

**THE EXECUTIVE****15 APRIL 2003****REPORT OF THE DIRECTOR OF LEISURE AND ENVIRONMENTAL SERVICES**

<b>DAGENHAM DOCK INTERIM PLANNING GUIDANCE</b>		<b>FOR DECISION</b>
<p><i>This report lays out the responses from the public consultation on new planning guidance for Dagenham Dock and presents an amended version to be adopted as Interim Planning Guidance (IPG).</i></p> <p><b><u>Summary</u></b></p> <p>In January 2002 the Executive supported the vision of Dagenham Dock as a Sustainable Industrial Park. In order to assist the delivery of this vision it was essential that planning guidance be revised to support the vision and encourage the land uses and quality of development the vision seeks. In December the Executive supported the draft guidance going out to public consultation. This report presents the results of the consultation and the amendments made in the light of the comments.</p> <p><b><u>Recommendation</u></b></p> <p>The Executive are asked to formally adopt the amended Dagenham Dock Interim Planning Guidance.</p> <p><b><u>Reason</u></b></p> <p>In order for it adopted as Interim Planning Guidance and used as a material consideration in the determination of planning applications.</p>		
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**1 Background**

- 1.1 The Executive supported the vision (and associated strategy) for Dagenham Dock as a 'Sustainable Industrial Park' at a meeting on the 21<sup>st</sup> January 2002 (Minute 319 refers). This was followed by approval to the consultation draft of Interim Planning Guidance (IPG) going out to public consultation at a meeting on the 17<sup>th</sup> December (Minute 243 refers).
- 1.2 The consultation period ran from 20<sup>th</sup> December 2002 through to the 7<sup>th</sup> February 2003. Around 200 copies were produced and distributed as well as being made available on the Council's website. All known occupiers and landowners were sent a full copy

- 1.3 This process of producing Interim Planning Guidance (supplementary planning guidance) is in accordance with guidance set out in Planning Policy Guidance Note No 12 (development Plans). This states that “[Supplementary Planning Guidance] should be prepared in consultation with the general public, businesses, and other interested parties and their views should be taken into account before it is finalised. It should then be the subject of a council resolution to adopt it as supplementary guidance.”
- 1.4 It is important to emphasise that the purpose of the Interim Planning Guidance is not to rewrite or introduce new planning policies but to provide guidance, supplementing, elucidating and exemplifying the policies and proposals of existing UDP policies.
- 1.5 In particular, the Interim Planning Guidance is intended to clarify Policy BR4 of the adopted UDP to emphasise the form of the higher standard of development sought within the Dagenham Dock Employment Area in accordance with recent central Government policy statements and the emerging London Plan.

## **2. Responses**

- 2.1 Appendix 1 consists of a spreadsheet which includes every response broken down into individual comments. Each comment is given a specific officer reply as well as details of how the guidance has or has not been amended in the light of it. Copies of the full responses have been made available in the Members room.
- 2.2 Responses to the guidance were mixed with predominantly favourable responses from the Mayor of London (including GLA, TfL and LDA), London Remade, LB Bexley, Thames Gateway London Partnership, Heart of Thames Gateway SRB Partnership, Sustrans and the Port Of London Authority.
- 2.3 Objections to the guidance came from major landowners/developers Innogy, Ravenbourne and Keenmount. The CPRE/FoE also objected although it should be noted that many of the concerns related to ELWA/Shanks rather than the IPG. There were also a number of responses highlighting very specific issues of concern. Every respondent will be provided with an individual response to their comments.
- 2.4 The Mayor of London’s response (including comments by the GLA, AUU, TfL and LDA) concluded the proposed guidance is consistent with the objectives of the Draft London Plan and therefore is “generally supported in strategic planning terms”.
- 2.5 The Mayor expects that LBBD will continue to work closely with his Architecture & Urbanism Unit, the LDA, and TfL in finalising the guidance and progressing the Opportunity area planning framework. Key points raised included:
  - The IPG should not be considered to fulfil the role of an Opportunity Area framework (as the Opportunity Area is the wider ‘Dagenham Riverside’) but should form an important supplementary document in developing such a framework.
  - Employment provision should be quantified. Regularly monitoring reports on progress toward implementation of a SIP should be made particularly in regard to exclusion of further B8 uses.
  - Greater clarity on ‘green industry’ uses.

- Flooding issues need to be addressed
- ELT Safeguarding plan should be included within the guidance.
- All the points made in the Mayor's response have been addressed and the Council will continue to work closely with the GLA family in progressing the vision.

- 2.6 The main objections to the guidance come from three planning consultancies on behalf of landowners Innogy, Ravenbourne and Keenmount.
- 2.7 In very broad summary their objections relate to the guidance's resistance to B8 (storage and distribution) development which they view as restricting their flexibility and hindering the redevelopment of Dagenham Dock.
- 2.8 They argue there is no policy support for a restriction on future B8 development as neither the UDP or Draft SDS restrict employment classes. They believe there is a lack of demand for 'green industries' and manufacturing/industry in general and that the local skills base is better suited for warehousing and distribution employment. Criticism is also made that the guidance goes outside the scope of Town and Country Planning powers.
- 2.9 In response, it is true to say that neither the UDP or the draft London plan seek to restrict B8 uses as they cover much wider areas. The guidance points out there are numerous B8 uses in operation, with planning permission, and that the guidance lays out a strong case for why Dagenham Dock should resist any further B8 development in favour of B1b&c and B2 manufacturing uses. Dagenham Dock has numerous B8 uses which will remain - the threat to a mix of employment types comes from a crowding out of other uses by B8 not by restricting further B8 development.
- 2.10 Furthermore, the aim of ensuring a good supply and mix of employment land for development is in accordance with National Planning Policy as set out in Planning Policy Guidance Note 4 (Industrial and Commercial Development and Small Firms).
- 2.11 This states that "Policies should provide for choice, flexibility and competition. [...] They should aim to ensure that there is sufficient land available which is readily capable of development and well served by infrastructure. They should also ensure that there is a variety of sites available to meet differing needs."
- 2.12 The Council acknowledges that demand is relatively strong for storage and distribution uses in the area and as a result such uses generate higher land/rental values. Significant storage and distribution uses have recently been developed with further permissions to be implemented. There is a need to ensure that manufacturing, general industry and Research and Development is not crowded out by strong B8 demand. The UDP and DD Masterplan policy of preventing an 'undue concentration' of B8 uses has proved unworkable.
- 2.13 The new guidance lays out a strong case for why further B8 uses should be restricted in Dagenham Dock in a policy which can be practically implemented. The Guidance is strongly in tune with the wider London Riverside Strategy of manufacturing growth. The case put forward by the landowners for greater flexibility due to lack of demand is understood and addressed below. However, the likelihood of substantial public funding for transport and infrastructure over the

coming years requires a clear vision and planning framework for the site to ensure physical and economic benefits are maximised.

- 2.14 On the issue of demand, a number of studies on the demand for land/employment prospects for the environmental business sector are currently underway to quantify the 'drivers of change' referred to in the guidance. It is important to ensure at this stage that further storage and distribution development does not prevent environmental businesses or other industrial/manufacturing/R&D uses occurring and thereby squandering the vision.
- 2.15 To address concerns, the Council will take on board the Mayor of London's recommendation to monitor the situation. If the outcome of the studies, the market situation and in particular the impact of the ETRCL development, result in lack of regeneration over the coming years due to poor demand then a review will consider whether some further B8 development can be permitted.
- 2.16 Developers and landowners will also have show clear evidence that sites have been marketed for B2 uses at appropriate rental levels. This conforms to Planning Policy Guidance Note 12 [para. 4.12] which stresses that local authorities should aim to ensure that proposals for economic development, and the allocation of land for that purpose, are realistic. The monitoring will also take account of public transport improvements to ensure TfL's concerns over density increases are included.
- 2.17 Regarding the objection that the vision for a 'Sustainable Industrial Park' goes outside the scope of planning powers, the guidance highlights that it forms part of a 'toolkit' of measures to deliver the SIP acknowledging the limits of planning powers. Policies are worded to take account of the extent of planning powers whilst ensuring promotion and encouragement of elements in line with the SIP vision.

### **3. Amendments to the Guidance and Status**

- 3.1 The consultation draft has undergone a number of amendments in the light of comments received. Appendix 2 consists of the amended guidance presented with tracked changes. The amendments make the document more clear and robust whilst retaining the original thrust of the draft version.
- 3.2 The process of consultation has been undertaken in accordance with guidance set out in Planning Policy Guidance Note No 12 (Development Plans). This states that "[Supplementary Planning Guidance] should be prepared in consultation with the general public, businesses, and other interested parties and their views should be taken into account before it is finalised. It should then be the subject of a council resolution to adopt it as supplementary guidance."
- 3.3 The Interim Planning Guidance clearly derives out of strategic guidance set out at the National level and the draft London Plan. Of key consideration has been the need to ensure planning policies "provide for choice, flexibility and competition", so that there is "sufficient land available which is readily capable of development and well served by infrastructure" (PPG 4: para 6). Importantly this should ensure that there are "a variety of sites available to meet differing needs".

- 3.4 Once adopted the Interim Planning Guidance will be used as a material consideration, and given added weight in the determination of planning application within the Dagenham Dock area. It will also be incorporated into UDP review process and the Opportunity Area Framework for Dagenham/London Riverside.
- 3.5 The commitment within the IPG to monitoring the situation in terms of demand and employment will ensure that proposals for the economic development of Dagenham Dock, and the allocation of land for this purpose, are realistic (PPG 12: para. 4.12). This will be supported by the findings from existing and future studies on the demand for land/employment prospects for the environmental business sector.

**4. Financial**

There are no financial implications arising from this report.

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