003 confirmed that the Thames Gateway would be one of four priority areas for the development of new residential communities in order to tackle South East England's need for additional housing. It identified the Gateway as having the capacity to accommodate 120,000 new homes between 2001 and 2016. This was subsequently increased to 160,000 in The Thames Gateway Interim Plan Policy Framework (2007) due to the GLA finding additional capacity in London. So far about 55,000 new homes have been completed. As part of the government's commitment to driving forward the development and regeneration of the Thames Gateway area the LTGDC was established in 2005.
- 3.6 It is anticipated that the scale of change in the Thames Gateway area over the next 20 years will be considerable with the focus on new development, regeneration, infrastructure improvement and measures to tackle social deprivation. The 2012 Olympic and Paralympic Games, centred within the adjoining Borough of Newham, is designed to give additional impetus to the changes and benefits that are envisaged.
- 3.7 The LP endorses the government's approach to the Thames Gateway area and gives priority to its regeneration. With regard to the LBBDD the following elements of the LP are of particular relevance to the CS spatial strategy:
- (i) Annual dwelling provision figure of 1,190 dwellings.
  - (ii) Indicative figure for transfer of industrial land to other uses of 62-84 ha.
  - (iii) London Riverside (includes the key regeneration areas at Barking Town Centre, Barking Riverside, South Dagenham, as well as the strategic industrial location at Dagenham Dock). Identified as an Opportunity Area with the potential for over 20,000 new homes and 14,000 new jobs.
  - (iv) Recognition that such significant levels of growth will be reliant upon substantial new and improved transport infrastructure, and addressing flood risk.
  - (v) Barking Riverside. Referred to as London's single largest housing opportunity with capacity for up to 10,000 new homes.
  - (vi) South Dagenham. To be developed as a compact mixed urban community.
  - (vii) Dagenham Dock. Potential for sustainable industries.
  - (viii) Strategic Industrial Locations. Defined at River Road, Rippleside and Dagenham Dock.
- 3.8 Given the detailed context provided by national and regional guidance I consider that the choices open to the Council in drawing up the CS spatial strategy are constrained. Existing commitments,

such as the outline planning permission for 10,800 dwellings at Barking Riverside, further limits the options available.

- 3.9 In my judgement the CS, when read in its entirety, provides a clear spatial vision and strategy for the LBBDD that is in accordance with national guidance and the LP. In particular the CS identifies the major housing and employment sites that will need to be developed if the envisaged regeneration of this part of the Thames Gateway is to be achieved.
- 3.10 Key regeneration areas, where most of the proposed new residential development in the Borough is to be located, are identified at Barking Riverside, Barking Town Centre and South Dagenham. In association with this employment growth will be directed to Dagenham Dock and other identified Strategic Industrial Locations and Locally Significant Industrial Sites across the Borough. The focus of the strategy on the re-use of previously developed land, of which there are substantial areas in the Borough, means that there is no need to review the extent or the boundaries of the Green Belt or the Metropolitan Open Areas. The CS also draws attention to key matters that are essential to the successful delivery of the planned development, including new and improved transport infrastructure and tackling flood risk.
- 3.11 Notwithstanding this I consider that there is a need to make various essential changes to Chapters 1-2 to make the CS sound.

**Chapter 1. Consideration of alternatives and sustainability appraisal.** At present Chapter 1 of the CS does not explain the alternatives that have been considered during plan preparation, how the sustainability appraisal has informed the process, and how the chosen strategy has evolved from the original alternative options. Consequently at present there is a lack of justification as to the way the CS has developed and the strategy selected. The Council has recognised this and **PC1** (as amended by **FPC2, W1C1 & W1C2**) proposes the introduction of additional text to explain that a sustainability appraisal has been undertaken at various stages and has informed the selection of the preferred strategy.

**Chapter 2. LDF Vision and strategic objectives.** I consider that the headline vision set out in the shaded box in page 15, and most of the strategic objectives on pages 17 and 18, could apply to any area and are not locally distinctive. As a result it is unclear what is being sought and how progress is to be measured. This would make it difficult to assess whether the CS is being successfully delivered. The Council propose to rectify this through **PC2** and **PC3** (as amended by **FPC29 and W1C5**) by deleting the headline vision and making the objectives more specific to the area.

**Chapter 1.**

**The following change is required to make the CS sound:  
Explanation of alternatives considered and sustainability appraisal undertaken**

<b>Change required:</b>	<b>PC1 (as amended by FPC2, W1C1 and W1C2)</b>
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**Chapter 2.**

**The following change is required to make the CS sound: Revision of LDF Vision & Strategic Objectives**

<b>Change required:</b>	<b>PC2 and PC3 (as amended by FPC29 and W1C5)</b>
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## 4 Managing Growth (CS Chapter 4)

### ***Have the four key housing and employment areas identified in Policy CM1 been subject to the Sequential and/or Exception Tests as required by PPS25?***

- 4.1 PPS25: Development and Flood Risk, makes it clear that sites in areas of flood risk should be subject to the Sequential Test, and where necessary the Exception Test. Although all the four key housing and employment sites identified in Policy CM1 are within areas of flood risk the CS does not refer to these tests. Consequently as currently written this part of the CS does not accord with national guidance on flood risk.
- 4.2 In June 2009, however, the Council drew up the document 'Sequential and Exception Tests of the Key Regeneration Areas in the Core Strategy,' which was submitted as part of the key evidence base for the CS. This found that there are no alternative sites of lower flood risk where the scale of development proposed in the CS could be located. The Council's **PC5** refers to this document and its findings. I consider that the inclusion of **PC5** in the supporting text to Policy CM1 is essential to ensure that the CS accords with national guidance on flood risk and that the policy is adequately justified.
- 4.3 Flood risk is also dealt with in Section 5 of this report.

#### **Chapter 4.**

**The following change is required to make the CS sound: Policy CM1 – supporting text (refer to Sequential and / or the Exception Tests).**

<b>Change required:</b>	<b>PC5</b>
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### ***Is the South Dagenham Key Regeneration Area justified and deliverable?***

- 4.4 The SDKRA consists of South Dagenham West (SDW) and South Dagenham East (SDE). Policy CM2 indicates, in accordance with the LP, that residential development should take place at SDKRA in the form of a mixed urban community. The Council anticipate that the SDKRA could accommodate in the region of 4-4500 new homes.
- 4.5 Until recently the LBB and the land owner of most of SDW agreed that SDW should be taken from employment use and developed essentially as a residential site. However it is now argued on behalf of the owner that, in spite of considerable effort at a time when economic conditions were favourable it has not proved possible to bring forward a viable housing scheme. Consequently it is disputed by the owner that SDW can be delivered in the form envisaged in the CS. As a result it is contended that a more flexible approach

should be taken to the site in the CS to allow a wider range of uses including commercial and employment development.

- 4.6 As regards SDE the government announced in April 2009 that it had been identified as the preferred site for a proposed new prison to serve the London area. It is currently anticipated that the planning application for the proposed prison will be submitted in the late summer / early autumn of 2010, following public consultation in the early summer.
- 4.7 The MofJ, the government department responsible for the proposal, did not make any representations on the Pre-Submission CS as at that time the decision about the prison had not been made public. However the MofJ did make representations to the Council's PCs relating to flooding and housing numbers and appeared at the hearings to explain its concerns about these matters in relation to SDE. At the hearing it was explained that the MofJ has recently commissioned detailed hydraulic modelling work relating to flood risk/mitigation on the SDE site in connection with the prison proposal. This work identifies various constraints to development at SDE that may reduce the number of dwellings that can be accommodated on the site to below the anticipated figure of 2000.
- 4.8 It is evident that the identification of SDKRA as a key regeneration area for delivering housing is a fundamental ingredient of the CS. It is central to the Council's plans for the area and it is envisaged that it will make a significant contribution to the housing requirements set out in the LP. In land use terms the transformation of the former industrial areas to the north of the re-aligned A13 into a mixed urban community, with the majority of employment land to the south of the new road, is a vision for the area that merits support and endorsement. The loss of large parts of either SDW or SDE to other uses would be likely to undermine the CS to the extent that there would need to be a fundamental re-appraisal of development options.
- 4.9 This is not to say that the delivery of the SDKRA will be straightforward. There may be a need to incorporate other uses in the overall development of the area to facilitate a predominantly housing led scheme. Furthermore flood mitigation may mean that developable areas are reduced, leading to increased residential densities, or a fall in the overall number of units provided. I am also aware of the public transport improvements required and the contamination and flooding affecting SDE.
- 4.10 With regard to SDW I consider that on the basis of the material before me it may be difficult to secure delivery of a mixed urban community here in the timescale envisaged in the CS without the inclusion of some employment generating uses. The Council recognises this and **FPC45** (as amended by **W1C11** and **W2C1**) seeks to address this point by revising the wording of the supporting text to Policy CM1. This change would allow some

employment generating uses at SDW provided it aids housing delivery and does not prejudice housing on other parts of the site. I consider that the incorporation of **FPC45** (as amended) is required to ensure the delivery of the SDKRA in accordance with the anticipated timetable.

4.11 As regards SDE I am mindful that the prison proposal has emerged late in the preparation of the CS and that no representations were made concerning the prison at the CS pre-submission stage. As a result I consider it would be inappropriate to delay the progress of the CS to enable further work to be undertaken on the scheme to address the wide-ranging issues that would need to be examined in assessing a major prison proposal. In reaching this view I am also mindful that the scheme has not been the subject of sustainability appraisal and there has been no opportunity for community engagement.

4.12 I believe that the current wording of Policy CM2 with regard to SDKRA is sufficiently flexible to enable account to be taken of likely relevant factors in drawing up future proposals for a mixed urban community. No doubt the appropriate mix of uses and the effect of flood risk mitigation will be explored further during the examination of the Site Specific Allocations DPD. I also understand that the LTGDC is about to employ consultants to prepare a master-plan (i.e. The London Riverside Opportunity Area Planning Framework) to guide the development of the SDKRA and other land nearby. Clearly this work will need to take account of viability considerations, the mix of uses and flood risk. Given the variables involved I do not believe that it is necessary at this stage to include a specific figure for new homes at South Dagenham in Policy CM2.

<b>Chapter 4.</b>	
<b>The following change is required to make the CS sound: Policy CM1 – supporting text (refer to need for some employment generating uses at SDW).</b>	

<b>Change required:</b>	<b>FPC45 (as amended by W1C11 and W2C1)</b>
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***Does the CS make sufficient provision for new housing development, having regard to the London Plan housing targets and PPS3: Housing?***

4.13 The London Plan sets an annual minimum housing provision target of 1190 dwellings for the LBBDD in the period to 2016/17. Policy CM2 endorses this target and seeks to provide for at least 11,900 new homes in the Borough in the 10 year period between 2007/2008 and 2016/17. The Housing Trajectory set out in Chapter 10 of the CS, which covers the period 1995/6 to 2019/20, indicates when provision is likely to occur and the split between large and small sites.

- 4.14 At the time of submission of the CS a HIS was also submitted by the Council. This contains a revised HT (covering the period from 1995/96 to 2023/24, based on a continuing provision of 1,190 dwellings per year, amounting to a requirement for 17,800 dwellings over the 15 year period) that takes account of recent information and endeavours to identify supply from specific identified sites in accordance with PPS3: Housing. I understand that the sites identified in the HIS are based on the Site Specific Allocations DPD and the Barking Town Centre AAP which have also been submitted for examination. Specific sites are identified for over 19000 dwellings, with over 16000 (84%) of these at the key regeneration areas of Barking Riverside (7488), South Dagenham (3750) and Barking Town Centre (4786).
- 4.15 Given the current volatility of the housing market and uncertainty about future trends I consider it is extremely difficult to say with any certainty when or at what rate large housing sites, including the key regeneration areas at Barking Riverside, Barking Town Centre and South Dagenham, will be developed. The HT included in the submitted CS anticipated a massive surge in housing completions over the next few years. There was little in the CS, or the submitted evidence, that justified such a rapid increase in the scale of development.
- 4.16 In my view the reduced increases in housing completions over the next few years shown in the revised HT are likely to be a more accurate reflection of future development. In reaching this view I am mindful that the HIS, on which the revised HT is based, contains an examination of all larger sites (over 0.5ha) and when they are likely to come forward for development having regard to an assessment of risk. In assessing risk account is taken of various criteria, including the delivery agencies involved, ownership, current status, site constraints, and infrastructure requirements. This leads to the categorisation of sites as low, medium and high risk.
- 4.17 With regard to the first five years of housing supply (2009/10-2014/15) the HIS estimates that of the 6171 dwellings identified, 4871 (79%) are on low risk sites, with 1300 (21%) on medium risk sites. As the overall five year target is 5950 I consider that there remains some flexibility in the figures bearing in mind that the owners of South Dagenham West and the Abbey Retail Park (which are both identified as medium risk) believe that their respective sites may not deliver as anticipated. Given that the remaining sites are either well-advanced or likely to involve the Council, the Local Housing Company, the Homes and Communities Agency and the LTGDC (either singly or in various combinations) there are reasonable grounds for concluding that sufficient specific deliverable sites are identified for the first five years of the CS.
- 4.18 For the remaining period of the CS (2015/16-2023/24) a further supply of specific sites to accommodate in the region of 13286 dwellings is identified in the HIS. Of these 5558 (42%) are on low

risk sites, 6228 (47%) on medium risk sites and 1500 (11%) on high risk sites. The threat to supply is largely due to the dependency of the key regeneration sites at Barking Riverside, Barking Town Centre and South Dagenham on new and/or improved transport infrastructure.

- 4.19 Growth within the Thames Gateway is reliant on new and improved transport infrastructure. The LP and CS recognise this and identify a number of schemes that are required to serve the planned level of growth in the LBB, including the DLR extension, East London Transit and Dagenham Dock interchange. Against such a background I find the Council's approach to housing supply in the medium to long term as expressed in the HIS to be sensible. Specific sites are identified and key dependencies highlighted. If the required transport infrastructure is provided at the appropriate time there is a reasonable prospect that the identified sites will come forward and be developed.
- 4.20 As the HIS contains guidance on the number of dwellings to be accommodated at Barking Riverside and South Dagenham I do not see a particular need to include specific figures for these sites in Policy CM2. The HIS will provide the indicative dwelling requirements to guide subsequent DPDs. With this in mind I consider that the 6000 dwellings specified in Policy CM2 for Barking Town Centre should be treated as an indicative target, giving a broad idea of what is likely to be delivered, rather than a fixed target that is not to be exceeded. However the first paragraph of Policy CM2 needs to be revised to reflect the extension of the plan period to 2025 and the associated housing provision figures.
- 4.21 Over the coming years the LBB will, through its Annual Monitoring Report, need to monitor actual housing supply against the forecast in the HT on a rolling five year basis. If actual supply is found to be significantly below anticipated rates the reasons for this will need to be identified and corrective action taken. In the event that key transport improvements are not progressed it is difficult to see a way forward other than a fundamental review of the scale and location of growth both in LBB and the wider area. Notwithstanding this I was impressed during the course of the examination by the support of key stakeholders, including the GLA and the LTGDC, for the CS and their commitment to work with the LBB to ensure its successful delivery and implementation.
- 4.22 In summary I believe that the HIS generally demonstrates that there is sufficient and suitable land available over the period of the CS to meet the LP targets, and that due regard has been paid to deliverability. The inclusion of the whole of the HIS, including the revised HT, into Chapter 10 of the CS would bring the CS into line with the London Plan and PPS3 and demonstrate that the housing provision figures are well-founded. **PCs 19, 20, 21, 23 & 25** relate to this point.

**Chapter 10.**

**The following changes are required to make the CS sound: Include Housing Implementation Strategy within Chapter 10 and revise first paragraph of *Policy CM2* to reflect extended plan period and associated housing provision figures.**

**Changes required:**

**PCs 19, 20, 21, 23 & 25**

***Is there a need to review the extent and boundaries of the Green Belt, Metropolitan Open Areas or Sites of Nature Conservation Interest?***

4.23 It is evident from the CS and the supporting evidence that the development needs of the Borough can be accommodated on previously developed land within existing urban areas of the Borough, including the KRAs. This approach accords with national and LP guidance as regards the re-use of brownfield sites in suitable locations and is the most sustainable way forward. Consequently there is no need to find additional land for development within those areas of the Borough that are either designated as Green Belt, Metropolitan Open Areas or Sites of Nature Conservation Interest. As a result I find that these areas should remain as they are. I am aware that representations have been made as to the need for alterations to detailed boundaries of these areas in order to exclude particular small sites. However I believe that such matters are best dealt with at the site allocations stage when the specific alignment of boundaries can be thoroughly examined and tested having regard to the objectives of the relevant policies. In reaching this view I am mindful that PPS12 generally advises against too much site-specific detail in core strategies.

4.24 Annex C of PPG2: Green Belts allows for the identification of major existing developed sites, such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. If a site in the Green Belt is so identified infilling or redevelopment may not constitute inappropriate development. In my view the area off Collier Row Road in the northern part of the Borough does not exhibit the characteristics necessary to meet the definition of a major developed site as set out in PPG2. Rather it is a collection of disparate buildings and uses in separate ownerships. Consequently its identification as a major developed site in the CS would be contrary to national guidance as expressed in PPG2.

***Does the CS highlight the critical importance of improvements to the strategic transport network and reflect their current status, value and timing?***

4.25 The levels of growth envisaged in the CS are dependent on substantial investment in new and improved strategic transport links. This is recognised in the LP and the draft LP. The necessary works include the DLR extension to Dagenham Dock, Cross Rail

Line1, the East London Transit, the Barking to Royal Docks Bus Corridor, improvements to the c2c service and the Dagenham Dock Transport Interchange. In addition the construction of the Thames Gateway Bridge would help to stimulate economic growth in this part of the Thames Gateway.

- 4.26 As currently written Policy CM4: Strategic Transport Links gives insufficient emphasis to the critical importance of these schemes to the success of the CS. **FPCs 57 and 58** rectify this and need to be incorporated in the CS to highlight these key dependencies and ensure that the CS sound. The current status of these various transport schemes, their value and likely date of implementation, also needs to be reflected in the text. **PC9**, as amended by **FPC 60**, contains this information and requires inclusion.
- 4.27 **W1C14** and **PC10** propose specific changes to Policy CM4 relating to the inclusion of references to the Barking to Royal Docks Bus Corridor and a high quality bus route connecting Marks Gate to Dagenham Dock Station, and the deletion of the reference to a new station at Renwick Road.
- 4.28 As the Royal Docks Bus Corridor scheme follows a similar route to the East London Transit Phase 2 scheme, which is not included in the draft LP, it is sensible to make reference to this replacement scheme. The reference to a high quality bus route between Marks Gate and Dagenham Dock Station is necessary to provide more certainty on the improved north-south transport links required.
- 4.29 I consider that it would be inappropriate to retain a reference in Policy CM4 to the provision of a new station at Renwick Road on the c2c London-Southend line. I understand that there is likely to be scope for only one additional station along this section of railway and that a site at Beam Park in the adjoining Borough has already been identified in the adopted Havering LDF Site Specific Allocations DPD (Policy SSA11: Beam Park). Consequently to retain this policy reference to a new station at Renwick Road would mean that the CS is not coherent with the strategy of a neighbouring authority. From the material before me it is also evident that there is clear support of government, through the Department of Communities and Local Government, and the LTGDC, for a new station at Beam Park. Furthermore recent studies indicate that there are considerable advantages to locating the station at Beam Park compared to Renwick Road. When all these factors are taken together there are strong grounds for deleting the reference to a new station at Renwick Road.
- 4.30 Notwithstanding this I recognise that the Council wishes to make it clear in the supporting text that a new station at Renwick Road should not be ruled out in the event that the DLR extension does not proceed. I consider this approach to be sensible as such a fundamental change would be likely to require a comprehensive

review of planned strategic transport infrastructure in the Thames Gateway. Consequently **W1C15** should be included.

- 4.31 There was some discussion during the hearings as to the need to include safeguarded routes, including that for the DLR extension, within the Borough's DPDs. Although this matter is not addressed in the CS I believe that there would be considerable value, not least as it would provide more clarity as to the future development of the Borough, in identifying safeguarded routes in forthcoming DPDs.

**Chapter 4.**

**The following changes are required to make the CS sound: Policy CM4 and supporting text. Emphasize in Policy CM4 the critical importance of transport infrastructure improvements to the delivery of the CS; delete the proposed new station at Renwick Road from Policy CM4; refer to a high quality bus route connecting Marks Gate to Dagenham Dock in Policy CM4**

<b>Changes required:</b>	<b>FPC57, FPC58, W1C14, PC10, PC9, FPC60, W1C15.</b>
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***Is the inclusion of Appendix 1, referred to in the supporting text to Policy CM5, appropriate?***

- 4.32 Appendix 1 of the CS contains details of primary and secondary frontage boundaries within the district and neighbourhood centres. In my view the definition of the precise boundaries of the primary and secondary frontages is not a role that should be performed by the CS. In this regard PPS12 advises against the inclusion of such detail. I consider that the appropriate vehicle for a detailed examination of these boundaries is within the Site Specific Allocations DPD and the Barking Town Centre Area Action Plan DPD. The Council recognises this and proposes in **FPCs 62 & 63** that paragraph 4.5.3 of the CS is amended to make this clear and that Appendix 1 is deleted.

- 4.33 Retail policy is also dealt with in Section 7 of this report.

**Chapter 4.**

**The following change is required to make the CS sound: Amend supporting text to Policy CM5 & delete Appendix 1: District and Neighbourhood Centres.**

<b>Changes required:</b>	<b>FPCs 62 and 63.</b>
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## **5 Sustainable Resources and the Environment (Chapter 5)**

### ***Are the sustainability requirements inherent in Policy CR1 too onerous?***

- 5.1 In accordance with national advice, including that contained within PPS: Planning and Climate Change Supplement to PPS1, and the LP, it is legitimate for the CS to require all new development to meet high environmental building standards and encourage low and zero carbon emissions. I consider Policy CR1 to be of sufficient flexibility to ensure that the policy does not inhibit the delivery of new development in the area, including the large amount of planned housing growth. I understand that the detailed BREEAM and Code for Sustainable Homes standards are set out in the Borough Wide Development Policies DPD. At that time it will be necessary to test the evidence for any specific policy requirements as well as assess the impact on viability.

### ***Is the treatment of flood risk given sufficient emphasis and dealt with in accordance with PPS25?***

- 5.2 Flood risk is an extremely important issue facing the LBBD. This risk comes from a variety of sources including the tide, rivers, run-off, groundwater and sewers. Potential difficulties are particularly acute in the southern part of the LBBD which borders the River Thames, downstream of the Thames Barrier.
- 5.3 In selecting and planning the future development of the main areas for growth identified in the CS it is clear from the evidence submitted that the Council has paid careful regard to flood risk issues and worked closely with the EA to identify and resolve potential problems. In particular the Level 1 SFRA (April 2008) identified zones of low, medium and high flood risk, whilst the Level 2 SFRA (November 2008) reviewed the hazard posed to properties and life within each identified development site in order to inform decisions about whether development can go ahead and appropriate mitigation measures.
- 5.4 Following on from this work, and in accordance with the guidance in PPS25, the Council prepared its 'Sequential and Exception Tests of the Key Regeneration Areas in the Core Strategy' (June 2009). This study found that as there are no suitable alternative sites in areas of lower flood risk in the LBBD that can accommodate the quantity of development required by the LP the sequential test is satisfied. The study also concluded that as the development on the key regeneration sites would provide wider sustainability benefits that outweigh flood risk and is located on previously developed land the first two elements of the exception test are also passed. It is then up to the developer to demonstrate that the third element of the exception test, namely that the development will be safe without increasing flood risk elsewhere and where possible reducing flood risk overall, is passed.

- 5.5 The CS text supporting Policy CR4: Flood Management does not reflect the recent work carried out by the Council, specifically the sequential and exception tests. **PC 12**, which basically concerns the insertion of new paragraphs, would rectify this omission and bring the CS into line with national guidance. I note that the inclusion of these additional paragraphs would satisfy the EA's concerns about the CS.

<b>Chapter 5. The following change is required to make the CS sound: Policy CR4 – supporting text (refer to Sequential and / or the Exception Tests).</b>	
<b>Change required:</b>	<b>PC12</b>

## 6 Creating a Sense of Community (Chapter 6)

### ***Is Policy CC1: Affordable Housing justified and in accordance with national guidance and the London Plan?***

- 6.1 Clearly on the basis of the material submitted, in particular the Council's Housing Needs Survey 2005, there is a need for a considerable amount of affordable housing within the LBBDD over the plan period. Notwithstanding this I consider that the CS is somewhat sparse on explaining and quantifying the level of need, relating this to the overall dwelling requirement for the Borough, and indicating the extent to which Policy CC1 will satisfy this need. In my view such shortcomings could be addressed by the Council with the insertion of additional text. I am concerned, however, about the overall target for affordable housing expressed in Policy CC1 and whether it is justified.
- 6.2 The Council in its Policy CC1: Affordable Housing as submitted and its **PC 13** specify that the overall target for new affordable housing in the Borough over the plan period is 50% of the total new dwellings provided. This figure accords with the LP target.
- 6.3 PPS3 makes it clear that the target for the amount of affordable housing should reflect an assessment of the likely economic viability of land for housing within the area, taking account of risks to delivery and drawing on informed assessments of the likely levels of finance available for affordable housing, including public subsidy and the level of developer contribution that can be reasonably secured.
- 6.4 In view of this national guidance I advised the LBBDD during the CS examination that an economic viability assessment of its affordable housing targets was required. This was duly provided by the Council in the form of the AHEVA (produced by BNP Paribas Real Estate and Christopher Marsh & Co Ltd) and was then the subject of an independent review, the RAHEVA, by a specialist advisor (Mr N Jones, Chesterton Humberts) appointed by The Planning Inspectorate. Both documents were available for the discussion about affordable housing at the CS hearing held on 1 December 2009.
- 6.5 Clearly the assumptions that form the basis to the AHEVA have a significant impact on the overall affordable housing target that is considered to be achievable. One of the assumptions inherent in the AHEVA relates to the level of return to the landowner that is required to ensure a site is brought forward for housing development. The AHEVA assumes that when residual land value exceeds existing use value by 15% or more then landowners would have sufficient incentive to bring forward their sites for development.

- 6.6 I note that 15% may be the generally accepted benchmark in London. However in my view if the 15% figure is to be used as a key assumption in determining the overall affordable housing target in the LBBDD it must be based on recent and convincing evidence. In particular it would need to be demonstrated that across a range of sites in the Borough a 15% increase in value would provide the necessary incentive to landowners. Consequently I believe further work is required to this end. In the absence of such information I do not consider the AHEVA to be soundly based.
- 6.7 In reaching this view I am also mindful that it does not automatically follow that a 15% increase over existing use value would ensure that a site is brought forward for development. Existing use value is likely to vary from site to site because of site characteristics, such as existing use, the condition of the site and tenant arrangements. Consequently whilst a 15% increase may be an incentive on certain sites it may not be on others. Given this I believe that as part of the additional work required it would be sensible to examine whether there are other viability assumptions that may better inform the overall target.
- 6.8 With regard to grant funding the AHEVA model was carried out on the basis of affordable housing grant of £23,000 per person for social rent and £12,500 per person for intermediate tenure. The 'no grant scenario' was not modelled. I understand that the normal convention with studies such as this is to model the development proposal on 'a without grant basis' followed by a consideration of the residual land value with housing grant. The reason for this is that it is impossible to be sure about the types and levels of grant that would exist in the future. Consequently at present the findings of the AHEVA are based on levels of grant funding that may be subject to change over the plan period. As a result it may not be possible to deliver the levels of affordable housing envisaged in the AHEVA. This adds to my concerns about the robustness of the AHEVA.
- 6.9 Even if the AHEVA, and all its inherent assumptions, are accepted as being sound I do not consider that it justifies the overall CS affordable housing target of 50% of the total new dwellings provided. In fact one of the key conclusions of the AHEVA is that whilst exceptionally 50% is achievable on sites with values that could be achieved up to 2025 under normal economic circumstances it is apparent that 35% is more readily attainable. As a result the AHEVA recommends that this should be reflected in the policy. Although some wording changes are proposed to Policy CC1 by the Council the 50% overall target is retained and no mention is made of 35% or any other overall target figure
- 6.10 I recognise that the Council has had considerable success in achieving significant levels of affordable housing on sites in the recent past. I also appreciate that the proposed changes to Policy CC1 recognise that the 50% target on individual sites will be

dependent on the economics of the particular scheme, including the availability of public finance, and will be the starting point for negotiations. However in my judgement the 50% overall affordable housing target is not justified by the evidence available and consequently may not be deliverable.

- 6.11 In summary I find that the overall target for affordable housing in Policy CC1 is not justified on the basis of the material submitted. To add to my concerns there appears to be little evidence to support the 70% social rented and 30% intermediate split other than reference to the LP. In my view there needs to be some examination of the relative needs for social and intermediate housing in the Borough to underpin any such policy split.
- 6.12 I have given considerable thought to whether the CS examination should be extended or suspended to allow the necessary additional work and consultation to be carried out. However in my view the need for the Council to have a CS in place as soon as possible to address the considerable challenges facing the Borough is paramount. In addition any delay in progressing the CS would inevitably mean that the other plans already submitted for examination would be delayed with all the associated uncertainty that this entails. Consequently I believe that the best way forward is to delete Policy CC1: Affordable Housing, together with the supporting text, from the CS.

<b>Policy CC1: Affordable housing.</b>	
<b>The following changes are required to make the CS sound: Delete Policy CC1 and paragraphs 6.1.1 – 6.1.6.</b>	
<b>Changes required:</b>	<b>No relevant PCs</b>

***Is Policy CC2: Family Housing justified, deliverable and in accordance with national guidance and the London Plan?***

- 6.13 There are no overall targets in Policy CC2 for the types and sizes of new houses that should be provided across the Borough. Rather the first part of Policy CC2 makes it clear that a range of accommodation types and sizes will be expected in all new developments taking account of various site factors and housing need. This approach accords with PPS3 which recognises that there is a need to provide housing to meet the needs of all types of households, including families with children, single person households and older people, if successful mixed communities are to be created. It is also in line with Policy 3A.5 of the LP which indicates that DPDs should seek to provide for a range of housing choices, in terms of the mix of housing sizes and types.
- 6.14 The rest of Policy CC2 is essentially designed to ensure that on large housing sites a proportion is given over to family accommodation (i.e. 40% on large sites within the Borough, with

30% on sites within Barking Town Centre in cases where the higher figure is unachievable). In my view there are various pieces of evidence that when taken together provide backing for this part of Policy CC2.

- 6.15 In recent years the vast majority of housing completions in the LBBDD have been 1 or 2 bedroom units. Conversely the number of 3 or 4 bedroom units provided has been small, whilst existing larger family units have been lost through housing conversion, demolition and redevelopment schemes. The Council's Housing Strategy 2007-10 recognises this and emphasises the strong need for more family-sized accommodation within the affordable housing sector. With this in mind the Housing Strategy indicates that, based on all available evidence, 50% of the new provision should comprise units with 3 or more bedrooms. The Council's Housing Needs Survey 2005 shows that of the net annual need for affordable housing in the order of 25% is for properties with 3 bedrooms or more, whilst there is a significant shortfall of affordable housing of all sizes of accommodation. The East London Affordable Housing Investment Framework 2004/2005, which covers the LBBDD and nearby Boroughs, indicates that of the homes to be built in the rented sector some 40% should be of 3 bedrooms or more. Consequently the encouragement of the provision of family housing implicit within Policy CC2, and the avoidance of developments comprised solely of 1 and/or 2 bedroom flats, is clearly justified.
- 6.16 With regard to the figure of 40% family accommodation referred to in Policy CC2 I believe it is a reasonable assessment of what should be aimed for on large sites having regard to the information given above. Furthermore it is evident from the wording of the policy that it is not meant to be an absolute figure and its applicability will be dependent on the nature of the site and the surroundings. For instance, with regard to Barking Town Centre, the policy already acknowledges that a lower figure of 30% may be acceptable on certain sites. Consequently I find the policy to be sufficiently flexible to ensure that other considerations are taken into account and given appropriate weight in determining the amount of family housing on a particular site. In conclusion I consider that Policy CC2 is justified, deliverable and in accordance with national guidance and the LP.

***Are Policies CC3: Social Infrastructure to Meet Community Needs and CC4: Achieving Community Benefits Through Developer Contributions in accordance with national guidance, specifically ODPM Circular 05/2005: Planning Obligations.***

- 6.17 Circular 05/2005 makes it clear that developer contributions should not be required to make good existing deficiencies in infrastructure provision or to achieve wider planning objectives that are not necessary to allow permission to be given for a particular development. In essence developer contributions should be fairly

and reasonably related in scale and kind to the proposed development.

- 6.18 I consider, however, that the final paragraph of Policy CC3 implies that major new developments in LBBDD will be required to contribute to rectifying existing deficiencies in community facilities. In my view this departure from national guidance can be rectified by the deletion of the words **'or which already exists in the locality'** from the third line of the final paragraph. Notwithstanding this finding the identification of existing deficiencies and future needs is clearly required if sustainable and quality environments are to be created throughout the Borough. This is recognised in the third bullet point of the final list of bullet points in Policy CC4.
- 6.19 In order to ensure that developers are clear as to the likely contributions that they will be asked to make through planning obligations Circular 05/2005 advises that as much information as possible should be available in DPDs. In my view CS Policies CC3 and CC4 broadly accord with this approach. In particular they set out those matters to be covered by planning obligations and specify those factors to be taken into account in determining the scale and form of contributions, including economic viability.
- 6.20 Circular 05/2005 also emphasises the value of SPDs in spelling out more detailed policies with regard to developer contributions. As Policy CC4 specifies that a SPD on Community Benefits will be prepared this aspect of the policy also accords with national guidance. To prevent any misunderstanding I believe that it should be made clear in Policy CC4 that the SPD, and the interim policy to be followed before it is adopted, will accord with Circular 05/2005 guidance.

**Policies CC3: Social Infrastructure to Meet Community Needs and CC4: Achieving Community Benefits Through Developer Contributions.**

**The following changes are required to make the CS sound: Policy CC3: Delete the text 'or which already exists in the locality' from the third line of the final paragraph. Policy CC4. Include after the second sentence of the paragraph before the final set of bullet points the text 'Both the SPD and interim policy will be designed and operated in accordance with Circular 05/2005 guidance.'**

**Changes required:**

**No relevant PCs.**

## 7 Ensuring a Vibrant Economy and Attractive Town Centres (Chapter 7)

### *Is the Abbey Road Retail Park an edge of centre retail location?*

7.1 At present Policy CE1 refers to Abbey Road Retail Park as an 'out of centre' warehouse park. PPS4: Planning for Sustainable Economic Growth makes it clear that for retail purposes an 'edge-of-centre' location is one that is well connected to and within easy walking distance (i.e. up to 300 metres) of the primary shopping area. In my view the Abbey Road Retail Park generally accords with this definition and consequently Policy CE1 should be amended to reflect this. The Council's **FPC91** (as amended by **W2C8**) recognises this and its incorporation will bring this part of Policy CE1 into line with national guidance. The detailed allocation of the Abbey Road Retail Park will be dealt with during the examination of the Barking Town Centre AAP DPD. Notwithstanding this I note that the HIS indicates that it is anticipated that the site would accommodate in the region of 1000 dwellings. As regards the out of centre retail warehouse parks at Merriellands and Whalebone Lane also referred to in Policy CE1 their allocation will be dealt with in the SSA DPD.

<b>Policy CE1: Vibrant and Prosperous Town Centres.</b>	
<b>The following change is required to make the CS sound: Recognise in Policy CE1 that the Abbey Road Retail Park is 'edge of centre.'</b>	
<b>Changes required:</b>	<b>FPC91 (as amended by W2C8)</b>

### *Is the definition of primary and secondary frontages for the Borough's centres in accordance with national policy?*

7.2 Policy EC3c: Planning for Centres in PPS4 provides guidance on drawing up strategies for the management and growth of retail centres. At the local level it does not rule out the definition of primary and secondary frontages and the drawing up of policies that make it clear which uses will be permitted in such locations. Consequently Policy CE1: Vibrant and Prosperous Town Centres of the CS, which refers to primary and secondary frontages and the need to maintain retail as the predominant use, is broadly in line with this approach.

7.3 Appendix 1 of the CS, however, contains details of primary and secondary frontage boundaries within the district and neighbourhood centres. In my view the definition of the precise boundaries of the primary and secondary frontages is not a role that should be performed by the CS. In this regard PPS12 advises against the inclusion of such detail. I consider that the appropriate vehicle for a detailed examination of retail boundaries is within the Site Specific Allocations DPD and the Barking Town Centre Action Area Plan DPD. The Council recognises this and proposes in **FPCs 62 & 63 and W2C10** that paragraphs 4.5.3 and 7.1.1 of the CS

are amended to make this clear and that Appendix 1 is deleted. As regards detailed policy guidance, including the acceptability of certain non-retail uses and percentage limits for non-retail uses in Barking Town Centre, this is a matter to be addressed in the Barking Town Centre Action Area Plan DPD. As part of this consideration will need to be given to the location of financial services within any defined centre.

**Chapter 7.**

**The following change is required to make the CS sound: *Amend supporting text to Policy CE1 to make it clear that the definition of primary and secondary shopping frontages is to be dealt with in the Site Specific Allocations DPD and Barking AAP DPD.***

<b>Changes required:</b>	<b>FPCs 62 &amp; 63 and W2C10</b>
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***Should Policy CE2: Location of Office Development be included in the CS?***

7.4 I believe that the CS needs to provide some overall guidance on the location and scale of new office development within the Borough if it is to accord with national guidance and the LP. Policy CE2 steers new office development to Barking Town Centre and the District Centres in order to sustain their employment function and take advantage of good public transport links. At the same time the policy makes it clear that large-scale speculative proposals for stand-alone office development will not be encouraged. The retention of Policy CE2 in the CS will ensure that developers are steered towards providing offices of an appropriate scale in the most sustainable locations. More detail on the provision of offices is to be provided within the Barking Town Centre Area Action Plan DPD, the Council's preferred location for this type of development.

***Are the proposals for the safeguarding and release of employment sites set out in Policy CE3 soundly-based?***

7.5 It is evident that Policy CE3 has been prepared in line with the clear and established policies set out in the LP. The three identified Strategic Industrial Locations at River Road Employment Area, Rippleside and Dagenham Dock are all identified in the LP as Preferred Industrial Locations, and in the draft LP as Strategic Industrial Locations.

7.6 I consider that the protection and promotion of these three large sites is essential in order to ensure that there is a pool of major sites available to meet the Borough's current and future employment needs. They are all established sites that are conveniently located for road and rail links and to the south of the A13. The Locally Significant Industrial Land and the Non-Designated Employment Land and Buildings referred to in the CS will increase the range of sites available, albeit that in certain defined and

limited circumstances there may be justification for their release to other uses. I believe that there is sufficient flexibility in the policy for LSIL and NDELB to allow their redevelopment or transfer to other uses if a strong and convincing case is advanced. Any further flexibility, however, may well lead to the uncoordinated and sizeable loss of valuable and well-located employment land, contrary to the objectives of PPS4.

- 7.7 In this regard the CS recognises that there is an over-supply of employment land in the LBB and that there is a need for the managed release of particular employment sites to other uses. The LP recommends that in the order of 62-84 hectares of industrial land should be transferred to other uses between 2001 and 2016. Some 59.5 hectares of employment land are identified for release in the CS, the bulk of this (54 ha) at South Dagenham West.
- 7.8 I am aware that the Council did not carry out an employment land review in determining which areas to release from employment use. Nevertheless it is evident to me that the Council has taken a structured and sensible approach to this issue. In particular the Council has identified sites for release where there would be significant environmental benefits. With regard to South Dagenham West its release from employment use allows it to be considered as part of a unique development opportunity to create a new mixed urban community at South Dagenham. This accords with the LP and is a fundamental part of the Council's spatial vision and strategy for the Borough.
- 7.9 I recognise, however, that on the basis of the information submitted it may not be possible to bring forward SDW without some element of employment-generating uses within the overall scheme (see Section 4 of this report above). The Council acknowledged this during the hearings and **W2C1** accepts that some employment generating uses at SDW would be appropriate subject to certain safeguards. I consider that this change, which also recognises that the mix of uses and broad locations within the site should be resolved through the Site Specific Allocations DPD and the London Riverside Opportunity Area Planning Framework, would ensure that there is a reasonable prospect that SDW would be delivered in accordance with the overall aims for South Dagenham.

***Is the proposed mix and balance of uses within the employment areas, including Dagenham Dock, justified and appropriate?***

- 7.10 I do not consider Policy CE4: Mix and Balance of Uses within Designated Employment Areas to be overly prescriptive or unduly restrictive. Within most of the employment areas encouragement is given to an appropriate mix of employment uses, including B1 (Light Industry) and B2 (General Industry). B8 uses (Storage and Distribution) are to be steered towards employment areas south of the A13 apart from at Dagenham Dock. Dagenham Dock itself is to

continue as a Sustainable Industries Park providing land and buildings for green, sustainable industries. Taken together the employment areas constitute a comprehensive portfolio of land suitable for a wide range of employment uses. Clearly in considering development proposals on the employment sites, including Dagenham Dock, account will be need to be taken of compatibility with existing nearby land uses.

- 7.11 I am aware that there is already a considerable amount of B8 floor space within Dagenham Dock. The loss of further land here to B8 developments would reduce the opportunities for the attraction of uses that are compatible with the established vision for the area. It would not be appropriate to allow B8 uses on the employment areas north of the A13 given that, in comparison to the sites south of the A13, they are located further from the trunk road network and more closely integrated with residential areas.
- 7.12 To increase the flexibility of Policy CE4 by allowing non-employment development could lead to the loss of sizeable areas of well-located and serviced employment land to other uses. Furthermore any such change would bring the policy into conflict with Policy CE3 which defines the instances where other uses may be considered appropriate on employment land. Notwithstanding this in determining non-employment development on an employment site the Council is obliged to consider whether the benefits of the particular scheme outweigh its loss to employment use. Clearly there may be certain occasions, such as with the provision of social infrastructure or community facilities, that the benefits that would accrue outweigh any policy conflict.

## **8 Creating a Sense of Place (Chapter 8)**

### ***Should Policy CP3: High Quality Built Environment be included in the CS?***

- 8.1 The LBBD is facing considerable change over the coming years with an enormous amount of new development envisaged, including communities consisting of thousands of new homes. Central to the success of such development is the need to ensure that it is well-planned and of the highest design quality. Consequently I believe that Policy CP3, which seeks to achieve high quality standards in relation to the design and layout of new buildings and spaces, needs to be retained in the CS.

## 9 Monitoring and Implementation Framework (Chapter 9)

### *Whether the policies of the CS are capable of being delivered and monitored?*

- 9.1 A number of criticisms can be levelled at the monitoring and implementation framework as set out in Chapter 9: Monitoring and Implementation Framework. Although the monitoring framework contains indicators against which policies are to be assessed it does not identify specific targets. For instance there is little information as to how progress on the delivery of the key sites and the associated infrastructure is to be measured. Instead CS para 9.2 states that targets for each of the indicators will be developed in the Council's Annual Monitoring Report. Paragraph 4.47 of PPS12 makes it clear, however, that the role of the AMR is to monitor targets that have already been set out in the relevant DPD. As there is no reference to the plan's objectives it will also not be easy to gauge how effective the policies are in meeting these objectives and as a result whether the policies are in need of revision. As it stands, therefore, the CS's monitoring and implementation framework is unsound as it does not accord with national guidance.
- 9.2 However in my judgement **PC18** (as amended by **W2C14** and **W2C15**) will address this issue of soundness. In particular the objectives for each group of policies are to be included in the framework whilst, where appropriate, measurable targets are set for each indicator. With regard to the targets for the completion of phases on key sites and supporting infrastructure these are either set out in the framework or in the HIS.

<b>Chapter 9: Monitoring and Implementation Framework.</b>	
<b>The following change is required to make the CS sound: Include revised monitoring and implementation framework</b>	
<b>Changes required:</b>	<b>PC18 (as amended by W2C14 and W2C15)</b>

## 10 Housing Trajectory (Chapter 10)

10.1 The need to include the HIS, which includes a revised HT, in Chapter 10 of the CS is explained under Section 4 above.

<b>Chapter 10: Housing Trajectory.</b> <b>The following change is required to make the CS sound: Include Housing Implementation Strategy within Chapter 10.</b>	
<b>Changes required:</b>	<b>PCs 19, 20, 21, 23 &amp; 25</b>

## 11 Endorsed Changes

11.1 The Council wishes to make a number of minor changes to the submitted CS in order to clarify, correct and update various parts of the text. Although these changes do not address key aspects of soundness, I endorse them on a general basis for inclusion in the CS in the interests of clarity and accuracy. These endorsed changes are shown in the attached **Schedule 2**.

## 12 OVERALL CONCLUSIONS

12.1 I have considered all the other points made in the representations and during the examination, including all of the changes suggested by the Council and listed in their schedules of changes, and those put forward by others, but I find no justification for recommending any further essential changes to the Core Strategy other than those in **Schedule 1** of this report.

12.2 I conclude that, with the essential changes I recommend in **Schedule 1**, the Barking and Dagenham Core Strategy DPD satisfies the requirements of s20(5) of the 2004 Act and is sound in terms of PPS12.

*Christopher Anstey*

Inspector